4° Jur rel. 65 (1.

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A

DIGEST

OF THE

PUBLIC GENERAL STATUTES,

FROM *MAGNA CARTA*, A.D. 1224-5, TO 1 & 2 *GEO.* 4. A.D. 1821,

INCLUSIVE:

WITH AN

ANALYTICAL INDEX;

CHRONOLOGICAL TABLES OF STATUTES, AND SOVEREIGNS' REIGNS;

AND AN APPENDIX OF SCHEDULES AND FORMS.

BY

ROBERT PHILIP TYRWHITT AND THOMAS WILLIAM TYNDALE,

OF THE MIDDLE TEMPLE.

*" Quod si leges aliæ super alias accumulatæ in tam vasta excreverint volumina, aut tantâ confusione laboraverint, ut eas de integro retractare, et in corpus sanum et habile redigere ex usu sit : id ante omnia agito," * * * * * *

BACON DE AUGMENTIS SCIENTIARUM, *Aphorism* 49.

IN TWO VOLUMES.

VOL. I.

LONDON:

PRINTED BY A. STRAHAN,

LAW-PRINTER TO THE KING'S MOST EXCELLENT MAJESTY;

FOR JOSEPH BUTTERWORTH AND SON,

43. FLEET-STREET.

1822.

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REGIA
MONACENSIS

BY ROBERT PHILIP TURNBULL, AND THOMAS WILLIAM TYNDALE,

OF THE INNER TEMPLE.

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Staatsbibliothek
München

TO

JOSEPH CHITTY, ESQ.

OF THE MIDDLE TEMPLE, BARRISTER AT LAW;

WHOM PROFESSIONAL TALENTS AND CORDIALITY OF FEELING

DISTINGUISH AS A LAWYER

AND

ADORN AS A MAN;

THIS WORK IS RESPECTFULLY INSCRIBED,

BY

HIS LATE PUPILS

AND OBLIGED FRIENDS,

R. P. TYRWHITT.
T. W. TYNDALE.

PREFACE.

THE importance of precision in the municipal laws of a civilized state must be obvious to the most cursory observer. The undigested condition of our own Statute Law has, therefore, excited the animadversion of our most learned jurists, while its official Revision and Consolidation have been recommended from the Throne, and petitioned for by both Houses of Parliament. The learned names of Bacon, Hale, and Hobart, are among the first promoters of the measure; and in 1650 and 1666, as well as in later times, successive committees of both Houses have recognized its principle. *

The first step necessary to this truly national undertaking, appears to be that of arranging the whole statutes under proper heads, *setting apart* (but by no means repudiating) those which are expired and repealed, consolidating the existing provisions, reducing their scale of verbal expression, and, finally, giving a full reference to the whole. The practical application of this design to professional and parliamentary uses in particular has been now attempted by persons whose execution, however inadequate, may serve to show in how small compass the existing statutes when consolidated, may be contained, as well as to clear the path of future improvements. In order therefore to assist a labour so worthy of the age, as well as to facilitate the search of the present enquirer, this work has been prepared, and will, it is hoped, be found acceptable as well to the members of both Houses, as to the profession of the Law and to the Magistracy. The expediency of the legislative consolidation of the statute law is briefly adverted to in the latter part of this preface.

The object of this work is to unite a DIGEST and CONSOLIDATION of the *existing* statute law of the United Kingdom, with an ANALYTICAL INDEX, affording a complete reference to the STATUTES as well as to the DIGEST.

The particular object of the DIGEST is to present the Statute Law in an arranged, reduced, and CONSOLIDATED form: that of the INDEX is to render every provision more easily accessible than the unavoidable length of many titles in the Digest would otherwise admit.

The object having been sufficiently pointed out, the execution of the plan, as it relates —*First* to the DIGEST; *Secondly* to the INDEX, Chronological Tables, and Appendix; will be briefly stated, and some general observations will conclude the preface.

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* *See* Reports made in 1796 and 1803 to the House of Commons by the Committees on the Promulgation of the Statutes, and on Temporary Laws; Reports of the Committee of the Lords for Enquiry into the means of extending and securing the Foreign Trade of the Country, &c. made in 1820.

First, as to the DIGEST. Great caution has been used fully to preserve the verbal tenor of each enactment, by inserting the precise words of the statutes once, while their repetitions have been avoided. No word of value has been omitted, and the titles and preambles have been stated in all cases in which they seemed necessary to elucidate the enactments in any part of the statutes: thus it has been anxiously endeavoured to give every material enactment at a length and with a strictness of adherence to the exact wording, subject to the above rule, which will, it is hoped, be found peculiarly adapted to professional use, especially on the circuits and sessions, as well as to magistrates in general.

The arrangement of the statutes under each head is chronological, except as to amending or repealing statutes, which are incorporated with the provisions in which the alteration is made. The title of the statute upon which later statutes have been engrafted, whether by way of amendment, extension, or repeal, has been given at length, with the year and chapter, or sections, &c. of the amending statutes immediately subjoined. The whole are then digested and consolidated in the order in which they would have been placed, had the whole been enacted at the same time. The variations thus effected are denoted by inserting them, with the statute, chapter, and section, between brackets, in that part of the original statute which they alter or repeal. Thus, though the subordinate *subjects* of enactment which fall under a general head are treated of as they arise *chronologically*, the enactments relating to each subject are *scientifically* arranged in the order which seems to afford the best practical view of the existing law.

The above plan of modified chronological arrangement was selected, upon considering, that the use of any other more exclusively scientific would have entailed on the reader the task of mastering it; a task the more irksome, when we consider the differing views of individuals as to scientific arrangement, joined with the peculiar embarrassments attending its application to statute law. It must also be remembered, that a different arrangement might frequently have been adopted had it been practicable *officially to consolidate*, having first cleared the way by a sweeping repeal of all former provisions; but the task has been to cope with the statutes in their present cumbrous and diffused condition, and to reduce to some degree of system what has been accumulated without regard to it. The copious Index will reconcile any difficulty which would otherwise arise from looking through a long title; and after full experience of every perplexity, it has been felt that the supreme authority of parliament in support of the labours of a learned commission, can alone remodel by official arrangement those minute points which are here arranged in the manner which appeared most compatible with the *present* state of statute law, and are referred to with all possible fulness. Some titles, however, seemed to admit of a scientific arrangement, without incurring the above inconvenience, *viz.* AUCTIONS, EAST INDIA COMPANY, MANUFACTURES, POOR, and STAMPS.

To have inserted the *whole* of the statutes relating to the PUBLIC REVENUE, *viz.* Customs, Excise, Loans, Supplies, &c. &c. with the restrictions consequently imposed on foreign trade, and to the PUBLIC EXPENDITURE, *viz.* Army, Navy, Militia, &c. would have materially swelled this work, while they do not appear of equal importance to the profession for whose practical use this work was principally intended; and the examples of Messrs. Evans and Gabbett, in their able works, have supported the exclusion. But the statutes relating to AUCTIONS, ASSESSED TAXES, FISHERIES, LAND-TAX, and STAMPS, are here consolidated at length; as well as the statute 52 *G.* 3. *c.* 143., which consolidates the provisions in force, imposing the penalty of death for any act done in breach of, or resistance to any part of the laws for collecting the revenue in Great Britain; and tables of the articles on which duties of excise are payable, with the statutes imposing them, are placed in the Index, *tit.* Excise. Other reasons have combined with the above to induce, for the present at least, a delay to consolidate the other revenue laws above alluded to. The treasury, under various statutes, *viz.* 54 *Geo.* 3. *cap.* 171., 51 *Geo.* 3. *cap.* 96., 42 *Geo.* 3. *cap.* 96., has been invested with power to restore seizures of goods made for the breach of any law of customs, excise, navigation, and trade, and also to remit or mitigate penalties incurred, on such conditions as they think fit; thus rendering inoperative

the enactments of many long statutes provided for regulating internal and foreign trade. Their orders and minutes in matters of practical regulation, are imperative on the various subordinate revenue boards * ; and thus the revenue *statute* law has become modified by means and from sources unknown to the general or professional enquirer. These branches of law have been ably handled in many treatises compiled by officers of the different boards, and some of them officially sanctioned. † In these works the various orders of treasury, &c. are necessarily arranged, but it seemed questionable how far such variations of the statutes, made by authority created by, and for these purposes, tantamount with parliamentary legislation, but *dehors* the statutes themselves, could be admitted into *this* work consistently with its general object.

It is also well known, that a bill for repeal, consolidation, and amendment of the 2000 statutes affecting the laws of shipping and navigation, imports and exports, and warehousing, is under the consideration of parliament, on the motion of The Right Hon. Thomas Wallace, Vice President of the Board of Trade, founded on the reports of the committees on foreign trade which recommended the measure. ‡

The statutes of the parliament of *Great Britain* previous to the union with *Ireland*, and of the United Kingdom of *Great Britain* and *Ireland* since that event, but *which relate to Scotland or Ireland only*, have been in like manner consolidated, but with the exception of the acts relating to the unions, and to elections of members of parliament in *Scotland* and *Ireland*, &c. are for the present withdrawn from insertion in the following work, as they would have considerably increased its bulk and expence without adequate return of utility to the mass of English purchasers. It scarcely needs to be noticed, that all statutes relating to England, which *also* extend to or affect Scotland or Ireland, are here inserted. Statutes of an exclusively local or personal nature have been omitted, though placed in the statute book among the public general statutes. Those, however, which relate to the administration of justice, and other subjects of general interest, though restricted in their operation to London, Wales, or the Counties Palatine, are inserted; statutes passed by the Scotch and Irish parliaments, and so much interwoven with statutes of the English, British, or Imperial parliaments, as to require an analysis to render the latter intelligible, have been shortly digested, but in other cases are merely quoted by their numerals, dates, &c. as they occurred, with the words *Ir.* and *Sc.* appended to distinguish them.

Each sentence is numbered like the earlier law abridgments of Fitzherbert, &c. for the greater facility of reference. Small capitals have been used to point out the titles or first words of the leading statutes, which form subdivisions in each general title. At the head of each column the statute, year of reign, chapter, and section, are placed at length, but in other places where regard to correctness admitted it, the section only with an *id.* prefixed. The repealed and expired statutes belonging to each title are placed at its head, and their respective repeals and expirations are there shown. The obsolete matter being thus disposed of, the provisions in force are subjoined. This is the method adopted by Sir Thomas Edlyne Tomlins in his official

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* *Viz.* of Customs, &c.; for, by *56 G.3. c.98. s.3.*, "All persons concerned or employed in collection or management of the revenues in and through every part of the United Kingdom shall be in all respects subject to the orders and control of the Lord High Treasurer or Commissioners of Treasury, of the United Kingdom of Great Britain and Ireland, and shall be liable to all such penalties and punishments for disobedience of such orders as they are or would be subject or liable under and by virtue of *any acts, laws, usages, or customs,* with respect to the powers of the Commissioners of the Treasury, in force in Great Britain and Ireland respectively, at the time of passing this act, (*viz. 1st July* 1816,) and immediately before *5th Jan.* 1817." This seems the first explicit declaration of the supreme authority of Treasury over the Revenue Boards in Great Britain, though in Ireland it was more accurately defined. The special provision commanding all persons employed in executing the acts relating to *assessed taxes,* to follow the orders of three or more Commissioners of Treasury, is *43 G.3. c.99. s.61.*, and will be found in page 1491., *pl.* 70.

† *Viz.* Jickling's Digest of Customs Law, 1815, Frewin's Abridgment of Customs Law; (both published by order of Treasury.)

‡ See Report of Committee of the Lords on Foreign Trade.

index to the statutes relating to Ireland, which, with his valuable advice on other points, he has had the kindness to supply. An APPENDIX of the schedules, &c. annexed to the statutes, is placed in the second volume.

The types and pages of this work were adopted for the sake of compression into the smallest possible compass, or it would have been easy to have run it out into twice its present size.

Secondly: In the INDEX (that most material and necessary part of the work), every exertion has been made to render the minutest provision accessible to the enquirer, and as many practical heads as possible have been adopted. Reference is made to the statutes themselves, as well as to the Digest. The substance of many repealed or expired enactments will also be found shortly referred to.

In the CHRONOLOGICAL TABLE prefixed to the work, the public general statutes (except those so arranged in the statute book, but of a local or personal nature) are chronologically arranged, and their repeals, as well as expirations, shown. The repealed and expired sections and parts of sections are annexed to those statutes of which the remainder is in force. Here also will be found the date of each statute with its subject matter. A reference is given to the pages and *placita* of those contained in the Digest. The general rules as to the extent of statutes, whether embracing the United Kingdom, or restricted to England, Scotland, or Ireland respectively follow the preface, and the exceptions to these rules positively ascertained by the statutes themselves are annexed to them as they occur in the Chronological Table.

The limit hitherto fixed by the legislature for the continuance of certain statutes is also there affixed to them. Thus the statute 51 G. 3. *c.* 124., which prohibits (*s.* 1.) the holding to bail for less than 15*l.* (except on a bill or note) is described as "*Continued to the end of the session of parliament next ensuing* 1 *Nov.* 1823., *see* 57 G. 3. *c.* 101." Two full Chronological Tables of the reigns of the Kings of England, from William the Conqueror to the present King, have been added, showing the commencement of each reign, and of every year of it; their duration, and the amount of years, &c. in each.

General Observations. — It is well known, that the revision of the statute law has exercised the ingenuity of some of the most learned men as well as of many parliaments of England. Sir Nicholas Bacon, Lord-keeper in Queen Elizabeth's reign, A. D. 1557, drew up a short plan for the purpose; and that queen afterwards recommended to Parliament a general revision of the statute law in 1593. Lord Chancellor (Francis) Bacon and Lord Hobart, Mr. Serjeant and Mr. Heneage Finch, Mr. Noye, and Mr. Hackwell, made great progress in the undertaking * under the commands of James I. The opinion of these learned men as to

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* Proposition to King James I. by Lord Chancellor Bacon, for reducing and recompiling the LAWS OF ENGLAND, 1 *Bacon's Tracts*, 9.

"For reforming and recompiling of *statute law* it consists of 4 parts.

1. The first, to discharge the books of those statutes where the case by alteration of time is vanished, as Lombards, Jews, &c. *which may nevertheless remain in the libraries for antiquities*, but should not be reprinted. The like of statutes long since expired and clearly repealed, for if the repeal be doubtful it must be so propounded to parliament.

2. The next is, to repeal all statutes sleeping and not of use, but yet snaring and in force; in some of these it will perhaps be requisite to substitute some more reasonable law instead of them, agreeable to the time; in others, a simple repeal may suffice.

3. The third, that the grievousness of the penalty in many statutes be mitigated though the ordinances stand.

4. The last is, the reducing of concurrent statutes heaped one on another to one clear and uniform law. Towards this there hath been already a great deal of pains taken on my motion and your Majesty's direction; my Lord Hobart, myself, Serjeant Finch, Mr. Heneage Finch, Mr. Noye, Mr. Hackwell and others, having brought our labours therein to a great bulk, and because this part of the work which concerneth the statute laws, must of necessity come to parliament, and the houses will best like that which themselves guide, and the persons they themselves employ, the way *were to imitate the precedent of the commissioners for the canon law in* 27 *H.* 8.

the "best way to accomplish this excellent work of honour to your Majesty's times, and of good to all times," was in favour of "Commissioners named by both Houses; yet not with a precedent power to conclude, but only to prepare and propound to parliament."

The committees appointed in 1650 and 1666 for revising all the former statutes then in force, reducing all statutes of one nature under one method and head, and repealing those necessary to be repealed, do not appear to have made much progress in the undertaking. The able reports of the committees on promulgation of the statutes and on temporary laws, in 1796 and 1803, produced the classifications of the statutes stated in the note *; but no official *arrangement* or general *consolidation* has been attempted.

After enforcing the importance of obtaining an authentic edition of the Statutes, the *Report of the Committee on Temporary Laws*, proceeds to state as follows, (§. 3. *pages* 13, 14.): "With such a complete publication of the Statute Law, when provided, the PLAN for a REVISION might not be difficult to devise, however laborious in its execution. Adopting the idea of the Commissioners employed in the reign of James the First, but executing it more comprehensively, an EXAMINATION might be instituted and a REPORT made of all the laws, enumerating them chronologically, and noting against each, individually, either, *first*, an existing perpetual law, and whether fit to stand or to be repealed *simpliciter*, or to be repealed or replaced by a new law: or, *secondly*, an existing but expiring law, and whether fit to expire, or to be continued, or to be made perpetual: or, *thirdly*, repealed, and whether fit to be re-enacted: or, *fourthly*, expired, and whether fit to be revived. The detail of such a work might be distributed, as Lord Keeper (Sir Nicholas) Bacon proposed to Queen Elizabeth, by divisions between different sets of persons, whose labours might proceed concurrently and be afterwards submitted to the judgment of a superior commission, as Lord Chancellor Bacon proposed to James the First, to be appointed for the purpose of preparing a DIGESTED REPORT of the whole matter for parliamentary consideration."

No approach, however, to the proposition of Lord Bacon, has yet marked the path of modern times. The task which, in the last of the earlier times above alluded to, was deemed so arduous, has been since encreased by more than 150 years of time, the last 60 of which have been more fruitful in legislation than the preceding 538 years since *Magna Carta*. The consolidations which were thought so necessary in the reign of Elizabeth, (see preamble to 5 *El. c.* 4.) and which have been since partially effected in different branches of law, have, however, gradually improved the statute book, and it is hoped will be followed up, at least in all matters of fiscal law and regulation. †

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c. 15. (Rastall's Statutes, *and see* 25 *H.* 8. *c.* 19. *s.* 2., 35 *H.* 8. *c.* 16., 3 & 4 *Ed.* 6. *c.* 11.,) *and* 4 *E.* 6., *and for the union of realms in* primo *of your reign, and so to have the commissioners named by both houses; yet not with a precedent power to conclude, but only to prepare and propound to parliament.* This I conceive is the best way to accomplish this excellent work of honour to your Majesty's times, and of good to all times."—*See also the Parliamentary History, and the Preface to* 4 *Reports.*

* *Viz.*—1. Public General acts: 2. Local and Personal acts to be judicially noticed, including as well local acts made public by the usual public clause, *viz.* "*And be it further enacted, that this act shall be deemed and taken to be a public act, and shall be judicially taken notice of as such by all judges, justices, and others, without being specially pleaded:*" as also local and personal acts having a clause introduced in pursuance of a resolution of the Houses of Lords and Commons in that session, (see the votes of the House of Commons, March 18, 22 & 24, 1803.) *viz.* "*And be it further enacted, that this act shall be printed by the several printers to the King's most Excellent Majesty, duly authorized to print the statutes of the United Kingdom, and a copy thereof, so printed by any of them, shall be admitted as evidence thereof by all judges, justices, and others,*" and called "*quasi* public acts:" and 3. Local and Personal acts not printed, (being such as were before called Private acts). The division of the statutes for the last five years, commencing with 1816, has, however, been as follows: 1. Public General acts: 2. Local and Personal acts *declared public*, and to be judicially noticed (*viz.* by the *first* above-recited clause): 3. Private acts printed by the King's printer, and whereof the printed copies may be given in evidence (*viz.* by the *second* above-recited clause): 4. Private acts not printed.

† Partial repeals and amendments sometimes lead to consequences very different from the intention of their enactment. Thus, at common law, all larcenies, whether simple or compound, above or to the value of 12*d.*, were capital offences, but with benefit

The confusion, however, incident to the placing general or perpetual provisions among temporary, local, or personal matter, and the converse; the difficulty of ascertaining to what parts of the United Kingdom many of the Imperial Statutes extend or are confined; and the entire want of arrangement of the clauses of statutes, which has been ascribed partly to the alterations of bills in their progress through parliament, and partly to defects in their original formation, still appear to exist in full force.

The learned Barrington, in the Appendix to his "*Observations on the More Ancient Statutes*," has proposed a simple plan, the effects of which, if it had been adopted in his time, would have rendered needless many of the present observations. After showing that the failure of a committee appointed for repealing certain statutes of Elizabeth was owing to its being a work of time and deliberation, which that flux body, sitting from year to year, is not calculated for, and that the assistance of lawyers able to spare time for the attendance, was probably wanting, he proposes, "That two or more barristers should be appointed, who, from year to year, might make a report to the Privy Council, as likewise to the Lord Chancellor, the Master of the Rolls, and the twelve Judges of a certain number of statutes which should either be repealed or reduced into one consistent act. It may be proper also that they should, at the same time, transmit such statutes as they propose to substitute in the room of those which seem liable to objection. There will then be the whole vacation for consideration of such intended alterations, which, if approved of, might pass into laws in the subsequent session." A constant supervision of the varying state of statute law, *in aid* of the legislative bodies, would thus be secured, and much of the accumulated labour of members of parliament saved; while the discussion of general principles might be more correctly carried on, from the elucidation of those minute points which sometimes perplex the most experienced.

In the course of this work much thought has been necessarily employed upon the different plans for a legislative consolidation of the Statutes. Experience of the task itself has not facilitated a conclusion on its merits as a public measure. The plans for attaining this object are so entirely borrowed from those originally suggested by the Lords Keeper and Chancellor Bacon, that it may be matter of surprise that modern ingenuity has devised no improved means to meet the increased difficulties of the work. It now remains for the legislature cautiously to decide whether, if the feasibility of any such plans has been sufficiently made out, the consequences, joined with the expence, would be desirable. To repeal every scattered provision on a given head of

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of clergy. The statute 10 & 11 *W.* 3. *c.* 25. *s.* 1. (*infra, p.* 247., *pl.* 53.,) however took away clergy from persons "who shall by night or day, in any shop, warehouse, coachhouse, or stable, privately and feloniously steal any goods *of the value of* 5*s.*" But by statute 1 *G.* 4. *c.* 117. *s.* 1. (*infra, same page, pl.* 54.) that section is repealed as to privately stealing any goods under 15*l.* value, and by *id. s.* 2. (*same page, pl.* 55.) persons who privately and feloniously steal in any shop, &c. (*as above,*) any goods of the value of 5*s.* or more, but under 15*l.*, are punishable by transportation for life only, or by some other less severe punishment in the act enumerated. The consequence seems to be, that privately stealing in any shop, &c. above or to the value of 12*d.*, and *under* the value of 5*s.*, remains as at common law; and that if any person, having previously had his clergy, should be indicted for such an offence, judgment of death must be passed on him; but if the same person is indicted for the same stealing to 5*s.* value and under 15*l.*, he would be, at most, only liable to transportation for life.

So also the punishment of burning in the cheek, inflicted by 10 & 11 *W.* 3. *c.* 23. *s.* 6. (*p.* 247. *pl.* 52.) on persons convicted of *theft or larceny*, and allowed their clergy, or who ought to be burnt in the hand for such offence, in lieu of burning them in the hand, was repealed by 5 & 6 *A. c.* 6. *s.* 1., which recited 10 & 11 *W.* 3. *c.* 23. *s.* 6., and repealed so much of that act as inflicted the punishment of burning in the cheek, and in *s.* 2. (*id. pl.* 63.) proceeded to re-enact burning in the hand; but the punishment of burning in the cheek, inflicted by 6 & 7 *W.* 3 *c.* 17. *s.* 4. (*p.* 137. *pl.* 63.) on persons guilty of buying, selling, or knowingly having in custody any clippings or filings of current coin, remains in force, unaffected by 5 & 6 *A. c.* 6. *s.* 1.; though the preamble to that statute recites that this punishment rendered offenders desperate which occasioned the *partial* repeal of it above mentioned, and the burning in the *hand*, provided in *s.* 2. of the same act, may now, *for the same reason*, be commuted to fine and whipping. (*See* 19 *G.* 3. *c.* 74. *s.* 3.)

It would be useless further to particularize incongruities, inevitably arising from the want of constant supervision of the varying state of the statute law; but the notes in *tit.* Gold and Silver, page 328. *pl.* 90—93., and in *tit.* Horses (*Stealing*), page 367. *pl.* 31—33., &c., Indictment, &c. page 384. *pl.* 11. may be here noticed.

law, in order to a re-enactment of the whole in one code, is a principle long known from the works of every law-writer on the subject, and must be obvious to every one as the ground-work of any consolidation. What now forms parts of several acts, in the shape of different sections, would then be comprehended in one. Had no principles been formed or decisions made upon any of these sections when isolated, and were a new system of law to be founded on these bases, (as in the Code Napoleon,) the brevity of the consolidated enactment might form a considerable recommendation. It must, however, be remarked, that whilst all key to the original cause of each of the concentrated enactments is thus taken away, the whole series of decisions on each must be completely deranged for all practical purposes. Numberless qualifications of the old law must arise by juxta-position of many sections which required intervening clauses to explain their original intention. To quote a part of a section in the consolidated act, will not avoid the difficulty of ascertaining its parallel, or rather original, in the old statute, upon which principle and practice are alike founded. The old statutes must, in this case, be preserved as guides to the new, which would rather serve to increase than lessen the weight of our laws. The same consequence will arise from the system of repealing the old in order to the introducing a new act, which, under these plans, must be constantly occurring. The present annual expence to the country, as well as to private purchasers of statutes, is trifling in comparison of that which must ensue if a long consolidation act passed in one session is repealed in the next, in order to be reconsolidated with new matter, (a repetition, too, which may occur in every succeeding session :) indecision would be produced by the means proposed to ensure certainty in the system, and repeals would be of such constant occurrence as to occasion the greatest uncertainty in practical reference to statutes, by any but those immediately concerned in framing them. The only means of avoiding the evils of such repetitions would then be to alter the present mode of passing acts, which, besides the many other unforeseen consequences of such a measure, would destroy the usual mode of referring to and quoting them, and throw into confusion the whole body of decisions founded upon the statutes in their present form.

It has been thought right to state the above, as some part of the difficulties attending a legislative consolidation, and deserving of serious attention. Whether the work of digesting and consolidating the statutes would not, *for practical purposes*, be best left to the labours of private individuals, is not for the latter to decide: but as easy reference is what is most wanting to the present statutes, and as the above plans tend to increase instead of diminishing legislation and expence, this circumstance may be weighed, before sanctioning a measure so pregnant with difficulty. The official edition of the statutes is out of the reach of the majority; but it may be worth considering whether an edition of them might not be compiled from it, on a scale which would unite brevity and cheapness with that precision so indispensable to the work. Committees might first report to parliament what statutes, or parts of them, are necessary to be repealed, as well as what are already repealed or expired, pursuing the recommendation of the committee on temporary laws, (*see page* ix.) An edition of the statutes might then be promulgated by authority of parliament; to each volume of which should be prefixed a chronological list of the titles of all statutes passed in each year contained in it, shewing those which were expired, and when, or repealed, and by what act. The statutes in force might follow at length; to each of which, notes of the statutes amending, altering, or repealing its provisions, should be annexed, and the whole be accompanied by an act of parliament, declaring that every statute, or part thereof, which is deemed repealed or expired in the edition so promulgated, shall be deemed repealed or expired to all intents and purposes.

It will, however, be evident to every one acquainted with the present bulk of the Statutes at Large, even after all the improvements effected by their learned editors, that whether their confusion, size, or expence are considered, some reduction and arrangement should and might be effected. The plans to accomplish this, suggested by Lord Bacon and Barrington, have the sanction of their names and the merit of much practical simplicity, but have hitherto been unsupported by legislative authority. In the absence, therefore, of such interference on the subject, the present Digest has been prepared, in hopes that the attempt might,

in some measure, palliate those numerous imperfections of execution which legal acuteness will discover. Its difficulties might, indeed, have claimed some indulgence, had it proceeded from men whose natural talents had been matured into legal wisdom by the longest professional life; for the statutes arranged and consolidated amount to above 2000, and are scattered over a period of nearly 600 years, during the latter part of which time alteration and addition have proceeded in an almost geometrical proportion. These facts induce a hope that this anxious attempt to deserve well of the profession, will be viewed with that candour and liberality, which none are more ready to afford than those whose own talents and performances are most undoubted and excellent. Such individuals can best judge of its numberless intricacies, and will excuse defects to avoid which no exertion was spared.

In a word, it has been endeavoured to render the statute law more accessible, and by approximating its ancient and modern provisions, to condense the whole, and thus to make its perusal a less formidable task. The Index and Chronological Tables will guide the enquirer in his research, whether confined to the Digest or extended to the Statutes themselves; and if the work is found to smooth the difficulties of the latter undertaking, it may perhaps be conceded that it is a necessary, however humble, step towards that REVISION of the STATUTE LAW, which the collective wisdom of sages and of parliaments has for centuries recommended.

2. Pump Court, Temple,
20th Feb. 1822.

R. P. TYRWHITT.
T. W. TYNDALE.

GENERAL OBSERVATIONS ON THE EXTENT OF ACTS OF PARLIAMENT.

ALL Statutes of the Parliaments of *Great Britain*, and the United Kingdom of *Great Britain* and *Ireland*, extend to *Wales*, and it has been enacted, perhaps superfluously (*a*), by 20 *G.*2. *c.*42. *s.*3. (*tit.* STATUTES, *pl.*7.), that where *England* only is mentioned in any act of parliament, the same notwithstanding *hath* and shall be deemed to comprehend *Wales* and *Berwick upon Tweed*.

All statutes of the *English*, *British* and United Parliaments, comprehend *Berwick upon Tweed*, whether specially named or otherwise. (*b*)

But *Guernsey*, *Jersey*, *Alderney*, *Sark* (*c*) and *Man* (*d*), are not bound by any such statutes unless specially named therein.

All statutes passed *since* 1*st May* 1707, (*see* 5*&*6 *A. c.*8. *Article* I.) of a general nature, extend to *England* and *Scotland*, *viz. Great Britain*; and in such statutes which are *not* applicable to *Scotland*, and where *Scotland* is not intended to be included, the method is expressly to declare "that the act does not extend to *Scotland*" (*e*); but it is apprehended that this salutary *dictum* of Lord *Mansfield* has been not unfrequently disregarded in practice, and that the extent of many statutes to *Scotland* can be determined by no more certain rules than those hereafter applied to the extent of statutes to *Ireland*, since the union with that country.

By 10 *H.*7. *c.*22. (*Ir.*), which is one of what are called *Poynings' Laws*, Sir Edward Poynings being then Lord Deputy, all acts of parliament before made in *England* "concerning the common and public weal of the same," shall be used and executed within *Ireland*; but as no acts of the *English* parliament, since the 12*th* of King *John*, extended to *Ireland*, unless specially named or included under general words, such as "within any of His Majesty's dominions (*f*)," and which is particularly expressed in the year-books, with the reason thereof, *viz.* their non-representation in the *English* parliament (*g*); so, by the same rule, no laws made in the *English* parliament since 10 *H.*7. and before 1*st Jan.* 1801, when the union with *Ireland* took place, extend to *Ireland*, except that country be specially named, or included within the above general words. (*h*)

The above is the doctrine of Lord *Coke* as to the extent to *Ireland* of statutes passed in the *English* parliaments *since* 10 *H.*7., and is declared by him to be "a question, by common experience and opinion, without any trouble, resolved." (*i*) *Blackstone*, in his Commentaries (*k*), adopts the principle, confirming it, as we have seen, by the deduction which Lord *Coke*, as it seems, did not wait to make. But it may be questioned how far *Ireland* can be comprehended in the above general words of "*within any of H. M.'s dominions*;" particularly as we have seen that *Guernsey* and the adjacent isles, as well as the *Isle of Man*, must be *specially* named in *English* acts of parliament, or will not be bound by them. Not to mention the greater importance of *Ireland* compared with those small islands, she also, during all this period, enjoyed a parliament of her own, by which the statutes passed in the *English* and *British* parliaments were in many instances adopted, and from which in some instances the statutes of the latter have originated. (*l*) While a paramount

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(*a*) 1 *Bla. Com.* 99. 2 *Burr. Rep.* 853., *and see* 27 *H.*8. *c.*26. *s.*2. (*b*) *See* 20 *G.*2. *c.*42. *s.*3. *tit.* STATUTES, *pl.*7., and 1 *Bla. Com.* 99.
(*c*) 1 *Bla. Com.* 106. 4 *Inst.* 286. (*d*) 4 *Inst.* 284. (*e*) 2 *Burr.* 853. 856.
(*f*) 4 *Inst.* 351. 1 *Bla. Com.* 101., and see *Prynne's Argument*, 8 *State Trials*, 343. (*g*) 2 *R.*3. 12. 20 *H.*6. 8.
(*h*) 1 *Bla. Com.* 103. 12 *Rep.* 112. 4 *Inst.* 351. (*i*) 12 *Rep.* 112. (*k*) 1 *Bla. Com.* 106.
(*l*) *Gabbett's Digested Abridgment*, Preface, page xiii.

power seems (previous to 6 *G.* 1. *c.* 5.) to have been possessed, and occasionally to have been exercised by the crown and parliament of *Great Britain*, not only to repeal *Irish* acts, but to control and extend *British* acts to *Ireland*. Thus the provisions of 7 *&* 8 *W.* 3. *c.* 27. (*viz. s.* 21.,) recited in 1 *A. St.* 1. *c.* 8. as well as the latter act, are by *s.* 60. extended to *Ireland*, *Jersey*, *Guernsey*, and His Majesty's dominions in *America*. Thus also 10 *&* 11 *W.* 3. *c.* 10. and 4 *&* 5 *A. c.* 7. prescribe the ports of *Ireland* from which wool might be exported to this country. So by 3 *&* 4 *A. c.* 8. it was provided, that *Irish* linen cloth might be exported direct from *Ireland* to the *British* plantations; and by 3 *G.* 1. *c.* 21. that act was continued for so long as *British* subjects are *permitted* to import *British* linens into *Ireland*, duty free.

These special extensions to *Ireland* of particular *English* statutes do not appear necessary, if that country could have been comprehended in the general words above mentioned.

Other instances occur in which *Irish* statutes are repealed by statutes of the *English* and *British* parliaments, *viz.* 2 *El. c.* 1. (*Ir.*) by 3 *W. & M. c.* 2. *s.* 1. as to the oath of supremacy: so 12 *C.* 2. *c.* 34. (now repealed as to *Ireland*, by 19 *G.* 3. *c.* 35. *s.* 1.) forbade the planting tobacco in *Ireland*. The oath by 2 *El. c.* 1. (*Ir.*) appointed to be taken, is abolished by 3 *W. & M. c.* 2. *s.* 2. Again, the laws made in *Great Britain* against private and unlawful lotteries, were extended to *Ireland* by 29 *G.* 2. *c.* 7. But all these examples, except the last, occur previous to 6 *G.* 1. *c.* 5. which "declared *Ireland* to have been and to be subordinate to, "and dependent on the imperial crown of *Great Britain*, as inseparably united thereto, and that H. M. and "the Lords and Commons of *Great Britain* in parliament, had and have full power to make statutes to bind "*Ireland*." This statute was repealed by 22 *G.* 3. *c.* 53. and the 23 *G.* 3. *c.* 28. further declared and enacted, that the right claimed by the people of *Ireland* to be bound only by laws enacted by H. M. and the *Irish* parliament, in all cases whatever, should be established for ever, and should at no time thereafter be questioned or questionable: and the appellate jurisdiction by writ of error, &c. from the courts in *Ireland* to the courts in *Great Britain* was taken away by *s.* 2. of the latter act; and was so restored to the courts of error and appeal in *Ireland*.

About the same time the act of 21 *&* 22 *G.* 3. *c.* 48. commonly called "*Yelverton's* act," was passed in *Ireland*, by which it is expressly enacted, (*m*) *first*, that all statutes made in *England* or *Great Britain*, under which any lands, &c. in *Ireland*, or any estate or interest therein are or is holden, or claimed, or which concern the title thereto, or any evidence respecting the same; and 2*ndly*, all such clauses and provisions contained in any statutes made in *England* or *Great Britain* concerning commerce, as import to impose equal restraint on the subjects of *England* or *Ireland*, and to entitle them to equal benefits; and 3*dly*, all such clauses, &c. contained in any statutes, made as aforesaid, as equally concern the seamen of *England* and *Ireland*, or *Great Britain* and *Ireland*, save so far as the same have been altered or repealed, shall be accepted, used, and executed, in *Ireland*; provided (*s.* 2.) that all such statutes, so far as aforesaid, concerning commerce, shall bind the subjects of *Ireland*, only so long as they continue to bind the subjects of *Great Britain*; and 4*thly*, (by *s.* 3.) all such statutes made in *England* or *Great Britain*, as concern the style or calendar; and 5*thly*, all such clauses, &c. contained in any statutes made as aforesaid, as relate to the taking any oath or oaths, or making or subscribing any declaration or affirmation in *Ireland*, or any penalty or liability for omitting the same; or 6*thly*, which relate to the continuance of any office, civil, or military or of any commission, or of any writ, process or proceeding at law or in equity, or in any court of delegacy, or review in case of a demise of the crown, shall be accepted, &c. in *Ireland*, according to the present tenor of the same respectively. From the extensive purview and general terms of this act, it is very difficult to say what *English* statutes were intended to be applied to *Ireland*. In Mr. *Gabbett's* excellent work will be found more extended notice of these points than is required in this place.

As a general deduction from the above observations, it appears, that from 10 *H.* 7. *circa* 1494, to the repeal of 6 *G.* 1. *c.* 5., by 22 *G.* 3. *c.* 53. in 1782, no act of the *English* or *British* parliaments is extended to *Ireland*,

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(*m*) *See Gabbett's Digested Abridgment*, Preface, page xi.

unless that country was included in the act by express words: and that from the time of the above repeal (accompanied by the 23 *G.* 3. *c.* 28.) and the merger of the *Irish* parliament in that of the united kingdom in 1801, no such act extended to *Ireland*, except it was included in the general purview of *Yelverton's* act. The many acts of the *Irish* parliament passed during *both* these periods, which correspond almost *verbatim* with other acts of the *English* and *British* parliaments, serve only to strengthen the above position, by shewing that their re-enactment in *Ireland* was deemed necessary to their force in that kingdom.

Since the union of *Great Britain* and *Ireland*, on 1*st Jan.* 1801, *Ireland* has stood in the same situation as *Scotland*, forming an integral part of the dominions of the crown, and represented in the parliament of the United Kingdom. It being provided by the acts of union, 39 & 40 *G.* 3. *c.* 67. (*Eng.*) and 40 *G.* 3. *c.* 38. (*Ir.*) that the United Kingdom should be represented in one and the same parliament, to be styled, "The Parliament of the United Kingdom of *Great Britain* and *Ireland*;" all acts therefore passed since 40 *G.* 3. (*Ir.*) in that parliament, which are of a general nature, or on subjects which apply equally to the whole of the kingdom, are held in practice to extend to and to include *Ireland*, in cases even where *Ireland* is not expressly named, if the provisions are such as can be carried into execution in *Ireland*. But in cases where the subject does not apply to *Ireland*, or where an express exception is made in the act, that it shall not extend to *Ireland*, or where by the context of the act, and the limitation of the mode of recovery of penalties, &c. to the courts in *Great Britain* or *England* only, it appears that *Ireland* was not in the contemplation of the legislature, such acts cannot, with propriety, be held to extend to *Ireland*; and these observations seem to apply in an equal degree to *Scotland*. In fact it is to be lamented, that sufficient care is not always taken in the acts which are introduced into parliament originally with a view to *England* only, either to extend their operation explicitly to *Scotland* or *Ireland*, where it may be expedient so to do, or, on the other hand, to except *Scotland* or *Ireland*, where the general words of the act might be understood to extend to those parts of the United Kingdom, although no such intention was really entertained by the framer of the act.

The principle, therefore, of the extent of the statutes, seems generally as follows:

The Statutes,

I. From *Magna Carta*, 9 *H.* 3. (*circa* A.D. 1224) to 10 *H.* 7. (*circa* 1494) extend to *England* (including *Wales* and *Berwick*) and *Ireland*.

II. From 10 *H.* 7. (*circa* 1494) to 6 *A.* 1*st May* 1707, extend to *England* (including as above).

III. From 6 *A.* 1*st May* 1707, to 41 *G.* 3. 1*st Jan.* 1801, extend to *England* (including as above) and *Scotland*.

IV. From 41 *G.* 3. *U.K.* 1*st Jan.* 1801, extend to the United Kingdom of *England* (including as above), *Scotland* and *Ireland*.

V. And the whole extend to *Guernsey*, *Jersey*, *Alderney*, *Sark*, and *Man*, when specifically mentioned.

A

CHRONOLOGICAL TABLE

OF

THE PUBLIC GENERAL STATUTES

FROM *MAGNA CARTA*, (*9 Hen. 3. circa* A.D. 1224—5.) TO *1 & 2 G. 4.* A.D. 1821. INCLUSIVE;

SHEWING

THOSE WHICH ARE REPEALED AND EXPIRED, AND REFERRING TO THOSE CONTAINED IN THIS DIGEST.

NOTE.—The figures at the end of the subject matter of each chapter shew its page, &c. in this DIGEST.

9 Hen. 3. MAGNA CARTA. A. D. 1224-5.

c. 1. Confirmation of liberties, *page* 480. *tit.* LIBERTIES, &c. STATS. *in force*, *pl.* 1, 2. and 1338. *pl.* 1.

c. 2. Relief of heirs of tenants *in capite*. [REP. virtually, 12 *C.* 2. *c.* 24. *s.* 1.] 334. STATS. *Rep.* &c. *pl.* 1. 1334. *id. pl.* 1.

c. 3. Wardship. [REP. virtually, 12 *C.* 2. *c.* 24. *s.* 2.] STATS. *in force*, 71. *pl.* 1. Custody of lands of benefices, 334. *pl.* 3.

c. 4. Waste of ward's lands, [REP. 12 *C.* 2. *c.* 2. *s.* 2.] 334. STATS. *Rep. pl.* 2. 1578. WASTE, *pl.* 1.

c. 5. Restoring lands to heirs [*Semb.* EXP. since 12 *C.* 2. *c.* 24. *s.* 2.] *id. pl.* 3. and 71. STATS *in force*, *pl.* 1.

c. 6. Marriage of heirs, [REP. virtually, 12 *C.* 2. *c.* 24. *s.* 2.] *id. pl.* 4.

c. 7. Widow, 191. *tit.* DOWER, *pl.* 1, 2.

c. 8. Debt to the king, 186. *pl.* 1, 2.

c. 9. Franchises of *London* and other places confirmed, 300. *pl.* 1.

c. 10. Distress for services, 190. DISTRESS, *pl.* 1.

c. 11. C.P. to be holden in some place certain, 166. *pl.* 1.

c. 12. Assizes of *novel disseisin* and *mort d'ancestor*, 9. STATS. *in force*, *pl.* 1. 418. *pl.* 1.

c. 13. ——— *darrein presentment*, 9. STATS. *in force*, *pl.* 2.

c. 14. Amercement, 253. *pl.* 1, 2.

c. 15. Bridges, making, 94. *pl.* 1.

c. 16. Rivers, obstructing, 1328.

c. 17. Pleas of crown, holding, 1252. *pl.* 1.

c. 18. Preference of H.M. among creditors, 186. *pl.* 3.

c. 19. Purveyance [REP. virtually, 12 *C.* 2. *c.* 24. *s.* 12.], 1305. STATS. *exp. pl.* 1.

c. 20. Castleward, [REP. virtually, 12 *C.* 2. *c.* 24. *s.* 12.] 1530. STATS. *in force*, *pl.* 1, 2.

c. 21. Taking horses, carts and wood [REP. virtually, 12 *C.* 2. *c.* 24. *s.* 12.], 1305. STATS. *Exp. pl.* 1.

c. 22. H.M.'s holding of felon's lands, 245. FELONS, &c. *pl.* 12.

c. 23. Wears, pulling down,

c. 24. *Præcipe in capite*. [REP. virtually, *comm. semb.*, 12 *C.* 2. *c.* 24. *s.* 1. or EXP.] 9. STATS. *Rep.* &c. *pl.* 1.

c. 25. One measure throughout realm.

c. 26. Inquest of life and member. [REP. *comm. semb.* virtually, 28 *E.* 3. *c.* 9.] 364. STATS. *in force*, *pl.* 1.

9 Hen. 3. MAGNA CARTA. A. D. 1224-5.

c. 27. Socage, knight's service, petit serjeanty. [REP. virtually by 12 *C.* 2. *c.* 24. *s.* 1. *Qu.* only as to knight's service?] *page* 1530. STATS. *in force*, *pl.* 3, 4.

c. 28. Wager of law, 1549. *pl.* 1.

c. 29. Liberties and rights, 480. *pl.* 6.

c. 30. Merchant strangers, treatment of, 511. MERCHANT, STATS. *in force*, *pl.* 1.

c. 31. Tenure of barony escheated to H.M. [*Semb.* REP. 12 *C.* 2. *c.* 24. *ss.* 1, 2.] 428. *pl.* 10.

c. 32. Alienation of lands, 1530. STATS. *in force*, *pl.* 5, 6.

c. 33. Patrons of abbies, 71. STATS. *in force*, *pl.* 2. [*Qu.* EXP.]

c. 34. Widow's appeal of death [*Rep. comm. semb.* by general words of 59 *G.* 3. *c.* 46. *s.* 1.], 17. STATS. *Rep.* &c. *pl.* 1.

c. 35. County court, sheriff's torn and leet, 167. COURTS (COUNTY), *pl.* 1, 2.

c. 36. Mortmain, 518. *pl.* 1.

c. 37. Escuage: subsidy to H.M. in respect of *Mag. Cart.* and *Cart. Forest.* Signatures to *Magna Carta*. [EXP.]

9 Hen. 3. CARTA DE FORESTA. A. D. 1224-5.

c. 1. Disafforesting lands, 294. FOREST, STATS. *in force*, *pl.* 1—3.

c. 2. Summons of the forest, 294. *id. pl.* 5, 6.

c. 3. Disafforesting lands, 294. *id. pl.* 4.

c. 4. Purpresture, waste, and assarts in forests, 294. *id. pl.* 7, 8.

c. 5. Rangers in forests, 294. *id. pl.* 9, 10.

c. 6. Lawing dogs in forests, 294, 295. *pl.* 11, 12.

c. 7. Gatherings in forests. Appointing foresters, 295, *pl.* 13, 14.

c. 8. Swainmotes and attachment courts, 295. *pl.* 15, 16.

c. 9. Agistments and pawnage, 295. *pl.* 17, 18.

c. 10. Punishment of killing H.M.'s deer, 295. *pl.* 19, 20.

c. 11. Peer may kill a deer of H.M., when, 295. *pl.* 21, 22.

c. 12. Land within forest, 295. *pl.* 23, 24.

c. 13. Woods within forest, 295. *pl.* 25, 26.

c. 14. Cheminage or tolls in forest, 295. *pl.* 27, 28.

c. 15. Trespass in forest, [EXP.] 294. FOREST, STATS. *Exp. pl.* 1.

c. 16. Plea of forest, 295. *pl.* 29, 30. Signatures to *Carta de Foresta*.

14 *Hen.* 3. A.D. 1229-30.

St. 1. *Statutum Hiberniæ de cohæredibus.*

20 *Hen.* 3. *STAT. MERTON.* A.D. 1235-6.

c. 1. DOWER, 191. *pl.* 3, 4.
c. 2. Bequests by widow of crop of her lands, 1590. *pl.* 1.
c. 3. Redisseisin, 190. *pl.* 1, 2.
c. 4. Approvement, 142. *pl.* 1, 2.
c. 5. Usury, [REP. 37 *H.* 8. *c.* 9. *s.* 1.] 1560. *pl.* 1.
c. 6. Wardship, [REP. in part by 12 *C.* 2. *c.* 24. *s.* 2.] 334. *pl.* 1, 2.
c. 7. Marriage and wardship, [REP. 12 *C.* 2. *c.* 24. *s.* 2.] 334. *pl.* 5.
c. 8. Limitations of prescription, [EXP.] 483. *pl.* 2.
c. 9. Bastard, 68. *pl.* 1, 2.
c. 10. Attornies, 41. STATS. *in force*, *pl.* 1.
c. 11. Trespasses in parks and ponds, 309. *pl.* 1., 481. *pl.* 13.

21 *Hen.* 3. A.D. 1236-7.

Charter of confirmation of *Magna Carta*, and *Carta de Foresta*, 480. *pl.* 5.

Statute of the leap year, 185. *pl.* 1, 2.

37 *Hen.* 3. A.D. 1253.

EXCOMMUNICATION on breakers of the Great Charter, [*semb.* virtually REP. 53 *G.* 3. *c.* 127. *s.* 1.] 239. *pl.* 1.

43 *Hen.* 3. A.D. 1259.

St. 1. Several provisions similar to *Stat. Marlbrege*, 52 *H.* 3.

49 *Hen.* 3. A.D. 1264-5.

Charter of confirmation, as in 21 *H.* 3. *St.* 1. 480. *pl.* 5.

51 *Hen.* 3. A.D. 1266-7.

St. 1. The assize of bread and ale, [EXP. *semble* even as to ale, and REP. as to *bread*, 8 *A.* *c.* 18., 31 *G.* 2. *c.* 29. *s.* 1., 84. BREAD, STATS. *Rep.* &c. *pl.* 1.], 69. *pl.* 3—5., 70. *pl.* 6.
St. 2. } Days in bank, [REP. by effect of 32 *H.* 8. *c.* 21., 16 *C.* 1. *c.* 6.,
St. 3. } 24 *G.* 2. *c.* 48.] 185. *pl.* 3.
St. 4. Distresses of exchequer, 190. *pl.* 2, 3.
St. 5. Statute for exchequer, 168, 169. *pl.* 1—12.
s. 6. and *s.* 9. *comm. semb.* are EXP.
St. 6. Pillory and tumbrel, 294. FORESTALLERS, *pl.* 3., 1567. STATS. *in force*, *pl.* 1—5.

52 (*or* 54) *Hen.* 3. *STAT. MARLEBREGE or MARLBOROUGH.* A.D. 1267 *or* 1269.

c. 1. Justice in H. M.'s courts, 190. *pl.* 4, 5.
c. 2. Only suitors distrained to come to a court, 190. *pl.* 6, 7.
c. 3. Distresses delivered by H. M.'s officers, 190. *pl.* 8, 9.
c. 4. No driving distresses out of county, 190. *pl.* 10, 11.
c. 5. Confirmation of *Magna Carta*, and *Carta de Foresta*, 294. FOREST, STATS. *in force*, *pl.* 1., 480. *pl.* 5.
c. 6. Wardship, [REP. 12 *C.* 2. *c.* 24. *s.* 2.] 303. STATS. *Rep.* *pl.* 1., 334. *pl.* 6.
c. 7. *Communi custodia:* Wardship, [REP.] *id. ibid.*
c. 8. Redisseisin, 190. *pl.* 1. and *pl.* 3.
c. 9. Suit of court, 173. *pl.* 1, 2.
c. 10. Exemption from appearance at sheriffs' turns, 167. *pl.* 3.
c. 11. Beaupleader, 1252. *pl.* 2.
c. 12. Days in dower, *darrein presentment*, and *quare impedit*, 185. *pl.* 4—6.
c. 13. Essoin after issue joined, 236. *pl.* 1.
c. 14. Swearing those who have charters of exemption from serving on juries, &c. 412. JURY, STATS. *in force*, *pl.* 1.
c. 15. Where distresses shall not be taken, 190. *pl.* 13, 14.
c. 16. Wardship, H. M.'s *primer seisin*, [REP. virtually, 12 *C.* 2. *c.* 24. *s.* 1, 2.
c. 17. Guardian in socage, [REP. as to latter part by 12 *C.* 2. *c.* 24. *s.* 2.] 334. STATS. *Rep.* &c. *pl.* 7., 1531. *pl.* 10.
c. 18. Amercement for want of common summons, 253. *pl.* 4.
c. 19. Essoins, 236. *pl.* 3.
c. 20. FALSE JUDGMENT, 244. *pl.* 1.

52 (*or* 54) *Hen.* 3. *STAT. MARLEBREGE or MARLBOROUGH.* A.D. 1267 *or* 1269. (*continued.*)

c. 21. Replevin, 190. *pl.* 15, 16.
c. 22. Freeholder shall not be distrained to answer for his freehold, 190. *pl.* 17, 18.
c. 23. Remedy against accomptants, 1315. *pl.* 1, 2. 1578. WASTE, *pl.* 2.
c. 24. Inquests before sheriffs and coroners, 412. JURY, STATS. *in force*, *pl.* 2.
c. 25. Murder, 364. *pl.* 7.
c. 26. Giving day to vouchee to warranty, 1577. *pl.* 1, 2.
c. 27. Clerks refusing to answer, [REP. virtually, 28 *H.* 8. *c.* 1. 32 *H.* 8. *c.* 3.] 1387. *pl.* 1.
c. 28. Successors of prelates, 79. STATS. *in force*, *pl.* 1, 2.
c. 29. *Entrie sur disseisin* in the *post*, 22. ALIENATION, *pl.* 1. WRITS, 1617. *pl.* 1, 2.

3 *Ed.* 1. *WESTMINSTER* THE FIRST. A.D. 1275.

c. 1. Peace of church and realm. Overcharging religious houses, 1387. *pl.* 3., 1388. *pl.* 2.
c. 2. Purgation of clerk convict, [EXP.] 245. *pl.* 10.
c. 3. Escape, 1280. STATS. *in force*, *pl.* 1.
c. 4. Wreck, 1608. *pl.* 1, 2.
c. 5. Free elections, 1215. STATS. *in force*, *pl.* 1., 229. *pl.* 1.
c. 6. Amercements of cities and towns, 253. *pl.* 3.
c. 7. Purveyance for a castle, [REP. virtually, 12 *C.* 2. *c.* 24. *s.* 12.] 1305. *pl.* 1.
c. 8. *Beaupleader*, 1252. *pl.* 2.
c. 9. Pursuing felons, 370. *pl.* 1—3.
c. 10. Coroners, 148. *pl.* 1, 2.
c. 11. Homicide, 364. *pl.* 2, 3.
c. 12. Felons refusing trial, punishment of, 245. *pl.* 11.
c. 13. Rape, 1314. *pl.* 1, 2.
c. 14. Appeal, [REP. by general words of 59 *G.* 3. *c.* 46. *s.* 1.] 27. *pl.* 2.
c. 15. Mainpernors, BAIL, 47. *pl.* 1, 2.
c. 16. Distresses out of fee, or driven out of county, 190. *pl.* 10. 12.
c. 17. Distress impounded, in castle or fortress, 191. *pl.* 19, 20.
c. 18. Assessing county fines, 253. *pl.* 5, 6.
c. 19. Crown debts [EXP. as to debts owing to *H.* 3. or *Ed.* 1.,] 186. *pl.* 5, 6.
c. 20. Offences in parks or ponds, 309. *pl.* 2, 3.
c. 21. No waste in wards' lands, nor in bishops' temporalties in vacations, 1578. *pl.* 3, 4.
c. 22. Wardship and marriage, [REP. *virtually*, 12 *C.* 2. *c.* 24. *s.* 2.] 334. *pl.* 8.
c. 23. Distresses, 191. *pl.* 21, 22.
c. 24. Disseisin by H. M.'s officer, 190. *pl.* 5, 6.
c. 25. Maintenance, 117. *pl.* 2.
c. 26. Extortion by H. M.'s officers, 537. *pl.* 1.
c. 27. Extortion by their clerks, 537. *pl.* 2.
c. 28. Maintenance by the like, 117. *pl.* 3.
c. 29. Serjeant committing deceit, 1252. *pl.* 3.
c. 30. Extortion by justices' officers, 537. *pl.* 3.
c. 31. Murage. Excessive toll in cities, 1539. TOLLS, *pl.* 1, 2.
c. 32. Purveyance, [REP. virtually, 12 *C.* 2. *c.* 24. *s.* 12.] 1305. *pl.* 1.
c. 33. Maintenance in county courts, 167. *pl.* 4.
c. 34. Slanderous rumours, 1372. SLANDER, *pl.* 1.
c. 35. Attachment within liberties, 301. *pl.* 3—9.
c. 36. *Aid pur faire fils chivalier ou a fille marier*, [REP. 12 *C.* 2. *c.* 24. *s.* 1.] 1530. *pl.* 3.
c. 37. Attaint of disseisin with robbery, or by force, [EXP.] 190. *pl.* 7.
c. 38. Attaint in plea of land touching freehold, 40. *pl.* 1.
c. 39. Limitations of prescription, [EXP.] 483. *pl.* 2.
c. 40. Voucher to warranty and counterplea of voucher, 1577. *pl.* 3—5.
c. 41. Champion's oath in writ of right, [REP. virtually, 59 *G.* 3. *c.* 46. *s.* 2.] 1617. *pl.* 3, 4.
c. 42. No essoin after appearance in real action, 236. *pl.* 4.

3 *Ed.* 1. *WESTMINSTER* THE FIRST. A.D. 1275.

c. 43. No fourcher by essoin, 236. *pl.* 5.
c. 44. When no essoin *ultra mare*, 236. *pl.* 6.
c. 45. Appearance, process to compel, 27. *pl.* 1, 2.
c. 46. Justices shall decide pleas in due order, 1252. *pl.* 4, 5.
c. 47. Nonage of heir of disseisor or disseisee, 190. *pl.* 8, 9.
c. 48. Wardship. Suit by *prochein amy*, 334. *pl.* 8, 9.
c. 49. Tenants plea in writ of dower, 191. *pl.* 5, 6.
c. 50. Saving H. M.'s rights. [EXP.]
c. 51. Certain assizes, when taken, 9. *pl.* 4.

4 *Ed.* 1. A.D. 1276.

St. 1. *Extenta manerii.*
St. 2. Office of coroner, 148, 149. *pl.* 3—12. WRECK, 1609. *pl.* 3.

4 *Ed.* 1. *St.* 3. *STAT. DE BIGAMIS.* A.D. 1276.

c. 1. Aid of H. M. in warranty, 9. *pl.* 5, 6.
c. 2. Like where there is no warranty, 9. *pl.* 7, 8.
c 3. Aid of H. M. in dower. [REP. virtually, *comm. semb.* 12 *C.* 3. *c.* 24. *s.* 2. or EXP.]
c. 4. Reseisin of purprestures on H. M.'s lands, 174. *pl.* 1.
c. 5. Bigamist not allowed clergy, [altered 1 *E.* 6. *c.* 12.] 76. BIGAMY, *pl.* 1.
c. 6. How feoffor bound to warranty, 1578. *pl.* 7, 8.

6 *Ed.* 1. *STAT. GLOCESTER.* A.D. 1278.

Use of franchises, 1314. *pl.* 1—3.
c. 1. Damages and costs in pleas of land, 151. *pl.* 1—3.
c. 2. Nonage of plaintiff shall not stay an inquest, 334. *pl.* 11.
c. 3. Alienation by tenant by the curtesy void against the heir, 1531. *pl.* 26—28.
c. 4. *Cessavit*, 117. STATS. *in force*, *pl.* 1.
c. 5. [EXP.; as to explanation hereof, *Stat.* 8*vo. ed.* 136, 137.] 1578. WASTE, *pl.* 5, 6.
c. 6. One assize of *mort d'ancestor* by several heirs, 9. STATS. *in force*, *pl.* 9.
c. 7. Writ of entry by heir on alienation of dower by the widow, 191. *pl.* 7, 8.
c. 8. Pleas of trespass, 1548. *pl.* 1—4.
c. 9. Homicide in self-defence, or by misfortune, 364. *pl.* 2. and *pl.* 4, 5. Of appeals of murder, 27. *pl.* 3.
c. 10. Husband and wife, if impleaded, shall not fourch by essoin, 236. *pl.* 5.
c. 11. Feigned recovery in *London*, 492. *pl.* 95, 96.
c. 12. Foreign warranty vouched in *London*, 494, 495. *pl.* 124—126.
c. 13. Waste pending suit for the land, [EXP.; as to explanation hereof, *Stat.* 8*vo. ed.* 136, 137.] 1578. *pl.* 7, 8.
c. 14. Citizen of *London*'s damages in an assize, 151. *pl.* 4—6.
c. 15. Wines sold in *London*, 1591. *pl.* 1, 2.
Explanationes Stat. Gloucester follow the above.

7 *Ed.* 1. A.D. 1279.

St. 1. *Statutum de religiosis*, or of mortmain, 519. *pl.* 2.

9 *Ed.* 1. *St.* 1. (*See* 9 *Ed.* 2.) A.D. 1281.

10 *Ed.* 1. A.D. 1282.

St. 1. *Statutum novum de Scaccario*, or *Statutum de Roteland*, or *Rothlan*, *Rudhlan*, or *Rhyddlan* in Co. *Flint*, *N. Wales*, 169. *pl.* 13—23.

11 *Ed.* 1. A.D. 1283.

St. 1. *Stat. Acton Burnell, de mercatoribus*, [REP. virtually, 13 *Ed.* 1. *St.* 3.] 1315. RECOGNIZANCES, *pl.* 1.

12 *Ed.* 1. A.D. 1284.

St. 1. *Statutum Wallie* or *Walliæ*, 1568—1570. STATS. *in force*, *pl.* 1—35.
s. 2. is REP. virtually by 27 *H.* 8. *c.* 5.
s. 13. as to appeal therein, and *ss.* 14, 15. are REP. by 59 *G.* 3. *c.* 46. *s.* 1. *See* note in *page* 1568.

13 *Ed.* 1. *WESTMINSTER* THE SECOND. *Michaelmas.* A.D. 1285. (*See c.* 50.)

c. 1. Of gifts on condition, *De donis*, 237, 238. *pl.* 1—4.
c. 2. Vexatious replevin, 1320. REPLEVIN, *pl.* 1—3.
c. 3. *Cui in vitâ* for a wife. Receipt of wife or reversioner to descend, 1325. *pl.* 1—5.
c. 4. Recoveries by default, 1317. 1—5.
c. 5. Usurpation of advowsons, 13. ADVOWSON, *pl.* 1—6.
c. 6. Penalty on vouchee denying warranty, 1578. *pl.* 9, 10.
c. 7. Admeasurement of dower and pasture, 11. ADMEASUREMENT, &c.
c. 8. Second surcharge of pasture and *redisseisin*, *id. ibid.*
c. 9. Writ of *mesne*, 513. *pl.* 1—3.
c. 10. Attornies in courts of assize, 41. STATS. *in force*, *pl.* 2. Proceedings before justices in eyre, 1617. *pl.* 5, 6.
c. 11. Receivers in arrear, 1315. *pl.* 3, 4.
c. 12. Malicious appeals, [REP. *comm. semb.* 59 *G.* 3. *c.* 46. *s.* 1.] 27. *pl.* 4.
c. 13. Malicious imprisonment by sheriffs, 167. *pl.* 5, 6.
c. 14. Process in action of waste, altered, 1578. WASTE, *pl.* 9, 10.
c. 15. Infant eloined may sue by *prochein amy*, 334. *pl.* 4, 5. 10.
c. 16. Wardship. [REP. 12 *C.* 2. *c.* 24. *s.* 1.] 1530. *pl.* 4.
c. 17. Essoin *de malo lecti*, 237. *pl.* 7.
c. 18. Execution in personal actions, 240. *pl.* 1, 2.
c. 19. Ordinary chargeable to pay debts as executors, 241. STATS. *in force*, *pl.* 1.
c. 20. Tenant's answer in writ of cosinage, *aiel* and *besaiel*, 9. *pl.* 10, 11.
c. 21. *Cessavit*, 117. *pl.* 3, 4.
c. 22. Waste between tenants in common, 1578. WASTE, *pl.* 11, 12.
c. 23. Executors may have writ of accompt, 241. STATS. *in force*. *pl.* 2.
c. 24. Writs in *consimili casu*, 1617, 1618. *pl.* 7—11.
c. 25. *Novel disseisin*, 9, 10. *pl.* 11. 13.
c. 26. Damages in *redisseisin*, 190. *pl.* 1—4.
c. 27. Essoin, 236. *pl.* 2.
c. 28. Essoin, 236. *pl.* 4.
c. 29. Commissions of *oyer* and *terminer*, 418. *pl.* 2, 3.
c. 30. Appointment of justices of *nisi prius*, 418, 419. *pl.* 4—7. Taking assizes of *darrein presentment*, 9. STATS. *in force*, *pl.* 2, 3. *id. ibid.*
c. 31. Bill of exceptions, 238. *pl.* 1, 2.
c. 32. Mortmain, 519. *pl.* 3.
c. 33. Mortmain, *id. pl.* 4.
c. 34. Rape: elopement with adulterer: carrying off a nun, 1314. *pl.* 3—5.
c. 35. Ravishment of ward, [REP. 12 *C.* 2. *c.* 24. *s.* 2. *sed. qu.*] 334. *pl.* 3—5. 10.
c. 36. Distresses on malicious suits in courts baron, 117. *pl.* 4, 5.
c. 37. Distress taken, by whom, 191. *pl.* 23.
c. 38. How many, and what persons, returned in juries and assizes, 412. *pl.* 3, 4.
c. 39. Sheriffs' returns, 1357. *pl.* 1—5.
c. 40. Woman's suit not deferred by minority of the heir, 1594. STATS. *in force*, *pl.* 1.
c. 41. *Contra formam collationis*, and *cessavit* for land given in alms, [EXP.] 117. STATS. EXP. *pl.* 1.
c. 42. Fees of H. M.'s marshals and chamberlains in fee, 245. *pl.* 1, 2.
c. 43. Suits by hospitallers and Templars, [EXP.] 1320. *pl.* 1.
c. 44. Fees of justices' porters, cirographers, clerks, &c. 245. *pl.* 3—5.
c. 45. Execution on records, 240. *pl.* 3, 4.
c. 46. Approvement and usurpation of commons, 142. *pl.* 1. 3, 4.
c. 47. Salmons, when taken, 285. *pl.* 267, 268.
c. 48. View of land when grantable, 1568. *pl.* 1, 2.
c. 49. Penalty for buying land pending in suit, 117. *pl.* 6.
c. 50. Commencement of the above acts is at feast of *St. Michael*, 1285.

13 *Ed.* 1. *STATUTUM WYNTON.* A.D. 1285.

c. 1. Fresh suit after felons, 370. *pl.* 4, 5.
c. 2. Inquiry of felons, 370. *pl.* 6.
c. 3. Respite of execution of this act. [EXP.]
c. 4. Watch and ward in cities and towns, 1578, 1579. *pl.* 1, 2.
c. 5. Highways, [REP. 7 *G.* 3. *c.* 42. *s.* 57.] 352. *pl.* 1.
c. 6. Arms, 32. STATS. *Rep.* &c. *pl.* 1. HUE AND CRY, 370. *pl.* 7—8. Fairs and markets in churchyards, 507. *pl.* 1. Watch and ward, 1579. *pl.* 3. [REP. as to armour, 4 & 5 *P.* & *M.* *c.* 2., 21 *J.* 1. *c.* 28. *s.* 11.]
Articuli inquisitionis super statut' Wynton.
Statutum de mercatoribus, 1315. *pl.* 2.
Circumspecte Agatis, 1303. PROHIBITION, *pl.* 3—4.
Statuta civitatis Londin.
Forma concessionis et exemplificationis cartarum.

14 *Ed.* 1. A. D. 1285-6.

An ordinance for *Ireland.*

17 *Ed.* 1. A. D. 1288.

c. 1. H. M.'s officers in *Ire.* shall purchase no land without H. M.'s licence.
c. 2. Purveyance in *Ire.*, [REP. virtually, 12 *C.* 2. *c.* 24. *s.* 12.]
c. 3. Export from *Ire.*
c. 4. Bill of grace in *Ire.*
c. 5. Marshall's fee in K. B. in *Ire.*, 1280. STATS. *in force*, *pl.* 3, 4.
c. 6. Pardons in *Ire.* [in part EXP.]
c. 7. By what seal writs in *Ire.* shall be sealed.
c. 8. Adjournment of assizes of novel disseisin in *Ire.*

18 *Ed.* 1. *STAT. WESTMINSTER* THE THIRD, *or QUIA EMPTORES TERRARUM*, A. D. 1289-90.

c. 1. Alienation, 1530. *pl.* 7.
c. 2. Apportionment of tenant's services, 1531. *pl.* 8.
c. 3. Feoffment in mortmain, 518. *pl.* 5., 1531. *pl.* 9.

18 *Ed.* 1. A.D. 1289-90.

St. 2. *Quo warranto*, 1314. *pl.* 4—6.
St. 3. *Quo warranto, id. ibid.*
St. 4. *Modus levandi fines*, 250. STATS. *in force*, *pl.* 1, 2.
St. 5. *Statutum de consultatione*, 1303. PROHIBITION, *pl.* 5.

20 *Ed.* 1. A.D. 1291-2.

St. 1. The statute of vouchers, 1577, 1578. *pl.* 3. 6.
St. 2. ——— of waste, 1578. *pl.* 13.
St. 3. ——— of defending right, 1325. *pl.* 1. 6.
St. 4. ——— of money, 135, 136. *pl.* 1—7.

21 *Ed.* 1. A.D. 1293.

St. 1. Of trespassers in parks, 295. *pl.* 31—33., 309. *pl.* 4—6.
St. 2. The qualification of jurors, 412. *pl.* 3. 5.
Ordinance concerning conspirators. (*See* 33 *Ed.* 1.)
Concerning arrears in time of the jews. (*See St. Incert. Temp.*)

23 *Ed.* 1. A.D. 1295.

Concerning breakers of prison. (*See* 1 *Ed.* 2.)

24 *Ed.* 1. A.D. 1296.

De consultatione. (*See* 18 *Ed.* 1.)

25 *Ed.* 1. *St.* 1. A.D. 1297.

c. 1. Confirmation of *Magna Carta* and *Carta de Foresta*, 480. *pl.* 5. 14., 294. *pl.* 1.
c. 2. Judgments given against them void, 480, 481. *pl.* 5. 15.
c. 3. They shall be sent to cathedrals and read twice a-year, 480, 481. *pl.* 5. 16.
c. 4. Excommunication against their breakers, 480, 481. *pl.* 5. 17.
c. 5. Aids, taxes, and prizes to H. M. shall not be taken for a custom.

25 *Ed.* 1. *St.* 1. A.D. 1297. (*continued.*)

c. 6. H. M. and his heirs will not take such but by common consent and for profit of realm.
c. 7. Release of toll of wool, which H. M. will not take but as above.

27 *Ed.* 1. *St.* 1. A.D. 1299.

c. 1. No exception to fine that demandant was seized; fines shall be openly read, 251. *pl.* 5, 6.
c. 2. Sheriffs and their accounts, 1357. *pl.* 6, 7.
c. 3. Appointment and power of justices of gaol delivery, 419. *pl.* 8, 9.
c. 4. *Nisi prius* granted before one of the justices of the same court where plea brought. [*But see* 14 *Ed.* 3. *S.* 1. *c.* 16.] 419. *pl.* 10. 13.

27 *Ed.* 1. A.D. 1299.

St. 2. Ordinance for purchasing liberties, 300. *pl.* 3—9.
St. 3. Of false money, 136. *pl.* 8.

28 *Ed.* 1. A.D. 1299-1300.

St. 1. *De wardis et releviis.*
St. 2. Appeal, [REP. *com. semb.* by general words of 59 *G.* 3. *c.* 46. *s.* 1.] 27. *pl.* 5.

28 *Ed.* 1. *St.* 3. A.D. 1299-1300. *ART. SUP. CAR.*

c. 1. Confirmation of *Mag. C.* and *C. Forest.*, 480. *pl.* 5. 18., 295. *pl.* 1.
c. 2. Purveyance, [REP. virtually 12 *C.* 2. *c.* 24. *s.* 12.] 1305. *pl.* 1.
c. 3. Steward and marshals jurisdiction, coroners within verge, 149. *pl.* 13, 14., 173. *pl.* 1, 2.
c. 4. Common pleas not to be holden in exchequer, 169. *pl.* 24.
c. 5. Chancellor and justices of K. B. to follow the king, 429. *pl.* 1.
c. 6. No common-law writ shall be awarded under the petit seal, 1618. *pl.* 12.
c. 7. Constable of *Dover*, his jurisdiction. (*local.*)
c. 8. Sheriffs, [REP. *Ed.* 2. *S.* 2.] 1357. *pl.* 8., and see *pl.* 13.
c. 9. Return of juries, 412. *pl.* 3. 6.
c. 10. Procurers of juries, 144. *pl.* 1, 2.
c. 11. Champerty, 117. *pl.* 7.
c. 12. Distresses for H. M.'s debt, 186. *pl.* 7—8.
c. 13. Sheriffs, 1357. *pl.* 9.
c. 14. Farming bailiwicks and hundreds, 1357. *pl.* 10, 11.
c. 15. Summons and attachments in plea of land. Index, ACTION REAL.
c. 16. False returns of writs, 1618. *pl.* 13.
c. 17. For proclamation of *Stat. Wynton.*, 13 *Ed.* 1. HUE AND CRY, 370. *pl.* 9., 1478. STATUTES, *pl.* 1, 2., 1579. *pl.* 4.
c. 18. Waste in ward's lands, [wardship taken away, 12 *C.* 2. *c.* 24. *s.* 2.] 1530. *pl.* 5.
c. 19. Issues of lands seized into H. M.'s hands without title, 235. *pl.* 1.
c. 20. Assay of gold vessels, [REP. as far as prohibits making rings, crosses or locks, by 21 *J.* 1. *c.* 28. *s.* 11.] 322. GOLD, &c. STATS. *in force*, *pl.* 1, 2.

29 *Ed.* 1. A. D. 1300-1.

Stat. de Esceatoribus, [*semble* REP. 12 *C.* 2. *c.* 24. *s.* 2. *ouster le main*,] 235. *pl.* 1.

30 *Ed.* 1. (*See* 6 *Ed.* 1.) A. D. 1301-2.

31 *Ed.* 1. A. D. 1302-3.

Weights and measures. (*See Stat. Incert. Temp.*) 1587. *pl.* 2.

33 *Ed.* 1. A. D. 1304-5.

St. 1. Definition of champertors, 117. *pl.* 1., and conspirators, 144. *pl.* 3.
St. 2. Ordinance for inquests, 413. *pl.* 9.
St. 3. Ordinance of the forest, 295. *pl.* 34, 35. Champerty, &c. 117. *pl.* 8.

34 *Ed.* 1. A. D. 1306.

St. 1. Of joint tenants, 10. ACTION REAL, *pl.* 14—16. INDICAVIT, 383.

St. 2. Articles of inquisition on *Stat. Wynton.*

St. 3. Against alienating lands in mortmain, without consent of *mesnes*, 518. *pl.* 6.

34 *Ed.* 1. *St.* 4. A. D. 1306.

c. 1. H. M., or his heirs shall have no tallage, or aid, without consent of parliament, 481. *pl.* 11, 12.

c. 2. Purveyance limited, [taken away, 12 *C.* 2. *c.* 24. *s.* 12.] 1305. *pl.* 1.

c. 3. Maletolt abolished.

c. 4. Confirmation of laws, &c., 480. *pl.* 5.

c. 5. Pardon, [EXP.] 1214. STATS. *Rep.*, &c. *pl.* 1., 294. *pl.* 2.

c. 6. Excommunication against breakers of this charter.

34 *Ed.* 1. *St.* 5. A. D. 1306.

c. 1. How offences in forests shall be presented, 295. *pl.* 36, 37.

c. 2. Supplying and appointment of forest officers, 295. *pl.* 38, 39.

c. 3. Juries taken within the forest, 295. *pl.* 40.

c. 4. Punishment of officers surcharging forest, 295. *pl.* 41, 42.

c. 5. Trespasses in grounds disafforested, [EXP.]

c. 6. Common in the forest, 295. *pl.* 43, 44.

35 *Ed.* 1. A. D. 1306-7.

Statutum de Asportatis Religiosorum, 1387. *pl.* 2., 1388. *pl.* 3—5.

St. 2. (*See Stat. Incert. Temp.* No. X.) 124. CHURCHES, STATS. *in force*, *pl.* 1.

1 *Ed.* 2. A. D. 1307-8.

St. 1. For distraining persons to become knights, [REP. 16 *C.* 1. *c.* 20.]

St. 2. Of breaking prison, 1280. *pl.* 2.

2 & 3 *Ed.* 2. A. D. 1308-9.

St. 1. *De Statuto apud Staunford.*

St. 2. —— *Pro Clero*, 1388. *pl.* 6.

St. 3. —— *id. ibid.*

5 *Ed.* 2. A. D. 1311.

Ordinances made at *London*, [REP. 15 *Ed.* 2. *St.* 5.] 1478. STATUTES. *pl.* 1.

7 *Ed.* 2. A. D. 1313.

St. 1. Indemnity for killing *Peter Gaveston.*

St. 2. Indemnity for his return.

St. 3. Against bearing armour, 32. STATS. *in force*, *pl.* 1.

8 *Ed.* 2. A. D. 1314-15.

See Statutes at Large.

9 *Ed.* 2. *St.* 1. A. D. 1314-15.

c. 1. Prohibitions in suits relating to tythes, 1303. PROHIBITION, *pl.* 6, 7.

c. 2. —— penances, 1303. *tit. id. pl.* 8, 9.

c. 3. —— violence to clerks, 1303. *tit. id. pl.* 10., 1388. *pl.* 7.

c. 4. —— defamation, 1303. *tit. id. pl.* 11.

c. 5. No prohibition where tythe demanded of a new mill, 1303. *tit. id. pl.* 12.

c. 6. Suits for one offence in temporal and spiritual courts, 1388. *pl.* 8.

c. 7. H. M.'s letters to discharge an excommunicate, 239. *pl.* 2. 1388. *pl.* 9.

c. 8. Clerks in H. M.'s service discharged of residence, but subject to the ordinary, 1388. *pl.* 10.

c. 9. Distresses on the clergy, 191. *pl.* 24, 25., 1388. *pl.* 11.

c. 10. Sanctuary, [REP. 1 *J.* 1. *c.* 25. *s.* 34. 21 *J.* 1. *c.* 28. *ss.* 6, 7.] 1332. *pl.* 1.

c. 11. Religious houses, [EXP.] 1320. *pl.* 2.

c. 12. H. M.'s tenant excommunicate, how taken, 1388. *pl.* 9.

c. 13. Examination of parson presented by H. M. by spiritual judge, 1388. *pl.* 12.

c. 14. Election of dignities of church is free, 229. *pl.* 2.

9 *Ed.* 2. *St.* 1. A. D. 1314-15. (*continued.*)

c. 15. Sanctuary; clerk felon; abjuration, [REP. *semble* as to sanctuary, 1 *J.* 1. *c.* 25. *s.* 34. 21 *J.* 1. *c.* 28. *ss.* 6, 7.] 1388. *pl.* 13, 14.

c. 16. *id. ibid.* [REP.]

9 *Ed.* 2. (*At Lincoln.*) A. D. 1314-15.

St. 2. Of sheriffs, 1357. *pl.* 12, 13.

St. 3. An article of *Stat. of Glocester*, 6 *Ed.* 1. corrected for the citizens of *London.*

10 *Ed.* 2. A. D. 1316-7.

For observing the *Stat. de Clero*, (*see ante*, 2 & 3 *Ed.* 2.)

Stat. of Gavelet in *London*, 438. *pl.* 1, 2.

12 *Ed.* 2. STAT. OF *YORK*. A. D. 1318.

c. 1. Tenants in *novel disseisin* may make attornies, 10. *pl.* 17.

c. 2. Absence of witnesses to deeds, 1550. *pl.* 3, 4.

c. 3. Taking juries by *nisi prius*, 419. *pl.* 11:14.

c. 4. [Called *c.* v. in *Stats.*] Return of writs in liberties, or by sheriffs, 419. *pl.* 11:15.

c. 5. [Called *c.* vi. as above.] Officer of borough selling victuals during his office. [SUPERS. 3 *H.* 8. *c.* 8. 1567. *pl.* 6. 1618. *pl.* 14, 15.]

12 *Ed.* 2. *St.* 2. A. D. 1318.

The statute of challenging essoins, 237. *pl.* 8, 9.

14 *Ed.* 2. A. D. 1321. *STAT. WESTM.* THE FOURTH.

Sheriffs, 1358. *pl.* 19., Juries in attaints, 413. *pl.* 14, 15.

15 *Ed.* 2. A. D. 1322.

St. 1—4. Parliamentary proceedings against the *Despensers* or *Spensers.*

St. 5. Revocation of ordinances made at *London*, 5 *E.* 2.

16 *Ed.* 2. A. D. 1323-4.

Statute of estreats. (See *Stat. Incert. Temp.*)

17 *Ed.* 2. A. D. 1323-4.

St. 1. Concerning the lands of the knights templars, [EXP.] 1320, *pl.* 3.

17 *Ed.* 2. *St.* 2. *PRÆROGATIVA REGIS.* A. D. 1323-4.

c. 1—7. In the wardship of tenant's heir holding *in capite*, [REP. virtually by 12 *C.* 2. *c.* 24. *ss.* 1, 2.] 428. *pl.* 1. *c.* 2. In his marriage, *id. pl.* 2. *c.* 3. In *primer seisin* of his tenants land, *id. pl.* 3. *c.* 4. In assignment of dower to his widow, and their marriages, *id. pl.* 4. *c.* 5. In coparceners' lands holden of him, *id. pl.* 5. *c.* 6. In marriage of woman tenant, *id. pl.* 6. *c.* 7. In alienation of lands held *in capite*, *id. pl.* 7., 1530. *pl.* 7.

c. 8. Prerogative, that lapse of 6 months shall not prejudice his presentation, 13. *pl.* 7.

c. 9. —— In custody of lands of idiots, 373. *pl.* 1, 2.

c. 10. —— Of lunatics, *ib. pl.* 3, 4.

c. 11. —— As to wreck of sea whales and sturgeons, 429. *pl.* 2.

c. 12. —— As to enjoying lands of *Normans*, [EXP.] 428. *pl.* 8.

c. 13. —— As to tenant intruding before doing homage, [virtually REP. by 12 *C.* 2. *c.* 24. *s.* 2.,] *id. pl.* 9.

c. 14. —— As to escheat of bishops' tenants, for felony done during vacation, 235. *pl.* 2.

c. 15. —— In construction of his grants of lands, 429. *pl.* 3.

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17 *Ed.* 2. A. D. 1323-4.

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19 *Ed.* 2. A. D. 1326. (*See Statutes at Large.*)

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20 *Ed.* 2. A. D. 1326. (*See Statutes at Large.*) *See id.*

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1 *Ed.*3. *St.*1. A.D. 1326-7.

*c.*1. Indemnity, [EXP.]
*c.*2. Repeal of the Spensers' exile made void.
*c.*3. Action by executors, [*semble* EXP.] 241. STATS. *Rep.*, &c. *pl.*1.
*c.*4. FALSE JUDGMENT, 244. *pl.*2, 3.
*c.*5. False returns of bailiffs of liberties, 1618. *pl.*16.
*c.*6. Attaint, 40. *pl.*3.
*c.*7. Gaolers using duress, 1280. *pl.*5.
*c.*8. Offenders in forests, 295. *pl.* 46, 47.

1 *Ed.*3. *St.*2. A.D. 1326-7.

*c.*1. Confirmation of the charters, 480. *pl.*5., 294, 295. *pl.*48, 49.
*c.*2. Seizing bishops' temporalties, 79. STATS. *in force*. *pl.*1.
c 3. Pardon for amercements, [EXP.] 253. *pl.*1.
*c.*4. King's debts, [REP. virtually 33 *H.*8. *c.*39.]
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*c.*6. Aids, 481. *pl.*19, 20.
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1 *Ed.*3. *St.*2. A. D. 1326-7. (*continued.*)

*c.*8. Beaupleader, 1252. *pl.*2.
*c.*9. Confirmation of liberties of cities and boroughs, 481. *pl.*21.
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*c.*11. Suits in spiritual court, for defamation, how checked, 1303. *pl.*13.
*c.*12. Fine on alienation of lands held of H. M. Index, ALIENATION.
*c.*13. Purchasing lands holden of H. M. as of some honour, 428. *pl.*10.
*c.*14. Maintenance, 117. *pl.*9.
*c.*15. Military service, 1581. *pl.*1, 2.
*c.*16. Who shall be assigned justices of peace, 421. *pl.*1, 2.
*c.*17. Indictment in sheriffs' turn, 167. *pl.*7, 8.

2 *Ed.*3. STAT. OF *NORTHAMPTON*. A. D. 1328.

*c.*1. Confirmation of charters, 480. *pl.*5.
*c.*2. Pardons for felony, 1214. STATS. *in force*, *pl.*1, 2. Appointment of justices of assize, gaol delivery, and *oyer* and *terminer*, 418, 419. *pl.*3. 21, 22.
*c.*3. Coming armed before justices; going armed, 32. STATS. *in force*, *pl.*3.
*c.*4. Sheriffs, 1357. *pl.*12.
*c.*5. Delivery of writs to sheriff, 1357. *pl.*1, 2., 1618. *pl.*17.
*c.*6. Justices assigned as in 13 *Ed.*1. *c.*6. shall punish breakers of the peace, 32. STATS. *Rep.* *pl.*2.
*c.*7. Commissions to punish former offences, [EXP.]
*c.*8. No commandment under great or petit seal shall delay justice, 481. *pl.*22.
*c.*9. Staples to cease, all merchants may come in and go out with merchandizes, 511. *pl.*2.
*c.*10. Pardon of fines for writs *in canc.* till 20 *Ed.*1. [EXP.] 1214. *pl.*2. 253. *pl.*2.
*c.*11. Removal of C. P., 166. *pl.*2.
*c.*12. Hundreds and wapentakes annexed to counties, and not let to farm, 1357. *pl.*14.
*c.*13. Process in trespass, [EXP.]
*c.*14. Assize of cloths imported, [REP. as to aulnage, 11 & 12 *W.*3. *c.*20. *s.*2. and *in toto* by 49 *G.*3. *c.*109. *s.*1.] 1579. *pl.*1.
*c.*15. Fairs, 507. *pl.*2.
*c.*16. *Nisi prius* grantable at tenant's suit, 419. *pl.*10. 12. 17.
*c.*17. Writs of deceit in garnishment in plea of land, 1252. *pl.*6.

4 *Ed.*3. A. D. 1330.

*c.*1. Confirmation of former statutes, 480. *pl.*5.
*c.*2. Authority of justices of assize and gaol delivery, 419. *pl.*23—25. of peace, 421. *pl.*4, 5.
*c.*3. } Purveyance, [REP. virtually, 12 *C.*2. *c.*24. *s.*12.] 1305. *pl.*1.
*c.*4. }
c. 5. Release of certain fines and grants, [EXP.] 253. *pl.*3.
c. 6. Confirmation of 35 *Ed.*1. *De Asportatis Religiosorum.* [EXP.] 1387. *pl.*2.
c. 7. Executors shall have trespass for wrong done to their testator, 241. *pl.*3.
c. 8. Passage fare at *Dover* and other places, [REP. 21 *J.*1. *c.*28. *s.*11.] 230. *pl.*1.
c. 9. Qualification of sheriffs, bailiffs of hundreds, and escheators, 1357. *pl.*13.
*c.*10. Sheriffs and gaolers to receive offenders without fee, 1280. *pl.*7.
*c.*11. Justices of assizes, &c. to enquire of maintainers, conspirators, and champertors, 117. *pl.*10.
*c.*12. Assay and prices of wine, 1591. *pl.*1. 3.
*c.*13. Pardons, confirming 2 *Ed.*3. [EXP.] 1214. STATS. *in force*, *pl.*1.
*c.*14. Holding parliaments, 1215. *pl.*2.
*c.*15. Sheriffs letting hundreds, &c. [*semb.* REP. 23 *H.*6. *c.*9. *s.*1. *comm. semb.*] 1357. *pl.*15.

5 *Ed.* 3. A. D. 1331.

c. 1. Confirmation of *Magna Carta* and *Carta Foresta*, 480. *pl.* 5.
c. 2. Purveyance, 1305. *pl.* 1. Inquests and error in marshalsea, 173. *pl.* 3.
s. 2. as to purveyance, is REP. virtually by 12 *C.* 2. *c.* 24. *s.* 2.
c. 3. Confirmation of 35 *Ed.* 1. [EXP.] 1387. *pl.* 2.
c. 4. Qualification of sheriffs, &c., 1357. *pl.* 13.
c. 5. Selling ware at a fair after it is ended, 507. *pl.* 3.
c. 6. Process in attaint. Index, ATTAINT.
c. 7. Attaint in trespass, 40. *pl.* 3.
c. 8. Custody of prisoners by marshals of K. B., 1280. *pl.* 8, 9.
c. 9. Liberties and rights, 480. *pl.* 5—7.
c. 10. Juror ambidexter and taking money, 413. *pl.* 10, 11.
c. 11. Process against persons indicted in one county and remaining in another, 245. *pl.* 12, 13.
c. 12. Pardons on outlawry, 542. *pl.* 1, 2.
c. 13. Defeating outlawries, 542. *pl.* 3.
c. 14. Night walkers and suspected persons to be safely kept, 1579. *pl.* 5, 6.

6 *Ed.* 3. A. D. 1331-2.

c. 1. *See Statutes at Large.*

8 *Ed.* 3. A. D. 1333-4.

c. 1. *See Statutes at Large.*

9 *Ed.* 3. STAT. OF *YORK*. A. D. 1335.

c. 1. Merchants strangers, 511. *pl.* 4—8.
c. 2. Nonplevin, 1320. *pl.* 4.
c. 3. Proceedings against executors, 241. *pl.* 4.
c. 4. Absence of witnesses to deeds, 1550. *pl.* 5, 6.
c. 5. Justice of assize, &c. to send annually their records, &c. into exchequer, 1316. *pl.* 1, 2.

9 *Ed.* 3. *St.* 2. STAT. OF MONEY. A. D. 1335.

c. 1. [REP. 59 *G.* 3. *c.* 49. *s.* 11.] GOLD AND SILVER, 322. *pl.* 1., 136. *pl.* 9.
c. 2. Coin, 136. *pl.* 10.
c. 3. Melting coin, [*semb.* REP. 59 *G.* 3. *c.* 49. *s.* 11.] 135. *pl.* 2.
c. 4. Coin, 136. *pl.* 11.
c. 5. Reward of prosecuting offenders herein, 136. *pl.* 12.
c. 6. Against defrauding this statute, 136. *pl.* 13.
c. 7. Exchanges, [EXP.].
c. 8. Passage at *Dover*, [REP. 21 *J.* 1. *c.* 28. *s.* 11.] 230. *pl.* 2.
c. 9. Search for money, 136. *pl.* 14.
c. 10. Searchers to have one-fourth of forfeiture, 136. *pl.* 15.
c. 11. Innkeepers to search guests, 136. *pl.* 16.

10 *Ed.* 3. *St.* 1. A. D. 1336.

c. 1. Confirmation of former statutes, 480. *pl.* 5.
c. 2. Pardons, 1214. *pl.* 1.
c. 3. Sureties for good behaviour, [REP. 5 & 6 *W.* 3. *c.* 13. *s.* 2.] 1214. *pl.* 3.

10 *Ed.* 3. *St.* 2. A. D. 1336.

c. 1. Purveyance, [REP. virtually, 12 *C.* 1. *c.* 24. *s.* 12.] 1305. *pl.* 1.
c. 2. —— HORSES, [REP. 12 *C.* 2. *c.* 24. *s.* 12.] 366. *pl.* 1.
c. 3. —— HORSES, [REP. *id. ibid.*] 366. *pl.* 2.

10 *Ed.* 3. A. D. 1336.

Articles 1—5. sent to the sheriffs. [EXP.] 1357. STATS. *Rep.*, &c. *pl.* 1.

10 *Ed.* 3. *St.* 3. A. D. 1336.

c. 1. *De cibariis non utendis.*

11 *Ed.* 3. A. D. 1336-7.

c. 1. Exportation of wool, felony, [REP. 28 *G.* 3. *c.* 38. *s.* 1.]
c. 2. Cloths, [REP. 1 *J.* 1. *c.* 25. *s.* 45.] 1597. *pl.* 2.
c. 3. Cloths, importation of.
c. 4. Who may wear furs, [REP. by general words of 1 *J.* 1. *c.* 25. *s.* 45.] 26. *pl.* 1.
c. 5. Cloth workers, 1598. *pl.* 1.

13 *Ed.* 3. A. D. 1339.

c. 1. *See Stats. at Large.*

14 *Ed.* 3. *St.* 1. A. D. 1340.

c. 1. Confirmation of liberties, 300. *pl.* 1. 480. *pl.* 1. 3. 5.
c. 2. Pardon, [EXP.] 1214, *pl.* 4.
c. 3. Pardon, [EXP.] 186. (STATS. *Exp.*)
c. 4. Presentment of *Englescherie* to cease, 253. *pl.* 7.
c. 5. Redress of delays of judgments, 411. *pl.* 1, 2.
c. 6. Amendment of records, 1317. *pl.* 6.
c. 7. Sheriffs tarrying in office, 1358. *pl.* 17, 18. 22.
c. 8. Escheators and coroners, 235. *pl.* 3, 4.
c. 9. Sheriffs, &c. farming bailiwicks, 1358. *pl.* 26, 27.
c. 10. Sheriffs, &c. to have keeping of gaols. Gaolers using duress, 1280. *pl.* 6.
c. 11. Clerks of statute-merchant, 1315. *pl.* 3.
c. 12. Weights and measures, 1587. *pl.* 7, 8.
c. 13. Escheators' waste in ward's lands, [Wardship taken away, 12 *C.* 2. *c.* 24. *s.* 2.] 1530. *pl.* 5.
c. 14. Writs of search. Execution of justice, 481. *pl.* 23.
c. 15. As to pardon for felony, 1214. STATS. *in force*, *pl.* 1. 3.
c. 16. Before whom *nisi prius* may be granted, 419. *pl.* 10. 13. 17.
c. 17. *Juris utrum*, 1618. *pl.* 18, 19.
c. 18. Vouching to warranty, 1578. *pl.* 11.
c. 19. Purveyance, [REP. virtually, 12 *C.* 2. *c.* 24. *s.* 12.] 1305. *pl.* 1.
c. 20. Aid of 9th lamb fleece, sheaf, and goods in cities and boroughs, and 15th of goods of certain persons, [EXP.]
c. 21. Aid on wools, and other exports. [EXP.] 481. *pl.* 24.

14 *Ed.* 3. *St.* 2, 3. A. D. 1340.

c. 1. The above subsidy shall not be drawn into example, 481. *pl.* 24, 25.
c. 2. Merchant strangers, 511. *pl.* 3.
c. 3. Confirmation of statutes, pardons, &c. [EXP.] 1214. *pl.* 4. 186. (STATS. *Exp.*)

14 *Ed.* 3. *St.* 4. A. D. 1340. *PRO CLERO.*

c. 1. Purveyance on spiritual persons, [REP. virtually, 13 & 14 *C.* 2. *c.* 24. *s.* 12.] 1387. *pl.* 3.
c. 2. Presentation to churches by H. M in *auter droit*, [REP. 25 *E.* 3. (*St.* 3.) *c.* 2.] 71. STATS. *Rep.* &c. *pl.* 1.
c. 3. Seizing bishops' temporalties, 79. *pl.* 5.
c. 4. How the same shall be used in vacation, 79. *pl.* 6—8.
c. 5. Who shall then demise the same, 79. *pl.* 9, 10.

14 *Ed.* 3. *St.* 5. A. D. 1340.

c. 1. *Quod regnum Angliæ non subjiciatur regno Franciæ.*

15 *Ed.* 3. *St.* 1. A. D. 1340.

c. 1. Confirmation of *M. C.*, *C. F.*, former statutes and grants of franchises, 480. *pl.* 5. 26., 1388. *pl.* 1.
c. 2. Trial of peers, 1215. *pl.* 4.
c. 3. Liberties and rights. Arrest, 481. *pl.* 30. 481. *pl.* 31.
c. 4. Punishment of chancellor and other officers in parliament.
c. 5. —— of usury by H. M. or ordinaries, 1560. *pl.* 1, 2.
c. 6. Jurisdiction of the church, 1388. *pl* 15.

15 *Ed.* 3. *St.* 2. A. D. 1341.

15 *Ed.* 3. *St.* 3. A. D. 1341.

See Statutes at Large.

c. 1—5. Grant of wools how apportioned. Export of wools. [EXP.]

17 *Ed.* 3. A. D. 1343.

c. 1. Coin, 136. *pl.* 17. 19.
ss. 2, 3. are REP. by 59 *G.* 3. *c.* 49. *s.* 11. GOLD AND SILVER, 322. *pl.* 2.

18 *Ed.* 3. *St.* 1. A. D. 1344.

c. 1. Declaration of *exigents*, 542. *pl.* 6.

18 *Ed.* 3. *St.* 2. A. D. 1344.

c. 1. Commissioners of new inquiries, [EXP.]
c. 2. Justices of peace, 421 *pl.* 1. 3.
c. 3. Wools. Sea shall be open, 1598. *pl.* 2.
c. 4. Weights and measures, 1587. *pl.* 9.
c. 5. No *exigent* in trespass but where against the peace, 542. *pl.* 7. 1303. *pl.* 14.

18 *Ed.* 3. *St.* 2. A. D. 1344. (*continued.*)

c. 6. Coinage and exchange, [Exp.] 135. *pl.* 3.
c. 7. Purveyance, [Rep. virtually, 12 *C.* 2. *c.* 24. *s.* 12.] 1305. *pl.* 1. Steward and marshal, 173. *pl.* 3. Soldiers' pay, 1380. *pl.* 3.

18 *Ed.* 3. *St.* 3. A. D. 1344. *PRO CLERO.*

c. 1. For tenth granted by clergy, [Exp.] 1387. *pl.* 4.
c. 2. Bigamy of a clerk, [*semb. Exp.*] 1388. *pl.* 16.
c. 3. Mortmain, process in, 518. *pl.* 7.
c. 4. Purveyance, [Rep. virtually, 12 *C.* 2. *c.* 24. *s.* 12.] 1387. *pl.* 5.
c. 5. Award of prohibition, 1303. *pl.* 14.
c. 6. Process by spiritual judges, 1388. *pl.* 17.
c. 7. Some writs of *scire facias* granted against clerks for tithes dismissed, [Exp.] 1388. *pl.* 18.

18 *Ed.* 3. *St.* 4. A. D. 1344.

Oath of the justices, 419, 420. *pl.* 26.

18 *Ed.* 3. *St.* 5. A. D. 1344

Oath of the clerks of chancery, 162. *pl.* 1.

20 *Ed.* 3. A. D. 1346.

c. 1. Duty of justices of K. B. and C. P. and of assize, &c. 420. *pl.* 27, 28.
c. 2. Duty of barons of exchequer, 169. *pl.* 25., 420. *pl.* 29, 30.
c. 3. Justices of oyer and terminer and their associates shall be sworn, 420. *pl.* 32.
c. 4. Maintenance, 117. *pl.* 11.
c. 5. Maintainers to be discharged from lords services, 117. *pl.* 6.
c. 6. Misdemeanors to be punished by justices of assize, 420. *pl.* 33.

21 *Ed.* 3. A. D. 1346-7.
22 *Ed.* 3. A. D. 1348.
23 *Ed.* 3. A. D. 1329.
} *See Statutes at Large.*

25 *Ed.* 4. A. D. 1350.

c. 1—6. Labourers, [Rep. by general words, 5 *El. c.* 4. *s.* 2., and also by 5 *El. c.* 4. *s.* 2., 8 *El. c.* 1.]
c. 7. Rep. by 21 *J.* 1. *c.* 21. *s.* 11. as to labourers only.

25 *Ed.* 3. *St.* 1. A. D. 1350-2.

A statute of labourers, 435. *pl.* 1. Quarter Sessions, 1311. *pl.* 1.

25 *Ed.* 3. *St.* 2. A.D. 1350-2.

For those who are born beyond sea, 19. Stat. *in force*, *pl.* 1, 2.

25 *Ed. St.* 3. A. D. 1350-2.

c. 1. Privileges of the clergy confirmed, 1388. *pl.* 1. 19. Presentation to benefice, 71. Stats. *Rep. pl.* 2. and Stats. *in force*, *pl.* 1.
c. 2. Repeals 14 *Ed.* 3. *St.* 4. *c.* 2. 71. Stats. *Rep.* &c. *pl.* 1.
c. 3. Presentation to benefices by H. M., 71. *pl.* 3, 4.
c. 4. Clerks convict of felony or treason, [Rep. as to delivery to the ordinary by 18 *El. c.* 7. *s.* 2.] 1388. *pl.* 20. 22.
c. 5. Clerk arraigned of all his offences at once, 1388. *pl.* 21. 23.
c. 6. Bishops' temporalties shall not be seized for contempts, 79. *pl.* 11, 12.
c. 7. Counter-plea of H. M.'s title to a benefice fallen by lapse, 71. *pl.* 7, 8.
c. 8. Cognizance of avoidance of benefices, 71. *pl.* 9.
c. 9. Indictments of ordinaries for extortion, 1388. *pl.* 24.

25 *Ed.* 3. *St.* 4. A. D. 1350-2.

c. 1. Of cloths, [*semb.* Rep. 27 *Ed.* 3. *St.* 1. *c.* 4., 11 & 12 *W.* 2. *c.* 20. *s.* 2.] Aulnage, 46. *pl.* 1. Wool, &c. 1597. *pl.* 3.
c. 2. Merchants' strangers, 511. *pl.* 4. 9.
c. 3. Penalty of forestallers, 291. *pl.* 4, 5.
c. 4. New wears shall be pulled down, 1586. *pl.* 1. 3.

25 *Ed.* 3. *St.* 5. A. D. 1350-2.

c. 1. Purveyance, [Rep. virtually 12 *C.* 2. *c.* 24. *s.* 12.] 1305. *pl.* 1.
c. 2. Treason, 1544. *pl.* 24—28. Counterfeiting coin, 136. *pl.* 20.
c. 3. Juries, 413. *pl.* 16.

25 *Ed.* 3. *St.* 5. A. D. 1350-2. (*continued.*)

c. 4. Liberties and rights, 481. *pl.* 6. 8.
c. 5. Executors of executors, 241. *pl.* 5.
c. 6. Purveyance, [Rep. virtually, 12 *C.* 2. *c.* 24. *s.* 12.] 1305. *pl.* 2.
c. 7. Forest, 296. *pl.* 50.
c. 8. Men of arms, 1380. *pl.* 4.
c. 9. Weights and measures, 1587. *pl.* 10.
c. 10. Weights and measures, 1587. *pl.* 11.
c. 11. Aid to make H. M.'s son knight, or to marry his daughter, [Rep. 12 *C.* 2. *c.* 24. *s.* 1.], 1530. *pl.* 3.
c. 12. Gold and silver, 136. *pl.* 22.
c. 13. Coin, [Exp.] 135. *pl.* 4.
c. 14. Process in felony, 245. *pl.* 14, 15.
c. 15. Purveyance, [Rep. virtually, 12 *C.* 2. *c.* 24. *s.* 12.], 1305. *pl.* 2.
c. 16. Abatement of writ, 1252. *pl.* 7.
c. 17. *Exigent* in debt, detinue, and replevin, 542. *pl.* 8.
c. 18. Villenage; *libertate probandâ*, [Exp.], 1530. *pl.* 9.
c. 19. Protections, 1304. *pl.* 2.
c. 20. Gold and silver, 136. *pl.* 24.
c. 21. Purveyance, [Rep. virtually, 12 *C.* 2. *c.* 24. *s.* 12.] 1304. *pl.* 1, 2.
c. 22. Purchasing provisions at Rome, to have abbies, &c. here, [Exp.] 1304. Provisors, *pl.* 1.
c. 23. Debt of *Lombard*, [Exp.]

25 *Ed.* 3. *St.* 6. A. D. 1353.

A statute of provisors of ecclesiastical benefices, 1304. *pl.* 1. 4. 5. *last clause* Exp.

25 *Ed.* 3. *St.* 7. A. D. 1353.

Commissioners to levy fines in aid of the subsidy, [Exp. and Rep. 5 *El. c.* 4. *s.* 2.] 435. *pl.* 2.

27 *Ed.* 3. *St.* 1. A.D. 1353.

c. 1. A statute of provisors, 1303. Præmunire, *pl.* 1—3.
c. 2. Pardon of felony, 1213., Stats. *in force*, *pl.* 1. 4.
c. 3. Commissions to enquire of offences against 25 *Ed.* 3. *St.* 1. *c.* 5. [Exp.]
c. 4. Cloth, [Rep. as to alnage, 11 & 12 *W.* 3. *c.* 20. *s* 2., and in part by 49 *G.* 3. *c.* 109. *s.* 2.] 1597-8. *pl.* 4. 5.
s. 2. [Exp.]
c. 5. Forestalling Gascoign wine, 1591. *pl.* 4.
s. 7. is Rep. by 37 *Ed.* 3. *c.* 16.
c. 6. Wines, 1591. *pl.* 5.
c. 7. Gascoign wines, [Rep. as to punishment, by 27 *Ed.* 3. *c.* 16.] 1591. *pl.* 6.
c. 8. Wines, 322. Guaging, *pl.* 1—3.

27 *Ed.* 3. *St.* 2. THE STATUTE OF THE STAPLE. A. D. 1353.

c. 1. Staples for *England*, *Wales*, and *Ireland*.
c. 2. Merchant strangers, 511. *pl.* 15, 16.
c. 3. Staple merchandizes, [Rep. as to the pain of life and member, by 38 *Ed.* 3. *S.* 1. *c.* 6.; and as to forfeitures of lands and goods, by 46 *Ed.* 3., *Rot. Parl.*, *No.* 46.] 1598. *pl.* 7. 12.
s. 2. is Rep. by 28 *Ed.* 3. *c.* 13. *s.* 2. warranty of packing wools; and as to the pain of life and member, by 38 *Ed.* 3. *S.* 1. *c.* 6.
c. 4. Purveyors, [Rep. virtually, 12 *C.* 2. *c.* 24. *s.* 12.] 1305. *pl.* 2.
c. 5. H. M.'s justices shall not take cognizance of things belonging to the staple, 1477. *pl.* 4, 5.
c. 6. None of H. M.'s officers shall meddle where the staples are, 1477. *pl.* 6.
c. 7. Certain licences to export void.
c. 8. Trial of suits between aliens and denizens, [Rep. as to jurisdiction of mayor, &c. of the staple over felonies, 36 *Ed.* 3. *c.* 7.] 1477. *pl.* 7—9.
c. 9. Of recognizances acknowledged in the staples for recovery of debts, 1315. *pl.* 4, 5.
c. 10. Weights and measures, 1587. *pl.* 12.

27 *Ed.* 3. *St.* 2. A. D. 1353. (*continued.*)

c. 11. Merchandize shall be freely sold at the staples, so that they are not forestalled, 294. Forestallers, *pl.* 6, 7. Wines, 1592. *pl.* 7.
c. 12. No wool shall be carried into *Scot.*
c. 13. Merchandize stolen at sea or lost by tempest, 512. *pl.* 17.
c. 14. Gold and silver shall be brought to H. M.'s exchanges, &c. 136. *pl.* 10. 18. 25., 322. Gold and Silver, *pl.* 3.
c. 15. Security against export of staple commodities conveyed by water to the staples.
c. 16. Rents of houses in staples shall be reasonable, 1477. *pl.* 13.
c. 17. Merchants strangers answering for each other; and their treatment in war, 512. *pl.* 18.
c. 18. Merchants of *Ire.* or *Wa.* may bring their merchandizes to the staples of *Eng.*
c. 19. How far merchants shall answer for their servants: speedy justice shall be done to merchants in their staples, 512 *pl.* 19.
c. 20. Remedies for injuries to merchant strangers out of staples, 512. *pl.* 20.
c. 21. Mayor and two constables shall govern each staple town, 1478. *pl.* 14, 15.
c. 22. Correctors shall be appointed therein to make and record bargains, *id. pl.* 16.
c. 23. Officers of, and merchants repairing to the staple, shall be sworn to maintain the same and its laws, 1477. *pl.* 11. Winders of wool, 1598. *pl.* 4, 5.
c. 24. Two merchants aliens shall be associate to the officers in *c.* 21. with 6 mediators of questions between buyers and sellers, 1478. *pl.* 17.
c. 25. Penalty on conspiracy to disturbance of the staple, 1478. *pl.* 18.
c. 26. As to paying customs on the value of the goods.
c. 27. Forfeiture of exporting wools, [Exp.]
c. 28. General confirmation of the liberties of the staple, notwithstanding any franchise, 1478. *pl.* 19, 20.
Ordinance of the fees of the mayors and constables of the staple, 1478. *pl.* 21—23.

28 *Ed.* 3. A. D. 1354.

c. 1. Confirmation of the great charters and all statutes in use, 480. *pl.* 5.
c. 2. Lords of marches of *Wa.* 1570. *pl.* 36.
c. 3. Liberties and rights, 480. *pl.* 6. 9.
c. 4. *Ouster le main.* [Rep. *semble*, 12 *C.* 2. *c.* 24. *s.* 1. or Exp. since that statute.] 235. *pl.* 2.
c. 5. Export of iron. [Rep. virtually, 5 & 6 *W.* 3. *c.* 17.]
c. 6. Coroner's election, 148. *pl.* 1, 2.
c. 7. Sheriffs to continue only one year in office, 1358. *pl.* 17. 19.
c. 8. Attaint in trespass, 40. *pl.* 3.
c. 9. Sheriffs' commissions, 1358. *pl.* 28., 364. Homicide, *pl.* 2—6. 418. *pl.* 3.
c. 10. Errors and misprisions in *London*, 490. *pl.* 33—36.
c. 11. Confirming stat. *Wynton*, 13 *Ed.* 1. 370. *pl.* 4.
c. 12. Purveyance, [Rep. virtually, 12 *C.* 2. *c.* 24. *s.* 12.] 1305. *pl.* 2.
c. 13. Statute of staple. [Conf. and Amd. *inquests de medietate linguæ*, 413. *pl.* 17, 18.] Freedom of merchants, 512. *pl.* 21., 1471. *pl.* 24. Wool, &c. 1598. *pl.* 12.
c. 14. Sale of wool at staple. } 1597. *pl.* 5, 6.
c. 15. Bounds of every staple. }

31 *E.* 3. *St.* 1. A. D. 1357.

c. 1. Confirmation of *Mag. Carta* and *Cart. Forest.*, 480. *pl.* 5.
c. 2. Wools, 1598. *pl.* 8, 9.
c. 3. Estreats of felons goods, 245. *pl.* 1. 5.
c. 4. Extortion in proving wills, 241. *pl.* 8, 9.
c. 5. Contents and gauging of a tun of wine, 322. *pl.* 2.
c. 6. Labourers' fines, [Rep. 5 *El.* 2. *c.* 4. *s.* 2.] 435, *pl.* 3.

31 *Ed.* 3. *St.* 1. A. D. 1357. (*continued.*)

c. 7. Extending statutes of labourers to *London*, Cinque Ports, and liberties, [Exp.]
cc. 8, 9. Export of wool, [Exp.]
c. 10. Victuallers in *London*, 494. *pl.* 122, 123.
c. 11. Administration of intestate's goods, 241. *pl.* 6, 7.
c. 12. Erroneous judgments in exchequer, how examined, 234. *pl.* 1, 2.
c. 13. Fifteenth in regard of escape of felons, and goods of fugitives not estreated. [Exp.]
c. 14. Escapes of felons; and chattels of felons and fugitives, 245. *pl.* 1. 6.
c. 15. Sheriff's turn, 167. *pl.* 1, 2.

31 *Ed.* 3. A. D. 1357.

St. 2. *De Allece*, 273. *pl.* 71.; and see the *Statutes at Large.*
St. 3. *De Pisce*, 261. *pl.* 11.; and see the *Statutes at Large.*
St. 4. *Ordinatio Hiberniæ.* *Ireland*, 370. *pl.* 4.

34 *Ed.* 3. A. D. 1360-61.

c. 1. Justices of peace, 421. *pl.* 6, 7.
c. 2. } Purveyance, [Rep. 12 *C.* 2. *c.* 24. *s.* 12.] 1305. *pl.* 2.
c. 3. }
c. 4. Juries, 413. *pl.* 20.
c. 5. Weights and measures, 1587. *pl.* 10.
c. 6. Measures, [Rep. 21 *J.* 1. *c.* 28. *s.* 11.] 1586. Stat. *Rep.*
c. 7. Attaint in plea real, 40. *pl.* 2.
c. 8. Juror taking reward to give verdict, 413. *pl.* 10. 12.
c. 9. Masons and carpenters, [Rep. 5 *El. c.* 4. *s.* 2.] 435. Stats. *in force*, *pl.* 1.
c. 10. } Labourers, [Rep. 5 *El. c.* 4. *s.* 2. *comm. semb.*] 435. Stats.
c. 11. } *Rep. pl.* 4—6.
c. 12. Forfeiture of lands for treason, 1544. *pl.* 35, 36.
c. 13. Escheators, 235. *pl.* 5.
c. 14. Alienation, [*semb.* Rep. virtually 12 *C.* 2. *c.* 24. *s.* 1. or Exp. since that statute.] 235. *pl.* 3.
c. 15. Confirmation of alienations made by tenants of *H.* 3. [Exp.] 428. *pl.* 11., 1530. *pl.* 7.
c. 16. Nonclaim, [*semb.* Rep. 4 & 5 *H.* 7. *c.* 24. *s.* 1.] 250. *pl.* 1. 3.
c. 17. Export and import in *Ire*, 512. *pl.* 23.
c. 18. *Id.*, 512. *pl.* 24.
c. 19. Packing wool, 1598. *pl.* 10, 11.
c. 20. Corn export, [Rep. 21 *J. c.* 28. *s.* 11.]
c. 21. Wool export, [Exp.]
c. 22. Hawk, 309—310. *pl.* 7—9.

35 *Ed.* 3. A. D. 1360-61.

Ordinatio facta de Allece, 273. *pl.* 71. and see *Statutes at Large.*

36 *Ed.* 3. A. D. 1362.

c. 1. Confirmation of charters and all former statutes, 480. *pl.* 5.
c. 2. Purveyance, 1305. *pl.* 2.
c. 3. Purveyance, [Rep. virtually 12 *C.* 2. *c.* 24. *s.* 12.] 1305. Stats. *Exp. pl.* 2.
c. 4. Name of Purveyor changed into Buyer. Purveyance regulated, [Rep. virtually] 1305. *pl.* 2.
c. 5. King's horses, [Rep. *id. ibid.* and Exp.] 366. *pl.* 3.
c. 6. Purveyance, 1305. Stats. *in force*, *pl.* 1, 2.
c. 7. Jurisdiction of mayor and constable of staple, 1477. *pl.* 7. 10.
c. 8. Clergy; stipend. [Rep. 21 *J.* 1. *c.* 28. *s.* 11. and 1 *Mar.* (*S.* 2.) *c.* 2. 1 *El. c.* 2. *s.* 2., 1 *J.* 1. *c.* 25. *s.* 48.] 1387. *pl.* 6.
c. 9. Persons grieved against any statute shall have relief in Chancery, 162. *pl.* 2.
c. 10. Parliament, 1215. *pl.* 2.
c. 11. Subsidy on, and export of wools; no subsidy without assent of parliament, 1598. *pl.* 11.
c. 12. Quarter sessions, 1311. *pl.* 2, 3.
c. 13. Escheators, 235. *pl.* 6.
c. 14. Labourers' fines, [Rep. virtually, 5 *El. c.* 4. *c.* 2.] 435. *pl.* 7.
c. 15. Pleas pleaded in *English* and enrolled in *Latin*, 1252. *pl.* 8.

37 *Ed.* 3. A.D. 1363.

c. 1. Confirmation as in 36 *Ed.* 3. *c.* 1. 480. *pl.* 5.
c. 2. *Idemptitate nominis* in outlawry, 542. *pl.* 4.
c. 3. Prices of poultry, [Rep. 21 *J.* 1. *c.* 21. *s.* 1.] 1567. Stats. *Rep.* &c. *pl.* 1.
c. 4. Acquittances at exchequer, 169. *pl.* 26.
c. 5. Merchants, [Rep. 38 *Ed.* 3. *c.* 2. *s.* 1.] 511. *pl.* 1.
c. 6. Artificers, [*semb.* Rep. 5 *El. c.* 4. *s.* 2.] 435. *pl.* 8.
c. 7. Goldsmiths, [Rep. in part, "that makers of white vessels shall not gild," by 21 *J.* 1. *c.* 28. *s.* 11.] 323. *pl.* 3.
cc. 8—15. Apparel and sumptuary laws, [Rep. 38 *Ed.* 3. *St.* 1. *c.* 2. *&c.* lastly by 1 *J.* 1. *c.* 25. *s.* 45.] 26. *pl.* 2.
c. 16. Repeal of the capital punishments in 25 *Ed.* 3. *St.* 1. *c.* 5. *and c.* 7., 1591. *pl.* 4.
c. 17. Abatement of writ, 1618. *pl.* 20.
c. 18. Suggestion to H. M. [Rep. in part, 38 *Ed.* 3. *St.* 1. *c.* 9.] 7. *pl.* 1, 2.
c. 19. Stealing a hawk, 310. *pl.* 9.

38 *Ed.* 3. *St.* 1. 1364-5.

c. 1. Confirmation of charters and statutes, 480. *pl.* 5.
c. 2. Merchants, 512. *pl.* 22.
s. 2. is Rep. by 59 *G.* 3. *c.* 49. *s.* 11. carrying gold and silver out of realm, 322. Stats. *Rep. pl.* 4.
c. 3. Fines, 253. *pl.* 8, 9.
c. 4. Foreign bonds, 1303. *pl.* 4.
c. 5. Wager at law against Londoner's papers. (Local. *See* 7 *J.* 1. *s.* 12.)
c. 6. The felony imposed by 27 *Ed.* 3. (*S.* 2.) *c.* 3. is repealed, but the forfeiture of lands and goods shall stand, [now Rep. 46 *Ed.* 3. *Rot. Parl. No.* 46.] 1598. *pl.* 7.
c. 7. Confirmation of 27 *Ed.* 3. *St.* 2., 1478. *pl.* 24.
c. 8. Ship shall not be lost for a small thing therein not customed.
c. 9. Suggestion to H. M., 7. *pl.* 3.
c. 10. Confirmation of statutes respecting foreign wines, 1591. *pl.* 4.
c. 11. Importation of wines regulated, 1592. *pl.* 8.
c. 12. Punishment of jurors taking rewards to give verdicts, and of embraceors, 413. *pl.* 10. 13.

38 *Ed.* 3. *St.* 2. OF PROVISORS. A.D. 1364-5.

cc. 1, 2. Benefices from Rome, 1303. *Præmunire, pl.* 1., 1304, 1305. *pl.* 1. 8, 9.
cc. 3, 4. Proceedings under that statute, *id.* 5. *pl.* 1. 10, 11.

40 *Ed.* 3. *See Stats. at Large.* A. D. 1366.

42 *Ed.* 3. A. D. 1368.

c. 1. Confirmation of *Magna Carta* and *Carta de Foresta*, 294. *pl.* 1., and repeal of any statute to the contrary thereof, 418. *pl.* 3. 480. *pl.* 5.
c. 2. The pardon in 36 *Ed.* 3. Conf. 1214. *pl.* 5. [Exp.]
c. 3. How the subject shall be put to answer, 7. *pl.* 4.; 480, 481. *pl.* 6. 10.
c. 4. Commissions of inquiry, 142. *pl.* 19.
c. 5. Escheator's qualification and duty, 235. *pl.* 7, 8.
c. 6. Labourers, [Rep. 5 *El. c.* 4. *s.* 2. *comm. semb.*] 435. *pl.* 5.
c. 7. Londoners and none other to sell victuals by retail, [Exp.]
c. 8. Gascoign wine.
c. 9. Debts to H. M. 238. *pl.* 10. Sheriffs, 1358. *pl.* 17. 20.
c. 10. Children born beyond sea, (*See* 25 *Ed.* 3. *S.* 2.) [Exp.]
c. 11. Panels of juries shall be arranged 4 days before sittings at *Nisi Prius*, 413. *pl.* 21, 22.

43 *Ed.* 3. A. D. 1369.

c. 1. Staple and export of wools.
c. 2. Import of wine from Gascoign.
c. 3. Purveyance, [Rep. virtually 12 *Car.* 2. *c.* 24. *s.* 12.] 1305. *pl.* 2.
c. 4. Forests, Stats. *Exp.* 294. *pl.* 3.

44 *Ed* 3. A. D. 1370.

See Statutes at Large.

45 *Ed.* 3. A. D. 1370-1.

c. 1. Confirmation as in 42 *Ed.* 3. *c.* 1., 480. *pl.* 5.
c. 2. Wears, 1586. *pl.* 4.
c. 3. Prohibition granted in suit for *sylva cædua*, 1303. *pl.* 15.
c. 4. No taxes on staple merchandizes without consent of parliament, 1698. *pl.* 11.

46 *Ed.* 3. A. D. 1372.

[*Rot. Parl.* 11. *page* 310. *No.* 13.] Parliament, 1215. *pl.* 5.

47 *Ed.* 3. A. D. 1373.

Cloths, [Rep. 5 & 6 *Ed.* 6. *c.* 6. *s.* 50.] 1597. *pl.* 6.

50 & 51 *Ed.* 3. A. D. 1376-7.

c. 1. Confirmation of liberties of the church, 1388. *pl.* 1.
c. 2. ——— of *Magna Carta* and *Carta de Forest.*, 480. *pl.* 5.
c. 3. Pardon, 1214. *pl.* 6. [Exp.]
c. 4. No prohibition after consultation duly granted, 1303. *pl.* 16.
c. 5. Arrest of clerks, 1388. *pl.* 25.
c. 6. Fraudulent assurances, 303. *pl.* 1, 2.
c. 7. Woollen cloths shall not be transported before they are fulled.
c. 8. Certain cloths whereof no subsidy or alnage shall be paid.

1 *R.* 2. A. D. 1377.

c. 1. Confirmation of liberties of the church and of all statutes not repealed, 480. *pl.* 5., 1388. *pl.* 1.
c. 2. Keeping peace, 481. *pl.* 29.
c. 3. Purveyance, [Rep. virtually, 12 *C.* 2. *c.* 24. *s.* 12.]
c. 4. Maintenance, 117. *pl.* 13, 14.
c. 5. Punishments of clerk of exchequer making process for a debt paid, 169. *pl.* 27.
c. 6. Villenage, [Exp.] 1530. *pl.* 10.
c. 7. Maintenance: liveries, 117. *pl.* 14.
c. 8. Protection, *cum clausula* '*Volumus*,' 1304. *pl.* 3.
c. 9. Feoffments of lands for maintenance, &c. 303. *pl.* 3, 4.
c. 10. Pardon, 1214. *pl.* 10. [Exp.]
c. 11. Sheriffs, 1358. *pl.* 17. 21.
c. 12. Warden and prisoners in Fleet; debt to H. M., 1280. *pl.* 10, 11.
c. 13. Suits in spiritual courts, 167. *pl.* 1.
c. 14. Actions against clergy for taking tithes, 1535. *pl.* 1, 2.
c. 15. Arresting clergy. 1388. *pl.* 25.

2 *R.* 2. *St.* 1. A. D. 1378-9.

c. 1. Merchants may buy and sell within realm without disturbance 511. *pl.* 12—14., 1388. *pl.* 25.
c. 2. Confirmation of 25 *Ed.* 3. *St.* 4. *c.* 3.
c. 3. Merchants of West may buy staple merchandises, &c. 512. *pl.* 25.
c. 4. Penalty of H. M.'s mariners departing without licence
c. 5. ——— telling scandalous lies of the great men of the realm, 1372. *pl.* 2, 3.
c. 6. Riots, [Rep. 2 *R.* 2. *St.* 2. *c.* 2.] 1326. *pl.* 1.
c. 7. *Urban* was duly chosen pope, [Exp.]
c. 8. Confirming statutes 23 *Ed.* 3. &c. of labourers, [Rep. by 5 *El. c.* 4. *s.* 2., 21 *J.* 1. *c.* 28. *s.* 11.] 435. *pl.* 1.

2 *R.* 2. *St.* 2.

c. 1. Confirmation of liberties of the church, and of the charters and laws, 480. *pl.* 5., 1388. *pl.* 1.
c. 2. Repealing 2 *R.* 2. *St.* 2. *c.* 6. Riots, 1326. *pl.* 1.
c. 3. Fraudulent deeds of debtors, 303. *pl.* 7, 8. [Rep. as to sanctuary, 21 *J.* 1. *c.* 28. *s.* 7.]

3 *R.* 2. A. D. 1379-80.

c. 1. Confirmation as in 2 *R.* 2. *St.* 2. *c.* 1., 480. *pl.* 5., 1388. *pl.* 1.
c. 2. Cloths, 46. *pl.* 1. 159. *pl.* 7. [Rep. as to cloths, 5 & 6 *Ed.* 6. *c.* 6. *s.* 50.: as to alnage by 11 & 12 *W.* 3. *c.* 20. *s.* 2.]
c. 3. Farming, &c. benefices in *Eng.*, belonging to aliens prohibited under pain of *premunire*, 19. Stats. *in force, pl.* 3—5.

4 *R.* 2. A. D. 1380.

c. 1. Gauging, 322. *pl.* 3.
c. 2. Pardon, [Exp.] 1214. *pl.* 10.

5 *R.* 2. *St.* 1. A. D. 1381-2.

c. 1. Confirmation as in 2 *R.* 2. *St.* 2. *c.* 1., 480. *pl.* 5., 1388. *pl.* 1.
c. 2. Departing realm without H. M.'s licence [Rep. 4 *J.* 1. *c.* 1. *s.* 22.] 187. *pl.* 1.
ss. 1—3. are Rep. by 59 *G.* 3. *c.* 49. *s.* 11. Gold and Silver, Stats. *Rep. &c. pl.* 5.
c. 3. Navigation, [Rep. 1 *El. c.* 13.; also virtually by 12 *C.* 2. *c.* 18. (Exp.)]
c. 4. Wines; prices; retailing, [Rep. 7 *R.* 2. *c.* 11.] 322. Gauging, *pl.* 1, 2.
c. 5. *Id. ibid.* [Rep. 6 *R.* 2. *St.* 1. *c.* 7. *and see* 7 *R.* 2. *c.* 11.] *id. ibid.*
c. 6. or 5. Indemnity to those who punished rebels, 1214. *pl.* 6., 1315. *pl.* 1. [Exp.]
c. 7. Duress; riots, [Exp. in part; Rep. as to treason, 1 *Ed.* 6. *c.* 12. *s.* 2.] 1325. *pl.* 2.
c. 8. Forcible entry, 233. *pl.* 1, 2.
c. 9. Remedy by H. M.'s council for those whose writings were destroyed in the late insurrection, [Exp.] 238. *pl.* 1.
c. 10. Defendants in exchequer may plead discharge, 169. *pl.* 28.
c. 11. Enrolment of covenants of H. M.'s retainers in exchequer, 169, *pl.* 29.
c. 12. Accounts in exchequer, 169. *pl.* 30.
c. 13. *id.* ——— 169. *pl.* 31.
c. 14. Accompts of *nichil* taken away, 170. *pl.* 31. (*a*)
c. 15. Discharge of debtors accounts in exchequer, 170. *pl.* 32.
c. 16. *id.* 170. *pl.* 33.
c. 17. *id.* Fees of clerks for making commissions or records of *nisi prius*, 170. *pl.* 34.

5 *R.* 2. *St.* 2. A. D. 1381-2.

c. 1. Merchant strangers, 512. *pl.* 26.
c. 2. Wool. Export duty, [*semb.* Exp.]
c. 3. Subsidy of tonnage and poundage, [Exp.]
c. 4. Parliament, 1215. *pl.* 7, 8.
c. 5. Heretic, [Rep. 1 *Ed.* 6. *c.* 12. *s.* 3. and revived 1 & 2 *P.* & *M. c.* 6. which is Rep. 1 *El. c.* 1. *s.* 15.], 349. Heretic, Stats. *Rep.*, &c. *pl.* 1.

6 *R.* 2. *St.* 1. A. D. 1382-3.

c. 1. Confirmation of liberties of church and statutes not repealed. 480. *pl.* 5.
c 2. Venue in writs of debt, accompt, &c. 1252. *pl.* 9.
c. 3. Writs of nuisance called *vicontiels*, 529. Nuisance, *pl.* 1.
c. 4. Exemplifications of deeds, 238. *pl.* 1.
c. 5. Sessions of justices of assize, 420. *pl.* 34.
c. 6. Rape, and consent after rape, 1313-4. *pl.* 3. 6.
c. 7. Wine, [Rep. 7 *R.* 2. *c.* 11.] 322. Gauging, *pl.* 3.
c. 8. Navigation. [Rep. 1 *El. c.* 13.; and virtually 13 *C.* 2. *c.* 18. (Exp.)]
c. 9. Vintner, [*Qu.* if Rep. 7 *R.* 2. *c.* 11. and *semb.* superseded by 3 *H.* 8. *c.* 8.] 1567. *pl.* 7, 8.
c. 10. Alien, 512. *pl.* 27.
c. 11. Fish, [Rep. 7 *R.* 2. *c.* 11.] 261. *pl.* 1.
c. 12. London, [Rep. 7 *R.* 2. *c.* 11.] 1567. Stats. *Rep.* &c. *pl.* 2.
c. 13. Pardon, 1214. *pl.* 6. [Exp.]

6 *R.* 2. *St.* 2. A. D. 1382-3.

(See *Stat.* 8vo. *ed.* i. 61. *Note.*) 1388. *pl.* 1.

7 *R.* 2. A. D. 1383.

c. 1. Confirmation of liberties of church, 1388. *pl.* 1.
c. 2. ——— all statutes in force, 480. *pl.* 5.
c. 3. Jury for trespass in forest, 296. *pl.* 51, 52.
c. 4. Imprisonment by officers of forest, 296. *pl.* 53, 54.
c. 5. Vagabonds, [Rep. 21 *J.* 1. *c.* 28. *s.* 11.] 1561. *pl.* 1.
c. 6. 13 *Ed.* 1. *c.* 2. to be proclaimed. Hue and Cry, *pl.* 10., Statutes, 1478. *pl.* 1, 2.
c. 7. *Nisi prius* at suit of jurors in default of parties, 420. *pl.* 40.
c. 8. Purveyance, [Rep. virtually, 12 *C.* 2. *c.* 24. *s.* 12.] 1305. Stats. *in force*, *pl.* 1.

7 *R.* 2. A. D. 1383. (*continued.*)

c. 9. Cloths, [Rep. 5 & 6 *E.* 6. *c.* 6. *s.* 50.] 1597, *pl.* 8.
c. 10. Assize for rents of lands in divers counties, 10. *pl.* 18, 19.
c. 11. Repeal of 5 *R.* 2. *cc.* 4, 5. and 6 *R.* 2. *cc.* 7. 11, 12., 261. *pl.* 1., 1567. *pl.* 9.
c. 12. 3 *R.* 2. *c.* 3. is Conf., 19. Stats. *in force*, *pl.* 3. and *pl* 6.
c. 13. Armour, 32. Stats. *in force*, *pl.* 3, 4.
c. 14. Attornies in writs of *præmunire*, 41. *pl.* 6, 7.
c. 15. Maintenance and champerty, 117. *pl.* 9, 10.
c. 16. Armour, &c. sending into *Scot.* [Rep. 4 *J.* 1. *c.* 1. *s.* 3.] 1338. *pl.* 2.
c. 17. Mainpernors satisfying plaintiff, [Exp.] 47. Bail, Stat. *Exp.*

8 *R.* 2. A. D. 1384.

c. 1. Confirmation as in 7 *R.* 2. *cc.* 1; 2., 480. *pl.* 5. 1388. *pl.* 1.
c. 2. Who shall be justice of assize, &c. 420. *pl.* 41.
c. 3. Judges and barons of exchequer, [Susp. 9 *R.* 2. *c.* 1.] 420. *pl.* 31.
c. 4. False entries of pleas, razing rolls and changing verdicts, 1317. *pl.* 4, 5.
c. 5. What suits before constable and marshal, 167. *pl.* 1, 2.

9 *R.* 2. A. D. 1385.

c. 1. Confirmation of all statutes not *Rep.*, except 8 *R.* 2. *c.* 3., which is Susp. till declared by pariiament.
c. 2. Enfranchisement of villeins, 1530. *pl.* 11.
c. 3. Error or attaint by reversioner, *pl.* 9—11.
s. 3. is Exp.
c. 4. Spiritual jurisdiction. [Exp.]
c. 5. Fees of clergy taken into *Marshalsea*, 173. *pl.* 5.

10 *R.* 2. A. D. 1386.

Commission by H. M. to a continual council to survey, &c. [Rep. 21 *R.* 2. *c.* 2.]

11 *R.* 2. A. D. 1387-8.

c. 1. Confirmation of certain attainders for treason, &c. [Rep. as to the penalty of treason, 2 *H.* 4. *c.* 22. and Exp,] 1543 *pl.* 1.
cc. 2—6. Personal forfeitures of lands and goods, &c. [All Exp.]
c. 7. Merchants, 511. *pl.* 11.
c. 8. Annuities granted by H. M., &c. [Exp.]
c. 9. Taxes on leather, 1598. *pl.* 11.
c. 10. Privy seal, 481. *pl.* 32.
c. 11. Assizes of justices, 420. *pl.* 34, 35.

12 *R.* 2. A. D. 1388.

c. 1. Confirmation of liberties of the church, of the charters, and former statutes not repealed, 480. *pl.* 5. 1338. *pl.* 1.
c. 2. Appointmens of justices of peace and other officers, 435. *pl.* 9. 537. *pl.* 4, 5.
cc. 3—9. Labourers, [Rep. 5 *El. c.* 4. *s.* 2., 21 *J.* 1. *c.* 28. *s.* 11.] 435. *pl.* 9.
c. 4. Wages of servants. [also Rep. by 4 *H.* 5. *c.* 4., 4 *H.* 8. *c.* 5.]
c. 6. Gaming, 320. *pl.* 1.
c. 7. Vagrant, 1562. *pl.* 2.
c. 8. Vagrant, 1562. *pl.* 3.
c. 10. Justices of peace, their sessions and wages, 421, *pl.* 8. 10. Quarter Sessions, 1311. *pl.* 4.
c. 11. *Scandalum magnatum*, 1373. *pl.* 4.
c. 12. Expences of knights of parliament, 1215. *pl.* 7, 8.
c. 13. Nuisances in cities, &c., 529. *pl.* 2. 3. [Exp. in part.]
c. 14. Cloths, [Rep. virtually by 5 & 6 *Ed.* 6. *c.* 6. *s.* 50., 49 *G.* 3. *c.* 109. *s.* 1.] 1597. *pl.* 6.
c. 15. Provisors for benefices from Rome, 1304. *pl.* 6—7.
c. 16. Staple removed from *Middleburgh* to *Calais*, 1477. *pl.* 1.

13 *R.* 2. *St.* 1. A. D. 1389-90.

c. 1. Presentations to benefices by H. M., 71. *pl.* 3. 5.
last part is Rep. by 4 *H.* 4. *c.* 22.

13*R.*2. *St.* 1. A. D. 1389-90. (*continued.*)

*c.*2. Jurisdiction of court of constable and marshall, 167. *pl.*2. 1304-5. *pl.*1. 12.

*c.*3. Limits of court of steward and marshal of H.M.'s house, 173. *pl.*4.

*c.*4. Duty of clerk of market thereof, 507. *pl.*4.

*c.*5. Jurisdiction of the admiral and his deputy, 11. ADMIRALTY, *pl.*1, 2.

*c.*6. SERJEANTS AT ARMS, 1350. *pl.*1, 2.

*c.*7. Justices of peace, 421. *pl.*11, 12.

*c.*8. Labourers wages, 435. *pl.*10. Gains of victaallers, 1567. STATS. *Rep. pl.*3.

*ss.*3, 4. Gains of victuallers; hostlers selling horse bread, hay, oats, &c.; and the price, are REP. by 21*J.*1. *c.*21. *s.*1., and *c.*28. *s.*11. 1567. STATS. *Rep.*, &c. *pl.*3.

*c.*9. Weights and measures, 1587. *pl.*13.

*c.*10. Cloths, [REP. *comm. semb.* 5&6*Ed.*6. *c.*6. *s.*50., 49*G.*3. *c.*109. *s.*1.] 1597. *pl.*9.

*c.*11. Cloths, [REP. 49*G.*3. *c.*109. *s.*1.] 1597. *pl.*10.

*c.*12. Shoemakers, [REP. 5*El. c.*8. 1*J.*1. *c.*22. *s.*58.] 477. *pl.*1.

*c.*13. Deer stealing, [REP. as to penalty for keeping engines to destroy *deer*, 16*G.*3. *c.*30. *s.*27.] 310. *pl.*10, 11.

*c.*14. Debt to H.M., 170. *pl.*35.

*c.*15. Counties, rejoining gaols, &c. to, 1280. *pl.*12.

*c.*16. Protections, 1304. *pl.*4, 5.

*c.*17. Reversioners may defend in suits, against particular tenants, 1326. *pl.*7—9.

*s.*2. is EXP.

*c.*18. False verdicts in city of *Lincoln*, 40. *pl.*4.

*c.*19. Taking salmon; 13*Ed.*1. *West. Sec. c.*47., confirmation of, 285. *pl.*267. 269.

*c.*20. Pilgrims passing out of realm, [REP. 21*J.*1. *c.*28. *s.*11.] 230. *pl.*3.

13*R.*2. *St.* 2. A. D. 1389-90.

*c.*1. Suing for charters of pardon, 1214. STATS. *in force*, *pl.*5, 6.

*s.*3. is REP. by 16*R.*2. *c.*6. *s.*2.

*c.*2. Provisors, [*See* 23*Ed.*3. *St.*6.] 1304. *pl.*1, 6, 7.

*ss.*2, 3. are EXP.

*c.*3. Provisors, [*See* 25*Ed.*3. *St.*6.] *id. ibid.*

14*R.*2. A. D. 1390.

*c.*1. Alien merchants, [*semb.* EXP. as to the staple, removed from *Calais* to *Eng.*] 512. *pl.*29., 1477. *pl.*1.

*c.*2. Alien, [EXP.] STATS. *Rep.*, &c. 19. *pl.*1.

*c.*3. Oaths of officers of staple, 1477. *pl.*12.

*c.*4. Wool, buying by denizens, [REP. by 21*J.*1. *c.*28. *s.*11.] 1597. *pl.*11.

*c.*5. Export by denizen.

*c.*6. Navigation, [REP. 1*El. c.*13. (EXP.) and virtually, 12*C.*2. *c.*18.]

*c.*7. Tin, export, [REP. 21*J.*1. *c.*28. *s.*11.]

*c.*8. Indemnity for not gauging *Rhenish* wine, 322. *pl.*3.

*c.*9. Merchants strangers to be well used, 512. *pl.*30.

*c.*10. Regulating customers, comptrollers, and other officers.

*c.*11. Regulating justices of peace, 421. *pl.*3.

*c.*12. Value of *Scottish* money, [*semble* EXP.] 135. *pl.*6.

15*R.*2. A. D. 1391.

*c.*1. Statutes confirmed.

*c.*2. Riots and forcible entries, 32. STATS. *in force*, *pl.*3. 233. *pl.*1, 3.

*c.*3. Admirals jurisdiction, 11. ADMIRALTY, *pl.*1. 3, 4.

*c.*4. Eight bushels of corn to the quarter, 1587. *pl.*14.

*c.*5. Mortmain, 518. *pl.*8.

*c.*6. Benefices, provisions out of for poor and vicar, 71. *pl.*10, 11.

*c.*7. Exports to *Scot.*, [EXP. virtually since repeal of 7*R.*2. *c.*16.]

*c.*8. Tin, export, [REP. 21*J.*1. *c.*28. *s.*11.]

*c.*9. Recognizances of the staple, 1315. *pl.*4.

*c.*10. *Guildford* cloths, [REP. 5&6*Ed.*6. *c.*6. *s.*50.] 1597. *pl.*12.

15*R.*2. A. D. 1391. (*continued.*)

*c.*11. Girdlers, [REP. 1*J.*1. *c.*25. *s.*41, and *s.*47.]

*c.*12. Liberties and rights, 481. *pl.*33.

16*R.*2. A. D. 1392-3.

*c.*1. Merchants, 511. *pl.*9—10.

*s.*3. is REP. by 2*C.*1. *c.*4. *s.*27. Spices export.

*c.*2. Confirming, &c. 15*R.*2. *c.*12. 481. *pl.*34. 511. *pl.*10.

*c.*3. Clerk of market. Weights and measures, 507. *pl.*5.

*c.*4. Liveries, [REP. by 3*C.*1. *c.*4. *s.*27.] 488. *pl.*1.

*c.*5. Provisors and *Premunire*, 1303. *pl.*5, 6.

*c.*6. Pardons, 1214. STATS. *in force*, *pl.*5.

17*R.*2. A. D. 1393-4.

*c.*1. Coin, 136. *pl.*26, 27.

*s.*2. and *per tot.* as to melting *English* money, is REP. by 59*G.*3. *c.*49. *s.*11.

*c.*2. Cloths, [REP. 5&6*Ed.*6. *c.*6. *s.*50., 49*G.*3. *c.*109. *s.*1.] 1597. *pl.*14.

*c.*3. Cloths export, [REP. virtually, 5&6*Ed.*6. *c.*6. *s.*50., 50*G.*3. *c.*83.]

*c.*4. Malt, 500. *pl.*2.

*c.*5. Officers of customs.

*c.*6. Damages on untrue suggestions, 162. *pl.*3, 4.

*c.*7. Export of corn, [REP. 21*J.*1. *c.*28. *s.*11.]

*c.*8. Riots, 1326. STATS. *in force*, *pl.*1.

*c.*9. Justices of peace to be conservators of statutes made touching salmons, 285. *pl.*267. 270.

*c.*10. Two men of law to be in commission of gaol delivery, 420. *pl.*48.

*cc.*11—13. *See* Notes in *Stats. at Large*, at head of 17*R.*2.

18*R.*2. A. D. 1394-5.

*c.*1. (*See Stats. at Large.*)

20*R.*2. A. D. 1396-7.

*c.*1. Armour, 32. STATS. *in force*, *pl.*3, 4. Liveries, 117. *pl.*14.

*c.*2. Liveries, [REP. 3*C.*1. *c.*4. *s.*27.] 488. *pl.*1.

*c.*3. No man to sit on the bench with justices of assize, 420. *pl.*49.

*c.*4. Merchants strangers, 512. *pl.*21.

*c.*5. Purveyance of horses, 366. STATS. *in force*, *pl.*1.

21*R.*2. A. D. 1397-8.

[NOTE *cc.*1—14. 16—20. are REP. 1*H.*4. *c.*3. and *c.*10.; see 1*E.*4. *c.*1.]

*c.*1. Confirmation of liberties of church, 1388. *pl.*1.

*c.*2. Declaring 10*R.*2. illegal, 1471. STATUTES, *pl.*2. [*semb.* EXP. and REP.]

*c.*3. Treason, 1543. *pl.*2.

*c.*4. Treason, 1543. *pl.*3.

*c.*5. Oaths of peers, 1215. *pl.*9.

*c.*6. Issue male of traitors disabled from sitting in parliament, 1543. *pl.*4.

*c.*7. Corodies, &c. granted by traitors [EXP.]

*c.*8. Presentation by H. M. to forfeited benefices [EXP.]

*c.*9. County of *Chester* made a principality, [*Qu.* if REP. 1*H.*4. *c.*3. and *c.*10.?] 154. *pl.*1, 2.

*c.*10. Vesting estates of Earl *Warwick* in H. M., 428. *pl.*12.

*c.*11. Vesting estates of Duke of *Glocester* in H. M., *id. pl.*13.

*c.*12. Approving opinions of judges as to the statute and commission, 10*R.*2. Repealing proceedings in *Parl.* 11*R.*2.

*cc.*13—14. personal.

*c.*15. Pardon, [CONF. 2*H.*4. *c.*13., but now EXP.] 1214. *pl.*6.

*c.*16. Shoemakers, 477. *pl.*1.

*c.*17. Staple at *Calais*, [EXP. & REP. as above, see *c.*1.] 1477. *pl.*1.

*c.*18. Fortifications of *Calais.*

*c.*19. Treason to repeal statutes of 21*R.*2., Wears, STATS. *Rep.* 1586.

*c.*20. [REP. as above], 1543. *pl.*5.

1 *H.* 4. A. D. 1399.

c. 1. Confirmation of liberties and statutes, 480. *pl.* 5., 1388. *pl.* 1.
c. 2. Indemnity, [Exp.]
c. 3. A repeal of all proceedings in parliament of 21 *R.* 2. 1215. *pl.* 10., 1471. *pl.* 3., 1543. *pl.* 2—4.
c. 4. Confirmation of the parliament held 11 *R.* 2., 1215. *pl.* 11., 1478. *pl.* 4.
c. 5. Restitution of inheritances, [Exp.]
c. 6. Grants by H. M., of lands, offices, &c., 429. *pl.* 4, 5.
c. 7. Liveries, [Rep. 3 *C.* 1. *c.* 4. *s.* 27.] 488. *pl.* 1.
c. 8. Assise by disseisee against king's patentee of lands, 10. *pl.* 20, 21.
c. 9. Confirmation to purchasers of forfeited lands, [Exp.]
c. 10. Treason, 1543. 1544, *pl.* 2, 3. 5. 32.
c. 11. Sheriffs' accounts and extortion, 1358. *pl.* 29.
c. 12. Wears, 1586. *pl.* 6.
c. 13. Customs officers.
c. 14. Appeal, [Rep. *comm. semb.* by general words of 59 *G.* 3. *c.* 46. *s.* 1.] 27. *pl.* 6.
c. 15. Errors in *London*, 490. *pl.* 33, 34.
c. 16. Packing of cloths in *London*, 1598. *pl.* 12.
c. 17. Sale of victuals and fish by aliens, [*semb.* Exp.] 512. *pl.* 27.
c. 18. Process into county of *Chester*; outlawry, 154. *pl.* 3, 4.
c. 19. Cloths not charged with subsidy, [Exp.] 1597. *pl.* 15.
c. 20. Pardon, [Exp.]

2 *H.* 4. A. D. 1400-1.

c. 1. Liberties and statutes confirmed, 480. *pl.* 1. 4, 5., 1388. *pl.* 1.
c. 2. Grants by H. M., [Exp.] 429. *pl.* 4.
cc. 3, 4. Statutes of provisors, [13 *R.* 2. *St.* 2. *c.* 2., &c.] extended, 1304-5. *pl.* 1. 14., 1535. *pl.* 3, 4.
c. 5. [Rep. 59 *G.* 3. *c.* 49. *s.* 11.] Gold and Silver., 322. *pl.* 5.
c. 6. Coin import, [Rep. 21 *J.* 1. *c.* 28. *s.* 11.] 135. *pl.* 7.
c. 7. Nonsuit, 527. *pl.* 1.
c. 8. Fee of cyrographer of C. P for fine levied, 251. *pl.* 7, 8.
c. 9. Commissioners *in temp. R.* 2. relief [Exp.], 141. *pl.* 1.
c. 10. Fee of clerk of crown of K. B. on indictments, 383. *pl.* 1, 2.
c. 11. Admirals jurisdiction, 11. Admiralty, *pl.* 1. and *pl.* 5.
c. 12. Welshmen, [Rep. 21 *J.* 1. *c.* 28. *s.* 11.] 1568. *pl.* 1.
c. 13. Pardon, [Exp.] 1214. *pl.* 6.
c. 14. Purveyance, [Rep. virtually 12 *C.* 2. *c.* 24. *s.* 12.] 1305. *pl.* 3.
c. 15. Heresy, [Rep. 25 *H.* 8. *c.* 14. *s.* 1. Revived 1 & 2 *P.* & *M.* *c.* 6. which is Rep. 1 *E.* 2. *c.* 1. *s.* 15.] 349. Heretic, Stats. Rep. &c. *pl.* 2.
cc. 16—18. Welshmen, [Rep. 21 *J.* 1. *c.* 28. *s.* 1.] 1568. *pl.* 2.
c. 19. Englishmen not condemned at suit of Welshmen in *Wa.*, but by *English* justices or burgesses, [Exp.] 1568. *pl.* 3.
c. 20. Welshmen, [Rep. 21 *J.* 1. *c.* 28. *s.* 11.] 1568. *pl.* 2.
c. 21. Liveries, [Rep. virtually 3 *C.* 1. *c.* 4. *s.* 27.] 488. *pl.* 1.
c. 22. Treason, 1543. *pl.* 1.
c. 23. Fee of marshal of marshalsea of H. M.'s house, 173. *pl.* 7, 8.
c. 24. Relief for persons serving with the Duke of *York*, *anno* 23 *R.* 2., [Exp.] 428. *pl.* 14.

3 *H.* 4. A. D. 1401-2.

c. 1. See *Statutes at Large*

4 *Hen.* 4. A.D. 1402.

c. 1. Confirmation of liberties, franchises, and of the charters and statutes in force, 480. *pl.* 5., 1388. *pl.* 1.
c. 2. Clergy, forms of indictments, 1253. *pl.* 10, 11.
c. 3. Liberties of clergy confirmed, 75. *pl.* 1.
c. 4. Grants by H. M., 428. *pl.* 15.
c. 5. Sheriffs, 1358. *pl.* 30.
c. 6. Sealing cloths wrought in *London*, [virtually Rep. 5 & 6 *Ed.* 6. *c.* 6. *s.* 39.]
c. 7. Fraudulent feoffment, 303. *pl.* 5.
c. 8. *Disseisin* with force, 10. *pl.* 22, 23., 234. *pl.* 12, 13.
c. 9. Relief of commissioners, [Exp.] 141. *pl.* 2.
c. 10. Coin, [Exp.] 135. *pl.* 8.

4 *Hen.* 4. A. D. 1402. (*continued.*)

c. 11. Wears, 1586. *pl.* 1. 6.
c. 12. Appropriations of benefices, 71. *pl.* 12, 13. (*See* 15 *R.* 2. *c.* 6.)
c. 13. Service in war, 1380. *pl.* 3, 4.
c. 14. Labourers, [Rep. *comm. semb.* 5 *El.* *c.* 4. *s.* 2.] 435. *pl.* 14.
c. 15. Gold and silver, export, [Rep. *comm. semb.* 59 *G.* 3. *c.* 49. *s.* 11.] 135. *pl.* 9.
c. 16. Gold and silver, export, [Rep. *comm. semb.* 59 *G* 3. *c.* 49. *s.* 11.] 322. Gold and Silver, Stats. *Rep.*, &c. *pl.* 6.
c. 17. Papist, 334. *pl.* 12.
c. 18. Attornies, [Rep. virtually, 2 *G.* 2. *c.* 23. and Exp.] 41. Stats. *Rep.* *pl.* 1. and *in force*, *pl.* 4, 5.
c. 19. Attornies in franchises, 41. *pl.* 8.
c. 20. Officers of customs.
c. 21. Searchers of customs.
c. 22. Benefices, presentation to by H. M. (*See* 13 *R.* 2. *St.* 1. *c.* 1.) 71. *pl.* 3. 6.
c. 23. Judgments, continuance of, 411. *pl.* 3.
c. 24. Alnage, [Exp.] 46. *pl.* 2.
c. 25. Hostlers selling oats, price of, [Rep. 21 *J.* 1. *c.* 21. *s.* 1. *c.* 28. *s.* 11.] 1567. *pl.* 3.
c. 26. Welshmen, [Rep. virtually, 26 *H.* 8. *c.* 6. &c. expressly, 21 *J.* 1. *c.* 28. *s.* 11.] 1568. *pl.* 4.
c. 27. *Id.* [Rep. virtually, 26 *H.* 8. *c.* 6., 27 *H.* 8. *c.* 26.] *id. ibid.*
c. 28. *Id.* [Rep. as in *c.* 26.] *id. ibid.*
c. 29. *Id.* [Rep. 26 *H.* 8. *c.* 6., 27 *H.* 8. *c.* 26. and 21 *J.* 1. *c.* 28. *s.* 11.] *id. ibid.*
cc. 30—34. Welshmen, [are Rep. 21 *J.* 1. *c.* 8. *s.* 11.] *id. ibid.*
c. 35. Shoemakers, [Rep. 5 *El.* *c.* 8., 1 *J.* 1. *c.* 22. *s.* 58.] 477. *pl.* 1.

5 *Hen.* 4. A. D. 1403-4.

c. 1. Forfeitures of traitors, [Personal and Exp.]
c. 2. Pardons of approvers, 1214. *pl.* 7, 8.
c. 3. Watches on the coasts, 1579. *pl.* 7.
c. 4. Multiplying gold and silver, [Rep. 1 *W.* & *M.* *St.* 1. *c.* 30. *ss.* 1, 2.]
c. 5. Mayhem, 511. *pl.* 1.
c. 6. Servants of members of parliament protected, 1215. *pl.* 12, 13.
c. 7. Alien merchants, 512. *pl.* 31, 32.
c. 8. Relief of defendants in actions of debt on accounts stated, 8. Action of Debt, *pl.* 1, 2.
c. 9. Alien merchants, [Rep. 6 *H.* 4. *c.* 4.] 135. *pl.* 9. 512. *pl.* 33, 34.
c. 10. Imprisonment by justices of peace, 1280. *pl.* 13.
c. 11. Tithes, how paid by farmers of aliens' possessions, 1535, *pl.* 6, 7.
c. 12. Executions on statute merchant, 1316. *pl.* 6, 7.
c. 13. Plating with gold and silver, 323. *pl.* 4.
c. 14. Fines in C. P., 251. *pl.* 9, 10.
s. 2. is Exp.
c. 15. Pardon, [Exp.] 1214. *pl.* 6.

6 *Hen.* 4. A.D. 1404.

c. 1. First fruits of bishoprics, &c. 258. *pl.* 1, 2.
c. 2. Grants of H. M. [Exp.] 429. *pl.* 4.
c. 3. Sheriffs' account, 186. *pl.* 9, 10.
c. 4. Alien merchants, 135. *pl.* 9., 512 *pl.* 33. 35.

7 *Hen.* 4. A.D. 1405-6.

c. 1. Confirmation of liberties and statutes, 480., *pl.* 5., 1388. *pl.* 1.
c. 2. Entail of *Eng.* and *France* on *Hen.* 4. and his 4 sons, [Exp.] 428. *pl.* 16.
c. 3. Abuse in levying issues, fines, &c. 253. *pl.* 10, 11.
c. 4. Escape, 1280. *pl.* 10. Protection, 1304. *pl.* 6.
c. 5. Traitors forfeitures, [Personal and Exp.]
c. 6. Bulls for discharge of tithes, 1535. *pl.* 5.
c. 7. Arrow heads, 83. Bows, &c. Stats. *in force*, *pl.* 1., 488. *pl.* 1.
c. 8 Benefice, (see 3 *H.* 5. *c.* 4.) 71. *pl.* 14., 512. *pl.* 36, 37.
c. 9. Merchants in *London*, 512. *pl.* 36, 37.
c. 10. Cloths, [Rep. 9 *H.* 4. *c.* 6.] 1597. *pl.* 16.
c. 11. Relief of commissioners, 142. *pl.* 2, 3.

7 *Hen.* 4. A. D. 1405-6. (*continued.*)

c. 12. Forfeitures of traitors. [Personal and Exp.]
c. 13. Outlawries, when reversed, 41. *pl.* 9, 10.
c. 14. Liveries, [Rep. 3 *C.* 1. *c.* 4. *s.* 27.] 488. *pl.* 1.
c. 15. Parliament; knights of shires, 1215. *pl.* 13, 14., 1220.
c. 16. Grants by H. M., [Exp.] 428. *pl.* 17.
pl. 125.
c. 17. Labourers; apprentices, [Rep. in part, 8 *H.* 6. *c.* 21., 12 *H.* 7. *c.* 2. *per tot.* 5 *El. c.* 4. *s.* 2.] 435. *pl.* 1. 9.
c. 18. Indemnity; insurrections, [Exp.] 1214. *pl.* 6. (*misquoted* as *c.* 20.) 1326. *pl.* 3.

9 *Hen.* 4. A. D. 1407.

c. 1. Confirmation of liberties and statutes, except to the scholars of *Oxford*, 480. *pl.* 5., 1388. *pl.* 1.
c. 2. Cloths, [*semb.* Rep. 7 *J.* 1. *c.* 16. 11 & 12 *W.* 3. *c.* 20. *s.* 2.] 1597. *pl.* 17.
cc. 3, 4. Felonies in *Wales*, [Rep. 21 *J.* 1. *c.* 28. *s.* 11.] 1568. *pl.* 5.
c. 5. Antient demesne. Franchises, 300. *pl.* 10, 11.
c. 6. Ray, [*semb.* Rep. 5 & 6 *Ed.* 6. *c.* 6. *s.* 50.] 1597. *pl.* 16.
c. 7. Rating foreigners to the fifteenths, and other taxes, [*semb.* Exp.] 20. *pl.* 7, 8.
c. 8. Against provisors, 1304-5. *pl.* 1, 15, 16.
c. 9. Ecclesiastical elections, 229. *pl.* 3.
c. 10. Pardon, [Exp.] 1214. *pl.* 6.

11 *Hen.* 4. A. D. 1409-10.

c. 1. Parliament. Knights of shires, 1215. *pl.* 18. 20.
c. 2. No common hosteler shall be a customer, comptroller, weigher, or searcher, (see 20 *H.* 6. *c.* 5.)
c. 3. Records of justices of assize, 1316. *pl.* 3.
c. 4. Gaming, [Rep. as to the penalties by 33 *H.* 8. *c.* 9. *s.* 17.] 320. *pl.* 1.
c. 5. Coin, [Exp.] 135. *pl.* 10.
c. 6. Aulnage, [Rep. 5 & 6 *Ed.* 6. *c.* 6. *s.* 50., 11 & 12 *W.* 3. *c.* 20. *s.* 2.] 46. *pl.* 2.
c. 7. Alien merchants paying customs, [*semb.* Exp.]
c. 8. Aliens exchanges, [*semb.* Exp.] 19. Alien, Stats. *Rep.*, &c. *pl.* 1.
c. 9. Return of jurors in indictments, 383. *pl.* 3.

13 *Hen.* 4. A. D. 1411.

c. 1. Confirmation of liberties and statutes, 480. *pl.* 5., 1388. *pl.* 1.
c. 2. Justices of assize, 420. *pl.* 41, 42.
c. 3. Liveries, [Rep. 3 *C.* 1. *c.* 4. *s.* 27.] 488. *pl.* 1.
c. 4. Cloths aulnage, [Rep. 5 & 6 *Ed.* 6. *ss.* 39. 50. and virtually by 49 *G.* 3. *c.* 109. *s.* 1.] 46. *pl.* 3., 1597. *pl.* 16.
c. 5. Officers of customs.
c. 6. Coin, [Exp.] 135. *pl.* 10.
c. 7. Riots and unlawful assemblies, 1326. *pl.* 2.—8.

1 *Hen.* 5. A. D. 1413.

c. 1. Parliament, [Rep. 14 *G.* 3. *c.* 58. as to residence of M. P.s.] 125. *pl.* 1.
c. 2. Mills, stanks; nuisances. 1586. Weares, *pl.* 1.
c. 3. Forging deeds, [Rep. 5 *El. c.* 14.] 296. *pl.* 1.
c. 4. Extortion of bailiffs, under-sheriffs, &c. 1358. *pl.* 31.
c. 5. Additions in original writs in order to *exigents*, 11. Additions, *pl.* 1, 2.
c. 6. Rebellion in *Wa.* [Exp.] 1568. *pl.* 6.
c. 7. Against enjoyment of benefices by aliens, 71. *pl.* 1. 16, 17.
c. 8. *Irish*, and *Irish* clerks to avoid the realm, [Exp. *comm. semb.*]
c. 9. Patents relating to *Calais* annulled, [Exp.]
c. 10. Measure of corn, 1587. *pl.* 15.

2 *Hen.* 5. *St.* 1. A. D. 1414.

c. 1. Hospitals, inquiry of estates of, Index, *tit.* Hospital.
c. 2. Preventing discharge of prisoner in execution without satisfying his creditors, 1280. *pl.* 14, 15.

2 *Hen.* 5. A. D. 1414. (*continued.*)

c. 3. Copy of libel in spiritual court shall be delivered to the party requiring it, 167. *pl.* 2.
c. 4. Labourers, 435. *pl.* 12. Quarter sessions, 1311. *pl.* 5—7. *s.* 1. and 3. are Rep. by 5 *El. c.* 4. *s.* 2.
c. 5. Process against felons in *Tyndal* or *Exhamshire*, in *Northumberland*, 527. *pl.* 1, 2.
c. 6. Truces and safe-conducts, (see 4 *Bla. Comm.* 68—70.) conservators thereof, [Rep. virtually, 14 *Ed.* 4. *c.* 4.] 1330. *pl.* 1.
c. 7. Heresy and Lollardy, [Rep. 1 *Ed.* 6. *c.* 12. *s.* 2. Rev. 1 & 2 *P & M. c.* 6. which is Rep. 1 *El. c.* 1. *s.* 15.] 349. Heretic, Stats. *Rep.*, &c. *pl.* 3.
c. 8. Riots and unlawful assemblies, 1326. *pl.* 2. 9. 12.
c. 9. Fugitive felons, 245, 246. *pl.* 16. 18.

2 *Hen.* 5. *St.* 2. A. D. 1414.

c. 1. For chusing justices of peace, 421. *pl.* 13, 14.
c. 2. Chaplain's wages, [Rep. 21 *J.* 1. *c.* 28. *s.* 11.]
c. 3. For regulating jurors' qualifications, (see 8 *H.* 6. *c.* 29.) 413. *pl.* 7.
c. 4. Concerning goldsmiths, [Rep. as to price of silver gilt, 21 *J.* 1 *c.* 28. *s.* 11.] 322. Gold, &c. *pl.* 8. 323. *pl.* 4. 6.
c. 5. Rebels in *Wales*, [Exp.] 1568. *pl.* 6.
c. 6. Staple at *Calais*, [Exp.]

3 *Hen.* 5. *St.* 1. A. D. 1415-16.

c. 1. Coin, [Exp.] *pl.* 10.

3 *Hen.* 5. *St.* 2. A. D. 1415-16.

c. 1. Confirmation of liberties and franchises, 480. *pl.* 5. 1388. *pl.* 1.
c. 2. Religious persons making attornies in hundred courts, [Exp. *comm. semb.*] 41. Stats. *Rep.* &c. *pl.* 2.
c. 3. *Bretons* not made denizens to depart the realm, [Exp.]
c. 4. No provision or licence shall be granted for benefices, full of an incumbent, on pain of *præmunire*, 71. *pl.* 15.
c. 5. False verdicts in city of *Lincoln*, 40. *pl.* 4—6.
c. 6. Treason to clip, wash, or fine money, 136. *pl.* 28.
c. 7. What justices shall determine the offences of falsifying money, 136, 137. *pl.* 34, 35.
c. 8. Expence of proving wills, [Exp.] 241. Stats. *Exp.*, &c. *pl.* 2.

4 *Hen.* 5. A. D. 1416.

c. 1. Confirmation of all former statutes not repealed, 480. *pl.* 5.
c. 2. Sheriffs allowance on accompts of things casual, 1358. *pl.* 32.
c. 3. Patten-makers, [Rep. 1 *J.* 1. *c.* 25. *s.* 40., 21 *J.* 1. *c.* 28. *s.* 11.] 83 Bows, &c. Stats. *Rep.*, &c. *pl.* 1.
c. 4. Wages, [Exp. since the repeal of 12 *R.* 2. *c.* 4.] 435. *pl.* 9.
c. 5. Alien merchants regulated, 512. *pl.* 33, 34.
c. 6. *Ireland*: benefices: rebels, [*semb.* Exp.; see 39 & 40 *G.* 3. *c.* 67.]
c. 7. Letters of marque, 508. *pl.* 1, 2.
s. 3. is Rep. by 4 *J.* 1. *c.* 1. *s.* 1. as to *Scot.*
c. 8. Pardon, [Exp.] 1214. *pl.* 6.

5 *Hen.* 5. A. D. 1417.

c. 1. See *Statutes at Large.*

7 *Hen.* 5. A. D. 1419.

c. 1. Indictments in county *Lancaster*, [Rep. *comm. semb.* as to appeals, by general words of 59 *G.* 3. *c.* 46. *s.* 1.] 27. *pl.* 7., 145. *pl.* 4, 5.
c. 2. Forged deeds, [Rep. 5 *El. c.* 14. *s.* 11.] 296. *pl.* 2.

8 *Hen.* 5. A. D. 1420.

c. 1. Parliament, 1215. *pl.* 14, 15.
c. 2. Gold and silver, [Exp. and Rep. 59 *G.* 3. *c.* 49. *ss.* 11, 12.] 323. *pl.* 9.
c. 3. Gold and silver, 323. *pl.* 4. 6.

9 *Hen.* 5. *St.* 1. A. D. 1421.

c. 1. False appeals and indictments, [Rep. *comm. semb.* as to appeals, by general words of 59 *G.* 3. *c.* 46. *s.* 1.] 27. *pl.* 7., 145. *pl.* 4, 5.

9 *Hen.* 5. *St.* 1. A.D. 1421. (*continued.*)

c. 2. Outlawries in county *Lancaster*, [Rep. 33 *Hen.* 6. *c.* 2. *s.* 1., except as to confirmation of 1 *Hen.* 4. *c.* 18.] 156. Stats. *Rep. pl.* 1.
c. 3. Protections, [Exp.] 1304. Stats. *Exp. pl.* 1.
c. 4. Amending records, 1317. *pl.* 7.
c. 5. Appointment of sheriffs and escheators, 1357. Stats. *Rep. pl.* 2.
c. 6. Mint at *Calais*, [Exp.] 515. *pl.* 1.
c. 7. 2 *Hen.* 5. *St.* 1. *c.* 5. Ext. to like offenders in *Rydesdale*, 527. *pl.* 1. 3.
c. 8. Criminal proceedings against certain scholars of *Oxford*, [Exp.] 412. *pl.* 1.
c. 9. Abbot collecting *dismes* out of his own shire, [Exp.] 79. Stats. *Exp. pl.* 1.
c. 10. Coals; keels, measuring, 133. *pl.* 1.
c. 11. Gold coin, 137. *pl.* 37.

9 *Hen.* 5. *St.* 2. A.D. 1421.

cc. 1—8. Regulating money and exchanges, 135. *pl.* 5.
c. 9. Expending exchanges by aliens, 19. Aliens, Stats. *Rep.*, &c. *pl.* 1.
c. 10. Collectors of tenths and fifteenths, [Exp.]

1 *Hen.* 6. A.D. 1422.

c. 1. Coining money, 137. *pl.* 38.
c. 2. Proclaiming statutes of purveyance, [Rep. virtually 12 *C.* 2. *c.* 24. *s.* 12.] 1305. *pl.* 3.
c. 3. *Irishmen* residing in *Eng.* [Exp.]
c. 4. Mint and coinage, [Exp.] 135. *pl.* 12.
s. 5. Allowance to officers in the wars of *Hen.* 5. out of the ransom of prisoners. Redemption of jewels mortgaged by him, [Exp.]
c. 6. Coin, 19. Aliens, Stats. *Rep.*, &c. *pl.* 1. [Exp. *See* 9 *Hen.* 5. *S.* 2. *c.* 9.]

2 *Hen.* 6. A. D. 1423.

c. 1. Confirmation of liberties and franchises, 480. *pl.* 5., 1388. *pl.* 1.
cc. 2, 3. Personal, and *c.* 3. [Exp.]
c. 4. Staple at *Calais*, [Exp.] 1477. *pl.* 1.
c. 5. Export of wools, [Exp. *comm. semb. see* 28 *G.* 3. *c.* 38.]
c. 6. Export of gold and silver, [*semb.* Rep. 59 *G.* 3. *c.* 49. *ss.* 11, 12.] 135. *pl.* 15., 322. *pl.* 10.
c. 7. Cordwainers and tanners, [Rep. 5 *El. c.* 1., 1 *J.* 1. *c.* 22. *s.* 58.] 477. *pl.* 2.
c. 8. Amending 1 *Hen.* 6. *c.* 3. [Exp.]
c. 9. Coin, [Exp.] 135. *pl.* 11.
Three articles inserted by *Hawkins*: (1.) Embroiderers of *London*. (2.) Outlawries against persons abroad in H.M.'s service. (3.) Wears in *Thames*, removing, [all Exp.]
c. 10. Appointment of inferior officers in H. M.'s courts, 537. *pl.* 6.
c. 11. Measures of vessels of wine, eels, herrings, and salmon, 1587. *pl.* 16.
c. 12. Duty of officers of mint, 515. *pl.* 1—3.
c. 13. Price of pound of silver, [Rep. 21 *J.* 1. *c.* 28. *s.* 11.] 135. *pl.* 13.
c. 14. For ascertaining fineness of silver work, 323. *pl.* 7—10.
c. 15. Fastening nets over rivers, 261. *pl.* 12, 13.

3 *Hen.* 6. A.D. 1425.

c. 1. Masons, 435. *pl.* 2.
c. 2. Export of live sheep, [Rep. 28 *G.* 3. *c.* 38. *s.* 1.]
c. 3. Customer concealing H. M.'s custom.
c. 4. Butter and cheese, export of.

4 *Hen.* 6. A.D. 1425-6.

c. 1. Sheriffs, [Exp.] 1357. *pl.* 3.

4 *Hen.* 6. A.D. 1425-6. (*continued.*)

c. 2. Protections for persons in the wars, [Exp.] 1304. *pl.* 1.
c. 3. Amending records, 1317. *pl.* 7. 8.
c. 4. Abatement of suits by or against persons made knights of shires, [Exp.]
c. 5. Export of corn, [*semb.* Rep. 21 *J.* 1. *c.* 28. *s.* 11.; and see 31 *G.* 3. *c.* 30.]

6 *Hen.* 6. A.D. 1427.

c. 1. Process of *capias exigend.* and outlawry in indictments, 542. *pl.* 9, 10.
c. 2. Array and panels of juries in special assizes, 413. *pl.* 23.
c. 3. Labourers' wages, [Rep. by general words of 5 *El. c.* 4. *s.* 2.] 435. *pl.* 13.
c. 4. Return of knights of shires to parliament, 1215, *pl.* 18. 21.
c. 5. For granting commissions of sewers, [Exp.] 1354. *pl.* 1. 2.

8 *H.* 6. A. D. 1429.

c. 1. Privileges of clergy of convocation, 167. *pl.* 3. 1388. *pl.* 1. 26.
c. 2. Trade with *Denmark*, [Rep. 1 *H.* 8. *c.* 1.]
c. 3. Commissioners of sewers, 1354. *pl.* 3.
c. 4. confirms 1 *R.* 2. *c.* 7. [Rep. 3 *C.* 1. *c.* 4. *s.* 27.] Liveries, 118. *pl.* 14., 488. *pl.* 1.
c. 5. Weights and measures, 1587. *pl.* 17—19.
s. 3. is Rep. by 21 *J.* 1. *c.* 28. *s.* 11. Woollen yarn, buying.
c. 6. Burning houses treason, [Rep. 1 *Ed.* 6. *c.* 12.] 36. Arson, Stats. *Rep. pl.* 2.; see as to sending threatening letters, 9 *G.* 1. *c.* 22. &c.
c. 7. Elections to Parliament, [Rep. as to residence of M.P.s and electors, 14 *G.* 3. *c.* 58.] 1215. Stats. *Rep. pl.* 1. Stats. *in force*, *pl.* 18. 20.
c. 8. Labourers wages, [Rep. by general words of 5 *El. c.* 4. *s.* 2.] 435. *pl.* 13.
c. 9. Forcible entry, 233. *pl.* 1. 4—9.
c. 10. Process of outlawry against persons not dwelling in the counties where indictment is found, 27. *pl.* 8., 542, 543. *pl.* 11, 12. 14, 15.
c. 11. Apprentices, taking in *London*, according to its ancient customs.
c. 12. Amending records and process, 11. Additions, *pl.* 1. Stealing records, 1317. *pl.* 9—11. 14—17.
c. 13. Protections, [Exp.] 1304. *pl.* 2.
c. 14. Fugitive felons, 246. *pl.* 19.
c. 15. Amending records and process, 1317. *pl.* 12.
c. 16. Regulating inquests of office by escheators, &c., and grants of lands seized thereon, 235. *pl.* 9, 10.
cc. 17—21. Staples and mint at *Calais*, [all Exp.] 1477. *pl.* 1.
c. 22. Wool manufactures, 1598. *pl.* 13.
c. 23. Export of thrums of woollen yarn, [*semb.* Rep. 28 *G.* 3. *c.* 38.]
c. 24. Trade in *Eng.* with aliens, 512. *pl.* 38, 39.
s. 2. Rep. virtually by 9 *H.* 6. *c.* 2.
c. 25. Mayor of staples at *Calais*, [Exp.]
c. 26. Franchises in ancient demesne, 300. *pl.* 12.
cc. 27, 28. Local.
c. 29. Juries *de medietate linguæ*. Confirming 28 *Ed.* 3. *c.* 13., 413. *pl.* 17. 19.

9 *H.* 6. A. D. 1430-1.

c. 1. Adjournment of assizes and *Nisi Prius*, [Exp.]
c. 2. amends 8 *H.* 6. *c.* 24., 512. *pl.* 40.
c. 3. *Owen Glendower.*
c. 4. Writs of *identitate nominis* by executors to reverse outlawry of testators, 542. *pl.* 5.
c. 5. Free passage in *Severn*, 1328. *pl.* 1, 2.
c. 6. The 8 *H.* 6. *c.* 5. shall not disturb the franchise as to weights and measures in *Dorchester*, (Local.)

9 *H.* 6. A. D. 1430-1. (*continued.*)

c. 7. Extortions by sheriff of *Herefordshire*, [Exp.] 1357. *pl.* 4.
c. 8. Weight of wey of cheese, 106. *pl.* 1.
c. 9. (Local.)
c. 10. continues 3 *H.* 5. *c.* 2. [Exp. *comm. semb.*] 41. Stats. *Rep.* &c. *pl.* 2.
c. 11. Proclamation before writ awarded to bishop to certify bastardy, 68. *pl.* 3, 4.
s. 3. is Exp.

10 *H.* 6. A. D. 1432.

c. 1. Recognizances of the staple at *Calais*, [Exp.] 1477. *pl.* 1.
c. 2. Electors of knights of parliament, [Rep. as to residence of M. P.s by 14 *G.* 3. *c.* 58.] 1215. *pl.* 1.
c. 3. Remedies for subjects having their goods taken by *Denmark*, [Exp.]
c. 4. False entries of appearance of plaintiff, [Exp.] 27. *pl.* 3, 4.
c. 5. *Calais*, [Exp.]
c. 6. Extends 8 *H.* 6. *c.* 10. to process on indictments removed into K. B., 27. *pl.* 8., 542, 543. *pl.* 11—13.
c. 7. Wool exports of, [*semb.* Rep. 28 *G.* 3. *c.* 38.]

11 *H.* 6. A. D. 1433.

c. 1. Juries in *Southwark*. [*semb.* Exp. 490. *pl.* 42.]
c. 2. Sheriffs; novel dissesin, 10. *pl.* 24, 25.
c. 3. Fraudulent feoffments, 303. *pl.* 6.
c. 4. False pleas in attaints, 40. *pl.* 7, 8.
c. 5. Waste when tenants assign the estate, but take the profits, 1578. *pl.* 14, 15.
c. 6. Justices of peace, 421. *pl.* 15.; new commission, 303. *pl.* 6.
c. 7. Extortion by sheriff of county of *Hereford*, 1357. *pl.* 4. [Exp.]
c. 8. Weights and measures, 1587. *pl.* 20.
c. 9. Cloths, [Rep. 49 *G.* 3. *c.* 109. *s.* 1.] 1597. *pl.* 18.
c. 10. Proceedings in *scire facias* to defeat executions on statute staple, 1316. *pl.* 8, 9.
c. 11. Protection of lords and M. P.s, 1215. *pl.* 16, 17.
c. 12. Wax chandlers, [Rep. 21 *J.* 1. *c.* 28. *s.* 11.] 1586., Stats. *Rep.*
c. 13. Staple at *Calais*, [Exp.] 1477. *pl.* 1.
c. 14. Export of staple merchandize. [Exp. *comm. semb.*] 1477. *pl.* 3.
c. 15. Warrants of discharge by customers to merchants.
c. 16. Frauds in customs. [Exp.]

14 *Hen.* 6. A. D. 1435.

c. 1. Of judgment and execution in felony and treason, 420. *pl.* 50.
c. 2. Staple at *Calais*, [Exp.] 1477. *pl.* 1.
c. 3. Where justices of assize of *Cumberland* shall hold their sessions, 420. *pl.* 34. 36.
c. 4. Sessions of justices of peace in *Middlesex*, 1311. *pl.* 7.
c. 5. Export of staple merchandize, [Exp.] 1477. *pl.* 7.
c. 6. Sale of fish and victuals by aliens, 512. *pl.* 27, 28.
c. 7. For returning merchandize found in enemies ships, though belonging to foreigners in amity, [Exp.] 1294. Prize, *pl.* 1.
c. 8. Breakers of truces and safe-conducts, [Exp.] 1330. *pl.* 1.

15 *Hen.* 6. A. D. 1436-7.

c. 1. Plea in suit before the marshal, 173. *pl.* 6.
c. 2. Corn, export of, [Exp.] (See 17 *R.* 2. *c.* 7. and note there, 20 *H.* 6. *c.* 6. 23 *H.* 6. *c.* 5.)
c. 3. Safe-conduct, form of, regulated, 1330. Stats. *in force*, *pl.* 1, 2.
c. 4. Subpœna, surety to defendant on suing, 162. *pl.* 3. 5.
c. 5. Proceedings in writs of attaint, 40. *pl.* 9. 11. 15.
s. 1. and last section as to jurors' qualification, and as to penalties relating to returns, are Rep. by 23 *H.* 8. *c.* 3. *s.* 2.
s. 7. *comm. semb.*
s. 1. as to gavelkind, is Rep. by 18 *H.* 6. *c.* 2.
s. 4. *semble*, is Rep. by 23 *H.* 8. *c.* 3. *s.* 7.
c. 6. Guilds, fraternities, and companies, [Exp.]
c. 7. Attornies in hundred and wapentake courts, [Exp. *comm. semb.*] 41. *pl.* 11.
c. 8. Staple merchandize, export of, [Exp. *comm. semb.*] 1477. *pl.* 1.

18 *Hen.* 6. A. D. 1439.

c. 1. Regulating grants by H. M., 429. *pl.* 6, 7.
c. 2. Jurors in attaints, [*Qu.* if not superseded by 23 *H.* 8. *c.* 3.?] 40. *pl.* 9. 11.
c. 3. Export of butter and cheese, [*semb.* Exp. see 1 & 2 *P.* & *M.* *c.* 5.]
c. 4. Alien merchants regulated, [Exp.] 511. *pl.* 2.
c. 5. Collectors of subsidies.
c. 6. Grants of lands by tithes patent; H. M.'s title first found, 429. *pl.* 8.
c. 7. Escheators, 235. *pl.* 9, 10. 12.
c. 8. Safe-conducts, 1330. *pl.* 3.
c 9. False entries of appearance of plaintiff, 27. *pl.* 3, 4., 41. *pl.* 12.
c. 10. Commissions of sewers, [Exp.] 1354. *pl.* 1.
c. 11. Qualification of justices of peace, 422. *pl.* 22, 23.
c. 12. False indictments and appeals, [Rep. as to latter, 59 *G.* 3. *c.* 46. *s.* 1.] 27. *pl.* 9, 10., 145. *pl.* 4, 5.
c. 13. Outlawries, county of *Lanaster*, [Rep. 33 *H.* 6. *c.* 2. *s.* 1. and Exp.] 156. Stats. *Rep. pl.* 1.
c. 14. Bribes for arraying a jury, 413. *pl.* 24, 25.
c. 15. Wool, export of, [*semb.* Rep. 28 *G.* 3. *c.* 38. *s.* 1.]
c. 16. Woollen cloth, measure of, [Exp.] 1597. *pl.* 19.
c. 17. Gauging of wine, oil, and honey vessels, 322. *pl.* 5.
c. 18. Captains detaining soldiers wages, [*semb.* Exp.] 1380. *pl.* 6.
c. 19. Soldiers not going with or leaving their captains without licence, [*semb.* Exp.]

20 *Hen.* 6. A. D. 1441-2.

c. 1. Inrolment of letters of safe-conduct in chancery, 1330. *pl.* 4. 6.
c. 2. Outlawries, county of *Lancaster*, [Rep. 33 *H.* 6. *c.* 2. *s.* 1. and Exp.] 156. Stats. *Rep. pl.* 1.
c. 3. Welshmen, outrages by, repressed, [Exp.] 1568. *pl.* 7.
c. 4. Customs on export of staple merchandize, [*semb.* Exp.]
c. 5. Customs officers shall not be concerned in merchandize.
c. 6. Corn, export of, [Exp.]
c. 7. *Wales*, import and export, [Exp.]
c. 8. Purveyance, [Rep. virtually, 12 *C.* 2. *c.* 24. *s.* 12.] 1305. *pl.* 3.
c. 9. Noble ladies shall be tried by peers of realm, 1239. *pl.* 1.
c. 11. Truces and safe-conducts, (see 14 *E.* 4. *c.* 4.) [Exp.] 508. *pl.* 2. 1330. *pl.* 1.
c. 12. Disposal of staple wools at *Calais*, [Exp.]

23 *Hen.* 6. A. D. 1444-5.

c. 1. Purveyance, [Rep. 12 *C.* 2. *c.* 24. *s.* 12.] 1305. *pl.* 3.
c. 2. Export of thrums and threads of wool, [Exp.]
c. 4. Welchmen, 1568. *pl.* 9.
c. 5. Export of corn, see 15 *H.* 6. *c.* 2. 31 *G.* 3. *c.* 30.
c. 6. Gathering head-pence by sheriff of *Northumberland* to cease, 527. *pl.* 4.
c. 7. No man to be sheriff, under-sheriff, or sheriff's clerk above a year, 1358, *pl.* 17. 22, 23.
c. 8. Commissions of sewers, [Exp.] 1354.
c. 9. Regulating office of sheriffs, bailiffs, and others, 1358. *pl.* 33—40.
c. 10. Knights of parliament, wages of, 1216. *pl.* 25—29.
c. 11. Vexatious pleas, [Exp.] 1252. Stats. *Exp.*
c. 12. Labourers, [Rep. 5 *El.* *c.* 4. *s.* 2. *comm. semb.*] 435. *pl.* 14.
c. 13. Purveyance by subjects prevented, [Rep. 12 *C.* 2. *c.* 24. *s.* 12.] 1305. *pl.* 3.
c. 14. Election and false returns to parliament, [Rep. 14 *G.* 3. *c.* 58. as to residence of M. P.'s] 1215. Stats. *Rep. pl.* 1. Stats. *in force*, *pl.* 18.; 1216. *pl.* 22—24.
c. 15. Gauger's duty and fee, 322. *pl.* 6.
c. 16. Escheator's inquest of office and fee, 235. *pl.* 5. 13, 14.
c. 17. Protection of merchants trading to *Gascoign* and *Guienne*, [*semb.* Exp.] 512. *pl.* 41.

25 *Hen.* 6. A. D. 1446-7.

c. 1. Welshmen, [Rep. 21 *J.* 1. *c.* 28. *s.* 11.] 1568. *pl.* 8.

27 *Hen.* 6. A. D. 1448-9.

c. 1. Trade with *Brabant, Holland, Zealand,* [Exp.]
c. 2. Staple at *Calais* restored, [Exp.] 1477. *pl.* 1.
c. 3. Gold and silver, export of by alien merchants, [Exp. *semb.* Rep. 59 *G.* 3. *c.* 49. *s.* 11, 12.] 322. *pl.* 11.
c. 4. *Welshmen* taking *Englishmen* and their goods into the marches, [Exp.] 1568. *pl.* 7.
c. 5. Markets and fairs, days of keeping, 507. *pl.* 12, 13.
c. 6. Pardon to clergy, [Exp.] 1214. *pl.* 6.

28 *Hen.* 6. A. D. 1449.

c. 1. Trade to *Brabant,* &c. [Exp.]
c. 2. Purveyance, [Rep. 12 *C.* 2. *c.* 24. *s.* 12.] 1305. *pl.* 3.
c. 3. Pardon to sheriffs, &c. (*See* 12 *Ed.* 4. *c.* 1.) [Exp.] 1357. *pl.* 5.
c. 4. Undue distresses in *Wa.* and *Lancashire,* [Exp.] 191. *pl.* 26, 27.
c. 5. Extortion by officers of customs.

28 *Hen.* 6. (*Rot. Parl.* No. 51.) A. D. 1449.

Resuming grants of land, 174. Crown Property, Stats. *Rep.* &c. *pl.* 1.

29 *Hen.* 6. A. D. 1450.

c. 1. Attainder of *J. Cade.*
c. 2. Truces and safe-conducts, [Exp.]
c. 3. Avoiding certain letters patent granted to citizens of *York,* to exempt them from certain offices.

31 *Hen.* 6. A. D. 1452-3.

c. 1. Rebellion, [Exp. as to rebellion of *Cade,*] 135. *pl.* 2.
c. 2. Writs against rioters, [Exp.] 1326. *pl.* 4.
c. 3. March law, [Rep. 4 *J.* 1. *c.* 1. *s.* 4.] 527. *pl.* 1.; 1338. *pl.* 2.
c. 4. Aliens injured by breach of truce, &c. 1330. *pl.* 7, 8.
c. 5. The 17 *R.* 2. *c.* 5. respecting tenure of certain officers of customs, is Conf. and Amd.
c. 6. Forfeitures in outlawries in county of *Lancashire,* [Rep. 33 *H.* 6. *c.* 2. *s.* 1.] 156. Stats. *Rep. pl.* 1.
c. 7. Fees of H. M.'s officers exempted from 28 *H.* 6. *No.* 51. Act of resumption, [Exp.] 174. *pl.* 2.
c. 8. Exemptions of natives from subsidies in certain cases, [Exp.]
c. 9. Women inforced to be bound by obligation.

33 *Hen.* 6. A. D. 1455.

c. 1. Executors' remedy against servant's embezzling testator's goods after his death, 242. *pl.* 18—21.
c. 2. Forfeitures on outlawries in *Lancashire,* as above, 156. *pl.* 1—3.
c. 3. Extortions in exchequer, [Exp.]
c. 4. Brewers in *Kent* not to be maltsters, [Exp.]
c. 5. Silk women and throwsters, [Exp.]
c. 6. Privileges of Abbot of *Fountain,* county of *York,* [Exp.]
c. 7. Number of attornies in *Norfolk, Suffolk, and Norwich,* [Exp. *comm. semb.*] 41. *pl.* 13.

38 *Hen.* 6. A. D. 1459.

c. 1. [Rep. 39 *H.* 6. *c.* 1.]

39 *Hen.* 6. A. D. 1460.

c. 1. For repealing the parliament held at *Coventry,* 38 *H.* 6., and all acts, &c. thereof, 1478. *pl.* 5.
c. 2. Women of 14 years old at death of ancestor shall have livery, 1594. Stats. *in force, pl.* 2.

1 *Ed.* 4. A. D. 1461.

c. 1. What acts done by, or during the reigns of *H.* 4., *H.* 5., and *H.* 6., shall continue valid, [*semb.* Exp.] 1478. Statutes, *pl.* 3.
c. 2. Justices of peace in sessions to try indictments taken in sheriffs turns, 1311. pl. 11—14.
s. 4. is Exp.

3 & 4 *Ed.* 4. A. D. 1463-4-5.

c. 1. Export of wool; freight of foreign ships, [Exp. and Rep. as to wool, 28 *G.* 3. *c.* 38. *s.* 1.]
c. 2. Corn import, [Rep. 21 *J.* 1. *c.* 28. *s.* 11.]
c. 3. Import of silk manufactures, [Exp.]

3 & 4 *Ed.* 4. A. D. 1463-4-5. (*continued.*)

c. 4. Import of certain ready wrought articles, [Rep. 56 *G.* 3. *c.* 36.]
c. 5. Apparel, [Rep. 22 *Ed.* 4. *c.* 1.] 26. *pl.* 3.

4 *Ed.* 4. A. D. 1464-5.

c. 1. Cloths, [Rep. as to regulating cloth manufacture by 5 & 6 *Ed.* 6. *c.* 6. *s.* 50., 49 *G.* 3. *c.* 109. *s.* 1.] 1597, 1598. *pl.* 20. 14, 15.
ss. 1—4. are Rep. by 5 & 6 *Ed.* 6. *c.* 6. *s.* 50.
cc. 2, 3. Exports of wools, [*semb.* Rep. 28 *G.* 3. *c.* 38. *s.* 1.]
c. 4. Against buying wools unshorn, [Exp.]
c. 5. Importation, [Exp.]
c. 6. Alien merchants, [Exp.] 512. *pl.* 33.
c. 7. Shoemakers in *London,* &c. [Rep. 14 & 15 *H.* 8. *c.* 9., 5 *El. c.* 8. *s.* 1., 1 *J.* 1. *c.* 22. *s.* 58.] 493. *pl.* 110.
c. 8. Aliens buying horns unwrought, 20. *pl.* 13, 16.
c. 9. Pattens, [Rep. 1 *J.* 1. *c.* 25. *s.* 40.] 83. Bows, &c. Stats. *Exp. pl.* 1.
c. 10. Passage at *Dover,* [Rep. 21 *J.* 1. *c.* 28. *s.* 11.] 230. *pl.* 4.

7 & 8 *Ed.* 4. A. D. 1467-8.

c. 1. Worsteds in *Norfolk,* &c. [Rep. 5 & 6 *Ed.* 6. *c.* 6. *s.* 50.]
c. 2. Cloths, [Rep. 5 & 6 *Ed.* 6. *c.* 6. *s.* 50., 49 *G.* 3. *c.* 109. *s.* 1.] 1598. *pl.* 21.
c. 3. Export of woollen yarn, and cloths unfulled, [Rep. *comm. semb.* 28 *G.* 3. *c.* 38. *s.* 1.] 1599. *pl.* 17.
c. 4, 5. Resumption of grants, [Exp. *comm. semb.*] 428, 429. *pl.* 18, 19.

8 *Ed.* 4. A. D. 1468.

c. 1. Set cloths, [Rep. 5 & 6 *Ed.* 6. *c.* 6. *s.* 50.] 1598. *pl.* 22.
c. 2. Liveries, [Rep. 3 *C.* 1. *c.* 4. *s.* 27.]
c. 3. Jurors in *Middlesex,* 413. *pl.* 27, 28.
c. 4. Sheriffs, [Exp.] 1357. *pl.* 6.

10 *Ed.* 4. A. D. 1470.

c. 1. or 49 *Hen.* 6. (or 9 *Ed.* 4. according to 17 *Ed.* 4. *c.* 6.) [Rep. 17 *Ed.* 4. *c.* 6. *See Statutes at Large.*]

12 *Ed.* 4. A. D. 1472-3.

c. 1. Returns of sheriffs, 1358. *pl.* 24.
c. 2. For bowstaves, [*Qu.* Exp.], 83. Stats. *in force, pl.* 2
c. 3. Subsidies, [Exp.]
c. 4. Liveries, [Exp.] 488. *pl.* 2.
c. 5. Shipping wools, (*see* 14 *Ed.* 3. *c.* 3., 28 *G.* 3. *c.* 38.)
c. 6. Commissions of sewers, [Exp.], 1354. *pl.* 1.
c. 7. Wears and fishgarths, 1586. *pl.* 7—9.
c. 8. Annulling patents made to searchers and surveyors of victuals, 1567. *pl.* 10, 11.
c. 9. Escheators, 235. *pl.* 7, 8.

14 *Ed.* 4. A. D. 1474-5.

c. 1. H.M.'s tenants going to his wars, [virt. Rep. 12 *C.* 2. *c.* 24. *s.* 1.]
c. 2. Protections for them, [Exp.] 1304. *pl.* 1.
c. 3. Shipping wools, (*see* 28 *G.* 3. *c.* 38.)
c. 4. Truce breaking, statutes against are confirmed, 508, *pl.* 2., 1330. *pl.* 1, 2.

17 *Ed.* 4. A. D. 1477-8.

c. 1. Act for money, [Exp. as to *ss.* 1—4. and 6—7., 135. *pl.* 14. 17., 512. *pl.* 42.
c. 2. Court of *piepoudre* at fairs, 508. *pl.* 14. 16.
c. 3. Bows, &c. [Rep. as to the penalties 33 *Hen.* 8. *c.* 9. *s.* 17.] 83. Stats. *Rep. pl.* 6., 320. Games, *pl.* 1.,
c. 4. Making tile, 93. *pl.* 1—4.
c. 5. Sealing cloths, [Rep. 11 & 12 *W.* 3. *c.* 20. *s.* 2.] Alnage, 46. *pl.* 4.
c. 6. Repeal of the parliament of 9 *Ed.* 4., 1478. Statutes, *pl.* 6
c. 7. Sheriffs' returns, 1358. *pl.* 17. 25.

22 *Ed.* 4. A. D. 1482-3.

c. 1. Apparel, [Rep. 1 *H.* 8. *c.* 14.] 26. *pl.* 3,
c. 2. Packing barreled fish, 261. *pl.* 14. 18

22 *Ed.* 4. A. D. 1482-3. (*continued.*)

*c.*3. Silk manufacture, import, [Exp.]
*c.*4. Price of bows, [Rep. 8 *El. c.*10.] 83. Stats. *Exp. pl.*3.
*c.*5. Fulling of hats, [Rep. 3 *H.*8. *c.*15., 1 *J.*1. *c.*25. *ss.*35, 36. 38. 47.] 344. *pl.*1.
*c.*6. Swans, 310. *pl.*12.
*c.*7. Inclosing woods in the forests, chases, and *purlieus*, 296. *pl.* 55, 56.
*c.*8. For the town of *Berwick*, (Local.)

1 *R.* 3. A. D. 1483-4.

*c.*1. Against privy feoffment, 303. *pl.* 9, 10.
*c.*2. Benevolences, 481. *pl.*27, 28.
*c.*3. Bailing persons suspected of felony, 47. *pl.*3, 4., 245. *pl.* 1. 7, 8.
*c.*4. For returning sufficient jurors, 415. *pl.* 8.
*c.*5. Feoffments to H. M. to the use of others, [Exp.]
*c.*6. Courts of *piepoudre* at fairs, 508. *pl.*14, 15.
*c.*7. Proclamations on fines levied, [Rep. virtually, 4 & 5 *H.*7. *c.*24.] 250. Stats. *Rep. pl.* 1.
*c.*8. Dying wool and cloths, [Rep. 49 *G.*3. *c.*109. *s.* 1.] 1598. *pl.*23.
*c.*9. Merchants of *Italy*, 20. pl. 9. 12., Books, import, 82. Stats. *Rep. ss.*1—8. 14. are Rep. by 1 *H.*7. *c.*10.
*s.*12. is Rep. by 25 *H.*8. *c.*15. *s.*1. aliens, import, books.
*c.*10. Import of silks, laces, &c. prohibited, [*semb.* Exp.]
*c.*11. Bowstaves, 83. Bows, &c. Stats. *Exp. pl.*2.
*c.*12. Against strangers artificers, [Rep. 56 *G.*3. *c.*36.]
*c.*13. To ascertain the contents of vessels of wine and oil, 322. *pl.*7—10.
*c.*14. Concerning dismes granted by the clergy, [Exp.] 1387. *pl.*7.
c 15. Annulling patents made to *Elizabeth*, late wife of Sir *J. Grey*.

1 *Hen.* 7. A. D. 1485-6.

*c.*1. Formedon, 10. *pl.*26.
*c.*2. Denizens shall pay custom and subsidy.
*c.*3. No protection before officers of staple at *Calais*, [Exp.] 1477. *pl.*2.
*c.*4. Ordinary's jurisdiction over clergy, 1388. *pl.* 27, 28.
*c.*5. Shoemakers, tanners, and curriers, [Rep. 5 *El. c.*8., 1 *J.*1. *c.*22. *s.*58.] 477. *pl.*3.
*c.*6. Pardon, [Exp.] 1332. *pl.*2.
*c.*7. Hunting in forests and parks, 310. *pl.* 13, 14.
*c.*8. *Gascoign* wine, import, navigation, [Exp.]
*c.*9. *See* 22 *Ed.* 4. *c.*3. [Exp.]
*c,*10. For revocation of the penalties of 1 *R.*3. *c.*9. against *Italians*.

3 *Hen.* 7. A. D. 1487.

*c.*1. Star chamber, 1478. Stats. *Rep. pl.*1. 2. Justices of peace, 421. *pl.*16—18., Coroner, 149. *pl.*15—18., Homicide, 364. *pl.*11.
*s.*1. is Rep. as to jurisdiction of star chamber, 16 *C.*1. *c.*10.; as to liveries, 3 *C.*1. *c.* 4. *s.* 27.
*s.*3. is Rep. as to appeals, by 59 *G.*3. *c.*46. *s.*1. 27. *pl.*10.
*s.*4. is Rep. by 1 *H.*8. *c.*7., but is re-enacted, 25 *G.*2. *c.*29. *s.*3. Coroner's fee.
*c.*2. Ravishing women, 1594. *pl.* 5. 6.
*s.*2. is Rep. *comm. semb.* 12 *C.*2. *c.* 24. *s.*2. as to ravishing ward or bond-women.
*c.*3. Justices of peace may take bail, 47. *pl.*3—6.
*c.*4. Fraudulent deeds of gift, 303. *pl.* 11, 12.
*c.*5. Usury and unlawful bargains, [Rep. 11 *H.*7. *c.*8., 37 *H.*8. *c.*9. *s.*1., and lastly, *comm. semb.* 12 *A. S.*2. *c.*16. *s.*1.] 1560. *pl.*2.
*c.*6. Exchange and rechange, [Rep. as to usury, 37 *H.*8. *c.*9. *s.* 1., and lastly, 12 *A. S.*2. *c.*16. *s.*1.] 1560. *pl.*3.
*c.*7. Customs, [Rep. 1 *H.*8. *c.*5. *s.*2.]
*c.*8. Carrying coin out of realm, [Rep. *comm. semb.* virtually 59 *G.*3. *c.*49. *ss.*11, 12.] 135. *pl.*9. 17., 512. *pl.*42.

3 *Hen.* 7. A. D. 1487. (*continued.*)

*c.*9. Freedom of trade to citizens of *London*, 490. *pl.* 39.
*c.*10. Delay of execution on writs of error; costs, 234. *pl.*12. 13.
*c.*11. Export of unwrought woollen cloths, [*Qu.* Rep. 28 *G.*3. *c.*58. *s.*1.] 1599. *pl.* 17.
*c.*12. Liveries, [Rep. 3 *C* 1. *c.*4. *s.*27.] 488. *pl.*2.
*c.*13. Long bows, price of, [Rep. 8 *El. c.*10.] 83. *pl.*3.
*c.*14. Steward, &c. of H. M.'s house to enquire of offences done therein, 429. *pl.*9.

4 & 5 *H.*7. A. D. 1488-9.

*c.*1. Commissioners of sewers, [Exp.] 1354.
*c.*2. Gold and silver, 323. *pl.*11, 12.
*c.*3. Butchers slaughtering within *London*, 106. *pl.*3—5.
*c.*4. Protections *profectur' et moratur*,' to persons serving in *Brittany*, [Exp.] 1304. *pl.*1.
*c.*5. Exemptions of clergy from tithes by patent void, [Exp.] 1389. *pl.*29.
*c.*6. Stewardship, &c. of *Inglewood* is void.
*c.*7. Attendance of yeomen, &c. of H. M.'s chamber, 429. *pl.*10.
*c.*8. Cloths, [Rep. 21 *J.*1. *c.*28. *s.*11.] 1598. *pl.*34.
*c.*9. Hats and caps, [Rep. 3 *H.*8. *c.*15., 21 *J.*1. *c.*28. *s.*11.] 344. *pl.*2.
*c.*10. Against importing wines in foreign bottoms. [Rep. 1 *El. c.*13.; but reinforced, 5 *El. c.*5. *s.*11.; and see navigation act, 12 *C.*2. *c.*18.]
*c.*11. Cloths, [Exp.] 1598. *pl.*25.
*c.*12. Justices of peace, 421, 422. *pl.*19—21.
*c.*13. Benefit of clergy, 75. *pl.*2.
*c.*14. Feoffments under seal of the earldom of marches, [*semb.* Exp.] 429. *pl.*11.
*c.*15. Mayor of *London*'s rule of river *Thames*, 261. *pl.*20, 21.
*c.*16. *Isle of Wight.*
*c.*17. Wardship, [Rep. 12 *C.*2. *c.*24. *s.*2.] 303. *pl.*2.
*c.*18. Counterfeiting foreign coin made treason. [*Qu.* if *Rep.* 1 *M. S.*1. *c.*1.] 136. *pl.*1.
*c.*19. Husbandry, [Rep. 21 *J.*1. *c.*28. *s.*11.] 373. Husbandry, *pl.*1.
*c.*20. Collusions and feigned actions, 8. Action Penal. Stats. *in force, pl.*1—4.
*c.*21. Fish, (Local).
*c.*22. Working gold, [Exp.]
*c.*23. Exporting coin, plate, vessel, or jewels, [Exp. and Rep. 59 *G.*3. *c.*49. *ss.*11, 12.] 135. *pl.*15., 322. *pl.*12.
*c.*24. Proclamations on fines, 251. *pl.*11, 12. 15, 16

7 *H.*7. A. D. 1491.

*c.*1. Soldiers wages; leaving captains with licence, [*semb.* Exp.] 1380. *pl.*7.
*c.*2. } Privileges, [Exp.]
*c.*3. }
*c.*4. Weights and measures, [Exp.]
*c.*5. Challenge to jurors in *London*, 490. *pl.*43.
*c.*6. Abbots, &c. to pay *quinzieme* and *disme* as *temp. Ed.* 4. [Exp.]
*c.*7. *Scotsmen* avoiding the realm, [Rep. 4 *J.*1. *c.*1. *s.*5.] 1338. *pl.*2.
c.(7. *or*) 8. Customs on importation of malmsey.

11 *H.*7. A. D. 1495.

*c.*1. Protection from attainder of treason, [*Qu.* Exp.] 1544. *pl.*37, 38.
*c.*2. Against beggars, [Rep. entirely, 21 *J.*1. *c.*28. *s.*11.; and as to vagrants, 39 *El. c.*4., 1561. *pl.*4.; as to unlawful games, 33 *H.*8. *c.*9.] 320. *pl.*2.
*c.*3. Unlawful assemblies, [Rep. 1 *H.*8. *c.*6.] 36. Stats. *Rep. pl* 1.
*c.*4. Weights and measures, 1588. *pl.*21—30.
*c.*5. Putting down wears and engines. (Local.)
*c.*6. Payment of custom for woollen cloths exported, [*Qu.* Rep. 28 *G.*3. *c.*38. *s.*1.?]
*c.*7. Riots and unlawful assemblies, [Exp.] 435. *pl.*15., 1326. *pl.*5.
*c.*8. Usury, [Rep. 37 *H.*8. *c.*9. *s.*1.] 1560. *pl.*3.

11 *H.*7. A.D. 1495. (*continued.*)

*c.*9. For making north and south *Tyndal* part of *Northumberland*, 527. *pl.*5, 6.
*c.*10. Benevolence, [Exp.]
*c.*11. Worsted shearers, [Rep. 19 *H.*7. *c.*17.]
*c.*12. Suing *in formâ pauperis*, 7. *pl.*5, 6.
*c.*13. Export of horses and mares, 366. *pl.*2—5.
*c.*14. Customs.
*c.*15. Sheriffs and undersheriffs, 1359. *pl.*41, 42.
*c.*16. *Calais*, [Exp.]
*c.*17. Taking pheasants and partridges, 310. *pl.*15—20.
*c.*18. Master of rolls and officers of chancery shall not go to the wars, 429. *pl.*12, 13.
*c.*19. Upholsterers, 1559. *pl.*1, 2.
*c.*20. Recoveries, &c. by tenants in dower, 191, 192. *pl.*9—14.
*c.*21. Perjury: juries in *London*, 490, 491. *pl.*44, 45. 49—56.
*s.*2. and *s.*8. as to the qualification of jurors; and *s.*2. *semb.* virtually as to their return to the mayor, &c. by the aldermen, are Rep. by 37 *H.*8. *c.*5. *s.*3.
*c.*22. Servants wages, [Rep. 12 *H.*7. *c.*3., 5 *El.* *c.*4. *s.*2.]
*c.*23. Aliens selling fish, 261. *pl.* 14. 19.
*c.*24. Attaint, [Exp.] 40. *pl.*1.
*c.*25. Maintenance; perjury, [Exp.] 1241. *pl.*1.
*c.*26. Sheriff's return of jurors, [Exp.] 412. Jury, *pl.*2.
*c.*27. Fustian making, 309. *pl.*1—3.

12 *H.*7. A.D. 1496-7.

*c.*1. Worsted making, county of *Norfolk*, (Local.) 1599. *pl.*33.
*c.*2. Statutes against riots, &c. confirmed, [Exp.] 40. *pl.*1., 1241. *pl.*1., 1326. *pl.*6.
*c.*3. repealing 11 *H.*7. *c.*22.
*c.*4. Cloths, [Exp.] 1598. *pl.*26.
*c.*5. Weights and measures, 1588. *pl.*31—33.
*c.*6. Merchants, 513. *pl.*43.
*c.*7. Petty treason, 364. *pl.*8. 12—13.
*s.*1. is Exp.

19 *Hen.*7. A.D. 1503-4.

*c.*1. Attendance on H. M. in his wars, [*Qu.* Exp. since 12 *C.*2. *c.*24. *s.*1, 2.] 439. *pl.*12. 14—17.
*c.*2. Bowstaves, import, [Exp.] 83. Stats. *Rep. pl.* 4, 5.
*c.*3. Attaints, [Exp.] 40. *pl.*1.
*c.*4. Cross bows, [Rep. 6 *H.*8. *c.*13.] See 3 *H.*8. *c.*13.
*c.*5. Corn export into *Ire.*, [Rep. 20 *G.*3. *c.*80. *s.*1. and 59 *G.*3. *c.*49. *ss.* 11, 12.] 135. *pl.*18.
*c.*6. Pewterers walking, 83. Braziers, *pl.*1—3., 84. *pl.*4—6.
*s.*6. Exp.
*c.*7. Private and unlawful statutes made by corporations, 150. *pl.*1—3.
*c.*8. Scavage, 493. *pl.*117—119.
*c.*9. Action on the case, 8.
*c.*10. Escapes, wilful and negligent, penalties, [Exp.] 1280. *pl.*16—18. *ss.*2—4. (see *s.*5.) are Exp.
*c.*11. Taking herons, 310. *pl.*21, 22.
*s.*1. is Rep. by 16 *G.*3. *c.*30. *s.*27., deer-stealing, 309. *pl.*1.
*c.*12. Vagabonds and beggars, [Rep. 21 *J.*1. *c.*28. *s.*11.] 320. *pl.*2: 1561. *pl.*4.
*c.*13. Riots, repressing, 1326. *pl.*2. 13, 14.
*c.*14. Liveries; detentions unlawful, [Exp.] 488. *pl.*4.
*c.*15. Execution against feoffees to uses, 1559. Uses, &c. *pl.*1—4.
*c.*16. Return of jurors, [Exp.]
*c.*17. Worsted shearers, [Exp. and Rep. 5 *El.* *c.*4.]
*c.*18. *Severn* river, (Local)
*c.*19. Tanners, shoemakers, &c. [Rep. 5 *El.* *c.*8. 1 *J.*1. *c.*22. *s.*58.] 477. *pl.*3.
*c.*20. Costs on writs of error, 234. *pl.*12.
*c.*21. Silk women, [*semb.* superseded, 3 *G.*3. *c.*21. 5 *G.*3. *c.*48.]
*c.*22. Attornies and factors at *Calais*, [Exp.]

19 *H.*7. A.D. 1503-4. (*continued.*)

*c.*23. *Hanse* merchants, 513. *pl.*44.
*c.*24. For holding sheriff's turn at *Chichester* and *Lewes* alternately.

1 *Hen.*8. A.D. 1509-10.

*c.*1. Repeals 8 *H.*6. *c.*2. fishing in *Ire.*
*c.*2. Woollen cloths, [Exp.] 1598. *pl.*27.
*c.*3. Receivers, [Exp.] 1320. *pl.*2.
*c.*4. Limitation of informations on penal statutes, [Exp.]
*c.*5. Payment of H. M.'s customs.
*c.*6. Repeals 11 *H.*7. *c.*3. 36. Assemblies, Stats. *Rep.* &c. *pl.*1. Limitation of actions, 8. Action Penal, Stats. *Exp.* &c. *pl.*1.
*c.*7. Coroners, 148. *pl.*1.
*s.*1. Rep. by 25 *G.*2. *c.*29. *s.*1.
*c.*8. False returns of offices and inquisitions, 235, 236. *pl.*5. 8. 15—22.
*c.*9. Toll at *Staines* bridge, [Rep. 31 *G.*3. *c.*84.] (Local).
*c.*10. Lease of lands seized into H. M.'s hands, 235. *pl.*9—11.
*c.*11. Perjury, [Exp.] 40. *pl.*1
*c.*12. Traverse against untrue inquisition, [Exp.] 412. Jury, *pl.*1.
*c.*13. Export of coin, &c. [Exp.] 135. *pl.*15.
*c.*14. Wearing costly apparel, 26. *pl.*3, 4.
*c.*15. Lands in trust to *Empson* and *Dudley*, (Personal) [Exp.]

3 *Hen.*8. A.D. 1511-12.

*c.*1. Export of coin, &c. [Exp.] 135. *pl.*15.
*c.*2. Escheators and commissioners, 235. *pl.*15.
*c.*3. Shooting in long bows, [Rep. 33 *H.*8. *c.*9. *s.*17.] 83. Stats. *Exp. pl.*7.
*c.*4. Protections, [Exp.] 1304. *pl.*1.
*c.*5. Captains abridging soldiers of pay, [*semb.* Exp.]
*c.*6. Cloth making, [Exp.] 1598. *pl.* 28.
*c.*7. Export of unshorn cloths, 1599. *pl.*17, 18.
*c.*8. Prices of victuals, 1567, 1568. *pl.*12—14.
*c.*9. Disguised persons, visors-wearing, [Exp.] 1327. *pl.* 30.
*c.*10. Leather, [Rep. by 5 *El.* *c.*8., 1 *J.*1. *c.*22. *s.*58.] 478. *pl.*4.
*c.*11. Physician and surgeon, 1242. *pl.*1—4.
*c.*12. Against sheriffs for abuses, 413. *pl.*26.
*c.*13. Against shooting in cross-bows, [Rep. 6 *H.*8. *c.*13., and 33 *H.*8. *c.*6. *s.*9.] 83. Stats. *Exp. pl.*5.
*c.*14. Oils, searching of in *London*.
*c.*15. Hats, making, [Rep. 1 *J.*1. *c.*25. *s.*36.] 344. *pl.*3.

4 *Hen.*8. A.D. 1512.

*c.*1. Bulwarks making by sea-side, [Exp.]
*c.*2. Murder and felony; benefit of clergy, [Exp.] 75. *pl.*3. Sanctuary, 1332. *pl.*3.
*s.*1. is Superseded by 23 *H.*8. *c.*1. *s.*3. benefit of clergy.
*s.*2. Rep. by 1 *J.*1. *c.*25. *s.*34., 21 *J.*1. *c.*28. *ss.*6, 7. Sanctuary.
*c.*3. Juries in *London*, [*Qu.* if not Exp. (see *s.*3.)] 490. *pl.*44. 46—48.
*c.*4. Proclamation before *exigent* awarded, [Exp.] 542. Stats. *Exp.*
*c.*5. Wages, [Exp.] 435. *pl.*9.
*c.*6. Sealing cloths of gold and silk, [Exp.] 1598. *pl.*29.
*c.*7. Pewterers, 83. Braziers, *pl.*1. 84, *pl.*7, 8. true weights and beams.
*c.*8. Stannary franchises, (Personal.)

5 *Hen.*8. A.D. 1513-14.

*c.*1. *Tournay*, recovery of debts in, [Exp.] 11. Administration of Justice, *pl.*1.
*c.*2. Cloths in *Devonshire*, [Rep. 49 *G.*3. *c.*109. *s.*1.] 1598. *pl.*30.
*c.*3. Export of cloths, [Rep. 50 *G.*3. *c.*83. *s.*1.] 1598, 1599. *pl.*31. 18.
*c.*4. Deceits in worsteds, 1599. *pl.*19, 20.
*c.*5. Juries in *London*, 490. *pl.*44. 48.
*c.*6. Surgeons, exemptions of, [Exp. as to *barbers* surgeons since 18 *G.*2. *c.*15.] 1242. *pl.*5.

5 *Hen.* 8. A.D. 1513-14. (*continued.*)

c. 7. Leather buying, [Rep. by 5 *El.* *c.* 8. and 1 *J.* 1. *c.* 22. *s.* 58.] 478. *pl.* 5.

c. 8. Pardon, [Exp.] 1214. *pl.* 6.

6 *Hen.* 8. A.D. 1514-15.

c. 1. Apparel, [Rep. 7 *H.* 8. *c.* 6. and 1 *J.* 1. *c.* 25. *s.* 45.] 27. *pl.* 5.

c. 2. Archery, [Rep. 33 *H.* 8. *c.* 9. *s.* 17.] 83. Stats. *Exp.* *pl.* 7.

c. 3. Artificers and labourers, [Rep. virtually, 5 *El.* *c.* 4. *s.* 2.] 435. *pl.* 16.

c. 4. Proclamation before *exigent*, 543. *pl.* 17—21.

s. 1. as to place of proclamation is Rep. by 31 *El.* *c.* 3. *s.* 1.

c. 5. Pulling down towns and houses, [Exp.] 373. Husbandry, *pl.* 2.

c. 6. Felons and murderers, 246. *pl.* 20, 21.

c. 7. *Thames* watermen, [Rep. 2 & 3 *P.* & *M.* *c.* 16. *see* 34 *G.* 3. *c.* 65.] 1581. *pl.* 1.

cc. 8, 9. Cloths, [Rep. 49 *G.* 3. *c.* 109. *s.* 1.] 1598. *pl.* 32.

c. 10. Commissions of sewers, 1354. *pl.* 4—6.

c. 11. Bowstaves, import, [Exp.] 83. Bows, Stats. *Rep.* *pl.* 2.

c. 12. Norfolk wools, export. [Exp.]

c. 13. Against shooting in cross-bows and hand-guns, [Rep. by general words of 33 *H.* 8. *c.* 6. *see* *s.* 9.] 83. Stats. *Exp.* *pl.* 5.

c. 14. Tonnage and poundage. [Exp.]

c. 15. Second letters patent granted by H.M., 430. *pl.* 18, 19.

c. 16. Parliament, 1216. *pl.* 35.

c. 18. Undersheriffs in *Bristol* to hold office from year to year as in *London*, (Private.) 1358. *pl.* 17. 22.

7 *Hen.* 8. A.D. 1515.

c. 1. To avoid letting down towns, &c. [Rep. 21 *J.* 1. *c.* 28. *s.* 11.] 373. Husbandry, *pl.* 2. Spiritual leases.

c. 2. Maintenance of Navy. [Exp.]

c. 3. Penal actions, limitation, [Rep. 31 *El.* *c.* 5. *s.* 7.] 8. Action, Penal, Stats. *Rep.*, &c. *pl.* 2., 483. Stats. *Rep.* *pl.* 1.

c. 4. Avowries, 46. *pl.* 1—3., 1318. *pl.* 6.

c. 5. Labourers in *London*, [Rep. virtually, 5 *El.* *c.* 4. *s.* 2.] 435. *pl.* 17.

c. 6. Apparel, [Rep. 24 *H.* 8. *c.* 13., 1 *J.* 1. *c.* 25. *s.* 45.] 27. *pl.* 5, 6.

14 & 15 *Hen.* 8. A.D. 1523.

c. 1. Cloths, [Exp.]

c. 2. Apprentices, taking by strangers, 20. *pl.* 17—26. 28—30.

s. 10. Apprentices. [Exp.]

c. 3. Dressing worsteds, 1599. *pl.* 23.

c. 4. Payment of custom.

c. 5. Physicians, 1242. *pl.* 6—8.

c. 7. Cross-bows and hand-guns, [Rep. 33 *H.* 8. *c.* 6. *s.* 9.] 83. Stats. *Rep.* *pl.* 5.

c. 8. Six clerks of chancery may marry, 162. *pl.* 7, 8.

c. 9. Shoemakers, 493. *pl.* 110.

c. 10. Tracing hares in snow, 310. *pl.* 23.

c. 11. Cloths, 1599. *pl.* 22.

c. 12. [*Comm. semb.* Exp.] 135. *pl.* 19.

c. 14. Privileges of persons in the wars, [Exp. *See* 3 *H.* 8. *c.* 4.] 1304. *pl.* 1.

21 *Hen.* 8. A.D. 1529.

c. 1. Pardon, [Exp.] 1214. *pl.* 6.

c. 2. Sanctuary, [Rep. 1 *J.* 1. *c.* 25. *s.* 34. and 21 *J.* 1. *c.* 28. *ss.* 6, 7.] 1332, *pl.* 4.

c. 3. Delays in assizes, 10. *pl.* 27, 28.

c. 4. Executors, 242. *pl.* 22—24.

c. 5. Fees on probates of wills, 241, 242. *pl.* 10—17.

c. 6. Mortuaries, 518, 519. *pl.* 1—8.

s. 7. is Rep. by 12 *A.* *St.* 2. *c.* 6., mortuaries in dioceses of *Bangor*, *Landaff*, *St. Davids and St. Asaph*, 28 *G.* 2. *c.* 6. Same in diocese of *Chester*.

c. 7. Servants, embezzlement by, 510. *pl.* 1. 3.

c. 8. Calves, rearing, 115. Cattle, *pl.* 1. [Exp.]

c. 9. Hats &c. import, prices, [Rep. 1 *J.* 1. *c.* 25. *s.* 37, 47.] 344. *pl.* 4.

21 *Hen.* 8. A.D. 1529. (*continued.*)

c. 10. Export of brass, latten, &c. [Exp. *comm. semb.* and *semb.* Rep. virtually, 5 & 6 *W.* & *M.* *c.* 17.]

c. 11. Restitution of goods in case of robbery, 246. *pl.* 22, 23.

c. 13. Farming by spiritual persons; pluralities; residence, 1389. *pl.* 40—56.

Rep. as to taking benefices from *Rome*, by 1 & 2 *P.* & *M.* *c.* 8. *s.* 4

ss. 1—8. 26—28. 30. 32. 34, 35. are Rep. by 57 *G.* 3. *c.* 99. *s.* 1. residence.

all parts of all sections, *viz.* of *s.* 29. and *s.* 33. &c. imposing penalties for non-residence, are Rep. by 43 *G.* 3. *c.* 84. *s.* 12.

ss. 2. 12. and *s.* 23. are Exp. in part.

c. 14. Dowlas and lockrams, import, [Rep. 28 *H.* 8. *c.* 4. *s.* 1.] 484. Stats. *Rep.*

c. 15. Termors falsifying recoveries by lessors, 1318. *pl.* 7—10.

c. 16. Alien, 20. *pl.* 17. and *pl.* 27. 32, 33.

cc. 17, 18. (Private.)

c. 19. Avowries, 46. *pl.* 1. 3—6.

c. 20. President of council associated in execution of 3 *H.* 7. *c.* 1. (*See that act.*)

c. 21. Worsteds, making, 1599. *pl.* 23.

22 *Hen.* 8. A.D. 1530-1.

c. 1. Regrators, &c. of wools, [Exp.] 1598. *pl.* 40.

c. 2. Foreign pleas by felons, [Rep. 1 *J.* 1. *c.* 25. *s.* 34., 21 *J.* 1. *c.* 28. *ss.* 6, 7.

c. 4. Exactions on apprentices, 27. *pl.* 3, 4.

c. 5. Bridges on highways, 94. *pl.* 2. 4. 11.

s. 4. in part is Rep. by 1 *A.* *St.* 1. *c.* 18. *s.* 2.

s. 5. and *s.* 9. in part are Rep. by *id.* *s.* 5.

s. 8. is Rep. by *id.* *s.* 6.

c. 6. Butchers keeping tan-houses, [Rep. 5 *El.* *c.* 8. which is repealed 1 *J.* 1. *c.* 22. *s.* 4. and *s.* 58., and 1 *J.* 1. *c.* 25. *s.* 47.; and 1 *J.* 1. *c.* 22. *is repealed*, 48 *G.* 3. *c.* 60. *s.* 1.; but 22 *H.* 8. *c.* 6. does not seem Rev., *sed. qu.*] 106. Stats. *Rep*, &c. *pl.* 1.

c. 7. Horses, export of, 366. *pl.* 4.

c. 8. Payment of strangers, customs by denizens.

c. 9. Poisoning made treason, 364. Stats. *Rep.* &c. *pl.* 19. Counterfeiting coin, 136, 137. *pl.* 34. 36.

s. 1. is Rep. by 1 *Ed.* 6. *c.* 12. *s.* 2.

s. 2. *as to treason* of poisoning, *id. ibid.* 364. Stats. *Rep.*

c. 10. Gipsies, 337. *pl.* 1. 4.

c. 11. Powdike in marshland, 246. *pl.* 24, 25.

c. 12. Poor vagabonds, [Rep. 14 *El.* *c.* 5. *s.* 1., 21 *J.* 1. *c.* 28. *s.* 11.] 1258. *pl.* 1.

c. 13. Bakers, brewers, surgeons, and scriveners, 20. *pl.* 38, 39.

c. 14. Sanctuaries; speedy trials of felonies, 246. *pl.* 26. 28.

ss. 1—4. are Rep. by 1 *J.* 1. *c.* 25. *s.* 34., 21 *J.* 1. *c.* 28. *ss.* 6, 7.

c. 15, 16. Pardons of *premunire*, [Exp.] 1214. *pl.* 6.

23 *Hen.* 8. A.D. 1531-2.

c. 1. Clerks convict of petty treason, murder, or felony, 75. *pl.* 4.

c. 2. Prisons building, [Exp.] 1280. Stats. *Rep.*, &c. *pl.* 1.

c. 3. Perjury; false verdicts; attaint, 40. *pl.* 10—13. 40., 41. *pl.* 15. 25. Appendix, No. II.

s. 10. is Exp.

c. 4. Brewers not to be coopers; measure of barrels, 70. *pl.* 7, 8. 16., 146, 147. *pl.* 1. 11., 1588. *pl.* 34.

s. 3. is Rep. by 8 *El.* *c.* 9. *s.* 3. prices of barrels, &c.

ss. 5, 6. are Rep. by 2 *G.* 3. *c.* 14. *s.* 1.

c. 5. Commissioners of sewers, 1354, 1355. *pl.* 7—22.

s. 16. as to duration of commissions, is Rep.

s. 17. and *s.* 19. as to duration of commissioners' decree, are virtually Rep. by 13 *El.* *c.* 9. *s.* 1.

c. 6. Recognizances of debts; form of obligation, 1316. *pl.* 10—14. 18—20. 22, 23.

c. 7. Navigation. Wines import, [*semb.* Rep. 12 *C.* 2. *c.* 18.]

23 *Hen.* 8. A.D. 1531-2. (*continued.*)

c. 9. Citation, 167. *pl.* 4—10.
c. 10. Feoffments to spiritual uses, 117. *pl.* 1., 518. *pl.* 9—12.
c. 11. Breaking prison by clerks convict, [Rep. 1 *Ed.* 6. *c.* 12. *s.* 4.] 1388. *pl.* 18.
c. 12. Towing-paths of *Severn*, 1328. *pl.* 1: 4.
c. 13. Jurors on trials of murder, &c., 413. *pl.* 29—31.
c. 14. Outlawry, 543. *pl.* 22.
c. 15. Costs on nonsuit, or verdict for defendant, 151. *pl.* 7—9. suing *formâ pauperis*, 7. *pl.* 7.
c. 16. Conveying horses into *Scot.*, [Rep. 4 *J.* 1. *c.* 1. *s.* 6.] 366. *pl.* 5.
c. 17. Winding wools, 1599. *pl.* 24—26.
c. 19. Pardon of *premunire*, [Exp.] 1214. *pl.* 6.
c. 20. Payment of first-fruits to see of *Rome*, 79, 80. *pl.* 13—16. 18—20.
s. 3. is Rep. by 25 *H.* 8. *c.* 20. *s.* 3.
s. 5. is Exp.

24 *Hen.* 8. A.D. 1532-3.

c. 1. Leather, [Rep. 5 *El. c.* 8.] 478. *pl.* 6.
c. 2. Dying cloths, [Exp.] 1598. *pl.* 3, 4.
c. 3. Flesh sold by weight, [Rep. 33 *H.* 8. *c.* 11.] 106. *pl.* 2.
c. 4. Sowing flax and hemp, [Exp. and Rep. 35 *El. c.* 7. *s.* 21.] 349. Stats. *Exp. pl.* 1.
c. 5. Forfeiture for killing a thief, 245. *pl.* 9., 364. *pl.* 9, 10.
c. 6. Wine, assise, [Rep. 21 *J.* 1. *c.* 28. *s.* 11.] 1591. *pl.* 2.
c. 7. Cattle, [Exp.] 115. *pl.* 1.
c. 8. Costs to defendants, 151. *pl.* 7. 10.
c. 9. Tithing and killing young beasts, 115. *pl.* 1, 2.
c. 10. Choughs and rooks, [Rep. 8 *El. c.* 10. *comm. semb.* but that act is Exp.] 184. Crows, *pl.* 1, 2.
c. 12. Appeals to see of *Rome*, 167, 168. *pl.* 11—20.
c. 13. Apparel, [Rep. 1 *J.* 1. *c.* 25. *s.* 45. 47.] 27. *pl.* 7., 1597. *pl.* 2.

25 *Hen.* 8. A.D. 1533-4.

c. 1. Butchers selling by weight, [Rep. 33 *H.* 8. *c.* 11.] 106. Stats. *Rep. &c. pl.* 2.
c. 2. Proclamation concerning victuals, 1568. *pl.* 15—18.
c. 3. Standing mute and peremptory challenge, 75. *pl.* 4. 9, 10.
c. 4. Forestalling, &c. fish, [Rep. 35 *H.* 8. *c.* 7.] 261. *pl.* 2.
c. 5. Calendering worsteds, 1599. *pl.* 19. 21.
c. 6. Buggery, 1380. *pl.* 1, 2.
c. 7. Spawn of eels and salmon, [Exp.] 261. *pl.* 3.
c. 8. Pewterers, 83. Braziers, *pl.* 1., 84. *pl.* 9, 10. 12—14.
c. 10. Oath; sewers, 1354. 1356. *pl.* 1. 23, 24.
ss. 4—6. are Exp.
c. 11. Destruction of wild fowl, 310. *pl.* 24—29.
c. 12. *Eliz. Barton's* attainder, [Exp.]
c. 13. Farms and sheep, 1356, 1357. *pl.* 1—15.
s. 15. *comm. semb.* since the repeal of 4 *H.* 7. *c.* 19. and 7 *H.* 8. *c.* 1. by 21 *J.* 1. *c.* 28. *s.* 11. decay of towns, is Exp.
c. 14. Heresy, [Rep. 1 *Ed.* 6. *c.* 12. *s.* 3.] 349. Heretic, Stats. *Rep. &c. pl.* 4.
c. 15. Printers and binders of books, 83. *pl.* 1—4.
c. 16. Chaplains of judges, 1389. *pl.* 57.
c. 17. Shooting in cross-bows and hand-guns, [Rep. 33 *H.* 8. *c.* 6. *s.* 9.] 83. Stats. *Rep. &c. pl.* 5.
c. 18. Clothiers in county of *Worcester*, [Rep. in *toto* by 49 *G.* 2. *c.* 108. *s.* 1. and *s.* 3., 21 *J.* 1. *c.* 28. *s.* 11.] 1598. *pl.* 35.
c. 19. Submission of clergy to H. M., 168. *pl.* 21—27., 1389. *pl.* 30—37.
s. 2. council to examine canons, is Exp.
c. 20. Payment of first-fruits of bishoprics to *Rome*, election of of bishops, 79. *pl.* 13., 83. *pl.* 17. 21—24.
c. 21. Exonerations from impositions of see of *Rome*, 1203. *pl.* 1. licences, dispensations, 188, 189. *pl.* 1—23.
ss. 25, 26. 28, 29. Dispensations, are Exp.

25 *H.* 8. A.D. 1533-4. (*continued.*)

c. 22. Decrees of marriage, 429. *pl.* 20., 508. *pl.* 1.
ss. 1, 2. 4—13. succession to the crown, are Exp., and Rep. by 1 *M. St.* 1. *c.* 1. *s.* 3.

26 *Hen.* 8. A.D. 1534.

c. 1. H. M.'s supremacy of the church, [Rep. 1 & 2 *P. & M.*, *c.* 8. *ss.* 12—20.] 1387. *pl.* 13., and 1 *El. c.* 1. *s.* 13.
c. 2. Oath to H. M., [Exp.] 296. *pl.* 3., 429. *pl.* 20.
c. 3. First-fruits and tenths, statute of recusants, 258—260 *pl.* 3. 7—16. 22—24.
s. 13. is Rep. by 3 *G.* 1. *c.* 10. *s.* 1. collection of tenths.
ss. 8. 11. 23, 24. 28, 29. are Exp.
c. 4. Perjury of jurors in marches in *Wa.*, [*semb.* Exp. *see c.* 6.] 1370. *pl.* 37—39.
c. 5. Ferries on *Severn*, 1328, 1329. *pl.* 5—7.
c. 6. Felonies in marches in *Wa.* where tried, 1571. *pl.* 40—52.
s. 12. is Rep. by 8 *El. c.* 20. *s.* 2. trial of felonies in *Merionethshire*.
c. 10. Authority of H. M. to repeal the statute for restraint of wines, [Exp.]
c. 11. *Welchmen* assaulting inhabitants of *Hereford*, &c. [Exp.] 1568. *pl.* 9.
c. 12. Purgation of convicts in *Wa.*, [*comm. semb.* Exp.] 1568. *pl.* 11.
c. 13. Treason, 1543. *pl.* 6. Sanctuaries taken away in, 1333. Sanctuaries, *pl.* 1.
ss. 1, 2. are Rep. by 1 *Ed.* 6. *c.* 12. *s.* 2., 1 *M. S.* 1. *c.* 1. *s.* 3
ss. 4—6. by 5 & 6 *Ed.* 6. *c.* 11. *s.* 6, 7. 9. Treason.
c. 14. Suffrages, 80. *pl.* 25—34.
c. 15. Spiritual exactions in archdeaconry of *Richmond*, 1389. *pl.* 38.
c. 16. Cloths, 1599. *pl.* 23.
c. 17. First-fruits, 258. Stats. *Rep. &c. pl.* 1.
c. 18. Pardon, [Exp.] 1214. *pl.* 6.
c. 19. Subsidy for 15th and 10th.

27 *Hen.* 8. A.D. 1535-6.

c. 1. Rebuilding towns, [Exp.]
c. 2. Rep. by general words of 1 *M. St.* 1. *c.* 1. *s.* 5., 5 *El. c.* 14. *s.* 11
c. 3. Privileges of *Kingston-on-Hull*, [Rep. 33 *H.* 8. *c.* 33.]
c. 4. Pirates, 1250. *pl.* 1—7.
c. 5. Justices of peace in *Wa.*, 1571. *pl.* 53—57.
c. 6. Breed of horses, 367. *pl.* 14—19.
c. 7. Abuses in forests of *Wa.*, 1571. *pl.* 58—61.
c. 8. Tenths, 258. *pl.* 3. 260. *pl.* 42—45.
c. 9. Butchers to sell flesh in gross, [Exp.] 106. Butcher, *pl.* 2.
c. 10. Uses and wills, 192. *pl.* 16—19., 1559, 1560. *pl.* 5—11.
s. 8. women married, *s.* 11. wills, and *s.* 12. in part are Exp.
ss. 13—18. fines, reliefs, heriots, are Exp.
c. 11. Clerks of signet and privy seal, 430. *pl.* 20—31.
s. 10. court of augmentations, *comm. semb.* Exp.
c. 12. Cloths, [Rep. in part by 33 *H.* 8. *c.* 19. entirely 49 *G.* 3. *c.* 109. *s.* 1.] 1598. *pl.* 36.
c. 13. Cloths, export, [Rep. 50 *G.* 3. *c.* 83.] 1598, 1599. *pl.* 37. 18.
c. 14. Customs of leather, [Rep. virtually 18 *El. c.* 9., 13 & 14 *C.* 2. *c.* 7.]
c. 15. Ecclesiastical laws, [Exp.] 168. *pl.* 21., 1387. *pl.* 8., 1389. *pl.* 30.
c. 16. Inrolments of bargains and sales of land, 385. *pl.* 1—3.
c. 17. Servants, [Rep. by general words of 1 *M. St.* 1. *c.* 1. *s.* 5. and not Rev. with 21 *H.* 8. *c.* 7. by 5 *El. c.* 10. *s.* 3.] 510. Stats. *Rep.*]
c. 18. Preservation of *Thames*, 1534. *pl.* 1, 2.
c. 19. Sanctuaries, [Rep. 1 *J.* 1. *c.* 26. *s.* 34. and 21 *J.* 1. *c.* 28. *ss.* 6, 7.] 1332. *pl.* 5.
c. 20. Tithes, [*semb.* Exp. *see id. s.* 4., 32 *H.* 8. *c.* 7. *s.* 5., 27 *H.* 8. *c.* 17., 3 *Keble*, 801.] 1535, 1536. *pl.* 8—12.
c. 21. Tithes, *London*, [Exp. *see* 37 *H.* 8. *c.* 12.] 493. Stats. *Exp.*
c. 22. Decay of houses and inclosures, [Rep. 21 *J.* 1. *c.* 28. *s.* 11.]

27 *Hen.* 8. A. D. 1535-6. (*continued.*)

c. 24. Crown, franchises of, 300, 301. *pl.* 13—31.
ss. 10, 11. are Rep. by 12 *C.* 2. *c.* 24. *s.* 12., purveyance.
s. 18. is Exp.
c. 25. Vagabonds, beggars, [Exp.] 1561. *pl.* 5.
c. 26. Union of *Wa.* with *Eng.*, laws the same in both, 1571, 1572. *pl.* 62—78. 80—91. 93, 94.
s. 35. gavelkind, is Rep. virtually by 26 *H.* 8. *c.* 6., 27 *H.* 8. *c.* 26.
ss. 32, 33. 36—39. are Exp.
c. 27. Court of augmentations, [Rep. 1 *El.* *c.* 4. *ss.* 15. and 24.] 162. *pl.* 1.
c. 28. Dissolution of religious houses under 200*l.* *per ann.*, 1320. *pl.* 1—3.
ss. 9—11. Rep. by 21 *J.* 1. *c.* 28. *s.* 11., keeping hospitality on sites of suppressed spiritual leases.

28 *Hen.* 8. A. D. 1536.

c. 1. Felons, 75. *pl.* 4., 246. *pl.* 26., 1289. *pl.* 39., clerks guilty of felonies, 1389. *pl.* 39.
c. 2. Servants, [Rep. as to 27 *H.* 8. *c.* 17., 1 *M. St.* 1. *c.* 1. *s.* 5.] 510. Stat. *Rep. &c. pl.* 1.
c. 3. Allotment of townships in marches of *Wa.*, [Exp.] 1568. *pl.* 12.
c. 4. Dowlas and lockrams, 484. *pl.* 1. and Stat. *Rep.*
c. 5. Apprentices, exactions on, 27. *pl.* 3. 5.
c. 6. Vagabonds, 1258. *pl.* 1. Horses, export, 366. *pl.* 4. Welshmen: buggery, [Exp.] 1381. *pl.* 1.
c. 7. Succession to crown [Exp. Rep. 35 *H.* 8. *c.* 1., 1 *M. S.* 2. *c.* 1. *s.* 3. 1 & 2 *P. & M.* *c.* 8. *s.* 3.] 429. *pl.* 21.
c. 8. Export of brass, &c. [Exp.] 1599. *pl.* 24.
c. 9. Perjury; gaols; flax and hemp. [Exp.] 349. Stats. *Exp. pl.* 1.
c. 10. See of *Rome*, [Rep. 1 & 2 *P. & M.* *c.* 8. *ss.* 16. 18. and also by 1 *El.* *c.* 1. *s.* 13.] 1202. Papist, *pl.* 1.
c. 11. First-fruits in vacation, restitution of, 71. *pl.* 18—24.
ss. 7, 8. are Rep. by 1 & 2 *P & M.* *c.* 17. *ss.* 16. 18.
c. 12. Limits of palace at *Westminster*, 1201. *pl.* 1—4.
s. 3. Exp.
c. 13. Spiritual persons; residence, [Rep. 57 *G.* 3. *c.* 99. *s.* 1.] 1387. *pl.* 9.
s. 4. Exp.
c. 14. Prices of wines, 1592. *pl.* 9—13. Measure thereof, 322. Gauging, *pl.* 7. 11.
s. 1. is Rep. by 21 *J.* 1. *c.* 28. *s.* 11. wine; assise.
c. 15. Pirates, 1250. *pl.* 1—7.
c. 16. Dispensations from *Rome*, [Exp.] 190. *pl.* 24, 25.
c. 17. Power in the crown of repealing statutes, [Rep. 1 *Ed.* 6. *c.* 11., 24 *G.* 2. *c.* 24. *s.* 23.] 429. *pl.* 22.
c. 18. [Rep. by general words of 1 *Ed.* 6. *c.* 12. *s.* 2., 1 *M.* (*S.* 1.) *c.* 1. *s.* 3.] Treason, 1543. *pl.* 7.

31 *Hen.* 8. A. D. 1539.

c. 1. Joint tenants, and tenants in common, 1234. *pl.* 1—3.
c. 2. Fishing, [Rep. 1 *Ed.* 6. *c.* 12. *s.* 4. and 1 *M.* (*St.* 1.) *c.* 1. *s.* 5.] 261. *pl.* 4.
c. 6. Actions by religious persons, [Exp.] 1387. *pl.* 12.
c. 7. Vagabonds; beggars; Export of horses, 366. *pl.* 4., 1258. *pl.* 1., 349. Stats. *Exp. pl.* 1. Buggery, 1380. *pl.* 1. Wool, &c. [Exp.] 1598. *pl.* 24.
c. 8. Religion. Execution of proclamations, [Rep. 1 *Ed.* 6. *c.* 12. *s.* 45.] 79. Stats. *Exp. pl.* 2., 1294. *pl.* 1.
c. 9. Appointing bishops by patent, [Rep. 1 & 2 *P. & M.* *c.* 8. *s.* 18.] 229. Stat. *Rep.*
c. 10. Placing the lords, 1239. *pl.* 2—12.
c. 11. Authority to H. M. to allot townships in *Wa.*, [Exp.] 1568. *pl.* 12.
c. 12. Hawks; hunting in H. M.'s forest, &c.; killing his conies, [Rep. 1 *Ed.* 6. *c.* 12. *s.* 4. and by 1 *M.* (*Sess.* 1.) *c.* 1. *s.* 5.] 309. *pl.* 2.

31 *Hen.* 8. A. D. 1539. (*continued.*)

c. 13. Dissolution of all monasteries and abbeys. 117. Stats. *Exp. pl.* 1. 1320. *pl.* 6—9.
ss. 5—21. 24—26. are Exp.
c. 14. Articles of Christian religion, [Rep. 1 *Ed.* 6. *c.* 12. *s.* 3.] 1387. *pl.* 10.

32 *Hen.* 8. A. D. 1540.

c. 1. Will of lands, 1590. *pl.* 2—6.
ss. 3—13. 15—17. are virtually Rep. by 12 *C.* 2. *c.* 24. *s.* 1. feudal tenures.
c. 2. Limitations, 483. *pl.* 1—8.
ss. 4. 6—10. *semb.* Exp.
c. 3. Burning in the hand, 75. *pl.* 4., 76. *pl.* 13., 1380. *pl.* 1., 1389. *pl.* 30.
ss. 1—7. are Exp.
c. 4. Treasons in *Wa.*, [Rep. virtually 1 & 2 *P. & M.* *c.* 10. *s.* 7.] 1543. *pl.* 8.
c. 5. Contenting debts on execution, 240. *pl.* 5, 6.
c. 6. Horses, export into *Scot.*, [Rep. virtually 4 *J.* 1. *c.* 1. *s.* 6. since repeal of 23 *H.* 8. *c.* 16.] 366. *pl.* 5.
c. 7. Tithes and offerings, payments of, 1536. *pl.* 13—20.
c. 8. Buying and selling pheasants and partridges, [Exp.] 309. *pl.* 3.
c. 9. Maintenance, 118. *pl.* 15—21.
c. 10. [Exp.] Moderating punishment in 31 *H.* 8. *c.* 14. of incontinency of priests and women offending with them, now Rep. 1 *E.* 6. *c.* 12., 1387. *pl.* 11.
c. 11. Stealing hawks eggs, conies, and deer, [Rep. 1 *El.* 6. *c.* 12. *s.* 4., 1 *M. St.* 1. *c.* 1.] 309. *pl.* 4.
c. 12. Sanctuary, [Rep. as to *Manchester*, 33 *H.* 8. *c.* 15., which names *West Chester* instead; and entirely by 1 *J.* 1. *c.* 26. *s.* 34., 21 *J.* *c.* 28. *ss.* 6—7.] 1332. *pl.* 6.
c. 13. Horses, stature of, 367. *pl.* 14. 20. 23—30.
ss. 1, 2. are Rep. in part, as to stature of horses in *Isle of Ely* and marches of *Cambridge*, *Huntingdon*, *Northampton*, *Lincoln*, *Norfolk* and *Suffolk*, by 8 *El.* *c.* 8. *ss.* 1, 2.
c. 14. Navy of *Eng.*, rates of freights.
c. 15. Religion, [Rep. virtually 1 *Ed.* 6. *c.* 12. *s.* 3., or Exp.] 1387. *pl.* 14.
c. 16. Aliens, *pl.* 17. 27. 31. 34—37.
s. 7. *comm. semb.* Rep. in part by 21 *J.* 1. *c.* 3.
ss. 11—17. Exp.
c. 20. Privileges and franchises; leases, 301. *pl.* 32—42.
s. 5. fines of lands within survey of court of augmentations. [Exp.]
c. 21. Trinity term, 185. *pl.* 7—14.
c. 22. Accounts of bishops for tenths granted to H. M., 258, 259, *pl.* 3. 25—27.
c. 23. Subsidy of clergy of province of *Canterbury*. [Exp.]
c. 24. Lands and goods of the hospitals of *St. John* of *Jerusalem* in *Eng.* and *Ire.* forfeited to H. M. [Exp.] 1320. *pl.* 10., 1380. *pl.* 15.
c. 25. Dissolution of H. M.'s marriage with *Anne* of *Cleves*, [Exp.] 429. *pl.* 23.
c. 26. Christian religion, [Rep. 1 *Ed.* 6. *c.* 12. *s.* 3.] 1350. *pl.* 1.
c. 27. Resumption of grants, [Exp.] 429. *pl.* 24.
c. 28. Lessees to enjoy their farms against tenants in tail, 475, 476. *pl.* 1—7.
ss. 5. and 8. are Exp.
c. 30. Jeofails and attornies, 41. *pl.* 14, 15., 409. *pl.* 1, 2.
c. 31. Recoveries by collusion, [Rep. 14 *El.* *c.* 8. *s.* 1.] 1317. Stat. *Rep.*
c. 32. Joint tenants, 1234. *pl.* 1. 4, 5.
c. 33. Wrongful disseisin no descent in law, 190. Disseisin, &c. *pl.* 10, 11.
c. 34. Grantees of reversion, 438. *pl.* 3. 5.
s. 3. Exp.
c. 35. Justices of forests to make deputies, 296. *pl.* 57, 58.

32 *Hen.* 8. A. D. 1540. (*continued.*)

c. 36. Exposition of Statute of Fines, 251. *pl.* 11. 17—20.

c. 37. Recovery of arrears of rent by executors, 438, 439. *pl.* 6—10.

c. 38. Precontracts; degrees of marriage, [Rep. as to annulling marriages for precontracts, 2 & 3 *Ed.* 6. *c.* 23. *s.* 2., and wholly 1 & 2 *P.* & *M.* *c.* 8. *s.* 20., but revived as to what was not repealed by 2 & 3 *Ed.* 6. by 1 *El.* *c.* 1. *s.* 11., and see 26 *G.* 2. *c.* 33. *s.* 13.] 508. *pl.* 2, 3.

c. 39. Great master of H. M.'s house, his jurisdiction, [Rep. 1 *Mar. St.* 3. *c.* 4.] 429. *pl.* 25.

c. 40. Physicians, 1242. *pl.* 9—12.

c. 41. Baking horsebread, [Rep. 21 *J.* 1. *c.* 21. *s.* 1.] 1567. Stats. *Rep. &c. pl.* 4.

c. 42. Barbers; surgeons; made one company; malefactors for anatomy, 1242. *pl.* 13, 14.

ss. 1. 3. 5—7. are virtually Rep. by 18 *G.* 2. *c.* 15. which divides the company of barbers and surgeons.

c. 43. Shire-days in county of *Chester*, 154. *pl.* 5, 6.

c. 45. Court of first-fruits and tenths, [Rep. 1 *El.* *c.* 4. *s.* 24., by the exceptions to the revivals therein,] 172. *pl.* 1., 258. *pl.* 2.

c. 46. Court of H. M.'s Wards. [Rep. 12 *C.* 2. *c.* 24. *s.* 3.] 174. *pl.* 1.

c. 47. Collections of tenths in diocese of *Norwich*, [Rep. *comm. semb.* 3 *G.* 1. *c.* 10. *s.* 1.] 172. *pl.* 1., 258. *pl.* 3.

c. 49. Pardon, [Exp.] 1214. *pl.* 6.

c. 50. Two subsidies, four fifteenths and tenths by the temporalty, [Exp.]

33 *Hen.* 8. A. D. 1541-2.

c. 1. Counterfeit letters, &c. to receive money, &c. in others' names, 122. *pl.* 1—4.

c. 2. Buying fish on sea, [Exp.] 261. *pl.* 5.

c. 3. Cloths in North *Wa.*, folding, [Rep. 49 *G.* 3. *c.* 109. *s.* 1.] 1598. *pl.* 38.

c. 4. Pewterers, 83. *pl.* 1., 84. *pl.* 11.

c. 5. Arms; keeping great horses, [Rep. 21 *J.* 1. *c.* 28. *s.* 11.]

c. 6. Cross-bows and hand-guns, [Rep. 25 *H.* 8. *c.* 6. *s.* 9., and *comm. semb.* 6 & 7 *W.* 3. *c.* 13. *s.* 3.] 309. *pl.* 5.

s. 23. is Rep. by 4 *J.* 1. *c.* 1. *s.* 9—21. cross-bows, &c. using on the borders of *Scotland*.

c. 7. Export of brass, &c. [*semble* Rep. 5 & 6 *W.* & *M.* *c.* 17., 53 *G.* 3. *c.* 45.]

c. 8. Witchcraft, [Rep. 1 *Ed.* 6. *c.* 12. *s.* 4., 1 *Mar.* (*St.* 1.) *c.* 1. *s.* 1.] 1593. Stats. *Rep. pl.* 1.

c. 9. Archery, 83. *pl.* 8. and *pl.* 3, 4. 11. 15. Unlawful games, 320. *pl.* 2—4. 6—16. Licences to keep gaming-houses, 320. Stats. *Rep. pl.* 3., *pl.* 2—4. 6—16.

ss. 5—6. 13. Rep. virtually by 8 *El.* *c.* 10. *s.* 2., 2 & 3 *P.* & *M.* *c.* 9., archery, 83. *pl.* 3.

ss. 21. 24. are Exp.

c. 10. Sessions, [Rep. 37 *H.* 8. *c.* 7.]

c. 11. Butchers to sell by weight or otherwise at pleasure, 106. Butchers, *pl.* 2.

c. 12. Murder and bloodshed in the court, 1201, 1202, *pl.* 4—14., 1332. *pl.* 7.

s. 25. is Exp.

c. 13. Lordships translated from county of *Denbigh* to *Flint*, 154. *pl.* 5. 7, 8., 1573. *pl.* 95—97.

c. 14. [Rep. 1 *Ed.* 6. *c.* 12. *s.* 4., 1 *Mar.* (*St.* 1.) *c.* 1. *s.* 1.] 1303. Prophecies, *pl.* 1.

c. 15. Sanctuary, [Rep. (except as to repeal of 32 *H.* 8. *c.* 12. *comm. semb.*) 1 *J.* 1. *c.* 26. *s.* 34., 21 *J.* 1. *c.* 28. *ss.* 6, 7.]

c. 16. Worsted yarn in *Norfolk*, (Local,) 1599. *pl.* 23.

c. 17. Washing Hemp and Flax, 349. Stats. *in force*, *pl.* 1., continuing statute, 40. *pl.* 10., 409. *pl.* 1., 1258. *pl.* 1., 1280. *pl.* 1. &c., Wool, 1599. *pl.* 24.

s. 1. and as to 26 *H.* 8. *c.* 11. Exp.

33 *Hen.* 8. A. D. 1541-2. (*continued.*)

c. 18. Kersey cloths, [Rep. 49 *G.* 3. *c.* 109. *s.* 1.] 1598. *pl.* 39.

c. 19. Shipping cloths, [Rep. 50 *G.* 3. *c.* 83.] 1599. *pl.* 18.

c. 20. Process in high treason, in cases of madness, 1544. *pl.* 39, 40.

s. 1. is Rep. by 1 & 2 *P.* & *M.* *c.* 10. *s.* 7., treason, lunacy.

c. 21. Attainder of Queen *Katharine*.

c. 22. Wards and liveries, [Rep. 12 *C.* 2. *c.* 24. *s.* 3.] 174. *pl.* 1.

c. 23. Oyer and terminer, murder to be tried by, in any county, [Rep. virtually as to treason, 1 & 2 *Ph.* & *M.* *c.* 10. *s.* 7. *c.* 24.] 364. *pl.* 14—17. Treason, 1543. *pl.* 9.

c. 24. Justice of assize, no man to be in his own county, [but Alt. 12 *G.* 2. *c.* 27.] 420. *pl.* 41. 43—46.

c. 27. Leases of corporations, 150. *pl.* 4, 5., 186. *pl.* 11—34.

c. 28. Noblemen's chaplains, 1389. *pl.* 58, 59.

c. 29. Late religious persons enabling to sue and be sued, [Exp.] 1388. *pl.* 16.

c. 39. Forms of obligations to H. M., [Exp. as to court of Surveyors,] 174. *pl.* 1.

s. 58. is Rep. *semb.* by effect of 1 *El.* *c.* 1. *s.* 24., abolishing court of augmentations.

ss. 1—49. 52, 53. 60, 61. Exp.

34 & 35 *Hen.* 8. A. D. 1542-3.

c. 1. Religion, [Rep. 1 *Ed.* 6. *c.* 12. *s.* 3. and Exp.] 1388. *pl.* 17.

c. 2. Collectors and receivers, 1320. Revenue, *pl.* 1—8.

c. 3. Assize of coal and wood, [Rep. 7 *Ed.* 6. *c.* 7 *s.* 1.] 308. Stat. *Rep.*

c. 4. Bankrupts, 57. *pl.* 1—7.

c. 5. Wills, 1590. *pl.* 2. 5—6.

ss. 5—13. 15—19. are Rep. by 12 *C.* *c.* 24. *s.* 1., as far as relates to lands not held in free and common socage, 334. Stats. *Rep.* &c. *pl.* 6.

ss. 1—3. are Exp. since virtual repeal of 32 *H.* 8. *c.* 1. *s.* 4. and *s.* 7. by 12 *C.* 2. *c.* 24. *s.* 1.

c. 6. Pins, making, [Rep. 37 *H.* 8. *c.* 13. *s.* 1.] 1250.

c. 7. Setting retail prices of wines by H.M.'s council, [Exp.] 1591. *pl.* 3.

c. 8. Administering outward medicines, 1242. *pl.* 15, 16.

c. 9. (*ss.* 1—5. Local.) *s.* 6. Harbours, casting ballast, &c. into, 1276. Stats. *in force*, *pl.* 1.

c. 11. Frizes and cottons in *Wa.*, [Rep. 5 & 6 *Ed.* 6. *c.* 6. *s.* 50.]

c. 13. Members of parliament for county palatine and city of *Chester*, 1216. *pl.* 36, 37.; writ of protection in exchequer at *Chester*, 154. *pl.* 9., 1304. Protections, *pl.* 7.

c. 14. Certificate of convicts to be made into K. B. 246. *pl.* 29—33.

c. 16. Sheriffs' accounts, [Rep. except *ss.* 1. & 3. 1359. *pl.* 43—46 by 2 & 3 *Ed.* 6. *c.* 4. *s.* 2.] 1357. *pl.* 7.

s. 2. Exp.

c. 17. First-fruits, 260. *pl.* 63, 64.

s. 4. Exp.

c. 19. Pensions out of the late abbies. [Exp.]

c. 20. Feigned recovery of land where H. M. is in reversion, 1318. *pl.* 11—14.

c. 21. Confirmation of letters patent, [*semb.* Exp.] 429. *pl.* 26.

c. 22. Fines in towns corporate, 429. *pl.* 97, 98.

c. 23. Executions of proclamations, [Rep. 1 *Ed.* 6. *c.* 12. *s.* 5.] 1294. Stats. *Rep.*

c. 26. For ordinances in *Wa.*, *pages* 1572—1576. *pl.* 98—102. 104. 106. 109—155. 157—201. 203—208.; *s.* 124. *page* 1571. *pl.* 62. 79. Common recoveries in *Wa.*, 251. *pl.* 21—25.

s. 4. and so much of *s.* 62. and *s.* 83. as relates to president and council of the marches, are Rep. by 1 *W.* & *M.* (*Sess.* 1.) *c.* 27. *s.* 2.

ss. 10. 99. as to trials in *Wa.* by justices' deputies, are Rep. by 12 *G.* 3. *c.* 51. *ss.* 3, 4.

ss. 11. 72. 97, 98. 129. are Exp.

34 & 35 *Hen.* 8. A. D. 1542-3. (*continued.*)

c. 26. *s.* 55. as to the number of justices of peace, is REP. by 5 & 6 *W.* & *M.* *c.* 4. *s.* 2.

s. 77. as to sheriffs issuing executions on judgments in county court, on plaints under 40*s.*, is REP.

s. 114. is REP. by 33 *G.* 3. *c.* 68. *s.* 2.

ss. 119, 120. are REP. by 21 *J.* 1. *c.* 10. *s.* 4. as to H. M. adding and altering laws made by great seal.

ss. 121—123. are REP. virtually by 11 & 12 *W.* 3. *c.* 20. *s.* 2. which abolished aulnage duties.

c. 27, 28. Subsidies of temporalty and clergy, [EXP.]

35 *Hen.* 8. A. D. 1543-4.

c. 1. Succession to the crown, [EXP. and REP. as to oath of supremacy, 1 & 2 *P.* & *M.* *c.* 8. *s.* 21.] 429. *pl.* 21.

c. 2. Treasons committed out of H. M.'s dominions, 1544. *pl.* 41—44.

c. 3. H. M.'s style, &c. [EXP. *comm. semb. see* 39 & 40 *G.* 3. *c.* 67., &c. and REP. 1 & 2 *P.* & *M.* *c.* 8. *s.* 20., *see* 1 *El.* *c.* 1. *s.* 2.] 430. *pl.* 32, 33.

c. 5. Qualification of the statute of the 6 articles, [REP. 1 *Ed.* 1. *c.* 12. *s.* 3.] 1387. *pl.* 11.

c. 6. Appearance of jurors in *nisi prius*, 413, 415. *pl.* 32, 33. 36. 38, 39. 44—47.

s. 3. return of hundredors in *venire*, is REP. virtually by 4 & 5 *A.* *c* 16. *s.* 6., and 24 *G.* 2. *c.* 18. *s.* 3.; jurors to be returned from the body of the county.

c. 7. Import of fish, 261. *pl.* 2.

c. 8. Coopers, [EXP.] 146. *pl.* 1.

c. 11. Wages of members of parliament in *Wa.*, 1216. *pl.* 30—34.

c. 12. Remission of loan. [EXP.]

c. 14. Preservation of tenures on certain abbey lands, [REP. 37 *H.* 8. *c.* 20., and 12 *C.* 2. *c.* 24. *s.* 1. as to all tenures in *capite*,] 1320. *pl.* 1. 4, 5.

c. 16. Examination of ecclesiastical laws, [EXP.] 168. *pl.* 21., 1387—1389. *pl.* 8. 30.

c. 17. Preservation of woods, 1595, 1596. *pl.* 1—19.

c. 18. Pardon, [EXP.] 1214. *pl.* 6.

37 *Hen.* 8. A. D. 1545.

c. 1. *Custos rotulorum* and clerk of peace, 132. *pl.* 1, 2. 4, 5.

s. 4. is EXP.

c. 4. Dissolution of colleges, &c. (*see* 1 *Ed.* 6. *c.* 14.) 1320. *pl.* 1.

c. 5. Jurors in attaint, 490, 491. *pl.* 44. 49. 54.

c. 6. Trespass, 1548. *pl.* 5.

ss. 1—3. which make burning frames for houses felony, are REP. by effect of 1 *Ed.* 6. *c.* 12., and 1 *M.* (*Sess.* 1.) *c.* 1.

c. 7. Six weeks sessions abrogated, *see* 33 *H.* 8. *c.* 10.

c. 8. Indictment; words *vi et armis*, 367. *pl.* 31—33., 383. *pl.* 4, 5.

c. 9. Usury, 1560. *pl.* 4. 6.

ss. 3, 4. and *s.* 6. *semble* since 12 *A.* (*St.* 2.) *c.* 16. *s.* 1. is EXP. rate of interest.

c. 10. Slanderous writings, [REP. by effect of 1 *Ed.* 6. *c.* 12. *s.* 4.] 1349. *pl.* 1.

c. 12. Tithes in *London*, 493. *pl.* 1.

c. 13. Pinners, 1250.

s. 2. is EXP.

c. 15. Regrating wools, [EXP.] (*see* 1 *Ed.* 6. *c.* 6. *s.* 1.) 1598. *pl.* 40.

c. 17. Doctors of civil law being married may exercise ecclesiastical jurisdiction, 168. *pl.* 28., 1389. *pl.* 41.

c. 19. Fines in county palatine of *Lancaster*, 156. *pl.* 4, 5.

c. 20. Tenure of lands of 40*s.* *per ann.*, or under, 1531. *pl.* 14, 15.

ss. 3, 4. are EXP.

c. 21. Union of churches, 124, STATS. *in force*. *pl.* 2. 5—9.

c. 22. Juries, 413. *pl.* 32.

c. 23. Continuing statutes, [EXP.] 40. *pl.* 10., 1280. *pl.* 1. Horses export, 366. *pl.* 4. JEOFAILS, 409. *pl.* 1. WINES, 1591. *pl.* 3. WOOL, 1599. *pl.* 24.

37 *Hen.* 8. A. D. 1545. (*continued.*)

c. 24. Subsidy by clergy.

c. 25. Subsidy by temporalty.

1 *Ed.* 6. A. D. 1547.

c. 1. Sacrament, 1350. *pl.* 1—8.

c. 2. Election of bishops; seals and styles of spiritual offices, [EXP. *comm. semb.*] 79. STATS. *Exp.* *pl.* 4.

c. 3. Vagabonds; Poor, [REP. 3 & 4 *Ed.* 6. *c.* 16.] 1561. *pl* 6.

c. 4. Tenures *in capite*, [REP. virtually 12 *C.* 2. *c.* 24. *s.* 1.] 428. *pl.* 10., 1530. *pl.* 6.

c. 5. Export of horses, [REP. as to *Scot.* 5 & 6 *A.* *c.* 8. *Art.* 18., and virtually by 22 *C.* 2. *c.* 13. *s.* 8.] 366, 367. *pl.* 2. 6—13

c. 6. Worsted yarn in *Norfolk*, (*Local*), 1599. *pl.* 23.

c 7. Demise of king; discontinuance of suits; preferment to dignities; commissions of justices, 188. *pl.* 1—7.

s. 4. as to sheriff is REP. by 1 *Mar.* *S.* 2. *c.* 8. *s.* 2.

c. 8. Patents confirmed, [EXP.] 429. *pl.* 27.

c. 10. Exigents and proclamations in *Wa.*, county palatine, and city of *Chester*, 543. *pl.* 23—28.

s. 7. Lord marchers in *Wa.*, is REP. by 1 *W.* & *M.* *St.* 1. *c.* 21. *s.* 2.

c. 11. Power of the crown to revoke statutes, [REP. 24 *G.* 2. *c.* 24. *s.* 23.] 429. *pl.* 22.

c. 12. REPEALS (*s.* 2.) all acts creating *treasons*, 1543. *pl.* 2, 3. 5—7., except 25 *E.* 3. *St.* 5. *c.* 2. 1544, 1545. *pl.* 33, 34. 52, 53. *Felonies* or *præmunire* since 1 *H.* 8. *page* 249. *pl.* 34—36. Benefit of clergy, 75. *pl.* 4. 11. BIGAMY, 76. *pl.* 2. Homicide, 364. STATS. *Rep.* *pl.* 1. 19, 20. Dower in case of treason, 192. *pl.* 15. HORSES, *s.* 4. STATS. *Rep.* *pl.* 4. *s.* 10. *tit. id.* *pl.* 31—33. Challenges to jurors, 415. *pl.* 55. Peers, 1239. *pl.* 13, 14. Sedition, 1349, 1350. *pl.* 1—4. 9. Doctrine of Religion, 1351. *pl.* 9.

ss. 6—9. 19—22. REP. by 1 *M.* *S.* 1. *c.* 1. *s.* 3. Treasons.

s. 17. as to treason, is REP. by 5 & 6 *E.* 6. *c* 11. *s.* 13.

s. 9. Settlement of crown. *s.* 12. Treason, and *semble*, *s.* 21. as to style of king of *France*, EXP.

c. 13. Subsidy of tonnage und poundage; proviso for merchants of Still-yard, [EXP.]

c. 14. Certain colleges, chapels, &c. given to H. M., [EXP.] 1320. *pl.* 12.

c. 15. Pardon, [EXP.] 1214. *pl.* 6.

2 & 3 *Ed.* 6. A. D. 1548.

c. 1. Uniformity of service and sacraments, 1351. *pl.* 10.. 15—22. 27—30.

s. 8. EXP. procuring books of church services,

c. 2. Soldiers' service, 1380, 1381. *pl.* 8—24.

c. 3. Purveyors, [EXP.] 1305. *pl.* 3.

c. 4. Sheriffs' allowance on accounts, 1359. *pl.* 43—52.

c. 5. Remitting fee-farms for 3 years, [EXP.] 174. STATS. *Rep.* &c. *pl.* 3.

c. 6. Against exaction by any officer for licence to trade to *Ire.* [*semb*: EXP.]

c. 7. Crafty and deceitful buying of pensions, [EXP.]

c. 8. Finding offices before the escheator, 236. *pl.* 23—28.

ss. 4, 5. 8—12. *semble* REP. by 12 *C.* 2. *c.* 24. *s.* 1, 2. Feudal tenures, &c.

c. 9. Leather, [REP. 5 *El.* *c.* 8., which with all acts thereby REP. is REP. 1 *J.* 1. *c.* 22. *s.* 58., which is REP. 48 *G.* 3. *c.* 60. *s.* 1., and is also REP. by 1 *J.* 1. *c.* 25. *s.* 47. *Qu.* if 2 & 3 *E.* 6. *c.* 9. is not then *in force*?] 478. *pl.* 7.

c. 10. Malt, 500, 501. *pl.* 3—7.

c. 11. [REP. 5 *El.* *c.* 8.; but see above, *c.* 9.] 478. *pl.* 8.

c. 13. Tithes, 1536, 1537. *pl.* 21—37.

c. 14. Shooting hail-shot, [REP. 6 & 7 *W.* & *M.* 3. *c.* 13. *s.* 3.] 83. *pl.* 9., 309. *pl.* 6.

c. 15. Victuallers and handicraftsmen, 145. *pl.* 6—9.

s. 4. is REP. by 3 & 4 *Ed.* 6. *c.* 20. *s.* 3. Workmen.

2 & 3 *Ed.* 6. A. D. 1548. (*continued.*)

c. 16. Castles, &c., removal of persons having custody of, [Exp.] 1530. *pl.* 8.
c. 19. Abstinence from flesh, [Exp.] 361. Stats. *Exp.*
c. 20. Recusants. First fruits, 258, 259. *pl.* 3. 28—30.
c. 21. Marriage of priests, 1389. *pl.* 42, 43. 45.
c. 22. Colouring customs in other men's names.
c. 23. Marriage, precontracts of, 508. *pl.* 2. 4.
s. 3. Exp. marriages.
c. 24. Trial of murders and felonies in several counties, 246. *pl.* 37—40. Appeal, 27. *pl.* 11.
c. 25. Keeping county days, 167. *pl.* 1, 2.
c. 26. Export of white ashes, [Rep. 28 *G.* 3. *c.* 16.]
c. 27. False making of gadds of steel, 184. *pl.* 1, 2.
c. 28. Fines with proclamation in county palatine of *Chester*, 154, 155. *pl.* 12, 13.
c. 29. Sodomy, [Rep. virtually by 1 *M. S.* 1. *c.* 1., but see 5 *El. c.* 17.] 1380. *pl.* 1, 2.
c. 31. Recognizances of statute merchant or *Acton Burnell* in city of *Chester*, 154. *pl.* 11, 12.
c. 32. Continuing statute; juries, 413. *pl.* 32.
c. 33. No horse-stealer to have benefit of clergy, 367. *pl.* 31. 33.
c. 34. Sheriff of Northumberland to account as another sheriff, 527. *pl.* 7—9.
c. 35. Subsidy of clergy, [Exp.]
c. 36. Grant of relief to H. M. by the lords and commons, [Exp.]
c. 37. Export of bell-metal, &c. [but see 7 *A. c.* 8. *s.* 8. Rep. 53 *G.* 3. *c.* 45.]
c. 39. Pardon, [Exp.] 1214. *pl.* 6.

3 & 4 *Ed.* 6. A. D. 1549.

c. 1. Naming *custos rotulorum*, 132. *pl.* 2. 4.
s. 3. Rep. *semb.* by *W. & M.* (*Sess.* 1.) *c.* 21. *s.* 4.; and see 37 *H.* 8. *c.* 1., and 4 *Bla. Comm.* 272. appointment of *custos rotulorum*.
c. 2. Cloths, [Rep. 49 *G.* 3. *c.* 109. *s.* 1.] 1598. *pl.* 41.
c. 3. Improvement of commons and waste grounds, 142. *pl.* 1. 5—7.
c. 4. Grants by patentees, 430. *pl.* 34, 35.
c. 5. Unlawful assemblies, [Exp.] 36. Stats. *Rep. pl.* 2.
c. 6. Leather tanned, [Exp.] 478. *pl.* 9.
c. 7. Taking wild fowl, [Exp. *comm. semb.*] 309. *pl.* 7.
c. 8. Sewers, 1354. *pl.* 1., 1356. *pl.* 25.
c. 9. [Rep. 5 *El. c.* 8. (*sed quære*, note to 2 & 3 *Ed.* 6. *c.* 9.) which relates to this act also.] 349. Hides and Skins, Stats. *Rep. pl.* 1.
c. 10. Abolishing divers books, and images, 83 Books. *pl.* 5—7.
ss. 2—4. are Exp.
c. 11. Ecclesiastical laws, perusing and making, by 32 persons nominated by H. M., [Exp.] 168. *pl.* 21., 1387. *pl.* 8.
c. 12. Ordering of ecclesiastical ministers, 1388, 1389. *pl.* 19. 60.
c. 15. Prophecies, fond and fantastical, [Exp.] 1303. Stats. *Rep. pl.* 2.
c. 16. Vagabonds, [Rep. 21 *J.* 1. *c.* 28. *s.* 11., 14 *El. c.* 5. *s.* 1.] 1258. *pl.* 1.
c. 17. Unlawful hunting in parks, &c. [Exp.] 309. *pl.* 8.
c. 18. Fee-farms, [Exp.]
c. 19. Buying cattle, [Exp.] 115. *pl.* 3.
c. 20. Victuallers and workmen.
c. 21. Forestallers of butter and cheese, 106. *pl.* 1. [Rep. 12 *G.* 3. *c.* 71. *s.* 1.] 106. *pl.* 1.
c. 22. Retaining journeymen, [Rep. by general words of 5 *El. c.* 4. *s.* 2.] 27. *pl.* 1., 435. *pl.* 18.
c. 23. Relief to H. M.; subsidy one year, [Exp.]
c. 24. Pardon, [Exp.] 1214. *pl.* 6.

5 & 6 *Ed.* 6. A. D. 1552.

c. 1. Uniformity of Common Prayer and Sacraments, 1351. *pl.* 10. 12. 23—26.
c. 2. Poor, [Rep. 14 *El. c.* 5. *s.* 1.] 1258. *pl.* 2.

5 & 6 *Ed.* 6. A. D. 1552. (*continued.*)

c. 3. Holidays, 362. *pl.* 1—8.
s. 4. *semble* Exp.
c. 4. Quarrelling and fighting in churches and church-yards, 125. *pl.* 19—22.
c. 5. Tillage; spiritual leases, [Rep. 5 *El. c.* 2. *s.* 3., 21 *J.* 1. *c.* 28. *s.* 11.] 373. Husbandry, *pl.* 4.
c. 6. Cloths, [Rep. 49 *G.* 3. *c.* 109. *s.* 1.] 1598. *pl.* 42.
c. 7. Wool, [Rep. 21 *J.* 1. *c.* 28. *s.* 11.]
c. 8. Makers of broad-cloth, [Rep. virtually, 1 *Mar.* (*Sess.* 3.) *c.* 7. which is Rep. 49 *G.* 3. *c.* 109. *s.* 1.] 1598. *pl.* 43.
c. 9. Robbery; benefit of clergy, 1329. *pl.* 1. 3.
c. 10. Benefit of clergy; robbing in one shire, and fleeing to another, 75. *pl.* 4. 76. 12.
c. 11. Punishment of treasons, 1350. *pl.* 5—10., 1544, 1545. *pl.* 41. 45—51.
ss. 3—5. are Rep. by 1 *Mar.* (*Sess.* 1.) *c.* 1. *s.* 3. treasons.
c. 12. Marriage of priests, 1389. *pl.* 44, 45.
c. 13. Religious persons, [Exp.] 1387. *pl.* 12.
c. 14. Forestallers, &c. [Rep. 12 *G.* 3. *c.* 71. *s.* 1.] 294. *pl.* 1.
c. 15. Leather; tanners, &c. [Rep. in part by 1 *M. S.* 3. *c.* 8. *s.* 2. and note to 2 & 3 *Ed.* 6. *c.* 9. which applies to this act] 478. *pl.* 1—7.
s. 5. is Rep. virtually by 13 & 14 *C.* 2. *c.* 7. *s.* 6. export of shoes, &c.
c. 16. Buying and selling offices, 537, 538. *pl.* 7—11.
c. 17. Continuing statutes, [Exp.]
c. 18. Wine, import of, (see 5 *El. c.* 5. *s.* 11.)
c. 19. Gold and silver, 136. *pl.* 22, 23.
c. 20. Usury, [Rep. 13 *El. c.* 8. *s.* 2.] 1560. *pl.* 5.
c. 21. Tinkers and pedlars, [Rep. 1 *J.* 1. *c.* 25. *s.* 42.] 345. Stats. *Rep.* &c. *pl.* 1.
c. 22. Cloths; gig mills, [Rep. 49 *G.* 3. *c.* 109. *s.* 1.] 1598. *pl.* 44.
c. 23. Stuffing feather beds, &c. 1559. Upholsterers, *pl.* 1—3.
c. 25. Recognizances of keepers of alehouses, 14. Alehouses, Stats. *in force*, *pl.* 1—7.
c. 26. Proclamations and *exigents* within co. palatine of *Lancaster*, 156. *pl.* 6—12.

7 *Ed.* 6. A. D. 1553.

c. 1. H. M.'s revenues, 1321. *pl.* 9—26.
ss. 2. 19. are Exp.
c. 2. [Rep. *comm. semb.* 1 *El. c.* 4. *s.* 15. and *s.* 24., and *semb.* Exp.] 162. Court of Augmentations, *pl.* 2.
c. 3. Letters patent of H. M.'s bargains and sales, confirmation of, [Exp.] 429. *pl.* 28.
c. 4. Collectors of tenths, 259, 260. *pl.* 3., 32. 46—48.
s. 1. and 5. are Rep. by 3 *G.* 1. *c.* 10. *s.* 1. *comm. semb.* and see *id. s.* 2. collectors of tenths, &c.
c. 5. Wines, 1592. *pl.* 14—19.
ss. 1, 2. are Rep. by 1 *J.* 1. *c.* 25. *s.* 43., prices of wines.
c. 6. Gold and silver (and see 59 *G.* 3. *c.* 49. *ss.* 11, 12.) [Exp.] 135. *pl.* 15.
c. 7. Assize of fuel, 308. *pl.* 1—5.
ss. 2, 3. as to assize of coals in *London* and *Westminster*, are Rep. by 47 *G.* 3. *Sess.* 2. *c.* lxviii. *s.* 1.
s. 3. as to penalty of 3*s.* 4*d.* is Rep. by 43 *El. c.* 14. *s.* 1.
s. 7. is Exp.
c. 8. Fulling caps, [Exp. and Rep. 1 *J.* 1. *c.* 25. *s.* 38.] 344. *pl.* 1. 5.
c. 11. Continuance of statutes, [Exp.] 366. *pl.* 4.
c. 12. Subsidy and two 15ths by temporalty, [Exp.]
c. 13. Subsidy by clergy, [Exp.]
c. 14. Pardon, [Exp.] 1214. *pl.* 6.
c. 15. Dissolution of bishopric of *Durham*, [*semb.* Rep. 1 *M. S.* 3. *c.* 3.]

1 *Mar. Sess.* 1. A. D. 1553.

c. 1. Repeals (*s.* 3.) all acts creating treason since 25 *Ed.* 3. (*St.* 5.) *c.* 2., 1544. *pl.* 33, 34.; and *s.* 5. repeals all acts creating felonies, or *premunire*, since 1 *H.* 8., 246. *pl.* 34, 35.
s. 4. is Exp.

1 *Mar. Sess.* 2. A. D. 1553.

c. 1. Legitimacy of Q. *Mary*, [Exp.] 429. *pl.* 29.
c. 2. Repeal of certain statutes, *temp. Ed.* 6. [Rep. as to sacraments, 1 *El. c.* 2. *s.* 2., and *per tot.* 1 *J.* 1. *c.* 25. *s.* 48.] 79. Stats. *Exp. pl.* 4.
c. 3. Offenders of ministers of church, 1351, 1352. *pl.* 34—39.
c. 4. Certain writings made before 1*st Aug.* [Exp.] 1553.
c. 5. Limitation, 483. *pl.* 1. 9.
s. 4. is Rep. in part by 12 *C.* 2. *c.* 24. *s.* 2. which repeals wardships and knights service.
c. 6. Counterfeiting coin or privy seal, 296. *pl.* 1, 2.
c. 7. Proclamations on fines, 251. *pl.* 11. 13.
s. 3. is Exp.
c. 8. Sheriffs, 1359. *pl.* 53. Justices of peace, 188. *pl.* 5.
c. 9. Incorporation of physicians in *London*, 1242, 1243. *pl.* 17—20.
c. 10. Court of augmentations, [Rep. by the exception in 1 *El. c.* 14. *s.* 15. and *s.* 24. to the revivals made by that act] 162. *pl.* 3.
c. 11. Sale of hats and caps imported, [Rep. 1 *J.* 1. *c.* 25. *s.* 39.] 344. *pl.* 6.
c. 12. Unlawful and rebellious assemblies, [Exp.] 36. Stats. *Rep.* &c. *pl.* 3.
c. 13. Continuance of statutes, [Exp.]
c. 14. Prisons, [Exp.] 1280. *pl.* 1.
c. 17. Subsidy of temporalty, [Exp.]
c. 18. Tonnage and poundage, [Exp.]

1 *Mar. Sess.* 3. A. D. 1553.

c. 1. Power of a queen, 430. *pl.* 37.
c. 2. Queen *Mary's* marriage, [Exp. and Rep. as to signing letters patent, &c. by 1 & 2 *P. & M. c.* 1. *s.* 3.] 429. *pl.* 30.
c. 3. Dissolution of bishopric of *Durham*.
c. 4. Lord steward of household, 430. *pl.* 38.
c. 7. Cloths, [Rep. 49 *G.* 3. *c.* 109. *s.* 1.] 1598. *pl.* 43. 45.
c. 8. Leather, buying and currying, [Rep. 1 *El. c.* 8., and 1 *J.* 1. *c.* 22., but *Qu.* see note to 2 & 3 *Ed.* 6. *c.* 9.] 478. *pl.* 10.
c. 9. Ordinances in cathedral churches, [Exp.] 124. *pl.* 1.
c. 11. Sea-sands in *Glamorganshire*, 1354—1356. *pl.* 7. 26.
c. 12. Statutes continued, [Exp.]

1 & 2 *P. & M.* A. D. 1554.

c. 1. Patents, signing, [Exp. virtually] (*see* 1 *M. S.* 3. *c.* 2. *above.*)
c. 2. Apparel, [Rep. 1 *J.* 1. *c.* 25. *s.* 45.] 27. *pl.* 8.
c. 3. Seditious words and rumours, [Exp.] 1349. *pl.* 2.
c. 4. Gypsies, 337. *pl.* 1, 2. 5—8.
s. 3. is Rep. by 1 *G.* 4. *c.* 116. *s.* 1. gypsies, punishment of.
ss. 4, 5. 7. gypsies, punishment of, are Exp.
c. 5. Exporting corn, victuals, and wood.
c. 6. Heresy, [Rep. 1 *El. c.* 1. *s.* 15.]
c. 7. Retailing wares in cities, in fairs, 508. *pl.* 17—20.
c. 8. Ecclesiastical jurisdiction of the crown, [Rep. except *s.* 18. (79. Stats. *Exp. pl.* 2.) and *s.* 40., quieting possessions of abbey lands, &c. 1303. *pl.* 7., 1320. *pl.* 13., by 1 *El. c.* 1. *s.* 2. and *s.* 32.] 1202. Papist, *pl.* 1, 2., 1387. *pl.* 8.
c. 9. Traiterous words against H. M., [Exp.] 1543. *pl.* 10.
c. 10. Treason, 429. *pl.* 31., 1543—1545. *pl.* 11. 31. 54.
ss. 1—6. 9—13., issue of *P. & M.*, are Exp.
c. 11. Counterfeit foreign coin, 137. *pl.* 39—41.
c. 12. Impounding distresses, 191. *pl.* 28—31., 1320. *pl.* 1.
c. 13. Justices of peace; bailing prisoners, 47. *pl.* 1. 7—13. Coroners, 149. *pl.* 19. Removal of prisoners and recognizances, 1618. *pl.* 21.
c. 15. Liberties of marchers in *Wa.*, 1577. *pl.* 91, 92.
c. 16. Statutes continued, [Exp.]
c. 17. Leases by spiritual persons, 476. *pl.* 20, 21.

2 & 3 *P. & M.* A. D. 1555.

c. 1. Re-edifying castles, &c. on *Scotch* borders, [Rep. 4 *J.* 1 *c.* 1. *s.* 7.] 1338. *pl.* 2.
c. 2. [Rep. 5 *El. c.* 2. *s.* 3.] 373. Husbandry, *pl.* 5.
c. 3. Cattle; Forestallers, [Rep. 12 *G.* 3. *c.* 71. *s.* 1.] 115. *pl.* 4.
c. 4. First-fruits, &c. [Rep. 1 *El. c.* 4. *s.* 22.] 75. *pl.* 4., 76. *pl.* 14, 15., 258. *pl.* 4.
c. 5. Poor, [Exp.] 1258. *pl.* 2.
c. 6. Purveyance, [Rep. virtually, 12 *C.* 2. *c.* 24. *s.* 12.] 1305. *pl.* 3.
c. 7. Against buying stolen horses, 367, 368. *pl.* 34—41.
c. 8. Highways, [Rep. 7 *G.* 3. *c.* 42. *s.* 57.] 352. *pl.* 2.
c. 9. Gaming; licences taken away, 320. Stats. *Rep. pl.* 3.
c. 10. Examination of prisoners suspect of manslaughter or felony, 246. *pl.* 41, 42.
c. 11, 12. Cloths, [Rep. 49 *G.* 3. *c.* 109. *s.* 1.] 1598. *pl.* 46, 47.
c. 15. Purveyance within 5 miles of *Cambridge* and *Oxford*, [Rep. virtually, 12 *C.* 2. *c.* 24. *s.* 12.] 1305. *pl.* 3.
c. 16. Watermen on *Thames*, 1581, 1582. *pl.* 2—8. 10—14.
s. 11. is Rep. by 34 *G.* 3. *c.* 65. *s.* 1., *Thames* watermen's fares. *Qu.* if *s.* 12. is Rep. by 5 *El. c.* 4. *s.* 2.?
c. 18. Commissions of peace and gaol delivery, in towns corporate, not being counties of themselves, 150. *pl.* 6, 7.
c. 19. Powdike in marshland, 246. *pl.* 24.
c. 20. Duchy of *Lancaster*, enlarging, 156, 157. *pl.* 13—20.
c. 21. Continuing statutes, [Exp.]
c. 22. Subsidy from clergy, [Exp.]
c. 23. Subsidy from temporalty, [Exp.]

4 & 5 *P. & M.* A. D. 1557.

c. 1. Letters patent confirmed, [Exp.]
c. 2. Horse-armour and weapon, keeping, [Rep. 1 *J.* 1. *c.* 25. *s.* 47.] 32. Stats. *Rep.* &c. *pl.* 1. 4.
c. 3. Taking of musters, [Rep. by general words of 26 *G.* 3. *c.* 107., but that act is Rep. by 42 *G.* 3. *c.* 90. *Qu.* if 4 *P. & M. c.* 3. is Rev.] 1380. Soldiers, *pl.* 1.
c. 4. Accessaries in murder and felonies. Benefit of clergy, 76. *pl.* 14, 15.
c. 5. Cloth, [Rep. partly by 21 *J.* 1. *c.* 28. *s.* 11. *per tot.*, 49 *G.* 3. *c.* 109. *s.* 1.] 1598, *pl.* 48.
c. 6. Frenchmen being denizens, behaviour enquired of, [Exp.] 19. Stats. *Rep. pl.* 3.
c. 7. Jury *de circumstantibus* where H. M. is a party, 413, 414. *pl.* 32. 40.
c. 8. Abduction of women, 1594, 1595. *pl.* 7—13.
c. 9. Confirmation of statutes, [Exp.]
c. 10. Subsidy of the clergy, [Exp.]
c. 11. Subsidy, and one 15th of temporalty, [Exp.]

1 *Eliz.* A. D. 1558.

c. 1. Ecclesiastical jurisdiction of the crown, 430. *pl.* 39—58.
s. 18. is Rep. by 16 *C.* 1. *c.* 11. *ss.* 1—3., 13 *C.* 2. *St.* 1. *c.* 12. *s.* 3. high commission court.
s. 19. as to the oath of supremacy, is Rep. by 1 *W. & M. St.* 1. *c.* 8. *s.* 2.
ss. 39—43. are Exp.
c. 2. Uniformity of service and sacraments, 1351. *pl* 10, 11. 13—18. 23, 24. 26—33.
s. 19. is Exp.
c. 3. Recognition of Queen *Elizabeth's* title to the crown, [Exp.] 429. *pl.* 32.
c. 4. Restitution to the crown of first-fruits and tenths, and parsonages impropriate, 258—260. *pl.* 3—6. 49—62. Reviving statutes. Spiritual leases, &c. Courts of augmentation and first-fruits, 163. *pl.* 2—4
ss. 28. 36. 39. are Exp.
c. 5. Treason, 1543. *pl.* 12. [Exp.]
c. 6. Slander of great men, [Exp.] 1349. *pl.* 2.

1 *Eliz.* A. D. 1558. (*continued.*)

*c.*7 Horses, carrying into *Scotland*, [Rep. 4 *J.*1. *c.*1. *ss.*6. 8.] 366. *pl.*5.

*c.*8. Shoemakers and curriers, [Rep. 5 *El.* *c.*8. *s.*1., 18 *El.* *c.*9. *s.*1.] 478. *pl.*12.

*c.*9. Tanners, [Rep. 5 *El.* *c.*8. *s.*1., 1 *J.*1. *c.*22. *s.*58. but see note to 2 & 3 *Ed.*6. *c.*9.]

*c.*10. Leather, export, felony. [Rep. 18 *El.* *c.*9. *s.*1.]

*c.*11. Times of laying on land; imported merchandize; customs for sweet wines.

*c.*12. Linen manufacture, 484. *pl.*2—6.

*c.*13. Shipping in *English* bottoms. [Exp.]

*c.*14. Cloths, [Rep. 49 *G.*3. *c.*109 *s.*1.] 1598. *pl.*49.

*c.*15. Felling timber for charcoal for making iron, 1596. *pl.*21—23.

*c.*16. Assemblies. [Exp.] 36. Stats. *Exp.* *pl.*3.

*c.*17. Spawn and fry of fish, 261, 262. *pl.*22—34.

*s.*3. is Rep. by 18 *G.*3. *c.*33. *s.*1. Fisheries, *Severn*, *Verniew.* *s.*13. is Exp.

*c.*18. Continuing statutes, [Exp.]

*c.*19. Temporalties of bishopries, &c. on avoidance, 80, 81. *pl.*35–39.

*c.*20. Tonnage and poundage. [Exp.]

*c.*21. Subsidy and two fifteenths and a tenth, granted by temporalty. [Exp.]

*c.*22. Queen making ordinances in collegiate Churches and schools, [Exp.] 124. *pl.*2.

5 *Eliz.* A. D. 1562.

*c.*1. Assurance of H. M.'s supremacy in this realm, 1203. *pl.*2—10. Oaths, 529, 530. *pl.*1—12. Præmunire, *pl.*8.

*c.*2. Tillage. Spiritual leases, [Rep. (except *s.*3. *comm. semb.*) 21 *J.*1. *c.*28. *s.*11.] 373. Husbandry, *pl.*6.

*c.*3 Poor, [Rep. 14 *El.* *c.*5. *s.*1.] 1258. *pl.*2.

*c.*4. Labourers, servants in husbandry, 435, 436. *pl.*3, 4. 6—16. 19—23. Apprentices, 27, 28. *pl.*6. 10—13. 24—30.

*s.*2. 4. 25—30. 41. *comm. semb.* are Rep. by 54 *G.*3. *c.*96. *s.*2.

*ss.*15—20. are Rep. virtually, *comm. semb.* 53 *G.*3. *c.*40. *s.*1.

*s.*31. is partly Rep. by 17 *G.*3. *c.*33. Dyers. 17 *G.*3. *c.*55. *s.*5. Hatmakers, *per tot.* 54 *G.*3. *c.*96. *s.*1.

*ss.*2—4. 27. 29. 31. 33. are also Rep. by 49 *G.*3. *c.*109. *s.*2.

*s.*32. is also Rep. by 5 & 6 *W.* & *M.* *c.*9. *s.*2.

*s.*46. is Exp.

*c.*5. Navy, apprentices to, 28. *pl.*31. Fisheries, 262. *pl.*35—43. Fasts, 362. *pl.*9—29. Corn, export of; wines and woad, prices and import of; trial of offences respecting, by admiralty, *ss.*11. 33—35. 42—45. and 50. Fishermen serving as soldiers, 1342. *pl.*1, 2.

*s.*4. is Rep. by 12 *C.*2. *c.*24. *s.*12.

*s.*13. is Rep. by 12 *G.*3. *c.*71. *s.*1.

*ss.*14—16. are Rep. by 27 *El.* *c.*11. *s.*3. *but that act is* Exp.

*ss.*28—29. are Rep. by 35 *El.* *c.*7. *s.*21.

*ss.*1—9. 22. 51. are Exp.

*c.*6. Barter of ware for apparel, [Exp.] 27. *pl.*9.

*c.*7. Foreign wares, avoiding.

*c.*8. Butchers, [Rep. 1 *J.*1. *c.*22. *s.*58., *id.* *c.*25. *s.*47., which last seems effectually to repeal it; but see note to 2 & 3 *Ed.*6. *c.*9. 478. *pl.*13.] 106. *pl.*1. Hides, &c. 349. *pl.*1.

*c.*9. Perjury, 1241, 1242. *pl.*1—12.

*c.*10. Embezzlement by servants, 510. *pl.*1.

*c.*11. Clipping, &c. coin, 136. *pl.*28—29. 31—33.

*c.*12. Forestallers of corn and cattle, [Rep. 12 *G.*3. *c.*71. *s.*1.] 115. *pl.*5.

*c.*13. Highways, [Rep. 7 *G.*3. *c.*42. *s.*57.] 352. *pl.*2.

*c.*14. Repeals (*s.*11.) all statutes relating to forging of deeds, wills, &c. 296. *pl.*3—16.

*ss.*13—14. Forging and pleading forged deeds, are Exp.

*c.*15. Prophecies, 1303, 1304. Stats. *in force*, *pl.*1—5.

*c.*16. Witchcraft, [Rep. 1 *J.*1. *c.*12. *s.*1.] 1593. Stats. *Rep.* *pl.*2.

*c.*17. Sodomy, 1580. *pl.*1,

5 *Eliz.* A. D. 1562. (*continued.*)

*c.*18. Lord keeper and lord chancellor's authority, 162. *pl.*9.

*c.*19. Export of horses. [Rep. virtually, 22 *C.*2. *c.*13. *s.*8.]

*c.*20. Gypsies, [Rep. 23 *G.*3. *c.*51.] 337. Stat. *Rep.*

*c.*21. Unlawful taking of fish, deer, and hawks, 310, 311. *pl.*30—36.

Rep. as to deer, (*viz.* *s.*3. and *s.*4.) in part by 16 *G.*3. *c.*30. *s.*27.

*c.*22. Carrying sheep skins and pelts over sea, not being staple ware, [*semb.* virtually Rep. 28 *G.*3. *c.*38. *s.*1.], 349. Hides, &c. Stats. *in force*, *pl.*1, 2.

*s.*2. is Rep. in part as to export of tawed leather made of sheep and lamb skins, by 8 *El.* *c.*14. *s.*2.; and see now 28 *G.*3. *c.*38. *s.*1.

*c.*23. *Excommunicato capiendo*, 11. Additions, *pl.*1., 239, 240. *pl.*4—17.

*c.*24. Gaols, (reviving 23 *H.*8. *c.*2.) [Exp.] 1280. *pl.*1.

*c.*25. Juries *de circumstantibus* in *Wa.*, 413, 414. *pl.*32. 41. 43—47., 1576. *pl.*209.

*c.*26. Inrolments of bargains and sales in courts of *Lancaster*, *Chester*, and *Durham*, 154. *pl.*1—3.

*c.*27. Fines in county palatine of *Durham*, 155. *pl.*1—2.

*c.*28. Translating bible and divine service into *Welsh*, 1576. *pl.*210—212.

*c.*29. Subsidy by clergy, [Exp.]

*c.*30. Subsidy and two 15ths and 10ths by the temporalty, [Exp.]

*c.*31. Pardon, [Exp.] 1214. *pl.*6.

8 *Eliz.* A. D. 1565.

*c.*1. Consecration of archbishops and bishops, 79. Stats. *Exp.* *pl.*4. 81. *pl.*42—45.

*s.*4. and *ss.*6, 7. are Exp.

*c.*2. Defendant's costs, being wrongfully vexed; arrest, 33. *pl.*1—5

*c.*3. Exporting live sheep, [Rep. 28 *G.*3. *c.*38. *s.*1.]

*c.*4. Benefit of clergy, 76. *pl.*16, 17. Watermen, 1581, 1582. *pl.*2. 15.

*ss.*1, 2. are Rep. by 48 *G.*3. *c.*129. *s.*1., stealing privately from the person, clergyable.

*c.*5. Appeals in civil and marine causes, abridgment of, 11. Admiralty, *pl.*10, 11.

*c.*6. Clothworkers and cloths, export of, 1599. *pl.*32—36.

*c.*7. Drapers, &c. in *Shrewsbury*, (Local.)

*s.*3. is Rep. by 14 *El.* *c.*12. *s.*3., drapers, frizers, &c. in *Shrewsbury*.

*c.*8. Horses, (*see* 32 *H.*8. *c.*13. *s.*2.) 367. *pl.*14. 21, 22.

*c.*9. Prices of barrels and kilderkins, 147. *pl.*12—14.

*c.*10. Bowyers and prices of Bows, Stats. *Rep.*, &c. 83. *pl.*3. 8. 10.

*c.*11. Hatmakers; velvet cap, wearing, [Rep. 17 *G.*3. *c.*55. *s.*1.] 27, *pl.*10., 344. *pl.*7.

*c.*12. Cottons, frizes and rugs, length, &c. of, 46. Alnage, *pl.*5., 152. *pl.*1—6.

*s.*1. and *ss.*3, 4. are Rep. by 1 & 2 *W.*3. *c.*20. *s.*2. and *s.*4. Alnager's fees in *Lancashire*.

*c.*13. Sea marks and mariners, 1341. *pl.*1—4.

*c.*14. Leather, export of, (*see* 13 & 14 *C.*2. *c.*7.) 349. Hides, &c. Stats. *in force*, *pl.*1, 2.

*c.*15. Crows and choughs; preservation of grain, [Exp.] 184. *pl.*1, 2.

*c.*16. Sheriffs, in what counties, 1359. *pl.*54—58.

*c.*17. Subsidy by clergy, [Exp.]

*c.*18. Pardon, 1214. *pl.*6.

*c.*19. A 15th and 10th granted by temporalty, [Exp.]

*c.*20. Trial of offences in *Merionethshire*, not to be in *Carnarvonshire* or *Anglesea*, 1570. *pl.*40.

13 *El.* A. D. 1570.

*c.*1. Treasons, 1543. *pl.*12.

13 *El.* A.D. 1570. (*continued.*)

*c.*2. Import and executing bulls, &c. from *Rome*, 1203. *pl.*12—22.
*s.*9. Bulls, &c. from *Rome*, Exp.
*c.*3. Fugitives over sea, [Exp.] 187. *pl.*2.
*c.*4. Liability of lands and goods of receivers to payment of their debts, 243. *pl.*1—12.
*ss.*6—8. and *s.*16., Receivers liability, Exp.
*c.*5. Fraudulent deeds, gifts, alienations, &c., 303. *pl.*11. 13—17.
*c.*6. Exemplifications of patents, force of, 430. *pl.*34. 36.
*c.*7. Bankrupts, 58. *pl.*8, 9., 58, 59. *pl.* 17—27.
*c.*8. Usury; rate of interest, 1560. *pl.*6.
ss. and 3—10., as to rate of interest, are Exp. since, or Rep. by 12 *A. S.*2. *c.*16. *s.*1.
*c.*9. Commission of sewers, 1354—1356, *pl.*7. 27—32.
*c.*10. Dilapidations, frauds for defeating, 304. *pl.*10, 11.; 476. *pl.*22, 23. 27, 28.
*s.*5. *semble* Rep. by 43 *G.*3. *c.*84. *s.*10., 57 *G.*3. *c.*99. *s.*1.
*c.*11. Maintenance of navigation; fisheries, 262. *pl.*44—47.; Measure of herring barrels, 1588. *pl.*35.
*ss.*1—3., Cod-fish import, Exp.
*c.*12. Disorders concerning ministers of the church, 1342. *pl.*40—46.
*s.*1. 4. Exp.
*c.*13. Tillage, and maintenance of navy, [Rep. virtually, 31 *G.*3. *c.*20. *s.*1.] 373. Husbandry, *pl.*7.
*c.*14. Import of bowstaves, 83. Bows, Stats. *in force*, *pl.*2. 4—6.
*c.*15. Hoye or plate not to cross the seas, [Exp.]
*c.*19. Making of caps, [Rep. 39 *El.* *c.*18. *s.*45.] 344. *pl.*8.
*c.*20. Leases of benefices, &c. [Rep. 43 *G.*3. *c.*84. *s.*10., 57 *G.*3. *c.*99. *s.*1.] 476. *pl.*17., 1388. *pl.*20.
*c.*21. Purveyance within 5 miles of *Oxford*, &c. (see 2 & 3 *P.* & *M.* *c.*15. *s.*2.) [Rep. virtually, 12 *C.*2. *c.*24. *s.*12.] 1305. *pl.*3.
*c.*22. Division of sheriffs, (see 8 *El.* *c.*16. *s.*2.) 1359. *pl.*54.
*c.*25. Reviving and continuing statutes, 40. *pl.*10. 1280. *pl.*1. Woods preserving, 1595—1597. *pl.*1. 20. 24.
*s.*17. is Rep. by 14 *El.* *c.*11. *s.*13. avoiding of foreign wares.
*ss.*6—16. continuation of statutes, 19. woods, and 20, 21. [Exp.] since repeal of 5 *El.* *c.*12. by 12 *G.*3. *c.*71. *s.*1., corn, cattle, &c.
*c.*26. Subsidy granted by clergy, [Exp.]
*c.*27. Subsidy, and two fifteenths and tenths by temporalty, [Exp.]
*c.*28. Pardon, [Exp.] 1214. *pl.*6.
*c.*29. Incorporation of both the universities, 1559. Universities, *pl.*1, 2.

14 *El.* A. D. 1572.

*c.*1. Conspiring to take H. M.'s castles, &c., [Exp.] 1315. *pl.*3.
*c.*2. Conspiring for enlargement of persons committed for high treason, [Exp.] 1544. *pl.*13.
*c.*3. Counterfeiting foreign coin, 137. *pl.*42, 43.
*c.*4. Export of leather, tallow, and raw-hides, [Exp. and Rep. 18 *El.* *c.*9. *s.*1.]
*c.*5. Vagabonds; relief of impotent poor, 1561. *pl.*8.
*ss.*2—16. 21. 25. 31, 32. are Rep. by 35 *El.* *c.*7. *s.*24., and 39 *El.* *c.*4., vagabonds, and virtually by 12 *A. S.*2. *c.*23. and 17 *G.*2. *c.*5. *s.*34.
ss. 17—20. 22—24. 26—30. 33—35. 39—43. are Exp.
*ss.*36, 37. are Rep. by 12 *G.*2. *c.*29. *s.*22., relief of prisoners; justices of peace for counties; and for cities, &c.
*c.*6. Fugitives over sea, [Exp.] 187. *pl.*2.
*c.*7. Deceits of under-collectors of tenths and subsidies of clergy, 243. *pl.*1. 13, 14.
*c.*8. Avoiding recoveries suffered by collusion, 1318. *pl.*15—18.
*c.*9. Tenant and defendant to have *tales de circumstantibus*, as well as demandant, &c., 413, 414. *pl.*32. 42.
*c.*10 Kersey cloths, [Rep. 3 *J.*1. *c.*16. *s* 2.] 1598. *pl.*50.

14 *El.* A. D. 1572. (*continued.*)

*c.*11. Continuation of statutes, ecclesiastical leases, 304. *pl.*20. 476. 477. *pl.*22. 24—26.
*ss.*14—16. Rep. by 43 *G.*3. *c.*84. *s.*10., and 57 *G.*3. *c.*99. *s.*1., bonds for enjoying leases; curates leases avoided.
*ss.*1—12. 20. are Exp.
*c.*12. (Local,) Repealing, 8 *El.* *c.*7. *s.*3. *Shrewsbury*.
*c.*13. *Hexhamshire* to be part of *Northumberland*, 527. *pl.*10, 11.
*c.*14. Assurance of gifts to poor in hospitals, &c. 372. *pl.*1, 2.

18 *El.* A. D. 1576.

*c.*1. Coin impairing, 156. *pl.*28. 30. 32, 33.
*c.*2. Confirmation of grants made to, and patents by H. M., [Exp.] 429. *pl.*33.
*c.*3. Poor, setting to work; bastards, [Exp. except *s.*1.] 68. *pl.* 5, 6.
*s.*4. is Rep. by 35 *El.* *c.*7. *s.*24. punishment of vagabonds.
*c.*4. Conveyances by late rebels in the North, [Exp.] 303. *pl.*3.
*c.*5. Common informers on penal laws, 8, 9. *pl.*5—12.
*s.*8. is Exp.
*c.*6. Maintenance of colleges in universities, and of *Winchester* and *Eaton*, 1559. Universities, *pl.*3, 4.
s. 2. is Exp.
*c.*7. Clergy in rape and burglary; purgation of clerks convict, 76. *pl.*18—23.
*c.*8. Justices of assizes in *Wa.*, 1573. *pl.*98. 103. 105.
*c.*9. Export of leather, tallow, and raw-hides, [duties Rep. lastly, 59 *G.*3. *c.*52. *s.*1.] 478. *pl.*13.
*c.*10. Highways, [Rep. 7 *G.*3. *c.*42. *s.*57.] 352. *pl.*13.
*c.*11. Dilapidations, [*semble* Rep. 57 *G.*3. *c.*99. *s.*1.] 1388. *pl.*20.
*s.*7. is Rep. *semble* by 43 *G.*3. *c.*84. *s.*10.
*ss.*4—6. are Exp.
*c.*12. Sittings at *nisi prius* in *Middlesex*, [Rep. virtually as to *two* judges, 12 *G.*1. *c.*31. *s.*1.; as to 4 days after term, *id. ibid.*, 24 *G.*2. *c.*18. *s.*5., 1 *G.*4. *c.*55. *s.*1.; also as to trial in *Westminster-hall*, 1 *G.*4. *c.*21. *s.*1.] 1372. *pl.*1. 4, 5.
*c.*13. Offices found in the counties palatine, [Exp. and Rep. virtually, 12 *C.*2. *c.*24. *s.*1.] 235. *pl.*4.
*c.*14. Jeofails, 409, 410. *pl.*3, 4. 16.; warrants of attorney, 41. *pl.* 14. 16.
*c.*15. Abuses in goldsmiths, 323. *pl.*13, 14.
*c.*16. Clothiers of *Wilts*, &c. [Rep. 21 *J.*1. *c.*28. *s.*11.]
*c.*22. Subsidy by clergy, [Exp.]
*c.*23. Two-fifteenths and tenth, and one subsidy by the temporalty, [Exp.]
*c.*24. Pardon, [Exp.]

23 *El.* A. D. 1581.

*c.*1. Obedience of subject; papist; going to church; divine service; 1203. *pl.*11. 22—23., 1204. *pl.* 24—37.
*c.*2. Seditious words and rumours, [Exp.] 36. Stats. *Rep. pl.*4.
*c.*3. Amending errors in fines and recoveries, 251, 252. *pl.*26—31. 33. 35.
*ss.*3, 4. and *s.*10. Exp.
*c.*4. Letting lands on the borders of *Scot.*, [Rep. 4 *J.*1. *c.*1. *s.*8.] 327. *pl.*2., 1338. *pl.*2.
*c.*5. Iron mills near *London* and *Thames*, 1596. *pl.*24—28
*c.*7. Navy, [Rep. 39 *El.* *c.*10. *s.*2.] 261. *pl.*7.
*c.*8. Wax, 1586. *pl.*1—7.
*c.*9. Cloth, [Rep. *in toto*. 49 *G.*3. *c.*109. *s.*1.] 1598. *pl.*51.
*s.*2. Rep. by 13 & 14 *C.*2. *c.*11. *s.*26., dying cloths.
*c.*10. Preservation of pheasants and partridges, 311. *pl.*37—42.
*c.*14. Subsidy of clergy, [Exp.]
*c.*15. Subsidy and two fifteenths by temporalty, [Exp.]
*c.*16. Pardon, [Exp.]

27 *El.* A. D. 1585.

*c.*1. Surety of queen's person, and public peace, [Exp.]

27 *El.* A.D. 1585. (*continued.*)

c. 2. Jesuits to depart the realm, 1205. *pl.* 56—67.
ss. 2, 3. in part; *s.* 7. sending child abroad without licence; *ss.* 9—12. temporary provisions for removal of jesuits. are Exp.
c. 3. Explaining 13 *El. c.* 4., 243, 244. *pl.* 1. 15—21.
c. 4. Fraudulent conveyances, 304. *pl.* 21—30.
s. 12. Rep. by 16 *C.* 1. *c.* 10.
s. 11. Exp.
c. 5. Jeofails; demurrers to pleadings, 410. *pl.* 9. 11, 12. 16.
c. 6. Return of jurors, 413. 414. *pl.* 32. 34. 37, 38. 48—50.
s. 5. Rep. in part as to challenges on certain returns of hundredors to serve on juries virtually by 4 & 5 *A. c.* 16. *s.* 6. and 24 *G.* 2. *c.* 18. *s.* 3.
c. 7. Levying issues lost by jurors, 415. *pl.* 56—58.
c. 8. Error from K. B., 234, *pl.* 14—16.
c. 9. Errors in fines and recoveries in *Wa.* and counties palatine, 251. *pl.* 27—30. 32. 34, 35.
ss. 3, 4. and *s.* 10. Exp.
c. 10. To continue 18 *El. c.* 5., 8. *pl.* 5.
c. 11. Reviving, &c. certain statutes; fast and fish days, 362. *pl.* 9. 30—32.
ss. 1. 3—7. Exp.
c. 12. Swearing under-sheriffs, and other under officers and ministers, 1359. *pl.* 59—63.
s. 2., as to form of oath, is Rep. by 3 *G.* 1. *c.* 15. *s.* 19.
c. 13. Hue and cry, 370. *pl.* 11—20.
c. 14. Malt, 500. *pl.* 3.
c. 15. Staple, fish, and herrings, import, [Exp.]
c. 16. Leather cutters, [Exp.] 478. *pl.* 14.
cc. 17, 18. Cloths, [Rep. *c.* 17. partly by 43 *El. c.* 10. *s.* 9. Both *per tot.* by 49 *G.* 3. *c.* 109. *s.* 1.] 1598. *pl.* 52, 53.
19. Timber, preservation of, 1596. *pl.* 29—31.
s. 2. as to highways is Rep. by 39 *El. c* 19. (which is repealed 7 *G.* 3. *c.* 42. *s.* 57., 13 *G.* 3. *c.* 78. *s.* 8. 4.), and *semb.* Exp. also.
c. 24. Sea-banks and works, county *Norfolk*. (Local.)
c. 26. Highways, 352. *pl.* 4.
c. 28. One subsidy by clergy, [Exp.)
c. 29. Subsidy and two fifteenths and tenths granted by the temporalty, [Exp.]
c. 30. Pardon, [Exp.]

29 *El.* A. D. 1587.

c. 1. Attainder. (Personal.)
c. 2. Errors in records of attainders of high treason, 1545. *pl.* 67, 68.
s. 2. Exp. in part as 2 & 3 *P. & M. c.* 8.; and *ss.* 3—20. Exp.
c. 3. Fraudulent assurances by traitors, [Exp.] 1544. *pl.* 14.
c. 4. Extortion in sheriffs and other officers, in cases of execution, 1360. *pl.* 64—66.
c. 5. Continuing divers statutes; penal statutes, 9. *pl.* 19, 20.
ss. 3—20. Exp.
c. 6. Obedience of H. M.'s subjects in ecclesiastical matters, 1204. *pl.* 38—45.
c. 7. Subsidy by clergy, [Exp.]
c. 8. One entire subsidy and two fifteenths and tenth by temporalty, [Exp.]
c. 9. Pardon, [Exp.]

31 *El.* A.D. 1589.

c. 1. Discontinuances of writs of error in K. B. and exchequer, 234. *pl.* 1—3. 6. 14. 17. 19.
s. 1. as to giving judgment in error in exchequer chamber, in presence of lord treasurer, is Rep. by 20 *C.* 2. *c.* 4. *s.* 1.
c. 2. Proclamation on fines, 251. *pl.* 11. 14.
c. 3. Secret outlawries, 543. *pl.* 29—31. Secret summons in real action, 10, 11. *pl.* 29, 30.

31 *El.* A.D. 1580. (*continued.*)

c. 4. Embezzling H. M.'s armour, &c., 1481. *pl.* 1—3.
c. 5. Concerning informers, 8. *pl.* 5., 9. *pl.* 12—18., 70. *pl.* 9—13.; suits for gaming, 320. *pl.* 1.
s. 7. as to 5 *El. c.* 4., apprentices, is Rep. by 54 *G.* 3. *c.* 96. *s.* 1.
s. 1. Exp. in part.
c. 6. Abuses in election of scholars, and presentation to benefices, 229. *pl.* 4—13.
c. 7. [Rep. 15 *G.* 3. *c.* 32. *s.* 1., 152. Cottages, *pl.* 1.
c. 8. Gauging of foreign made vessels used by brewers, 70. *pl.* 9—13.
c. 9. Proclamations and *exigents* in county palatine of *Durham*, 155. *pl.* 3—9.
c. 10. Continuing divers statutes. Action penal, 9. *pl.* 19, 20. 233. 234. *pl.* 1. 10.
ss. 1—19. Exp.
c. 11. Indictments on 8 *H.* 6. *c.* 9. against forcible entries, 233, 234. *pl.* 1. 10.
c. 12. Buying stolen horses, 367, 368. *pl.* 34. 42—45.
c. 14. One subsidy by the clergy, [Exp.]
c. 15. Four fifteenths and tenths, and two entire subsidies, [Exp.]
c. 16. Pardon, [Exp.]

35 *El.* A.D. 1593.

c. 1. Obedience of subjects. Papist; refusing to come to church, 1204., *pl.* 23. 46., 1205. *pl.* 47—55.
ss. 8, 9. are Rep. by 3 *J.* 1. *c.* 4. *ss.* 30, 31. harbouring recusant.
c. 2. Popish recusants, abode of, 1205, 1206. *pl.* 68—83.
s. 12. licence necessary for papists to travel above 5 miles, is Rep. by 3 *J.* 1. *c.* 5. *s.* 6.
ss. 1, 2. Exp.
c. 3. Grants and patents by *H.* 8., [*semb.* Exp.] 429. *pl.* 26.
c. 4. Soldiers and mariners, relief, [Exp.] 1380. *pl.* 2.
c. 6. Buildings in *London*, 96. Stats. Rep. &c. *pl.* 1.
c. 7. Altering and continuing divers statutes.
ss. 23. 31—33. Export of corn, is Rep. by 31 *G.* 3. *c.* 30.
s. 25. vagabonds, virtually Rep. by 21 *J.* 1. *c.* 28. *s.* 11.
ss. 1—19. 27. 29. houses of correction, Exp.
c. 8. [Rep. 35 *G.* 3. *c.* 56. *s.* 1.], Cordage manufacture, 1481. Stats. Rep. *pl.* 1.
cc. 9, 10. Cloths, [Rep. 49 *G.* 3. *c.* 109. *s.* 1.] 1598. *pl.* 54, 55.
c. 11. Import of clap or cloven board; against export of wine casks.
c. 12. Subsidies of clergy, [Exp.]
c. 13. Three entire subsidies and six fifteenths and tenths by the temporalty, [Exp.]
c. 14. Pardon, [Exp].

39 *El.* A.D. 1597.

c. 1. Against decay of towns and houses of husbandry, [Exp.] 373. Husbandry, *pl.* 1. 3. 8.
c. 2. Maintenance of husbandry and tillage, [Exp.] 375. Husbandry, *pl.* 9.
c. 3. Relief of poor, [Exp.] 1258 *pl.* 2.
c. 4. Vagabonds, [Rep. 12 *A. St.* 2. *c.* 23., 13 *G.* 2. *c.* 24., 17 *G.* 2. *c.* 5. *s.* 34.] 1561. *pl.* 4. 9.
c. 5. Hospitals for the poor, erection of, 372. *pl.* 3—8.
c. 6. Deceits touching lands given to charitable uses, [Rep. 43 *El. c.* 9. *s.* 30.] 118. Stats. Rep. *pl.* 1.
c. 7. Explaining 13 *El. c.* 14. Public accountants, [Exp.] 1320. *pl.* 1.
c. 8. Deprivation of certain bishops and deans, [Exp.] 79. Stats. *Exp. pl.* 3.
c. 9. Abduction of women, clergy taken away; [Rep. 1 *G.* 4. *c.* 116. *s.* 1.] 1594. Stats. Rep., &c. *pl.* 1.
c. 10. Increase of mariners and maintenance of navigation; fishery, 262. *pl.* 48—52.
s. 6. is Rep. by 43 *El. c.* 9. *ss.* 33, 34. fishery.
s. 7. Exp.

39 *El.* A.D. 1597. (*continued.*)

c. 11. Cloths; dying cloths, [Rep. 13 & 14 *C.* 2. *c.* 11. *s.* 26., 49 *G.* 3. *c.* 109. *s.* 1.] 1598. *pl.* 51.
c. 12. Labourers, [Exp.] 435. Stats. *in force*, *pl.* 3.
c. 13. Fustians, [explaining 11 *H.* 7. *c.* 27.] 309., Fustian, *pl.* 1. 4.
c. 14. Import of foreign wool-cards, 1599. *pl.* 37.
c. 15. Robbing house in day time, no person being therein excluded from clergy, 76. *pl.* 24, 25.
c. 16. Malt making, [Rep. 9 & 10 *W.* 3. *c.* 22.] 501. Malt, *pl.* 1.
c. 17. Against vagrants pretending to be soldiers or mariners, [Rep. 52 *G.* 3. *c.* 31.] 1561. *pl.* 1—8.
c. 18. To revive, explain, &c. certain statutes.
ss. 1—29. 33. 44. 46—48. Exp.
c. 19. [Rep. 7 *G.* 3. *c.* 42. *s.* 57., 13 *G.* 3. *c.* 78. *s.* 84. and *c.* 84. *s.* 86.] Highways, 352. *pl.* 5. Woods, 1596. *pl.* 29.
c. 20. Northern cloth, stretching, &c., [Rep. 49 *G.* 3. *c.* 109. *s.* 1.] 1598. *pl.* 56.
c. 21. To explain 35 *El.* *c.* 4., [Exp.] 1380. *pl.* 2.
c. 25. Hue and cry. Hundred of *Benhurst*, in county of *Berks*, 370, 371. *pl.* 11. 21, 22.
c. 26. Subsidies by clergy, [Exp.]
c. 27. Three entire subsidies and six fifteenths and tenths by the temporalty, [Exp.]
c. 28. Pardon, [Exp.]

43 *El.* A.D. 1601.

c. 1. Confirmation of grants made to, and patents by H. M., [Exp.] 429. *pl.* 34.
c. 2. Relief of poor, and of prisoners, 1259. *pl.* 1—3. 5—7. 9, 10. 12—17. Parish apprentices, 28. *pl.* 32, 33.
ss. 12—14., as to taxing counties for relief of prisoners in K. B. and Marshalsea prisons, are Rep. by 12 *G.* 2. *c.* 29. *s.* 22., and 53 *G.* 3. *c.* 113. *s.* 1.; as to taxing parishes for like relief, is Rep. by 12 *G.* 2. *c.* 29. *s.* 22. *Qu.* if penalties given by *s.* 14. remain *in force*?
ss. 15—17. 20. Exp.
c. 3. Relief of soldiers and mariners, 1381. *pl.* 25—40. costs and damages, 151, 152. *pl.* 12, 13.
c. 4. Misemployment of lands and goods given to charitable uses, 118. *pl.* 1—11.
c. 5. Perjury and subordnation thereof, 1618. *pl.* 22, 23.
s. 3. Exp.
c. 6. Against frivolous suits in H. M.'s courts at *Westminster*, 7. *pl.* 10, 11.
c. 7. Misdemeanors, in cutting corn growing, robbing orchards, breaking fences, &c. 1548. *pl.* 8—11.
c. 8. Fraudulent administration of intestate's goods, 242. *pl.* 25, 26.
c. 9. Continuance and repeal of divers statutes. Fishery, 262. *pl.* 53. *Dover* haven.
s. 8. leases of benefices, is Rep. by 57 *G.* 3. *c.* 99. *s.* 1.
ss. 1—31. are Exp.
c. 10. Cloths, [Rep. 49 *G.* 3. *c.* 109. *s.* 1.] 1598. *pl.* 57.
c. 12. Assurances among merchants, 397. *pl.* 1—5.
c. 13. Northern counties, 527, 528. *pl.* 12—17.
c. 14. Assize of fuel, 308. *pl.* 1, 2. 6—9.
s. 6. assize of fuel, is Rep. virtually by 9 *A.* *c.* 15. *s.* 1.
c. 15. Fines with proclamations of lands within the county of the city of *Chester*, 155. *pl.* 14—16.
c. 16. Bridge over *Eden* to *Cumberland*, (Local)
c. 17. Subsidies by clergy, [Exp.]
c. 18. Four subsidies and eight fifteenths and tenths by temporalty, [Exp.]
c. 19. Pardon, [Exp] 1214. *pl.* 6.

1 *J.* 1. A.D. 1603.

c. 1. Recognition of H. M.'s right to the crown, [Exp.] 429. *pl.* 32.
c. 2. Authorizing commissioners of *Eng.* to treat with commissioners of *Scot.* for welfare of both kingdoms, [Exp.] 1338.

1 *J.* 1. A.D. 1603. (*continued.*)

c. 3. Against diminution and dilapidation of possessions of archbishoprics and bishoprics, 81. *pl.* 40, 41.
c. 4. For executing the statutes against jesuits, &c. 1206. *pl.* 84—92.
s. 7. Exp. in part, as to the persons then ordered to return from jesuits' colleges, &c. beyond sea.
c. 5. Against overcharges by stewards of courts leet and baron, 173. *pl.* 4, 5.
c. 6. Labourers, 435. Stats. *in force*, *pl.* 3. 5.
ss. 3—9. labourers' wages, are Rep. by 53 *G.* 3. *c.* 40. *s.* 1.
c. 7. Vagabonds, [Rep. 12 *A.* *St.* 2. *c.* 23., 13 *G.* 2. *c.* 24., 17 *G.* 2. *c.* 5. *s.* 34.] 1561. *pl.* 9.
c. 8 Clergy taken away from some kinds of manslaughter, 364. *pl.* 21—23.
c. 9. Inordinate haunting and tippling in alehouses, &c. 14, 15. *pl.* 12—17.
c. 10. Referring causes, 32. Arbitration, *pl.* 1—3.
c. 11. Polygamy, 1258. *pl.* 1, 2. 6—8.
c. 12. Witchcraft, 1593. Stats. *Rep. &c. pl.* 3.
ss. 2—5. penalties of witchcraft, are Rep. by 9 *G.* 2. *c.* 5. *s.* 1.
c. 13. Arrest in execution; privilege of parliament, 1216. *pl.* 40. 42, 43.
c. 14. Poor debtors in *London*, [Rep. 3 *J.* 1. *c.* 15. *s.* 7.] (*Local.*)
c. 15. Bankrupt, 58. *pl.* 8—10. 19. 28—38. 41—43.
c. 16. Watermen, 1581, 1582. *pl.* 2. 16—19.
ss. 1, 2. *Thames* watermen's apprentices, are Rep. by 4 & 5 *A.* *c.* 13. *s.* 1.
c. 17. Hats, &c. [Rep. 17 *G.* 3. *c.* 55. *s.* 1.] 344. *pl.* 9.
c. 18. Hops, selling, &c. 365. *pl.* 1—3.
s. 4. is Exp.
c. 19. Garbling of spices, [Rep. 6 *A.* *c.* 6. *s.* 1.] 488. *pl.* 1, 2.
c. 20. Deceits used in painting, 1201. *pl.* 1—4.
c. 21. Against brokers, 1235. *pl.* 1—4.
c. 22. Tanners, leather cutting, [Rep. *in toto* 48 *G.* 3. *c.* 60. *s.* 1.] 478. *pl.* 16. 349. Hides, &c. Stats. *Rep. &c. pl.* 2.
ss. 23, 24. are Rep. by 4 *J.* 1. *c.* 6. *s.* 2., 12 *G.* 2. *c.* 25. *s.* 7., 39 *G.* 3. *c.* 54., 39 & 40 *G.* 3. *c.* 66. *s.* 1.
c. 23. Fishery in *Somerset*, *Devon*, and *Cornwall*, malicious suits against fishermen, 285. *pl.* 252—254.
c. 24. Sailcloths, making, 1330. *pl.* 1—4.
c. 25. To continue, &c. divers statutes: Poor apprentices, 1259. *pl.* 8. *Welsh* cottons, 152. *pl.* 7. Vagrants, 1561. *pl.* 9. Repealing sanctuaries, &c. 79. Stats. *Exp. pl.* 4., 1353. Sanctuaries, *pl.* 2.
ss. 26, 27. export of corn, are Rep. by 31 *G.* 3. *c.* 30. *s.* 1.
ss. 1—25. 29. 33. are Exp.
c. 26. Orders for exchequer, 170. *pl.* 36—39.
c. 27. Against shooting in guns; for preserving pheasants and partridges, 313, 314. *pl.* 98. 101.; against destroying hares with hare-pipes, and tracing them in snow, 311. *pl.* 43—47.
s. 2. as to hares, Rep. 48 *G.* 3. *c.* 93. *s.* 1.
s. 3. as to qualification to kill game in respect of the land and personalty therein mentioned, *semb.* virtually Rep. by 22 & 23 *C.* 2. *c.* 25. *s.* 3.
s. 6. as to taking pheasants in nets, Rep. by 7 *J.* 1. *c.* 11. *ss.* 5, 6.
c. 28. To confirm the charter of 30*th April*, 2 *J.* 1. granted to *Ber.* (Local.)
c. 29. Fishery; navy, [Exp.]
c. 31. Charitable relief and ordering of sick with plague, 348. *pl.* 1—10.
s. 9. is Exp. in part.
c. 33. Subsidy of tonnage and poundage, [Exp.]

3 *J.* 1. A.D. 1605.

c. 1. Thanksgiving on every 5*th Nov.*, gunpowder treason, holyday, 362, 363. *pl.* 33—35
c. 2. Attainders; treasons, (Personal.) [Exp.]

3 J. 1. A. D. 1605. (*continued.*)

c. 3. Explaining 1 *J.* 1. *c.* 2., commissioners for treating with *Scot.*, 1338.

c. 4. Popish recusants, 1206—1208. *pl.* 93—130.

s. 15. as to form of oath of allegiance, is REP. by 1 *W. & M. S.* 1. *c.* 8. *s.* 2.

s. 21. is in part EXP.

c. 5. Popish recusants, 1208, 1209. *pl.* 131—144. 146—158.

ss. 3. 5. recusants to depart from *London*; *s.* 17. persons gone beyond sea without license, are EXP.

c. 6. All subjects of *Eng.* and *Wa.* may trade freely with *Spain*, *Portugal*, and *France*, 513. *pl.* 45, 46.

c. 7. Attornies and solicitors, 41. *pl.* 18—20.

s. 2. qualification of attornies, &c. is REP. virtually by 2 *G.* 2. *c.* 37. *ss.* 7. 10.

c. 8. Delays of executions, 240. *pl.* 7, 8.

c. 9. Skinners, 350. *pl.* 3—7.

c. 10. Charges of conveying offenders to gaol, 1280, 1281. *pl.* 19—21.

s. 2. as to parish bearing expences of conveying offenders to gaol, if offender is unable, is REP. by 27 *G.* 2. *c.* 3. *s.* 2.

c. 11. Export of beer, [*Qu.* EXP.]

c. 12. Preservation of sea-fish, 262. *pl.* 54—56.

c. 13. Unlawful hunting of conies, [REP. *per tot.* as to deer, 7 *J.* 1. *c.* 13. *s.* 1, 2., 16 *G.* 3. *c.* 30. *s.* 27.] 309. *pl.* 9., 311. *pl.* 48—56.

ss. 2, 5, 8. are REP. by 7 *J.* 1. *c.* 13. *s.* 2., 16 *G.* 3. *c.* 30. *s.* 27. deer.

c. 14. Sewers, 1354. *pl.* 7.

c. 15. Small debts in *London*, [REP. in part 39 & 40 *G.* 3. *c.* civ. *s.* 1.] (Local.)

c. 16. Length of kerseys, 1598. *pl.* 50.

ss. 3—5. are REP. by 49 *G.* 3. *c.* 109. *s.* 2., length of kerseys, &c.

c. 17. *Welch* cottons, 152. *pl.* 8.

c. 21. Abuses of players, 1534. *pl.* 1, 2.

c. 25. Subsidy by clergy, [EXP.]

c. 26. Three subsidies, six fifteenths and tenths by the temporalty, [EXP.]

c. 27. Pardon, [EXP.] 1214. *pl.* 6.

4 J. 1. A. D. 1606.

c. 1. Abolition of hostility between *Eng.* and *Scot.* 1338. *pl.* 1, 2., 425. *pl.* 81.

s. 23. offences on the borders in queen *Elizabeth's* time, is EXP.

c. 2. Cloths, [REP. *in toto* 49 *G.* 3. *c.* 109. *s.* 1.] 1598. *pl.* 58.

s. 14. is REP. by 21 *J.* 1. *c.* 18. *s.* 2., cloths.

c. 3. Defendant's costs on nonsuit of, or verdict against plaintiff, 151. *pl.* 11.

c. 4. Uttering beer and ale to unlicensed alehouse-keepers and tipplers, 15. *pl.* 19—24.

c. 5. Against drunkenness, 15. *pl.* 25—36.

c. 6. Leather, hides, and skins, 478. STATS. *Rep. &c. pl.* 16., STATS. *in force*, *pl.* 8—10.

s. 3. against selling tanned leather by weight, is REP. by 1 *W. & M. S.* 1. *c.* 33. *s.* 6.

c. 9. Trade to *Spain*, *Portugal*, and *France*; patent to city of *Exeter* of 17*th June*, 2 *El.*, 513. *pl.* 47.

7 J. 1. A. D. 1609.

c. 1. Execution of justice and suppressing offenders in the north of *England*. See Index, NORTHERN BORDERS.

c. 2. Naturalization; oath; sacrament, 519. *pl.* 1, 2.

c. 3. Husbandry; apprentices, binding out, 30. *pl.* 63—69.

c. 4. Vagabonds, &c. 1281. *pl.* 22., 1561, 1562. *pl.* 9—15.

s. 5. privy search, is REP. by 12 *A. St.* 2. *c.* 23. *s.* 8.

s. 7. punishment of women having bastards, 69. *pl.* 19. is REP. by 50 *G.* 3. *c.* 51. *s.* 1.

s. 3. is EXP.

c. 5. Ease in pleading in suits against justices of peace and other officers, 542. *pl.* 1, 2.

7 J. 1. A. D. 1609. (*continued.*)

c. 6. Oath of allegiance, 530. *pl.* 13—36. Married women recusants, 1209. *pl.* 159, 160.

c. 7. Frauds in wool and yarn making, 1599. *pl.* 39—42.

c. 8. Cattle, [REP. virtually, 12 *G.* 3. *c.* 71. *s.* 1.] 115. *pl.* 4.

c. 10. Alehouse keepers, 15. *pl.* 12. 18. 25. 37.

c. 11. Untimely hawking; pheasants and partridges preserving, 312. *pl.* 57—63.

c. 12. Trader's shop-book, evidence by, 238. EVIDENCE, *pl.* 3, 4.

s. 3. is EXP.

c. 13. Conies, unlawful hunting of, [REP. (except the repeals in *s.* 2.) 16 *G.* 3. *c.* 30. *s.* 27. as to deer.] 309. *pl.* 13.

c. 14. Horners; search for horns in *London*, &c. 20. *pl.* 13—16.

c. 15. Assignment of debts to H. M., 187. *pl.* 35, 36.

c. 16. Cloths, 1597. *pl.* 17.

c. 17. Burning heath, &c. (Local.)

c. 18. Sea-sand for manure, 373. STATS. *in force*, *pl.* 1—3.

c. 21. Decrees in exchequer chamber and duchy court concerning copyholders, &c. 147. *pl.* 1, 2.

c. 22. Subsidy by clergy, [EXP.]

c. 23. One subsidy, one fifteenth and tenth by the temporalty, [EXP.]

c. 24. Pardon, [EXP.] 1214. *pl.* 6.

18 J. 1. A. D. 1620.

c. 1. Subsidies by clergy, [EXP.]

c. 2. Subsidies by temporalty, [EXP.]

21 J. 1. A. D. 1623.

c. 1. Hospitals; poor, 372. *pl.* 3.

c. 2. Quieting possessions against H. M.'s title, 1313. *pl.* 1. 3—5.

c. 3. Monopolies: dispensations with penal laws, 516, 517. *pl.* 1—9. 7—11.

s. 5. and 13. letters-patent to Sir *R. Mansell*, for exporting calves' skins, EXP.

s. 14. *A. Baker*, same to, for making smalt, &c. EXP.

Edward Lord *Dudley*, privilege of melting iron ewer, EXP.

c. 4. Informations on penal statutes, 9. *pl.* 21—27.

c. 5. Sheriffs, their heirs, &c. having a *quietus* to be discharged of their accounts, 1360. *pl.* 68—70.

c. 6. Clergy to women convicted of small felonies; burning in hand, 1595. *pl.* 14, 15.

c. 7. Drunkenness; haunting alehouses, &c. *pl.* 25. 29. 40—45.

c. 8. Abuses in procuring process and *supersedeas* of the peace, 116. *pl.* 1, 2. *Certioraries* to remove indictments, 1239. *pl.* 1—4. Sanctuary, 1333. *pl.* 3.

c. 9. *Welch* cotton trade, [EXP.]

c. 10. Power of the king to make laws for *Wa.* taken away, 1572. *pl.* 98.

c. 12. Ease in pleading, (see 7 *J.* 1. *c.* 5.) 542. *pl.* 1, 2.

c. 13. Jeofails, 409, 410. *pl.* 5, 6. 16.

c. 14. General issue in intrusion brought for H. M., 10. *pl.* 31—33. INTRUSION, 399. *pl.* 1—3.

c. 15. Restitution of possession, 233, 234. *pl.* 1. 11.

c. 16. Limitations of actions, 483, 484. *pl.* 10—16. Costs in actions for slander, 151, 152. *pl.* 12. 16.

c. 17. Usury, or rate of interest, [REP. virtually by or EXP. since 12 *A. St.* 2. *c.* 16. *s.* 1.] 1560. *pl.* 7.

c. 18. Cloths, [REP. 49 *G.* 3. *c.* 109. *s.* 1.] 1598. *pl.* 58.

c. 19. Relief of creditors against bankrupt; corporal punishment of, 58. *pl.* 8, 9. 11—14., 60. *pl.* 44—54.

s. 2. as to description of a bankrupt, is REP. by 10 *A. c.* 15. *s.* 1.

c. 20. Swearing and cursing, [REP. 19 *G.* 2. *c.* 21. *s.* 15.] 1486. STATS. *Rep. pl.* 1.

c. 21. Innkeepers, 1568. *pl.* 19—22.

c. 22. Butter and cheese, [REP. 12 *G.* 3. *c.* 71.] 106. *pl.* 1.

c. 23. Vexatious delays in removing causes from inferior courts, 171. *pl.* 1—3. 5—7.

21 *J.* 1. A. D. 1623. (*continued.*)

c. 24. Relief of creditors against persons dying in execution, 240. *pl.* 12—14.

c. 25. Relief of tenants of crown and duchy lands in case of forfeiture for non-payment of rents or services, 174. *pl.* 2—4.

c. 26. Against levying fines, suffering recoveries, knowledging statutes, recognizances, bail, or judgment, in name of another not privy thereto, 534. *pl.* 1—3.

c. 27. Bastard, murdering, [Rep. 43 *G.* 3. *c.* 58. *s.* 3.] 68. Stats. *Rep.* *pl.* 1.

c. 28. Reviving, continuing, and repealing, &c. statutes, 152. *pl.* 7. Poor apprentices, 1529. *pl.* 8. Export of corn. Horses, 367. *pl.* 14. 21. Sanctuary, 1333. *pl.* 4.

ss. 1, 2. 9, 10. are Exp.

c. 29. (Local.) Duchy of *Cornwall*, leases of lands in, [Exp.] 174. *pl.* 4.

c. 31. Cutlers, *Hallamshire*, *York*, [Rep. in part by 31 *G.* 3. *c.* 58.] and see 41 *G.* 3. U. K. *c.* xcvii.

c. 33. Four subsidies by the spirituality, [Exp.]

c. 34. Three subsidies, and three fifteenths and tenths by the temporalty, [Exp.]

c. 35. Pardon, [Exp.] 1214. *pl.* 6.

1 *Car.* 1. A. D. 1625.

c. 1. Abuses on *Sundays*, 363. *pl.* 36, 37.

c. 2. (Local.) Leases of lands in duchy of *Cornwall*, [Exp.] 174. *pl.* 4.

c. 3. Alienation; licences of; pleading; pardons thereof without licence, 22. Alienation, *pl.* 2—5.

c. 4. Tippling in inns, &c. 15. *pl.* 25. 38, 39.

c. 5. Subsidies by clergy, [Exp.]

c. 6. Two subsidies by temporalty, [Exp.]

c. 7. The royal assent to acts not to determine the session, [Exp.]

3 *Car.* 1. A. D. 1627.

Petition of right against paying taxes without consent of parliament, 481. *pl.* 35—37.; against illegal imprisonment, and quartering of soldiers, *see* now 1 & 2 *G.* 4. *c.* 9. *s.* 48. Soldiers, 1381, 1382. *pl.* 42.

c. 1. Travelling on *Sunday*, 363. *pl.* 38, 39.

c. 2. Sending any to be popishly bred beyond seas, 1209. *pl.* 161—165.

c. 3. Suppressing unlicensed alehouse keepers, 14. Alehouses, Stats. *in force*, *pl.* 1. 7—11.

c. 4. Repeal, continuance, &c. of divers statutes, 152. *pl.* 7., 488. *pl.* 1., &c. Export of corn. Bastard, 68. *pl.* 5., 69. *pl.* 7., Poor apprentices, 1259. *pl.* 8.

s. 2. ecclesiastical leases, is Rep. by 43 *G.* 3. *c.* 84. *s.* 10., 57 *G.* 3. *c.* 99. *s.* 1.

s. 19. 22. are Exp.

c. 6. Subsidies by clergy, [Exp.]

c. 7. Five subsidies by temporalty, [Exp.] 1215. *pl.* 1.

16 *Car.* 1. A. D. 1640.

c. 1. Inconveniences by long intermission of parliaments, [Rep. 16 *C.* 2. *c.* 1. *s.* 2.] 1215. *pl.* 3.

c. 2. Army and northern parts relieved, [Exp.]

c. 3. Amending *c.* 2. [Exp.]

c. 4. Continuance of statutes by *s.* 2.

s. 1. relief of army, &c. *as in* 16 *C.* 1. *c.* 2. &c., is Exp.

c. 5. Levying sailors, [Exp.]

c. 6. Limitation and abbreviation of *Michaelmas term*, [Rep. *comm. semb.* 24 *G.* 2. *c.* 48.] 185. *pl.* 15.

c. 7. Parliament not to be dissolved, porogued, or adjourned, without the order of either house itself, [Rep. 13 *C.* 2. (*St.* 1.) *c.* 2. and Exp.] 1215. *pl.* 4.

c. 8. Subsidy of tonnage, poundage, and customs, [Exp.]

c. 9. Supply to disband army, and for peace of *Eng.*, and *Scot.*, [Exp.]

c. 10. Privy council, regulating; 481, 482. *pl.* 38—46. Star chamber taken away, 1478. Stats. *in force*, *pl.* 1, 2.

16 *Car.* 1. A. D. 1640. (*continued.*)

c. 11. Commissioners for causes ecclesiastical, or high commission court taken away by *s.* 3., 1389. *pl.* 61, 62.

ss. 1, 2. 4, 5. are Rep. by 13 *C.* 2. (*St.* 1.) *c.* 12. *s.* 2.

c. 12. Subsidy as in *c.* 8. [Exp.]

c. 13. Money to *Yorkshire* for soldiers billeted, [Exp.]

c. 14. Proceedings touching ship-money declared void, &c. [Exp.]

c. 15. Oppressions in stannary courts, 173, 174. *pl.* 1—7.

c. 16. Certainty of forests and the bounds thereof, 296. *pl.* 59—65.

c. 17. Pacification with *Scot.*, [Exp.]

c. 18. Relief promised to our brethren of *Scot.* secured by public faith.

c. 19. Clerk of market, 507. *pl.* 6—11. Weights and measures, 1588. *pl.* 36—38.

s. 7. is Rep. in part by 22 *C.* 2. *c.* 8. *s.* 2., water measures of corn and salt.

c. 20. Knighthood, 1531. *pl.* 16, 17.

c. 21. Import of saltpetre and gunpowder; making gunpowder, 335. *pl.* 1—3.

c. 22. Subsidy as in *c.* 8. [Exp.]

c. 23. Seamen raising, [Exp.]

c. 24. Relief of captives taken by pirates, [Exp.] 1250. Piracy, Stats. *Exp.*

c. 25. Subsidy as in *c.* 8. [Exp.]

c. 26. Levying sailors, [Exp.]

c. 27. Persons in holy orders exercising temporal jurisdiction, [Rep. 13 *C.* 2. *St.* 1. *c.* 2.] 1388. *pl.* 21.

c. 28. Army for defence of *Eng.* and *Ire.*, [Exp.]

cc. 29. 31. 36. Tonnage and poundage, [Exp.]

c. 30. Relief of *Ire.*

c. 32. 35—37. Reduction of rebels in *Ireland*, [Exp.]

12 *Car.* 2. A. D. 1660.

c. 1. To remove questions touching the sitting of that parliament, 1215. *pl.* 5.

c. 2. Ordinance executing, [Exp.]

c. 3. Continuance of process and judicial proceedings, 412. *pl.* 2.

c. 4. Subsidy as in 16 *C.* 1. *c.* 8. [Exp.] First book of rates; made to cease, 27 *G.* 3. *c.* 13. *s.* 31., and see now 59 *G.* 3. *c.* 52. *Schedule.*

s. 2. is Rep. by 25 *C.* 2. *c.* 6. *s.* 1. duty by aliens on export, and by 14 *G.* 3. *c.* 74. *s.* 1. as to import duty on great raisins.

s. 2. is Rep. *partly* by 11 & 12 *W.* 3. *c.* 20. *s.* 1., as to export of woollen manufactures, and by 17 *G.* 3. *c.* 43. *s.* 1. book of rates, 11th rule.

s. 2. as to book of rates, 10th rule, is Rep. by 6 *G.* 1. *c.* 12. *s.* 1. 11 *G.* 1. *c.* 7. *s.* 1. *ad valorem* duty, 1 *G.* 2. *St.* 2. *c.* 17. *s.* 1. wine duty.

ss. 8, 9. liabilities to duties, are Exp.

c. 5. Excise continued, import of gunpowder, [Exp.] 335. *pl.* 6.

c. 6. Commissioners of sewers, [Exp.] 1354.

c. 8. Excise continued, [Exp.]

c. 9. To disbanding army and navy, [Exp.] Amd. *c.* 10. [Exp.]

c. 11. Indemnity for all treasons since 1 *Jan.* 1637. [Exp.] 1214. *pl.* 6.

c. 12. Judicial proceedings, [Exp.] 412. *pl.* 3.

c. 13. Usury, [Rep. virtually by, or Exp. since 12 *A.* (*St.* 2.) *c.* 16. *s.* 1.] 1560. *pl.* 8.

c. 14. Holydays, 363. *pl.* 40—42.

c. 15. Disbanding army, [Exp.]

c. 16. Soldiers exercising trades, [Exp.]

c. 17. Confirming and restoring ministers, [Exp.] 1388. *pl.* 22.

c. 18. For encouraging and encreasing shipping and navigation.

ss. 4. 12. are Rep. in part by 6 *G.* 1. *c.* 14., import from *Levant*, &c.

s. 19. is Rep. by 22 & 23 *C.* 2. *c.* 26. *s.* 11. navigation.

12 *Car.* 2. A. D. 1660. (*continued.*)

c. 19. To prevent frauds and concealments of H. M.'s customs and subsidies.

c. 20. Supply of 140,000*l.* for disbanding army, &c. [Exp.]

c. 21. 70,000*l.* to H. M., [Exp.]

c. 23. Beer, ale, &c. duty. [Exp.]

c. 24. Abolishing the court of wards and liveries, and tenures *in capite* and knight's service, 1531. *pl.* 18. 25.; fines for alienations, 253. *pl.* 12.; guardian, and ward, 334, 335. *pl.* 13—15.; butlerage and prisage, 1593. *pl.* 33.; purveyance, 1305. *pl.* 4—7.; and settling revenue on H.M. in lieu thereof, *viz.* of customs and excise, beer and ale, prices, 70. *pl.* 14.

s. 20. is Rep. by 10 & 11 *W.* 3. *c.* 21. *s.* 8.

ss. 26, 27. are Rep. by 1 *W. & M. St.* 2. *c.* 6. *s.* 2.,

ss. 15—27. are Rep. by 27 *G.* 3. *c.* 13. *s.* 35., (and see *s.* 51.) by 43 *G.* 3. *c.* 69. *s.* 1.

s. 34. is Rep. by 1 *W. & M. S.* 1. *c.* 24. *s.* 5., and 43 *G.* 3. *c.* 69. *s.* 12.

s. 36. is Rep. by *id. ibid.* as to allowance for leakage.

s. 48. is Rep. as to hours of business at excise office, by 23 *G.* 2. *c.* 26. *s.* 12.

ss. 51, 52. are Exp.

c. 25. Wines, 1592. *pl.* 20, 21.

s. 12. is Exp. as to prices of wines.

c. 26. Arrears of assessments levying, [Exp.]

cc. 27, 28. Army disbanding.

c. 29. 70,000*l.* to H. M., [Exp.]

c. 30. Attainder of the regicides; martyrdom of *C.* 1. [Exp.] 363. *pl.* 43.

c. 31. Leases and grants from colleges and hospitals, [Exp.] 476. *pl.* 18.

c. 32. Export of wool, fullers' earth, &c. [Rep. 28 *G.* 3. *c.* 38. *s.* 1.]

c. 33. Confirmation of marriages, [Exp.]

c. 34. Planting, &c. tobacco in *Eng.* and *Ire.*, 1538. *pl.* 1, 2. 4, 5. 14.

s. 1. is Rep. as to planting, &c. tobacco in *Ire.* by 19 *G.* 3. *c.* 35. *s.* 1.

c. 35. Post office erected, [*Qu.* Rep. 9 *A. c.* 10.]

c. 36. Master of rolls, making leases, [Rep. 17 *G.* 3. *c.* 59. *ss.* 1, 2.]

13 *Car.* 2. A. D. 1661.

St. 1. Duty and fees of masters in chancery, 162. *pl.* 13, 14.

13 *Car.* 2. *St.* 1. A. D. 1661.

c. 1. Preservation of H. M.'s person and government, 524. *pl.* 1., 1544. *pl.* 15.

c. 2. Repeals 16 *C.* 1. *c.* 27. Clergy exercising temporal jurisdiction, 1388. Stats. *Rep.* &c. *pl.* 21.

c. 3. Monies collected in the late times vested in H. M. [Exp.]

c. 4. Voluntary present to H. M. [Exp.]

c. 5. Petitions to H. M. or to parliament, 1326, 1327. *pl.* 15—17.

c. 6. Sole right of militia in H. M., [Exp.]

c. 7. Confirming public acts, [Exp.]

c. 8. Carriages, providing for H. M. in his royal progress and removals, [Exp.] 1305. *pl.* 4.

c. 9. Articles for better government of H. M.'s navy and seamen, [Rep. 22 *G.* 2. *c.* 33. *s.* 1.]

c. 10. Killing deer, [Rep. 16 *G.* 3. *c.* 30. *s.* 27.] 309. *pl.* 11.

c. 11. Continuing statutes, [Exp.]

c. 12. Commissioners for causes ecclesiastical, 1389, 1390. *pl.* 63—65.

c. 13. Excise, &c. vested in H. M. [Exp.]

c. 14. Navigation, [Exp.] 1560. *pl.* 8.

c. 15. Declaring the penalties on offenders excepted from indemnity, in 12 *C.* 2. *c.* 11. [Exp.]

13 *Car.* 2. *St.* 2. A. D. 1661.

c. 1. Corporations, 150. *pl.* 1. 8, 9., 1619. Corporation.

ss. 4—7. are Rep. by 5 *G.* 1. *c.* 6. *ss.* 2, 3., oath.

ss. 2, 3. 8, 9. 13—16. are Exp.

13 *Car.* 2. *St.* 2. A. D. 1661. (*continued.*)

c. 2. Vexatious arrests, and delays in suits of law, preventing, 33. *pl.* 6—10., 1280. *pl.* 23, 24., 240. *pl.* 7—11., return of writs in personal actions, 1618. *pl.* 24—26.

c. 3. Grant of 1,260,000*l.* to H. M. by monthly assessments, [Exp.]

c. 4. Leases of duchy of *Cornwall*, [Exp.] (Local.) 174. *pl.* 4.

13 & 14 *Car.* 2. A. D. 1662.

c. 1. Quakers, &c. refusing to take oaths, [Rep. 52 *G.* 3. *c.* 155. *s.* 1.]

c. 3. Militia, [Rep. except as to *London* and *Tower Hamlets*, 26 *G.* 3. *c.* 107. *s.* 135., but that act is Rep. 42 *G.* 3. *c.* 90., which see.]

s. 18. is Rep. as to the oath by 1 *W. & M. S.* 1. *c.* 8. *s.* 11.

c. 4. Uniformity of service and sacraments; form of ordaining bishops, priests, and deacons in *Eng.*, 1352. *pl.* 47—50. 52. 55—62. 64, 65. 67—75.

s. 12. is Rep. as to omitting part of the declaration in 13 & 14 *C.* 2. *c.* 4. *s.* 9. which relates to the covenant, seems Exp. since that part was abolished by 1 *W. & M. S.* 1. *c.* 8. *s.* 11.; *ss.* 13. 32. also Exp.

c. 6. Highways, [Exp. and virtually Rep. 7 *G.* 3. *c.* 42. *s.* 57.] 352. *pl.* 6.

Rep. in part as to breadth of waggon wheels, by 22 *C.* 2. *c.* 12. *s.* 3.

Rep. as to the words 'for hire,' by 30 *C.* 2. *c.* 5.

c. 7. Export of leather and cow-hides.

s. 4. is Rep. by 48 *G.* 3. *c.* 60. *s.* 2., export of leather and hides.

s. 13. is Rep. by *id. s.* 3.

s. 14. is Rep. by *id. s.* 4.

c. 8. Relief of 60,000*l.* to indigent royalist officers, [Exp.]

c. 9. Wounded officers in late wars, relieved, [Exp.] 1380. *pl.* 4.

c. 10. Additional revenue to H. M., [Rep. 1 *W. & M. S.* 1. *c.* 10. as to hearth-money,] 1320. *pl.* 3.

c. 11. To prevent frauds and regulate abuses in H. M.'s customs.

s. 23. is Rep. by 6 *G.* 3. *c.* 15. *s.* 1. timber import.

s. 35. is Rep. partly by 11 & 12 *W.* 3. *c.* 20. *s.* 1., woollen manufactures, export duty; 24 *G.* 2. *S.* 2. *c.* 16. *s.* 5., *Mediterranean* duty; and see now 59 *G.* 3. *c.* 52., &c.

c. 12. Relief of poor, 1259. *pl.* 1. 4., 1272., *pl.* 194. 197., 1274. *pl.* 245—257.; bastard, 68. *pl.* 5., 69. *pl.* 8, 9. 1562. *pl.* 16—21.

s. 1. is Rep. by 35 *G.* 3. *c.* 101. *s.* 1., poor.

s. 9. is Exp. in part, poor, *London*; *ss.* 10. 25. Exp.

c. 13. Import of foreign lace, &c. [Rep. 5 & 6 *A. c.* 17. *s.* 1.; but see that act *s.* 2.]

c. 14. Prosecutions for prize goods, [Rep. in part 16 & 17 *C.* 2. *c.* 6., and Exp.] 1294. Prize, *pl.* 2.

c. 15. Silk throwing trade, 1370. *pl.* 1—5. 8, 9. 11—13.

s. 3. is Exp.

c. 16. Public accountants excepted in act of oblivion, [Exp.]

c. 17. Relief of collectors of public monies, their deputies, &c. 1324. *pl.* 1, 2.

s. 2. is Exp.

c. 18. Export of wool, cloths, yarn, fullers earth, &c.

ss. 1—8. are Rep. by 28 *G.* 3. *c.* 38. *s.* 1., wool, &c. export.

s. 9. is Rep. by 20 *G.* 3. *c.* 55., wool, export.

c. 19. Foreign wool cards, card or iron wire, 1599. *pl.* 38.

c. 20. Carriages for navy and ordnance, providing, [Exp.] 1305. *pl.* 5.

c. 21. Sheriffs, charges and accounts of, 1360. *pl.* 71—80.

s. 5. is Exp.

c. 22. Northern borders, 528. *pl.* 18—24.

s. 7. is Exp.

c. 23. Assurance, matter of, among merchants, 397. *pl.* 1. 6—9.

c. 24. Declaratory concerning bankrupts, 58. *pl.* 8. 15, 16.

ss. 5, 6. are Exp.

c. 25. Restoring advowsons, tithes, [Exp.] &c. 13. Advowson, Stats. *Exp. pl.* 1.

13 & 14 *Car.* 2. A. D. 1662. (*continued.*)

c. 26. Weight and packing of butter, [Rep. 36 *G.* 3. *c.* 86. *s.* 19.] 106. *pl.* 2.

c. 28. Pilchard fishery co.s, *Devon* and *Cornwall*, 284. *pl.* 255—259.

c. 30. Import of madder, [Rep. 15 *C.* 2. *c.* 16. *s.* 3.]

c. 31. Against melting silver coin, [Rep. 59 *G.* 3. *c.* 49. *ss.* 11, 12.] 135. *pl.* 20.

c. 33. Printing regulated, [Exp.] 1349. *pl.* 3.

15 *Car.* 2. A. D. 1663.

c. 1. Highways, [Rep. 6 *G.* 2. *c.* 24. and Exp.] (Local.)

c. 2. Destroying wood or young timber trees, 1596. *pl.* 32—36.

c. 3. Amending 13 & 14 *C.* 2. *c.* 8. [Exp.]

c. 4. Militia, [Rep. except as to *London* and *Tower Hamlets*, 26 *G.* 3. *c.* 107. *s.* 135., but which is Rep. 42 *G.* 3. *c.* 90. which see.]

c. 5. Select vestries, regulating, [Exp.] 1566. Stats. *Exp.*

c. 6. Uniformity of service, &c. 1350. *pl.* 2., 1353. *pl.* 63. 66. (see 13 & 14 *C.* 2. *c.* 4.)

ss. 1—4. and *s.* 6. are Exp.

c. 7. Encouragement of trade; tobacco importing, 1538. *pl.* 1. 3. 6. 14. Cattle from *Isle of Man*, 115. Stats. *in force*, *pl.* 3.

s. 4. is Rep. by 31 *G.* 3. *c.* 30. *s.* 2. selling corn.

s. 18. as to *Ire.*, is Rep. by 19 *G.* 3. *c.* 35. *s.* 1.

c. 8. Forestallers, [Rep. 12 *G.* 3. *c.* 71. *s.* 1.] 106. Butcher, *pl.* 3.

c. 9. Four subsidies by temporalty, [Exp.]

c. 10. Four subsidies by clergy, [Exp.]

c. 11. Excise duties, abuses in collection.

s. 4. *semble* Exp.

s. 15. is Rep. by 1 *W.* & *M.* (*Sess.* 2.) *c.* 6. *s.* 2. retailing coffee, chocolate, sherbet, or tea.

s. 20. is Rep. by 10 & 11 *W.* 3. *c.* 21. *s.* 8., excise on vinegar beer, see *s.* 9., and by 27 *G.* 3. *c.* 13. *s.* 35., 43 *G.* 3. *c.* 68. *s.* 1., 49 *G.* 3. *c.* 98. *s.* 1.

c. 12. Arrears of excise, recovery of, [Exp.]

c. 13. Hearth-money collection, [Rep. 1 *W.* & *M.* (*Sess.* 1.) *c.* 10. *s.* 2.] 1320. *pl.* 3.

c. 14. Duke of *York*. Post office revenues settled. Wine licences, granting, [Exp.]

c. 15. Manufactures of linen cloth and tapestry, 484. *pl.* 7—10.

c. 16. Herring and other fisheries, 269. *pl.* 2, 3., 273. *pl.* 74, 75., 281, 282. *pl.* 20. 22, 23., importing madder.

c. 17. Draining the great level of the fens called *Bedford* Level, (Local.)

16 *Car.* 2. A. D. 1664.

c. 1. Holding parliaments, 1215. Stats. *in force*. *pl.* 3.

s. 3. as to duration of parliaments, is Rep. by 6 & 7 *W.* 3. *c.* 2. *s.* 3., 1 *G.* 1. *St.* 2. *c.* 38. *s.* 1.

c. 2. Abatement of writs on error on judgments in exchequer, 234. *pl.* 4—7.

s. 3. in part, as to lord treasurer, is Rep. by 20 *C.* 2. *c.* 4.

c. 3. Collecting hearth-money, [Rep. 1 *W.* & *M.* (*Sess.* 1.) *c.* 10. *s.* 2.] 1320. *pl.* 3.

c. 4. Seditious conventicles, [Exp.] 36. Stats. *Rep. pl.* 5.

c. 5. Disturbances of seamen; preserving navy stores, [Exp.] 1342. Stats. *Exp. pl.* 1.

c. 6. Delivering up merchant-ships to the enemy, [Exp.] 1366. Stats. *Rep.* &c. *pl.* 1.

c. 7. Gaming, 320. *pl.* 14—16.

c. 8. Printing regulated, [Exp.] 1349. *pl.* 3.

16 & 17 *Car.* 2. A. D. 1664.

c. 1. Present supply of 247,500*l.* to H. M., [Exp.]

c. 3. Jurors, qualification of, [Exp. see preamble to 4 & 5 *W.* & *M.* *c.* 4. *s.* 15.] 412. *pl.* 3.

c. 4. Better ordering and collecting excise duty.

c. 5. Against delays in extending statutes, judgments, and recognizances, 240. *pl.* 15—17.

c. 6. Prosecutions for prize goods, [Exp.] 1294. Prize, *pl.* 2. 24.

16 & 17 *Car.* 2. A. D. 1664. (*continued.*)

c. 7. Printing regulated, [Exp.] 1349. *pl.* 3.

c. 8. To prevent arrests of judgment, and superseding executions, 234. *pl.* 20—22., 409. *pl.* 5. 7, 8., Jeofails, 410. *pl.* 10. 16.

c. 9. Commissions to take affidavits within liberty of duchy of *Lancaster*, 157. *pl.* 21, 22.

17 *Car.* 2. A. D. 1665.

c. 1. Aid of 1,250,000*l.* to H M., [Exp.]

c. 2. Nonconformists inhabiting corporations, [Rep. 52 *G.* 3. *c.* 155. *s.* 1.] 524. *pl.* 2.

c. 3. Uniting churches in cities, and towns corporate, 124, 125. Churches, Stats. *in force*, *pl.* 3. 10—17.

c. 4. Printing regulated, [Exp.] 1349. *pl.* 3.

c. 6. Taking away damage-cleer, 1253. *pl.* 12., 245. *pl.* 6, 7. Ships, 1366. *pl.* 1.

s. 3. is Exp.

c. 7. Distresses and avowries for rents, 47. *pl.* 7, 8., 48. *pl.* 9—11.

c. 8. Unnecessary suits and delays, 7. *pl.* 12—14.

c. 9. Month's assessment to H. M., [Exp.]

18 *Car.* 2. A. D. 1666.

c. 1. Poll and other taxes for maintaining the war, [Exp.]

c. 2. Cattle from *Ire.*, 115. Stats. *in force*, *pl.* 1—3. Fish caught by foreigners, import, 262. *pl.* 57, 58.

s. 1. as to import of cattle, beef, pork, &c. from *Ire.*, is Rep. by 5 *G.* 3. *c.* 10. *s.* 1., 115. *pl.* 6.

c. 3. Northern borders, 528. *pl.* 18. 25.

s. 2. as to taking away benefit of clergy, is Rep. by 1 *G.* 4. *c.* 116. *s.* 1.

c. 4. Burying in woollen, [Rep. 30 *C.* 2. (*St.* 1.) *c.* 3. *s.* 2.] 1598. *pl.* 59.

c. 5. Encouraging coinage, 135, 136. *pl.* 21. 53—58.

s. 1. is Rep. in part as to silver, by 56 *G.* 3. *c.* 68. *s.* 1.

ss. 6—8. are Rep. by 22 *G.* 3. *c.* 28. *s.* 3., brandy, customs duty; lastly, 59 *G.* 3. *c.* 52. *s.* 1. *See* 135. *pl.* 21.

ss. 8—12. are Exp.

19 *Car.* 2. A. D. 1667.

c. 1. Poll and other taxes, as in 18 *C.* 2. *c.* 1.

c. 2. Judicature erected for determining differences as to houses burnt, &c. in fire of *London*, [Exp.] 11. Administration, &c. *pl.* 2.

c. 3. Rebuilding city of *London*, [*semb.* Exp.] 96. Stats. *Rep. pl.* 2., 490. *pl.* 37, 38. Removing conduits in *London*, 495. *pl.* 127.

ss. 1—14. and *s.* 43. are Rep. by 14 *G.* 3. *c.* 78. *s.* 101. rebuilding *London*.

s. 20. is Rep. by 11 *G.* 3. *c.* 29. *s.* 121. paving *London*.

ss. 6. 15—19. 23—36. 39—42. are Exp.

c. 4. Relief and setting to work of poor prisoners, 1281. *pl.* 25, 26. 28, 29.

s. 1. as to method of rating parishes for relief of prisoners, and setting them to work, is Rep. by 12 *G.* 2. *c.* 29. *s.* 22., and see *s.* 12. pointing out the method in force.

c. 5. Replevins and avowries in *Wa.*, and counties palatine, 46. *pl.* 7.

c. 6. Evidence of death of tenant for life, 237. *pl.* 1—4.

c. 7. Seamen disturbances; navy stores preservation, [Exp.] 1342. *pl.* 1.

c. 8. Aid of 1,256,347*l.* 13*s.* granted to H. M. to maintain the war.

c. 9. Accounts public, [Exp.] 1. Stats. *Exp. pl.* 1.

c. 11. Prize ships made free for trade, [Exp.] 1294. Prize, *pl.* 3.

c. 12. Assignment of orders in exchequer without revocation, [Exp.]

c. 13. Freedom of trade between *Eng.* and *Scot.*

20 *Car.* 2. A. D. 1668.

c. 1. To raise 310,000*l.* by duty on wines, &c. [Exp.]

c. 2. Payment of monies received for use of the crown, 1321. *pl.* 27—30.

20 *Car.* 2. A. D. 1668. (*continued.*)

c. 4. Judgment on writs of error brought in exchequer, 234. *pl.* 1. 5. 7, 8.

c. 5. Export of leather and skins, [Exp.] 478. *pl.* 15.

c. 6. Trade of silk-throwing regulated, 1370. *pl.* 1. 6. 13.

c. 7. Against import of foreign cattle, 115. *pl.* 1. 3, 4., 116. *pl.* 7—12. *s.* 1. is Exp.

c. 8. (Private.) Taxes on lands of adventurers in great level of the fens.

22 *Car.* 2. A. D. 1670.

c. 1. Seditious conventicles, [Rep. 52*G.* 3. *c.* 155. *s.* 1.] 524. *pl.* 3.

c. 3. Tax on vinegar and wines imported, [Exp.]

c. 4. Tax on brandy, [last Rep. 59*G.* 3. *c.* 52. *s.* 1.]

c. 5. Stealing cloth from rack, 1601. *pl.* 72, 73.; stealing H. M.'s stores, &c., [Ext. to *Ire.*, 52*G.* 3. *c.* 12. *s.* 1.] benefit of clergy, 1481. *pl.* 4, 5.

c. 6. Sale of fee-farm and other rents, 174, 175. *pl.* 5—15.
Rep. in part by 19*G.* 3. *c.* 45. *s.* 1., 26*G.* 3. *c.* 87. *s.* 10. sale of fee-farm rents of duchy of *Lancaster*.
s. 12. is Exp.

c. 7. (Local.) Duchy of *Cornwall* leases, &c. [Exp.] 174. *pl.* 4.

c. 8. Measures of corn and salt, 1588, 1589. *pl.* 39—46.

c. 9. *Scotland*, union, [Exp.] 1338.

c. 11. Rebuilding *London*, &c. 96. Stats. *Rep. pl.* 2.
s. 44. restraining proprietors of wharfs between *London-bridge* and the *Temple*, from erecting buildings, &c. thereon, is Rep. by 1 & 2 *G.* 4. *c.* 89. *s.* 1.

c. 12. Bridges repairing, [Rep. as to highways, 7*G.* 3. *c.* 42. *s.* 57. 352. *pl.* 7.] 94. *pl.* 25—28.
ss. 13, 14. are Exp.
ss. 1, 2. in part as to highways, and *ss.* 3—9. 11, 12. are Rep. entirely by 7 *G.* 2. *c.* 42. *s.* 57.

c. 13. Import of corn.

22 & 23 *Car.* 2. A. D. 1670.

c. 1. Malicious maiming and wounding, 511. *pl.* 2—4.
ss. 1—6. 9. are Exp.

c. 2. Execution, 240. *pl.* 15.

c. 3. Subsidy to H. M. for extraordinaries.

c. 4. Jeofails, *pl.* 10.

c. 5. Additional excise on beer, ale, and other liquors. [These duties are Exp.]

c. 6. Recompence in lieu of granting wine licences hereby revested in H. M. see (15 *C.* 2. *c.* 14.)

c. 7. Burning of houses, stacks, &c., 36. Arson, Stats. *in force*, *pl.* 1—6.; killing or maiming cattle, 1548. *pl.* 6, 7.

c. 9. Impositions on proceedings at law; judge certifying for costs, 151, 152. *pl.* 12. 14, 15.
ss. 1—135. are Exp.

c. 10. Statute of distributions of intestate's estates, 242. *pl.* 27—29. 31—34. 35—38.; Appendix, No. III.

c. 11. Against delivering up of merchant ships to pirates, and to increase shipping, 1366. *pl.* 1—10.; destroying ships, *id. s.* 11.
ss. 13, 14., ships building, Exp.

c. 12. Measures of corn and salt, 1589. *pl.* 47—50.

c. 13. Export of beer, ale, and mum, [Exp.—*Note.* Export of horses and mares expressly allowed, *s.* 8.]

c. 14. Differences arising from fire of *London*. [Exp.] (Local.)

c. 15. Clergy in the parishes of *London* burnt, 489, 490. *pl.* 22—32.
ss. 4—7., clergy of *London*, maintenance, Exp.

c. 16. (Local.) Discovery of frauds on the poor of *London* during the plague and fire.

c. 18. Workhouses, 1274, 1275. *pl.* 245. 258—260.
ss. 1—3. and 5. are Exp.

c. 19. Frauds in sale of cattle in *Smithfield*, &c. [Rep. 25 *C.* 2. *c.* 4.] [Exp.] 115. *pl.* 7.

22 & 23 *Car.* 2. A. D. 1670. (*continued.*)

c. 20. Relief of prisoners for debt, 1281. *pl.* 30—34.
ss. 9—12. *semble* are Rep. by 32*G.* 2. *c.* 28. *ss.* 1—4. *sed qu.*? lock-up houses; victuals, &c. furnished to prisoner, 33, 34. *pl.* 11—13. 15.
ss. 1—8. Insolvent, 388. *pl.* 1. Exp.

c. 21. Accounts of 60,000*l.* granted to the poor officers. [Exp.]

c. 22. Fines to H. M., recovery of, 253, 254. *pl.* 13—20. 22, 23.
s. 13. is Exp.

c. 23. Naval stores, embezzlement, &c. [Exp.] 1342. *pl.* 1.

c. 24. Vesting, fee-farm, &c. rents in trustees, 175. *pl.* 16—22.
partly Rep. by 19*G.* 3. *c.* 45. *s.* 1., 26*G.* 3. *c.* 87. *s.* 10. sale of fee-farm rents of duchy of *Lancaster*.
s. 7. is Exp.

c. 25. Preservation of game; securing the warrens not inclosed, and the several fishings of the realm, 312. *pl.* 64—73.

c. 26. Tobacco, planting in *Eng.*, 1538, *pl.* 1. 7—14.; plantation trade.
s. 11. is Rep. by 20*G.* 3. *c.* 10. *s.* 3.; plantation trade.

25 *Car.* 2. A. D. 1672.

c. 1. Supply to H. M. of 1,238,750*l.* for extraordinaries.

c. 2. Popish recusants, 1209. *pl.* 166, 167., 1210. *pl.* 170—181.
ss. 13. and 16. are Exp.

c. 3. (Local.) Duchy of *Cornwall* leases, &c. [Exp.] 174. *pl.* 4.

c. 4. Selling fat cattle, [Exp.] 115. *pl.* 7.

c. 5. Pardon, [Exp.] 1214. *pl.* 6.

c. 6. Taking off aliens duty on export of commodities of the growth, &c. of this kingdom, 290. *pl.* 359, 360.
Rep. as to woollen manufactures export duty, by 11 & 12 *W.* 3. *c.* 20. *s.* 1.

c. 7. Encouragement, &c. of *Greenland*, *Eastland*, and plantation trades.
s. 1. is Rep. by 6*G.* 3. *c.* 52. *s.* 1., coffee, pimento, &c. duties.

c. 8. Coin, [Exp. and *semb.* Rep. as to 18 *C.* 2. *c.* 5. *ss.* 6, 7. by 27*G.* 3. *c.* 17. *s.* 1., 43*G.* 3. *c.* 68. *s.* 1. &c.] 135. *pl.* 21.

c. 2. County of *Durham*, sending members to Parliament, 1216. *pl.* 38, 39.

c. 10. Fire of *London*, [Exp.] 11. Administration, &c. *pl.* 3.

29 *Car.* 2. A. D. 1676.

c. 1. To raise 584,978*l.* 2*s.* 2½*d.* for building 30 ships of war. [Exp.]

c. 2. Beer and ale, &c. duty, [Exp.]

c. 3. For prevention of frauds and perjuries, 303. *pl.* 23—28.; devises of estates, *pur autre vie*, 237. *pl.* 5.; time of binding property by execution, 240. *pl.* 18.; femes-covert intestates, 242. *pl.* 27. 38.; signing judgments, 411. *pl.* 4, 5.; uses and trusts, 1560. *pl.* 12—14. 16—18.; wills of lands, nuncupative wills, 1590, 1591. *pl.* 10, 11. 18—21. 23—27.

c. 4. Fire in *Southwark*, [Exp.] 11. Administration, &c. *pl.* 4.

c. 5. For taking affidavits in the country, to be used in K. B., C. P., and exchequer, 13. Affidavit.

c. 6. Naturalization of children born abroad during the troubles, [Exp.] 519. *pl.* 1.

c. 7. For better observation of *Sunday*, 363. *pl.* 44—50.

c. 8. Augmentations made by clergy to small vicarages and curacies, 71, 72. *pl.* 25—33.

c. 9. To take away the writ *De Heretico comburendo*, 349. Heretic, Stats. *in force*, *pl.* 1—3.

29 & 30 *Car.* 2. A. D. 1676.

c. 1. Poll tax, [Exp.]

c. 2. Theft, &c. on northern borders, 528. *pl.* 18. 26—28.
ss. 2—4. are Exp.

30 *Car.* 2. *St.* 1. A. D. 1677.

c. 1. Army disbanding, &c. [Exp.]

c. 2. Wine duty, [Exp.]

c. 3. Burying in woollen, [Rep. 54*G.* 3. *c.* 108.] 1598. *pl.* 59

30 *Car.* 2. *St.* 1. A.D. 1677. (*continued.*)

*c.*4. Discharge of poor prisoners for debt, [EXP.] 388. *pl.*1.
*c.*5. Highways, [EXP.] 352. *pl.*6.
*c.*6. Continuing statute, [EXP.] 242. *pl.*27, &c. &c.
*c.*7. Creditors to recover their debts of the executors, &c. of executors *de son tort*, 242. *pl.*39, 40.
*c.*8. Admeasurement of coal keels and boats, 133. *pl.*2—4. 9—10.
*c.*9. Preservation of fishing in *Severn*, 285. *pl.*267. (Local.)
*s.*1. is REP. by 18*G.*3.*c.*33. *s.*1.; fisheries, *Severn*, *Verniew*.

30 *Car.* 2. *St.* 2.

Disabling papists to sit in parliament, 1217, 1218. *pl.*66—74.
*s.*2. as to the oaths of allegiance and supremacy, is REP. by 1 *W.&M. S.*1. *c.*1. *s.*2. &c.
*s.*9. as to the king's sworn servants making the declaration of transubstantiation, with the additions in that act is REP. by 2 *G.*2. *c.*31. *s.*9., which see.

31 *C.* 2. A.D. 1678.

*c.*1. No quartering soldiers on persons without their consent; see now 1 & 2 *G.*4. *c.*9. *s.*48. SOLDIERS, 1382. *pl.*42.
*ss.*1—53. supply of 206,462*l.* 17*s.* 3*d.*, army disbanding, EXP.
*c.*2. Liberties of subject; *habeas corpus*; imprisonment beyond seas, 337, 338. *pl.* 1—20.
*s.*15. is EXP.
*c.*3. Re-ingrossing records of fines burnt or lost in the fire in the *Temple*, [EXP.] 250. STATS. *Rep.* *pl.*2.

32 *C.* 2. A.D. 1679.

*c.*1. Burying in woollen, [REP. 54*G.*3. *c.*108.] 1598. *pl.*59.
*c.*2. Against import of cattle from *Ire.*, [*semb.* REP. 5*G.*3. *c.*10.] 115. *pl.*8. STATS. *in force*, *pl.*1, 2. 4—6., 116. *pl.*9. 13.; import of fish, 262. *pl.*59.
*s.*11. is REP. by 5*G.*3. *c.*10. *s.*1.

1 *Jac.* 2. A.D. 1685.

*c.*1. The king's revenue for life. [EXP. and REP. 2 *W.&M. S.*1. *c.*3. *s.*11.]
*c.*2. Duke of *Monmouth's* attainder. [EXP.]
*c.*3. Duty on wines and vinegar imported. [EXP.]
*c.*4. Duty on tobacco and sugar imported. [EXP.]
*c.*5. Duty on *French* silks, brandies, linen, &c. *Indian* manufactures; aid for one year. [EXP.]
*c.*6. *French* commodities prohibited. [EXP.]
*c.*7. Coinage. [REP. as to 18*C.*2. *c.*5. *ss.*6, 7. by 43*G.*3. *c.*68. *s.*1., &c.]
*c.*8. Import of gunpowder, arms, &c. [REP. as to gunpowder, &c. the manufacture of *Ire.*, 46*G.*3. *c.*121.] 335. *pl.*4, 5.
*c.*9. (Local.) Duchy of *Cornwall* leases, [EXP.] 174. *pl.*4.
*c.*10. Carriages for H.M. in his royal progress and removals, [EXP.] 1305. *pl.*4.
*c.*11. Carriages providing for the ordnance, [EXP.] 1305. *pl.*5.
*c.*12. King's seisin in fee of post office revenue, (*s.*4.) 431. *pl.*59, 60.
*ss.*1—3. consolidating H.M.'s interest in post office, &c. [EXP.]
*c.*13. Export of leather. [EXP.]
*c.*14. Theft, &c. on northern borders, [EXP.] 528. *pl.*18.
*c.*17. Settlement of poor, 1272. *pl.*194. 198. Intestate's estates, 242. *pl.*27. 30. 35.
*ss.*1, 2. 9—15. reviving and continuing statutes, are EXP.
*c.*18. To encourage the building ships in *England*. Navigation.
*c.*19. HUSBANDRY, [REP. 31*G.*3. *c.*30. *s.*1.] 373. *pl.*10.

1 *W.&M. S.*1. A.D. 1688.

*c.*1. To prevent all questions concerning the sitting of this parliament, 1217, 1218. *pl.*66. 75. 123. *pl.*1. 3. 5—10.
*s.*8. is EXP.
*c.*2. Suspected conspirators against the government, detaining, [EXP.] 480. STATS. *Rep.* &c. *pl.*1.

1 *W.&M. S.*1. A.D. 1688.

*c.*3. Aid to T.M. [EXP.]
*c.*4. Removal of actions and process, discontinued by the not holding *Hilary* term, [EXP.] 1688. 11. ADMINISTRATION, &c. *pl.*5.
*c.*5. Mutiny act. [EXP.]
*c.*6. Coronation oath, 431. *pl.*61, 62.
*s.*2. is EXP.
*c.*7. Apprehending conspirators, [EXP.] 480. *pl.*1.
*s.*12. *semble* as to forms of oaths, is REP. by 1 *G.*1. *St.*2. *c.*13., 6*G.*3. *c.*53. *s.*1.
*s.*13. as to the fee, is REP. virtually by 1 *G.*1. *St.*2. *c.*13. *s.*9.
*c.*8. Oaths of allegiance and supremacy, 530, 531. *pl.*37—42. 45—47.
*c.*9. Removing papists from *London*, &c.
*ss.*4. 6. 14—16. oaths of allegiance, &c.; nonjuring clergy, &c.; corporations, &c. are EXP.
*c.*10. To take away revenue raised by hearth money.
*s.*3. is EXP.
*c.*12. Corn, export. [REP. 31*G.*3. *c.*30. *s.*1.]
*c.*13. Poll tax, for reducing, *Ireland*. [EXP.]
*c.*14. Collecting the public revenue. [EXP.]
*c.*15. Disarming papists. [EXT. to *Scot.* except as to the declaration, by 1*G.*1. *S.*2. *c.*20. *s.*16.]
*c.*16. Simony of one person shall not prejudice another, 1372. SIMONY, *pl.*1—3.
*c.*17. Extending *c.*9. to *Essex*, 1210. *pl.*182, 183.
*c.*18. Relief of protestant dissenters from penal laws, 524, 525. *pl.*1—8. 11—13. 15—19. 21, 22.
*s.*13. is REP. *as to the forms* by 8*G.*1. *c.*6. *s.*1.
*s.*17. is REP. as to the *Holy Trinity*, by 53*G.*3. *c.*160. *s.*1.
*s.*3. is EXP.
*c.*19. Same as *c.*2. [EXP.] 480. *pl.*1.
*c.*20. Aid of 12*d.* in the pound for one year. [EXP.]
*c.*21. Commissioners of great seal to execute office of lord chancellor or lord keeper, 162. *pl.*10—12., 1574. *pl.*152. Taking away court of marches of *Wa.*, 173. *pl.*1—3.
*c.*22. Beer, &c. export of, duties, [REP. 59*G.*3. *c.*52. *s.*1. and *see* schedule of that act.]
*c.*23. Leather, export. [EXP.]
*c.*24. Excise duties on beer, &c. general regulations of collection and gauging, [EXP.] 70. *pl.*15.
*s.*5. ale measure; leakage, allowance, is REP. virtually by 43*G.*3. *c.*69. *s.*12.
*ss.*1, 2. beer and ale duties, are EXP.
*c.*25. Oaths to be taken by military and naval officers, 530, 531. *pl.*37. 43, 44.
*c.*26. Presentation of benefices belonging to papists vested in universities, 1211. *pl.*196—202.
*c.*27. Marches court of *Wa.*, taken away, 1573—1576. *pl.*152—201. 213, 214.
*s.*5. executing judgments of *Welsh* marches court, is EXP. 1568. *pl.*13.
*c.*28. Appropriation of supply for *refunding* to the *Dutch* the expences of King *William*'s expedition, &c. [EXP.]
*c.*29. Relief of protestant *Irish* clergy, 1210. *pl.*182—185. [EXP.]
*c.*30. Gold and silver, multiplying, 322. GOLD, &c. *pl.*7. 323. *pl.*15. MINES, 514. *pl.*1.
*c.*31. Amending *c.*20. [EXP.]
*c.*32. Wool manufactures, export, 1599. *pl.*43—46.
*ss.*1—5. 7—11. export of wool, is REP. by 28*G.*3. *c.*38. *s.*1.
*c.*33. Tanned leather, 478. STATS. *Rep.*, &c. *pl.*16., STATS. *in force*, *pl.*8. 11—14.
*c.*34. Wines, selling, 1592. *pl.*22, 23. Adulterating, 299. *pl.*1.
*s.*8. is REP. by 5&6 *W.&M. c.*2. *s.*2., brandy, import.
*ss.*1—7. and *ss.*9—18. commerce with *France*, are EXP.

1 *W.&M. S.2.* A.D. 1689.

*c.*1. Aid of 2*s.* in the pound for one year. [Exp.]
*c.*2. Rights and liberties; succession of the crown, 482. *pl.*47—55.
*c.*3. Collecting public revenue. [Exp.]
*c.*4. Mutiny act. [Exp.]
*c.*5. Additional aid of 1*s.* in the pound, [Exp.] one year, *see c.*1.
*c.*6. Collecting excise duty on the liquors of coffee, tea and chocolate.
all but *ss.*1, 2. is Exp.
*c.*7. Poll tax, review of, and poll tax for reduction of *Ire.* [Exp.]
*c.*8. Suits against such as acted for bringing in T.M., taken away. [Exp.]
*c.*9. Security of protestant subjects in *Ire.* [Exp.]

2 *W. & M. St.* 1. A. D. 1690.

*c.*1. Recognizing T. M. as king and queen; declaring statutes of last parliament good, 1218. *pl.*76—77.
*c.*2. Poll tax to reduce *Ire.* and prosecute war with *France*, [Exp.]
*c.*3. Duties on beer, ale, and liquors granted for lives of T. M., [Exp.]
*c.*4. Subsidy of tonnage and poundage, and duties on imports and exports, [Exp.]
*c.*5. Sale of goods distrained for rent; when made, 439. *pl.*11—15.
*c.*6. Government exercised duriug H.M.'s absence, [Exp.] 429. *pl.*35.
*c.*7. Election of M. P.s for cinque ports, 1218. *pl.*78—79.
*c.*8. For reversing the judgment in a *quo warranto* against the city of *London*, and restoring it to its ancient rights, &c. (Local.)
*c.*9. Importation of thrown silk discouraged.
*ss.*3—4. thrown silk export, are Exp.
*c.*10. Pardon, [Exp.] 1214. *pl.*6.

2 *W. & M. St.* 2. A. D. 1690.

*c.*1. Aid of 1,651,702*l.* 18*s.* [Exp.]
*c.*2. Commissioners of admiralty, 11. Admiralty, *pl.*1. and *pl.*6—7.
*s.*4. is Rep. by 22 *G.*2. *c.*33. *s.*1. navy.
*c.*3. Doubling the excise duty on beer, &c. for one year. [Exp.]
*c.*4. Duties on *East India* goods, and on wrought silks, &c. imported after *25th Dec.* 1690. Time for paying customs 1 year, (*s.*54) increased to 3 years, 7 *G.*1. *S.*1. *c.*21. *s.*10.
*ss.*2—52. are Rep. asto the duties thereby granted (called the *Old Impost*) first by 27 *G.*3. *c.*13. *s.*1., lastly by 59 *G.*3. *c.*52. *s.*1.
*s.*53. *ad valorem* duty is Rep. by 11 *G.*1. *c.*7. *s.*1.
*c.*5. Credit of loan at 8 *per cent.* under 1 *W.& M. S.*1. *c.*28.
*ss.*1—3. 6—11. 14. Duties on vinegar, &c. are Exp.
*s.*4. Since expiration of that part of 1 *W.& M. S.*1. *c.*34. therein excepted, is Exp.
*c.*6. Mutiny act. [Exp.]
*c.*7. Measure. (Local.)
*c.*8. *London*, *Westminster*, and *Southwark* bills of mortality, paving, and regulating markets. (Local.)
as to assessments for repairing highways, is Rep. by 7 *G.*3. *c.*42. *s.*57. (352. *pl.*17.)
as to paving, &c. the streets of *London*, and preventing nuisances and obstructions therein, is Rep. by 8 *G.*3. *c.*21. *s.*100.
as to sewers, drains, vaults, and pavements, is Rep. by 11 *G.*3. *c.*29. *s.*121.
as to hay and straw is Rep. by 36 *G.*3. *c.*88. *s.*1.
*c.*9. Distillation of spirits; duties on low wines or spirits of first extraction.
*ss.*1—7. spirits, duties are Exp.
*c.*10. Grant of excise on beer, &c. [Exp.]
*c.*11. Commissioners of public accounts, [Exp.] 1. Stats. *Exp. pl.*2.
*c.*12. Militia. [Exp.]
*c.*13. Suits against such as acted in defence of the kingdom. [Exp.]
*c.*14. Trade with *France*, [Exp.] 299, *pl.*1. Selling wines, 1592. *pl.*24—26.
*c.*15. Relief of poor persons for debt, &c. [Exp.] 388. *pl.*2.

3 *W.& M.* A. D. 1691.

*c.*1. Grant of duties on beer and ale for one year, [Exp.]
*c.*2. Oaths of allegiance, &c. in *Ire.*
*ss.*5—6. 8—14., oaths, are Exp.
*c.*3. Tithe of hemp and flax, [Exp.] 1537. *pl.*54.
*c.*4. Two prize ships, with salt, [Exp.]
*c.*5. Aid of 1,651,702*l.* 18*s.* for the war, one year, [Exp.]
*c.*6. Quarterly poll tax, one year, [Exp.]
*c.*7. Militia [Exp.]
*c.*8. Encouragement of breeding cattle: Export of beef, &c.
*c.*9. For taking away clergy from some offenders, and punishing others, 76. *pl.*26—30. 32., 247. *pl.*43—44. 48.
*c.*10. Deer stealers, [Rep. 16 *G.*3. *c.*30. *s.*27.] 309. *pl.*12.
*c.*11. Amending the law of settlement of poor, 1270. *pl.*172—173., 1272., *pl.* 194. 199—204. 206. 208—210.
*c.*12. Prices of carriage of goods, (see 21 *G.*2. *c.*28. *s.*3., 18 *G.*2. *c.*33.,) 352. *pl.*8.
*ss.*1—23. as to highways, are Rep. by 7 *G.*3. *c.*40. *s.*61. and *id. c.*42. *s.*67.
*c.*13. Corresponding with the enemy, [Exp.] 1544. *pl.*16.
*c.*14. Creditors relief, against fraudulent devises, 304. *pl.*31—37.
*c.*15. Duty on low wines and spirits, collecting and preventing abuses therein.

4 *or* 4 *& 5 W. & M.* A.D. 1692.

*c.*1. Land-tax, [Exp.] (4*s.* in the pound.)
*c.*2. Wills of personalty by inhabitants of province of *York*, [Rep. *in toto* by 36 *G.*3. *c.*86. *s.*19.] 1590. *pl.*7—9.
*s.*3. is Rep by 2 *&* 3 *A. c.*5. *s.*1. citizens of *York*; wills
*c.*3. Beer and ale duties, [Exp.]
*c.*4. For taking special bails in the country in actions pending in K. B. C. P., and exchequer, 47. *pl.*14—18.
*c.*5. Beer and ale duties, supplying deficiency in, [Exp.] (see *c.*3.)
*s.*2. Rep. in part by 11 *G.*1. *c.*7. *s.*1., *ad valorem* duties; and partly by 1 *G.*2. *S.*2. *c.*17. *s.*1. wine lees, duty.
*c.*6. Militia, [Exp.]
*c.*7. Butter and cheese, abuses of traders in, 106. *pl.*2—10.
Rep. as to preventing fraud in the seller of butter after the factor or buyer has contracted for it, (*viz. s.*2.) by 36 *G.*3. *c.*86 .*s.*19.
*c.*8. Apprehending highwaymen, 1329. *pl.*4—11.
*s.*2. Rep. in part as to the imperative grant of reward, by 58 *G.*3. *c.*70. *s.*1.; and see *id. s.*2.
*c.*10. Foreign hair buttons, import of.
*c.*11. Accounts, public, 1. Stats. *Exp. pl.*2.
*c.*12. Contribution by parishioners of the church united to repairs, &c. of the church to which union is made, 124. Churches, Stats. *in force*, *pl.*4., 125. *pl.*18.
*c.*13. Mutiny act, [Exp.]
*c.*14. Quarterly poll-tax for one year, [Exp.]
*c.*15. Continuing several acts of supply, and charging several joint stocks.
*c.*16. Against frauds by clandestine mortgages, 517. *pl.*1—5.
*c.*17. *Greenland* trade, 290. *pl.*361—3.
*ss.*1—7. 9—27. 29. *Greenland* company, are Exp.
*c.*18. Malicious informations in K. B.; reversing outlawries therein, 383, 384. *pl.*6—9., 543. *pl.*32—35.
*c.*19. Suits against persons who acted for defence of the kingdom. [Exp.]
*c.*20. Better discovery of judgments in K. B., C. P., and exchequer, 412. Judgments, *pl.*6—10.
*c.*21. Delivering declarations to prisoners, 1281. *pl.*35—37.
*c.*22. Regulating proceedings in the crown office of K.B. 172, 173. *pl.*1—4. Publicity of criminal outlawries, 543. *pl.*16.
*c.*23. Destroying game, discovery and conviction of, 312, 313. *pl.*74. —84.
*c.*24. Reviving, &c. statutes, estreats, 238. *pl.*11. Recovery of debts owing by executors *de son tort*, 242. *pl.*41. Women clergy-

4 *or* 4 & 5 *W. & M.* A.D. 1692. (*continued.*)

able once, 76. *pl.* 26. 51. Jurors *tales*, 413—415. *pl.* 32—35. 51—54. Rates of carriage, 115. *pl.* 1—2. 5.

s. 3. Rep. by 22 *G.* 3. *c.* 28. *s.* 3.; and lastly, 59 *G.* 3. *c.* 52. *s.* 1. Coinage duties, (see 18 *C.* 2. *c.* 25. *tit.* Coin.)

s. 22. is Exp.

c. 25. Trade with *France*; privateers, encouragement of, [Exp.] 299. *pl.* 1.

5 & 6 *W. & M.* A. D. 1694.

c. 1. Land tax, [Exp.]

c. 2. Import of brandy and spirits, and bacon from *France*, [Exp.]

c. 3. Import of thrown silk, [Exp.]

c. 4. Number of justices of peace in *Wa.* 1574. *pl.* 146.

c. 5. Duty on beer, &c. [Exp.]

c. 6. Mines, royal, 514. *pl.* 2—4.

c. 7. Salt, beer, &c. duties of commissioners of excise M. P.s, 1222. *pl.* 185, 186.

s. 23. salt, contracts, is Exp.

c. 8. Relief of poor prisoners, [Exp.] 388. *pl.* 2.

c. 9. Weavers of cloth, Rep. 5 *El.* *c.* 4. *s.* 32.

c. 10. Relief of orphans, and other creditors of the city of *London*, (Local and Personal.)

ss 31, 32. city charges, money retained for 2000*l.* *per ann.* for 7 years, orphans fund, are Exp.

c. 11. Delays of proceedings at quarter sessions, 116, 117. *pl.* 4—9.

c. 12. Process for *capiatur* fine in courts at *Westminster*, 254. *pl.* 24, 25.

c. 13. To repeal 10 *Ed.* 3. *St.* 1. *c.* 3. Pardons, 1214. Stats. *in force*. *pl.* 9.

c. 14. Poll tax quarterly for one year, [Exp.]

c. 15. Mutiny, [Exp.]

c. 16. Saltpetre, import, [Exp.]

c. 17. Iron, copper, and mundick metal, export.

c. 18. Duchy of *Cornwall* leases, &c. [Exp.] 174. *pl.* 4. (Local.)

c. 19. Militia, [Exp.]

c. 20. Bank of *Eng.*, 48. *pl.* 1—3. 6., 49. *pl.* 14—19. 22—24., Elections of members of parliament, 1222, 1223. *pl.* 185. 194.

s. 21. as to determining the fund and corporation of bank of *Eng.*, is Rep. by 7 *A.* *c.* 7. *s.* 5.

ss. 23—25. duties on tonnage of ships, on beer, &c. are Exp.

c. 21. Stamp duties, 1398, *pl.* 1., 1416—1419. *pl.* 24—27. 49. 68. 70—73. 75—78., 1421—1423. *pl.* 128. 137. 139. 160, 161. 163., 1442. *pl.* 513—521.

ss. 1—3. are Rep. by 44 *G.* 3. *c.* 98. *s.* 1., 55 *G.* 3. *c.* 184. *s.* 1. as to duties on admissions, by 5 *G.* 3. *c.* 46. *s.* 1. stamps, stipendiary curates' licences.

ss. 17—19. are Exp.

c. 22. Hackney and stage coaches licensing, &c. [Exp. (*see s.* 3.) Rep. *virtually* by 9 *A.* *c.* 23. *ss.* 1—22.] 339. Stats. *Exp.* &c.

c. 23. Accounts, public, [Exp.] 1. Stats. *Exp.* *pl.* 2.

c. 24. Building ships, [Exp.] 1366. *pl.* 2.

c. 25. Navy, [Exp.] 1342. *pl.* 1.

6 & 7 *W.* 3. A. D. 1695.

c. 1. Subsidy of tonnage, poundage, and duties on exports and imports.

c. 2. Parliament's frequent meeting and calling, 1215, Stats. *in force*, *pl.* 3.

s. 3. as to triennial parliaments, is Rep. by 1 *G.* 1. (*St.* 2.) *c.* 38. *s.* 1., 1225. *pl.* 241.

s. 2. 4. are Exp.

c. 3. Land tax, 4*s.* in the pound, appropriation of supplies, [Exp.]

c. 4. Exempting apothecaries from serving as surveyor, constable, scavenger, and other parish and ward offices, 25. *pl.* 1—3.

c. 5. Annuities, purchasing, [Exp.]

6 & 7 *W.* 3. A. D. 1695. (*continued.*)

c. 6. Marriage, *s.* 24., registers, 1318. *pl.* 1., and without licence, *s.* 52., 508. *pl.* 5.

ss. 1—23. 25—51. are Exp.

c. 7. Duties on coffee, &c. [Exp.]

s. 2. is Rep. by 10 *G.* 1. *c.* 10. *s.* 1. cocoa nuts, duty.

c. 8. Mutiny, [Exp.]

c. 9. Accounts, public, [Exp.] 1. *pl.* 2. Stats. *Exp.*

c. 10. Measurement of keels, and keel boats at *Newcastle*, 133. *pl.* 5—10.

c. 11. Cursing and swearing, [Rep. 19 *G.* 2. *c.* 21. *s.* 15.] 1486. Stats. *Rep.* *pl.* 1.

c. 12. Stamp duties, 1416, 1417. *pl.* 27. (*a*)—30.

s. 9. as to allowances for ready money, is Rep. by 42 *G.* 3. *c.* 99. *s.* 5., 44 *G.* 3. *c.* 98. *Sch.* (C.)

ss. 8. 10, 11 admeasurement of ships' tonnage, are Exp.

c. 13. *s.* 1, 2. Militia; *s.* 3, shooting hailshot, [Exp.] 83. Bows, &c. Stats. *Rep.* *pl.* 5. 9.

c. 14. Continuing several statutes, [Exp.]

c. 16. Exactions at locks, &c. on *Thames*, [Rep. 24 *G.* 2. *c.* 8. *s.* 26.] 1534. Stats. *Rep.*

c. 17. Counterfeiting and clipping coin, 137, 138. *pl.* 60—68. Burning in cheek for, 137. *pl.* 63.

s. 5. and *s.* 7. *semble* *s.* 8. and *s.* 13. as to the melting and export of current coin, are Rep. by 59 *G.* 3. *c.* 49. *ss.* 11, 12., and as to clippings, &c. by 1 & 2 *G.* 4. *c.* 26. *s.* 4., 135. *pl.* 22.

s. 9. as to the rewards, is Rep. by 58 *G.* 3. *c.* 70. *s.* 1.

s. 10. *id. ibid. semb.* not revived, *id.* *s.* 5.

s. 15. is Exp. bullion export.

c. 18. Glass duties, [Rep. 9 & 10 *W.* 3. *c.* 45. *s.* 1., 10 & 11 *W.* 3. *c.* 18.]

ss. 1—14. are Exp., glass wares, &c. duty.

ss. 19—28. are Exp. (see 7 *T. R.* 673.) coals, duty.

ss. 30, 31. are Exp. hackney coach licences.

c. 20. Pardon, [Exp.] 1214. *pl.* 6.

7 & 8 *W.* 3. A. D. 1695.

c. 1. Ill state of coin, remedying by new coinage.

s. 2. as to the weight and fineness prescribed by indenture, with master of mint, making silver monies, and which remained standard of silver coin, is Rep. by 56 *G.* 3. *c.* 68. *s.* 2.

s. 13. as to silver coinage, is Rep. by 7 & 8 *W.* 3. *c.* 30. *s.* 47., 56 *G.* 3. *c.* 68. *s.* 4.

semble ss. 1—12. new coinage, and *s.* 14. are Exp.

c. 2. Annuities, time for purchasing enlarged, [Exp.]

c. 3. Treason and misprision of treason, trials for, 1545. *pl.* 52. 55—65.

s. 6. in part as to previous treasons, is Exp.

c. 4. Expence in elections to parliament, 1218. *pl.* 80—82.

7 & 8 *W.* 3. A. D. 1696.

c. 5. Land tax aid 4*s.* in the pound, [Exp.]

c. 6. Recovery of small tithes, 1537. *pl.* 39, 40. 42—53.

s. 11. and *s.* 15. are Exp.

c. 7. False and double returns of M. P.s, 1219. *pl.* 101—107.

s. 7. is Exp.

c. 8. Accounts, public, 1. Stats. *Exp.* *pl.* 2.

c. 10. Duties on imports, [Rep. 27 *G.* 3. *c.* 13. *s.* 1., and lastly 59 *G.* 3. *c.* 52. *s.* 1.] 1330. Sailcloth. *pl.* 5.

s. 18. is Exp.

c. 11. Suspected persons detaining, [Exp.] 480. *pl.* 1.

c. 12. Prisoners for debt, relief, [Exp.] 388. *pl.* 2.

c. 13. Coining; importing guineas, &c. [Rep. 8 & 9 *W.* 3. *c.* 1. *s.* 2.] 135. *pl.* 23.

c. 15. Parliament continuing meeting and sitting in case of demise of the crown, 1219. *pl.* 108, 109. 111.

s. 2. is Rep. by 37 *G.* 3. *c.* 127. *s.* 2. as to last parliament preceding H. M.'s demise.

7&8 W.3. A.D. 1696. (*continued.*)

*c.*16. Militia, [Exp.]

*c.*17. Northern borders, [Exp.] 528. *pl.*18.

*c.*18. Duties on houses to make up deficiency of coin, [Rep. 20 *G.*2. *c.*3. *s.*1.] 135. *pl.*24.

*c.*19. Coinage, 135. *pl.*25.

*s.*3. is Rep. by 9 *G.*3. *c.*11. *s.*1. plate at inns, &c.

*ss.*6—10. as to export of melted current coin, are Rep. by 59 *G.*3. *c.*49. *s.*12. *comm. semb.*, 135. *pl.*22.

*ss.*6—9. as to clippings, are Rep. by 1&2 *G.*4. *c.*26. *s.*4.

*ss.*1, 2. 4, 5. 11, 12. *semble*, Exp.

*c.*20. Duty on *French* goods, &c. brandy, vinegar, &c. Export of stocking frames, 298. *pl.* 1—3.

Rep. in part by 11 *G.*1. *c.*7. *s.*1. *ad valorem* duty.

*s.*4. Rep. by 6 *G.*2. *c.*17. *s.*2. *French* brandy, duty; *s.*6. by 1 *G.*2. *St.*2. *c.*17. *s.*1., wine lees, duty.

*c.*21. Increase and registry of seamen, 330. *pl.* 1—5. 1342 *pl.*2.

*ss.*5, 6. 8, 9., 11—13. 15—18., seamen, registering, Rep. virtually by 2 *A.* *c.*21. *s.*64. or Exp.

*c.*22. To prevent frauds and regulate abuses in plantation trade.

*s.*17. Rep. by 26 *G.*3. *c.*60. *s.*9. ship registry, oath.

*c.*23. Mutiny, [Exp.]

*c.*24. Practisers of law to take oaths and subscribe declarations, 531. *pl.* 48—53.

*c.*25. Irregular elections and returns to parliament. 1219. *pl.* 116—121., 1219, 1220. *pl.* 124, 125. 128—132., 1222. *pl.*179, 180.

*s.*3. is Rep. as to the oath by 10 *A.* *c.*23. *s.*3., and further virtually 25 *G.*3. *c.*84. *s.*4.

*ss.*2. 13, 14. 17, 18. are Exp.

*c.*27. Security of H. M.'s person and government, [*s.*21. is Ext. to *Ire.*, &c. by 1 *A.* *S.*1. *c.*8. *s.*6.] 431. *pl.* 63.

*ss.*3—11. 16. 22. are Rep. as to association by 1 *A.* *S.*1. *c.*22. *s.*3.

*s.*20. detention of persons committed for treason, Exp.

*c.*28. Ports of import of wool from *Ire.*, (see also 10&11 *W.*3. *c.*10. *s.*10. s.p.)

*ss.*1—4. are Rep. by 28 *G.*3. *c.*38. *s.*1.

*c.*29. Highways, [Rep. 7 *G.*3. *c.*42. *s.*57.] 352. *pl.* 9.

*c.*30. Frauds of brewers, distillers, &c. Ext. to *Scot.*, 5 *G.*3. *c.*43. *s.*23. [Exp. as to duties on low wines.]

*s.*14. is Rep. by 42 *G.*3. *c.*93. *s.*11., spirits penalty.

*s.*20. is Rep. by 8&9 *W.*3. *c.*19. *s.*1. brewers, excise.

*c.*31. Glass duties; land bank. Salt duty; quantities in which it shall be sold, and prices, 1331. *pl.* 1, 2. 7, 8. [Rep. as to the other duties by 27 *G.*3. *c.*3. *c.*13. *s.*1., &c. and lastly by 59 *G.*3. *c.*52. *s.*1.]

*ss.*51—74. are Rep. by 9&10. *W.*3. *c.*45. *s.*1., glass wares, &c. duty; and entirely as to glass duties by 10&11 *W.*3. *c.*18.

*s.*93. judgments in suits pending respecting salt, Exp.

*c.*32. jurors and juries, 415, 416. *pl.* 59—63. 65—67. 71—74.

*c.*33. *Greenland* trade, [Exp.]

*c.*34. Affirmation of Quakers; payment of tithes by them, 1306. *pl.* 1. 3—6. 12—14.

*s.*1. Rep. as to the forms therein, and *ss.*2, 3. Rep. virtually by 8 *G.*1. *c.*6. *s.*1.

*c.*35. Marriages, regulating registers of, and of births and burials, 508. *pl.* 5—9.

*ss.*5—7. Exp.

*c.*36. Continuing statutes.

*s.*2. Rep. by 47 *G.*3. *S.*2. *c.* lxviii. *s.*2., coals.

*s.*1. Exp.

*c.*37. Encouragement of charitable gifts and dispositions, 518. *pl.*14, 15.

*c.*38. Wills of personalty in *Wa.*, 1576. *pl.*215—217.

*c.*39. Linen manufacture of *Ire.*, importing flax and hemp into, and making sail cloth in *Eng.*, 1330. *pl.* 7, 8.

8 W.3. A.D. 1696.

*c.*1. Coinage of gold, 137. *pl.* 53. 59 70.

*c.*2. Coinage, 135. *pl.*26.

*s.*3. Rep. by 9 *W.*3. *c.*2. *s.*1.

*s.*7. collectors of toll for rivers *Wye* and *Lugg*, taking hammered money at 5*s.* 8*d.* *per oz.*, Exp.

*c.*3. Duty on low wines, &c. [Exp.]

*c.*5. Assassination of H. M. [Exp.]

*c.*6. Land-tax subsidies, &c. [Exp.] 442. *pl.*1.

*c.*7. Stamp duties on paper, &c. for coinage, [Exp.] 1398. *pl.* 1.

*c.*8. Coinage of wrought plate, [Rep. 9&10 *W.*3. *c.*29. *s.*1.] 323. *pl.*16.

*ss.*1—8. 10. collectors receiving land-tax in wrought plate, Exp.

8&9 W.3. A.D. 1697.

*c.*10. Returns of juries, [Exp. as to returns of jurors before 1 *Nov.* 1697.] 415, 416. *pl.* 59. 75.

*c.*11. Against frivolous and vexatious suits, 7. *pl.* 15, 16. Costs where several defendants, 152. *pl.*18—23. Action, how affected by death of plaintiff or defendant, 8. *pl.*17, 18. Assignment of breaches in action on bonds, &c. 8. *pl.*19.

*c.*12. Duties on goods, [Exp.]

*c.*13. Mutiny, [Exp.]

*c.*16. Highways, [Rep. 7 *G.*3. *c.*42. *s.*57.] 352. *pl.* 10.

*c.*18. Debtors, [Rep. 9&10 *W.*3. *c.*29. *s.*1.] 57. Stats. *Rep.*, &c. *pl.*1.

*c.*19. Party guiles; frauds of brewers; (declared in its original intention to Ext. to *Scot.*, 5 *G.*3. *c.*43. *s.*24.)

*s.*4. Exp.

*c.*20. Public funds and credit; bank of *Eng.* 48. *pl.* 1. 4., 49. *pl.* 7. 25—38.

*s.*15. is Rep. 20 *G.*2. *c.*3. *s.*1. duties on houses, &c., and in part Rep. by 11&12 *W.*3. *c.*20. *s.*1., woollen manufactures, duty.

*s.*27. is Rep. by 7 *A.* *c.*7. *s.*5., bank of *Eng.*

*s.*58. Rep. by 11&12 *W.*3. *c.*3. *s.*14. assignment of tallies; exchequer; post office.

*ss.*12. 14. 16—22., and *ss.*63—68. exchequer bills, Exp.

*c.*21. Duty on leather; lottery, &c. [Exp.]

*c.*22. Duties on malt, &c. [Exp.]

*c.*23. Increase of seamen, 1342. *pl.* 2.

*ss.*1—5. 8—9. registering seamen, Rep. by 9 *A.* *c.*21. *s.*64.

*s.*6. *semb.* Exp. since operation of 10 *A.* *c.*17. *ss.*3, 4.

*s.*7. existing engagements, Exp.

*c.*24. Subsidy of tonnage and poundage, and land-tax, [Exp.]

*c.*25. Hawkers and pedlars licences, 345. *pl.*2.

*c.*26. Counterfeiting current coin, 137, 138. *pl.*60. 69. 71—75. 77—80.

*c.*27. Relief of creditors in cases of escapes, and preventing abuses in prisons and other privileged places, 1281, 1282, *pl.* 38. 40—50. 52—55., 1293. *pl.* 1, 2.

*ss.*19. 22. Rep. by 27 *G.*2. *c.*17. *s.*13., marshal of K. B.

*s.*10. and *semb.* first part of *s.*11. Exp. since 27 *G.*2. *c.*17. *s.*1. &c.

*ss.*18—22. *K. B.* and *Fleet* prisons, provisos for private rights, are Exp.

*c.*28. Ancient course of exchequer, 170. *pl.*40—52.

*c.*30. Poor apprentices, *ss.* 5, 28. *pl.* 32. 35. Settlements of poor, 1271, 1272. *pl.* 188. 205. 211. 217—219.

*s.*2. poor receiving alms to wear a badge, Rep. by 50 *G.*3. *c.*52. *s.* 7. Exp.

*c.*31. Partition of lands in coparcenary, joint-tenancy, and tenancy in common, 1234, 1235. *pl.* 6—11.

*s.*6. Exp.

*c.*32. Stock-jobbers and brokers, [Exp.] 1479. Stats. *Exp.* &c. *pl.* 1.

*c.*33. Quarter-sessions, *certioraries* from, 116, 117, *pl.* 4, 5.

*c.*34. Duties on export of tin and pewter, [Rep. as to duties, 27 *G.*3. *c.*13. *s.*1., and lastly by 59 *G.*3. *c.*52. *s.*1.]

8 & 9 *W.* 3. A. D. 1697. (*continued.*)

c. 35. Militia, [Exp.]

c. 36. Manufacture and import of silks.

9 & 10 *W.* 3. A. D. 1697.

c. 1. Corresponding with king *James* the second, &c. [Exp.] 1544. *pl.* 17.

c. 2. Coin; exchequer bills, 138. *pl.* 21, 22. 81, 82.

s. 2. old coinage, is Exp.

c. 3. Bank of *Eng.* 48. *pl.* 1. 49. *pl.* 39.

ss. 1—3. administering oaths relating to tallies, &c. in exchequer, is Exp.

c. 5. Arrears of annuities, satisfied, [Exp.]

c. 6. Retailers of salt to sell by weight, 1331. *pl.* 1. 3. 5—8.

9 & 10 *W.* 3. A. D. 1698.

c. 7. Against fireworks, 257, 258. *pl.* 1—7.

c. 8. Duties on malt, &c. [Exp.]

c. 9. Foreign lace, import, [Rep. 11 & 12 *W.* 3. *c.* 11.]

c. 10. Army disbanding, [Exp.]

c. 11. Poor, 1272. *pl.* 194., 1273. *pl.* 213.

c. 13. Coals, &c., duty, [*semb.* Exp.]

c. 14. Duties on spice for reduction of debt for transport service, [Exp.]

c. 15. Arbitration of differences, 32. Arbitration, *pl.* 4—6.

c. 16. Court of marches in *Wa.*, judgments, &c. executing, [Exp.] 1568. *pl.* 13.

c. 17. Bills of exchange, inland, payment of, 76, 77. Stats. *in force*, *pl.* 1—3.

c. 20. Children of soldiers, &c. born abroad during the war, naturalized, [Exp.] 519. *pl.* 2.

c. 21. Counterfeiting, clipping, &c. corn, 138. *pl.* 83—85.

c. 22. Malt, making, 500. Malt, *pl.* 1.

c. 23. Subsidy of tonnage and poundage towards raising 700,000*l.* for H. M.'s household, [Exp.]

Rep. in part by 11 *G.* 1. *c.* 7. *s.* 1. *ad valorem* duty.

ss. 8. 9. are Rep. by 5 *G.* 3. *c.* 45. *s.* 14., refined sugar, export, drawback; and by 5 *G.* 3. *c.* 46. *s.* 1. stamps, duty.

c. 24. Annuities, time enlarged for purchasing. [Exp.]

c. 25. Stamps, duties, 1398. Stats. *in force*, *pl.* 1. 1399.; *Duties*, *pl.* 1.; 1416—1418., *pl.* 24—27. 30—32. 68. 71—73. 75—79.; 1421—1423. *pl.* 128. 137. 139. 161. 163.; 1442. *pl.* 513—514.

Rep. as to stamps on stipendary curates' licences, by 28 *G.* 3. *c.* 28.

Rep. as to duties on admissions, by 5 *G.* 3. *c.* 46. *s.* 1.

s. 68. as to allowances, is Rep. by 42 *G.* 3. *c.* 99. *s.* 5., 44 *G.* 3. *c.* 98. *s.* 1. *Sched.* (C.)

ss. 49—57. double or single marks; and *s.* 69. stamps on briefs, are Exp

c. 26. Trade to *Africa*, [Exp.] 13. African Trade, *pl.* 1.

c. 27. Hawkers' and pedlars' licences, 345. *pl.* 2.

ss. 1—11. 13, 14. are Rep. by 50 *G.* 3. *c.* 41. *s.* 1. and *s.* 31., hawkers and pedlars.

c. 28. Watches and silver manufactures, export.

c. 29. Debtors and creditors, 57. Stats. *Rep. &c. pl.* 1.

ss. 2, 3. are Exp.

c. 30. Duties on silks, [*semb.* Rep. by 27 *G.* 3. *c.* 13. *ss.* 1. and 31., and lastly by 59 *G.* 3. *c.* 52. *s.* 1.]

c. 31. Militia, [Exp.]

c. 32. Blasphemy and profaneness, [Rep. as to the *Holy Trinity*, 53 *G.* 3. *c.* 160. *s.* 2.] 81. *pl.* 1—4..

c. 33. Coinage of halfpence and farthings, [Exp.] 135. *pl.* 27.

c. 34. Lottery tickets, payment of, [Exp.] 496. *pl.* 1.

c. 35. Duties on marriages, births, &c. [Exp.] Bishops, marriages by, 1319. *pl.* 1. (*a*)

c. 37. Navy, [Exp.]

9 & 10 *W.* 3. A. D. 1698. (*continued.*)

c. 38. Quarterly aid by poll-tax, [Exp.]

c. 39. Silver and gold thread; wire drawers, &c. [Exp.] 322. *pl.* 15.

c. 40. Wool export &c.

ss. 1, 2. 6—11. wool, export &c. are Rep. by 28 *G.* 3. *c.* 38. *s.* 1.

ss. 3—5. *semb.* Rep. by 54 *G.* 3. *c.* 78., regulations for inland conveyance of wool.

c. 41. To prevent embezzlement of H. M.'s stores, [Ext. to *Ire.*] Abuses in paying seamen's wages, 1481—1482, *pl.* 6. 8, 9. 14—16.]

ss. 3. 6. are Rep. by 55 *G.* 3. *c.* 60. *s.* 1.

s. 7. is Rep. by 31 *G.* 3. *c.* 10. *s.* 32.

c. 42. Registering ships; plantation trade, [Exp.]

c. 43. Encouragement of silk manufactures; import of silks, 1371. *pl.* 15.

ss. 14, 15. royal lustring company, import, are Exp.

c. 44. *East India* trade and loans, 193, 194. *pl.* 23—26. 32., 196. *pl.* 72—87.; salt duties; prices of salt, 1331. *pl.* 7, 8.; quantities in which sold, *id. pl.* 3. 5, 6.

s. 69. as to sale of goods of private *East India* traders by inch of candle, is Rep. by 53 *G.* 3. *c.* 155. *s.* 22.

s. 76. duty on *East India* goods imported, is Rep. by 53 *G.* 3. *c.* 155., *s.* 26., and in part altered by 33 *G.* 3. *c.* 52. *s.* 99.

s. 80. like duty, is Rep. by 45 *G.* 3. *c.* 68. *s.* 1., 49 *G.* 3. *c.* 98. *s.* 1., and 59 *G.* 3. *c.* 52. *s.* 1. and Table B.

s. 81. is Rep. by 33 *G.* 3. *c.* 52. *ss.* 129, 130. 146., sole trade to *East Indies*.

ss. 48—51. 53—55. 58, 59. 73. 77—79. (since repeal of *s.* 76.) terms of subscription of loan of 2,000,000*l.*, are Exp.

ss. 83, 84. 85. in part, and *s.* 89., are Exp.

c. 45. Whalefins and *Scotch* linen, &c., import duties.

ss. 1. 6, 7. are Rep. by 10 & 11 *W.* 3. *c.* 18. glass duty.

and as to present duties on whalefins and oil, *See* 59 *G.* 3. *c.* 52. *Sched.*

10 *W.* 3. A. D. 1699.

c. 1. Aid to H. M. for disbanding army, &c. [Exp.]

c. 2. Buttons of cloth, &c., against making or selling, 107. *pl.* 1, 2.

c. 3. Corn, &c., export. [Exp.]

10 & 11 *W.* 3. A. D. 1699.

c. 4. Excessive distillation of spirits and low wines from from corn; export of beer, &c.; frauds of distillers.

s. 10. owners of public distilleries, is Exp.

s. 12. ale and beer export, is Exp.

c. 6. Russian trade.

c. 7. Returns of members of parliament, irregular proceedings of returning officers in, 1219. *pl.* 116, 117. 122, 123.

c. 9. Army disbanding, [Exp.]

c. 10. Wool, export; woollen manufactures, encouragement.

c. 11. Soldiers exercising trade, [Exp.]

c. 12. Militia, [Exp.]

c. 14. Limitation of bringing writs of error for reversing fines, common recoveries, and ancient judgments, 484. *pl.* 17—19.

c. 15. Recovery of small tithes, 1537. *pl.* 39. [Exp.]

c. 16. Posthumous children, taking estates by, 1279. *pl.* 1, 2.

s. 2. as to estate already vested, is Exp.

c. 17. Lotteries, suppressing, 497. *pl.* 1—4.

ss. 4, 5. provisos for royal oak lottery, and lottery for *Greenwich* hospital, is Exp.

c. 18. Glass wares, duties taking off.

c. 21. Sweets, vinegar, &c. duties; abuses in brewing; tobacco import.

s. 4 is Rep. by 10 *G.* 2. *c.* 17. *s.* 1., sweets, duty.

s. 6. bonds by refiners of sugar, is Exp.

s. 16. vinegar and vinegar beer, stock in hand, is Exp.

ss. 32, 33. malt tickets, farthing a day interest added, lost, &c. tickets to be paid, are Exp.

10 & 11 *W.* 3. A.D. 1699. (*continued.*)

c. 22. Rock-salt duties.
s. 14. receipt of bank bills at exchequer, is Exp.
c. 23. Punishment of burglary, housebreaking, or robbery in shops, warehouses, coach-houses, or stables; or horse stealing, 247. *pl.* 52, 53. 56. 58—62. (see note in page vii. of Preface.)
s. 1. as to taking away clergy from persons stealing in shops, &c. goods to the value of 5*s.* or under 15*l.*, is Rep. by 1 *G.* 4. *c.* 117. *s.* 1.
s. 2. is Rep. in part as to rewards; and
s. 3. *comm. semb.* is Rep. by 58 *G.* 3. *c.* 70. *s.* 2., *Tyburn* ticket *viz.* certificate of having taken and prosecuted to conviction, any person guilty of any of the felonies in 10 & 11 *W.* 3. *c.* 23. *s.* 1. and exempting from parish or ward offices.
s. 6. is Rep. by 5 & 6 *A. c.* 6. *s.* 1. burning in the cheek.
c. 24. *Billingsgate*, free fish market, 266. *pl.* 131—141.
c. 25. Trade to *Newfoundland*, 282. *pl.* 204—220.
s. 17. whalefins, &c. import, Rep. virtually by 59 *G.* 3. *c.* 52. *Sched.* A. *tit* "Whale."
s. 5. *Newfoundland*, cookrooms, &c. at, is Exp.

11 & 12 *W.* 3. A.D. 1700.

c. 1. Corn, bounty on export, [Exp.]
c. 2. [Exp.] as to land-tax, 443. *pl.* 2.; sale of forfeited estates in *Ire.*; excise commissioners disabled from being M. P.s, 1222, 1223. *pl.* 185. 187, 188.; discharge for H. M.'s rents paid into exchequer, 187. *pl.* 37.
s. 3. is Rep. by 1 *G.* 1. *St.* 2. *c.* 51. *s.* 1. Limitation of the crown.
ss. 1; 2 4,—24., and *s.* 25. in part, Exp.
ss. 27—149. 152.; forfeited estates in *Ir.* land-tax, Exp.
c. 3. *East India* silks, &c. duties.
s. 13. Exchequer bills, &c. lost, &c. Exp.
c. 4. Growth of popery, 1212. *pl.* 216, 217., 1209. *pl.* 145.
ss. 1—4. for apprehending popish bishops; papists keeping schools, &c., and disabling papists from inheriting, is Rep. by 18 *G.* 3. *c.* 60. *s.* 1.
c. 6. Natural born subjects to inherit their lineal or collateral ancestors' estates, though their father or mother were aliens. [Ext. to *Scot.* 16 *G.* 3. *c.* 52. *s.* 1.] 20. *pl.* 40, 41.
c. 7. Piracy, 1251, 1252. *pl.* 11—19. 22—28. [*Qu.* if *ss.* 1—7. are not Rep.? See 1251. *pl.* 18.; seamen deserting, 1342. *pl.* 3—5.]
s. 13. Continuance of 11 & 12 *W.* 3. *c.* 7. Exp.
c. 8. Debts to army, navy, &c., [Exp.] 141. *pl.* 3.
c. 9. Against frivolous and vexatious suits in *Wa.* and the counties palatine. 34. *pl.* 16, 17., 152. *pl.* 17.
c. 10. Poor; manufacturers; silks import, 1371. *pl.* 16. 18. 22—25. 28.
s. 10. is Rep. by 27 *G.* 3. *c.* 13. &c., and lastly by 59 *G.* 3. *c.* 52. *s.* 1. duties on silks imported.
ss. 7—10. *Persian* silks, &c., import, using in furniture, &c. Exp.
c. 11. To repeal 9 & 10 *W.* 3. *c.* 9., 3 months after import of woollens into *Flanders* is allowed.
c. 12. Governors of plantations punished here for crimes committed there, 534. *pl.* 4. 6.
c. 13. Wool, export.
s. 9. is Rep. by 5 *G.* 2. *c.* 21. *s.* 6., cloth, &c. export; and also virtually by 20 *G.* 3. *c.* 6. *s.* 1. as to exports from *Ire.*, and by 28 *G.* 3. *c.* 38. *s.* 1. from *G. B.* and the isles there mentioned.
ss. 1—8. continuing statutes, Exp.
c. 14. Militia, [Exp.]
c. 15. Ale and beer, measures for retailing, 70. *pl.* 18—29.
c. 16. Tithes of hemp and flax, ascertaining, 1537. *pl.* 54—56.
ss. 3, 4. Exp.

11 & 12 *W.* 3. A.D. 1700. (*continued.*)

c. 17. Association, signing by corporations, [Exp.] 150. *pl.* 2.
c. 18. Vagrants, [Exp.] 1561. *pl.* 10.
c. 19. Justices to build and repair gaols, 1282. *pl.* 56—64.
s. 9. continuing clause, Exp.
c. 20. Woollen mercers, (*s.* 1.); corn, &c. export, (*s.* 4.); duty taken away. Aulnage duties to cease *s.* 2., 46. Stats. *in force.*
s. 3. Exp.
c. 21. *Thames* watermen, 1582, 1583. *pl.* 32—36. 38—48., 1586. *pl.* 84, 85.
s. 4. *Thames* watermen apprentices, is Rep. by 4 & 5 *A. c.* 13. *s.* 1.
s. 6. lightermen, *comm. semb.*, Exp.

12 & 13 *W.* 3. A.D. 1700.

c. 1. Exchequer bills, [Exp.]
c. 2. Limitation of the crown; liberties and rights, 482, 483. *pl.* 56—60., 431. *pl.* 68—70.; Judges, 420. *pl.* 51, 52.; naturalization, 519. *pl.* 3.
s. 3. as to king's going out of the realm without consent of parliament, is Rep. by 1 *G.* 1. *St.* 2. *c.* 51.
as to power of privy council, is Rep. by 4 *A. c.* 6. *s.* 24.
as to persons in office or pensioners being M. P.s, is Rep. by *id. s.* 25.
as to judges commissions being *quamdiu se bene gesserint*, superseded *comm. semb.* by 1 *G.* 3. *c.* 23.
c. 3. Privilege of parliament, 1216. *pl.* 41. 44., 1217. *pl.* 50, 51. 53. 64, 65.
s. 3. Rep. *comm. semb.* by 10 *G.* 3. *c.* 50. *s.* 1., privilege of parliament.
c. 4. Wardens and assay-masters of wrought plate in *York*, *Exeter*, *Bristol*, *Chester*, and *Norwich*, 323, 324. *pl.* 17—24.
s. 8. penalty on counterfeiting stamps, is Rep. by 12 *G.* 2. *c.* 26. *s.* 7. and *s.* 8.
c. 5. Parliament, double returns, [Exp.]
c. 6. Northern borders, 528. *pl.* 18.
s. 1. continuing clause, is Exp.
c. 7. *Cotton* library, purchasing for the public use, (see 26 *G.* 2. *c.* 22.)
c. 8. Militia, [Exp.]
c. 10. Aid 1,484,148*l.*, 19*s.* 3½*d.*; officers of customs disabled as to elections of M. P.s, [Exp.] 1260. *tit.* Parliament.
c. 11. Duties on spirits, coffee, &c. muslins; coinage duties; accounts, public; land-tax; beer and ale measures, 70. *pl.* 29.
s. 11. is Rep. in part by 50 *G.* 3. *c.* 41. *s.* 1. hawkers and pedlars.
s. 18. is Rep. by 1 *A. S.* 2. *c.* 14. *s.* 1. Distillers taking licences. and is Rep. in *toto* as to duties on imports by 27 *G.* 3. *c.* 13. *s.* 1., and see *id. s.* 64.; and lastly by 9 *G.* 3. *c.* 52. *s.* 1.
ss. 11, 12. 23—25. 28., (Accounts, Public, 1. *pl.* 4.)
ss. 29—32. are Exp.
c. 12. Bank of *Eng.*, 48. *pl.* 1., 49. *pl.* 39. Payments out of excise duties, see 13 *G.* 1. *c.* 3. *s.* 7.
ss. 1—13. and 16. are Exp.
c. 13. Duchy of *Cornwall* leases, &c., [Exp.] 174. *pl.* 4.

13 & 14 *W.* 3. A.D. 1701.

c. 1. Debts to army, navy, &c. commissioners, [Exp.] 141. *pl.* 3.
c. 2. Mutiny, [Exp.]
c. 3. Attainder of the pretended Prince of *Wa.* for high treason.
c. 4. Continuing act, [Exp.] 1306. *pl.* 1,
c. 5. Aid to king; malt, &c. duty, [Exp. (except *s.* 29. in Weights and Measures,] 1589. *pl.* 51, 52.
c. 6. Succession of crown, 531. *pl.* 49. 54—63.
ss. 1. 4. 9. 15, 16. oaths, &c. fidelity to K. *W.*; and relating to the pretender, are Exp.

1 *Ann. St.* 1. A.D. 1701.

c. 7. Support of H. M.'s household, and of the honour of the crown; land revenue of crown; duchy of *Lancaster*, 176. *pl.* 25—29.

1 *Ann. St.* 1. A. D. 1701. (*continued.*)

is Rep. in part by 1 *G.* 1. *c.* 7. *s.* 1. *ad valorem* duty.

ss. 5, 6. are Rep. in part by 34 *G.* 3. *c.* 75. *s.* 1., land revenue of the crown.

s. 8. is Rep. by 19 *G.* 3. *c.* 45. *s.* 1., duchy of *Lancaster*; sale of fee-farm rents.

ss 1—4. and *s.* 9., duties, &c. for H. M.'s life, [Exp.]

c. 8. (Commencing 8 *March*, 1701., see *s.* 8.) Demise of the sovereign, how patents, commissions, proceedings at law and equity, affected by, 431. *pl.* 24—67.

c. 9. Counterfeiting coin, 138. *pl.* 71. 80.; gold and silver assaying, 324. *pl.* 25—27.

c. 10. Accounts, public, [Exp.] 1. Stats. *Exp. pl.* 2.

c. 11. Apothecaries' exemption act continuing, [Exp.] 25. *pl.* 1.

c. 12. *E. I.* Company.

ss. 113—115. salt-petre to be furnished by *E. I.* Co. are Rep. by 31 *G.* 3. *c.* 42. *s.* 11., and see 53 *G.* 3. *c.* 155 *s.* 21.

s. 109. sale of forfeited estates in *Ire.*; *ss.* 1—112. land-tax, 442. *pl.* 3.; wines import, [Exp.]

c. 13. Duties, [Exp.]

c. 14. Union between *Eng.* and *Scot.*, 1338. *pl.* 3, 4.

c. 15. Water-measure of fruit, 1589. *pl.* 53—55.

c. 16. *Greenland* trade, 290. *pl.* 361. 364, 365.

c. 17. Gold and silver thread; wire-drawers, [Exp.] 322. *pl.* 13.

c. 18. Bridges, repairing, &c. 94. *pl.* 2, 3. 12—24.

c. 21. Frauds in duties of salt; selling salt by weight, 1331. *pl.* 4. Debentures at custom-house, better payment of.

s. 10. in part Rep. by 33 *G.* 3. *c.* 33. *s.* 1., refining rock salt, at *Garston*.

s. 30. North-sea fishery; bonds by fishermen, Exp.

c. 22. Oaths, 530, 531. *pl.* 37. 47.

s. 6. as to the fee to be taken; *semble* virtually Rep. by 1 *G.* 1. *St.* 2. *c.* 13. *s.* 9.

s. 7. *semble* virtually Rep. by 9 *G.* 2. *c.* 26. *s.* 4.

ss. 1, 2. 4. oaths, are Exp.

c. 23. Militia, [Exp.]

c. 24. Sheriffs continued, unless the queen should think fit to determine them, [Exp.]

c. 25. Prisoners for debt, [Exp.] 388. *pl.* 2.

cc. 27, 28. Thrown silk import, [Exp.]

c. 30. Jews to provide for their protestant children, 410. Jews, Stats. *in force*, *pl.* 1, 2.

c. 31. Building new churches, &c. in *Ire.* from forfeited estates.

c. 32. Protestant purchasers of forfeited estates in *Ire.*; [*Qu.* if not virtually Rep. 18 *G.* 3. *c.* 16. *s.* 1.]

ss. 7—18. 21, 22. are Rep. and *semble* entirely by 18 *G.* 3. *c.* 61. *s.* 1. forfeited estates; protestant purchasing.

ss. 1—6. and *ss.* 19, 20. are Exp., forfeited estates; protestant purchasing.

1 *Ann. St.* 2. A. D. 1701.

c. 1. Land tax 4*s.* in the pound, [Exp.] 442. *pl.* 4.

c. 2. Settlement on *Prince George* of *Denmark*, [Exp.] 429. *pl.* 36.

c. 3. Malt, &c. duty, [Exp.]

c. 4. Coals, culm, and cinders, duty, [Exp.]

c. 5. Annuities, sale of, [Exp.]

c. 6. Escapes from K. B. and Fleet, preventing, 1284. *pl.* 88—93.

c. 8. Borelaps; subsidy on *Irish* linen.

c. 9. Accessaries to felonies, and receivers of stolen goods; wilful burning ships, punishing and preventing, 247. *pl.* 43. 45. 49., 1367. *pl.* 11. 13, 14. Swearing witnesses for prisoner, 1593. Witnesses, *pl.* 1.

c. 13. Leather export; ease of jurors, 415, 416. *pl.* 59. 69.; vagrants, 1561. *pl.* 11.

ss. 6—8. are Rep. by 17 *G.* 2. *c.* 5. *ss.* 16, 17., vagrants.

ss. 1—2. and 4—5. Exp. Vagrants.

c. 14. Consumption of malted coin; removing foreign brandies.

1 *Ann. St.* 2. A. D. 1701. (*continued.*)

c. 15. Subsidies for the war, [Exp.]

c. 16. Mutiny, [*semb.* Exp.]

c. 17. Oaths; succession to the crown.

ss. 1—4. 10, 11. Exp. indemnity, taking the oaths; succession to crown.

1 *Ann. St.* 2. A. D. 1702.

c. 18. Frauds of persons employed in working up the woollen, linen, fustain, cotton, and other manufactures, 501. *pl.* 1—5.

s. 1. as to punishments for reeling short yarn, Rep. by 14 *G.* 3. *c.* 44. *s.* 1.

s. 5. Exp., continuing clause.

c. 19. [Exp.] Accounts, public, 1. Stats. *Exp. pl.* 2.

c. 20. Debts to army, navy and transport service, [Exp.] 141. *pl.* 3.

c. 21. Forfeited estates in *Ire.*, [Exp.]

c. 22. Stamp duties, 1398. *pl.* 1., 1417, 1418. *pl.* 50—53. 1419. 1420. *pl.* 80, 81. 108., 1442. *pl.* 513. 515. 517—519.

s. 7. allowances on present payment of stamp duties, is Rep. by 5 *G.* 3. *c.* 46. *s.* 5.

c. 23. Militia, [Exp.]

2 & 3 *Ann.* A. D. 1703.

c. 1. Land tax, [Exp.] 442. *pl.* 5.

c. 2. Malt, &c. duty, [Exp.]

c. 3. Annuities, selling, [Exp.]

c. 4. Registering of deeds and wills made of honors, lands, &c. in West Riding of *Yorkshire*, 385, 386. *pl.* 4—25.

s. 4. Exp.

c. 5. Wills of personal estates by citizens of *York*, 1590. *pl.* 7—9.

c. 6. Coal trade, security of, 1343. *pl.* 7, 8. Vagrant, 1562. *pl.* 16. 22. *Greenwich Hospital*, 330. *pl.* 6. Seamen's apprentices, 28. *pl.* 32., 29. *pl.* 55., 30. *pl.* 70, 71. 73—85. 87, 88.

s. 20. allowances of men free of impress to coal trade, Exp.

c. 9. Wine duty, [Rep. 1 *G.* 2. *St.* 2. *c.* 17. *s.* 1.]

ss. 5. and 10. French prize wine and goods, import, [Exp.]

c. 10. Forfeited estates in *Ire.*, paying purchase money, [Exp.]

c. 11. Queen Anne's bounty; revenues of first-fruits and tenths granted, 1311, 1312. *pl.* 1—6. 10.

c. 12. Militia, [Exp.]

c. 13. Thrown silk from *Sicily*, import, [Exp.]

c. 14. Salt, duties on import of fish, 263. *pl.* 79—81.

ss. 16, 17. Exp., tenants paying rent in salt.

c. 15. Three *per cent.* annuities, paying and assigning.

c. 16. Insolvent debtors serving in the army, discharged, [Exp.] 388. *pl.* 3.

c. 17. Charging accountants with imprest monies received by them, [*comm. semb.* Exp.] 1. Stats. *Exp. pl.* 4.

c. 18. Regulation of privilege of parliament in relation to persons in public offices, 1216. *pl.* 45—47.

c. 19. Army and marines, recruiting, [Exp.]

c. 20. Mutiny; debts to army, &c. [*semb.* Exp.] 141. *pl.* 3.

3 & 4 *Ann.* A. D. 1704.

c. 1. Land tax, [Exp.] 442. *pl.* 5.

c. 2. Sale of annuities, [Exp.]

c. 3. Malt, &c. duty, [Exp.]

c. 4. Low wines, &c. duty; hawkers and pedlars, 345. *pl.* 1—3. [Rep. in part by 11 *G.* 1. *c.* 7. *s.* 1. *ad valorem* duty.]

s. 5. Rep. by 10 *G.* 1. *c.* 11. *s.* 1. cocoa-nuts duty.

s. 6. Rep. by 7 *G.* 1. *St.* 1. *s.* 21. *s.* 12. tea import.

ss. 2—4. Rep. as to hawkers and pedlars, by 50 *G.* 3. *c.* 41. *s.* 1.

ss. 1—3. 11—15. duties, Exp.

s. 8. Drugs, porcelain, white calicoes, import duty, Exp.

c. 5. Subsidy; import duty, [Exp.]

c. 6. *Woodstock* honour, with hundred of *Wotton*, granted to Duke of *Marlborough*.

c. 7. Securing *Eng.* from dangers of several acts of parliament of *Scot.* [Exp. virtually.] 1338. *pl.* 5, 6.

3&4 *Ann.* A. D. 1704. (*continued.*)

*ss.*2—9. are Rep. by 4&5 *A. c.*3. *s.*10. cattle, coals, &c. carying between *Eng.* and *Scot.*

*ss.*4—11. are Rep. by 4 *A. c.*3. *s.*10. Scotchmen.

*c.*8. *Irish* linen, export to *America*; *Scotch* linen, import to *Ire.* prohibited.

*c.*9. Promissory notes, like remedy on as on bills of exchange; inland bills of exchange, payment of, 76, 77. *pl.*1. 4—11.

*c.*10. Naval stores from *America*, import encouraged.

*c.*11. Army and marines recruiting, &c.

*c.*13. Trade with *France*, prohibited, 299, *pl.* 2.

*s.*1. as to wine, is Rep. by 9 *A. c.*8. *s.*1.

*s.*5. as to unwrought iron, is Rep. by 9 *A. c.*21. *s.* 65.

*c.*14. Traitorous correspondence, [Exp.] 1544. *pl.*18.

*c.*16. Mutiny, [Exp.]

*c.*17. Militia, [Exp.]

*c.*18. Jurors, return of, 415. *pl.*59. 64. 76, 77., 1537. *pl.*39.

4&5 *Ann.* A. D. 1705.

*c.*1. Naturalization of *Sophia* electress of *Hanover*, and her issue, [Exp.] 519. *pl.*4.

*c.*2. Land-tax, [Exp.] 442. *pl.*5.

*c.*3. Repeals part of 3&4 *A. c.*7.

*c.*4. See *c.*1. [Exp.]

*c.*5. Malt, &c. duty, [Exp.]

*c.*6. Subsidy, supply, [Exp.]

*c.*7. *New Ross* in *Ire.* made a port of export of wool from *Ire.* hither, 1599. *pl.* 43, 44.

*c.*8. Succession to the crown in Protestant line; oaths; parliament meeting on demise of crown, 1219. *pl.*108 Certain persons disabled to be M. P.s, 1222, 1223. *pl.*185. 189—193.

*s.*6. is Rep. by 37 *G.*3. *c.*127. *s.*2. as to meeting of parliament on H.M.'s demise.

*ss.*1, 2. 8—23. proceedings on queen *Anne's* demise, are Exp.

*s.*17. is Rep. by 1 *G.*2. *S.*1. *c.*5. *s.* 2. and 1 *G.*2. *S.*2. *c.*23. *s.*7. oaths for offices, &c. is Exp.

*c.*10. Army and marines recruitnig, [Exp.]

*c.*11. Mutiny, [Exp.]

*c.*12. Stamp duties on appearances, 1442. *pl.* 513—520.; duties on low wines, &c.; import of fish, 263. *pl.*79. 82.

*ss.*7, 8. and *semble s.*10., stamp duties, on admissions to freedoms, are Exp.

*c.*13. *Thames* watermen and lightermen, [Exp.] 1582. *pl.*21, 22., 1586. *pl.*84—86.

*c.*14. Charity money collecting on briefs by patent, 118, 119. *pl.*12—18.

*c.*16. Action of account, 8. *Subpœna* in equity, issuing, 162. *pl.*3. 6. Costs in error, 234. *pl.*23. Jeofails, 410. *pl.*13—16. Warrants of attorney, 41. *pl.* 7. Pleading several matters, 1353. *pl.*13—18. Award of *venire* of jurors, 413, 414. *pl.*32—36. Attornment, 44. *pl.*1, 2. Plea of payment in bar of action of debt, 1233. *pl.*17. Paying money into court on bonds, 1253. *pl.*18. Fines, declarations of uses, and entry to avoid, 252. *pl.*36—38. Suits for seamens' wages, 1343. *pl.*9—11. Assigning bail-bond, 48. *pl.*19. Uses and trusts, 1560. *pl.*15. Warranty by tenant for life, 1578. *pl.*12. Nuncupative wills, 1591. *pl.*22. Wills of workmen in H. M.'s yards, *id. pl.*28.

*s.*7., as to proviso that *s.*6. shall not extend to penal actions, &c., is virtually Rep. by 24 *G.*2. *c.*18. *s.*3. jurors.

*c.*19. Seamen's apprentices, 30. *pl.*70. 72. 86. *Thames* watermen, 1581. *pl.*2. 9.

*s.*10., turning over seamen from one ship to another, is Rep. by 31 *G.*2. *c.*10. *s.*32.

*ss.*1—9. 11—15. 19—30., seamen, insolvent debtors, are Exp.

4&5 *Ann.* A. D. 1705. (*continued.*)

*c.*20. *Eddystone* lighthouse, 1341. *pl.*17, 18.

*c.*21. Fish, preservation of in *Hants* and *Wilts*, 285. *pl.*267.

*c.*22. Treasury issuing sum for use of mint, [Rep. 22 *G.*3. *c.*28. *s.*3. &c., and lastly, 59 *G.*3. *c.*52. *s.*1., see 18 *C.*2. *c.*5. *tit.* Coin.] 135. *pl.*21. 28.

*c.*23. Militia trophy monies, [Exp.]

*c.*24. Registering unpaid debentures on forfeited estates in *Ire.*, [Exp.]

*c.*25. Paying certain regiments, [Exp.]

5&6 *Ann.* A. D. 1706.

*c.*1. Land-tax 4*s.* in the pound, [Exp.] 442. *pl.*5.

*c.*2. Malt, &c. duty, [Exp.]

*c.*5. Securing church of *Eng.* as by law established, 1353. *pl.*76—78.

*c.*6. Burning in cheek; burning in hand, 247. *pl.*52. 63, 64.; escape, benefit of clergy, 76. *pl.*35.

*c.*8. Union of *Eng.* and *Scot.*, 1333. *pl.*1—3. 17., 1338—1341. *pl.*5—9., 1353. *pl.*78, 79.

art. 22., as to provisions for first parliament of *G. B.*, is Exp.

*c.*9. Escapes from K. B. and Fleet prisons, 1284. *pl.*88, 94—97.

*c.*13. Exchequer bills for making up deficiency of coined money, [Rep. 20 *G.*2. *c.*3. *s.*1.] 135. *pl.*24.

*c.*14. Game, better preservation of, 313, 314. *pl.*85—92. 98—100

*c.*15. Army and marines recruiting, [Exp.]

*c.*16. Mutiny, [Exp.]

*c.*17. Foreign thread-lace import.

*c.*18. Inrolment of bargains and sales in *West Riding*, 386. *pl.*26—37.

*c.*19. Low wines and spirits, sweets, &c. duties; stamp duties, entering appearances, 1442. *pl.*513. 516.

*s.*1., as to hawkers and pedlars, is Rep. by 50 *G.*3. *c.*41. *s.*1.

*s.*3. 5. Rep. by 10 *G.*2. *c.*17. *s.*1. duty on sweets.

*c.*20. Royal lustring Co., 1371. *pl.*15.

*c.*22. Bankrupts, [Exp.] 57. *pl.*2.

*c.*24. Discharging small livings from first-fruits and tenths, 260, 261. *pl.*65—70.

*c.*25. Building churches in *Ire.*, &c. [Exp.] (see 11&12 *W.*3. *c.*2.)

*c.*27. Wine measure ascertaining, [Exp. as to subsidies,] 1593. *pl.*27, 28.

*c.*28. Militia, [Exp.]

*c.*29. Salt, duties on, allowances; export of white herrings, &c. [Exp.]

*c.*31. For discovery and apprehension of house-breakers, 247, 249. *pl.* 43. 46, 47. 65—67. 69—72.(*a*). Sheriffs taking money from under-sheriff, 1560. *pl.*81.

*c.*32. Vagrants, 1561, 1562. *pl.* 11. 23.

*s.*1., continuing clause, is Exp.

*c.*34. Continuing statute.

ss. 2. 4. Rep. by 12 *G.*3. *c.*71. *s.*1. Forestallers, 106. Butchers, *pl.*4. 115. Cattle, Stats. *Rep.* &c. *pl.*9.

6 *Ann.* A.D. 1707.

*c.*1. Land-tax 4*s.* in the pound, [Exp.] 442. *pl.*5.

*c.*2. To repeal two *Scotch* acts inconsistent with the articles of union.

*c.*3. *East India* trade, 196. *pl.*88, 89.

*c.*4. Malt, &c. duty. [Exp.]

*c.*5. Annuities, sale of, 40,000*l. per ann.* [Exp.]

*s.*3. is Exp.

*s.*4. is Rep. by 10 *G.*2. *c.*17. *s.*1. sweets, duty.

*c.*6. For completing union of *Eng.* and *Scot.*, 1334. *pl.*18, 19.; privy council, *pl.*2.

*s.*2. is Rep. by 8 *A. c.*16. *s.*3. taking up dittay, *Scot.*

*c.*7. Succession in protestant line, 1219. *pl.*108—111. Certain persons disabled to be M.P.s, 1222, 1223. *pl.*185. 189—193. Privy council, 1294. *pl.*3, 4.

*s.*6. is Rep. by 37 *G.*3. *c.*127. *s.*2. parliament.

*ss.*8. 18. are Rep. in part by 1 *G.*2. *St.*1. *c.*5. *s.*2.; and *id. St.*2. *c.*23. *s.*7. offices; oaths.

6 *Ann.* A. D. 1707. (*continued.*)

ss. 1—3. 9—17. 19. 24. (20, 21. 31. *semb.* since 1 *G.* 1. *St.* 2. *c.* 13, *&c.*) Exp.

c. 8. Cloths, encouraging the dying and dressing of.
Rep. as to the duties first by 27 *G.* 3. *c.* 13. *s.* 1.; and lastly by 59 *G.* 3. *c.* 52. *s.* 1.

c. 9. White wollen cloth, exportation of.

c. 10. Army and marines recruiting, [Exp.]

c. 11. Subsidies. Annuities 80,000*l.* *per ann.*
ss, 22—24. exchequer bills, lottery tickets, &c. lost, &c. Exp.

c. 12. Salt duties, allowances.

c. 13. Cruizers and convoys, trade secured by, [Exp.]

c. 14. Security of H. M.'s person and government; oath of allegiance, &c. 531, 532. *pl.* 49. 64, 65.
ss. 1—6. *semble* since 1 *G.* 1. *St.* 2. *c.* 13, *&c.* Oaths to government, Exp.

c. 15. Detaining conspirators, [Exp.] 480. *pl.* 1.

c. 16. Admitting brokers to city of *London*, 488. *pl.* 1—5.
ss. 2. 4. Exp.

c. 17. *East India* Company, 193. *pl.* 1.; loans by, 193. *pl.* 23.; 197, *pl.* 90—96.
s. 9. is Rep. by 10 *A.* *c.* 28. *East India* Company.
ss. 6—12. raising 1,200,000*l.* by *East India* Company for use of H. M., Exp.

c. 18. For discovery of deaths of persons pretended to be alive, to the prejudice of those who claim estates after their deaths, 237. *pl.* 7—12.

c. 19. Subsidies; imports; prize goods, duties.
ss. 11—13. prize, *French* wine; ships, are Exp.

c. 20. Mutiny, [Exp.]

c. 21. Statutes of cathedral and collegiate churches, 125. *pl.* 23, 24.
ss. 2, 3. statutes of cathedral and collegiate churches, Exp.

c. 22. Coffee, &c., duties on; tobacco, 1538. *pl.* 15—17. Bills and notes, more than 6 partners issuing, 77. *pl.* 12.

c. 23. Election of 16 peers of *Scot.* to sit in parliament of *G. B.*; trying peers for offences committed in *Scot.*; voters in elections of members of parliament regulated, 1333, 1334. *pl.* 4—16. 20. Quaker's affirmation, 531, 532. *pl.* 49. 65.

c. 24. Payment of *Scotch* equivalent money, [Exp.]

c. 25. Duchy of *Cornwall* leases, &c. [Exp.] 174. *pl.* 4. (Local)

c. 26. Court of exchequer in *Scot.* settling; ports in *Scot.* 1338. 1340, *Art* 19.

c. 27. Certificates of ecclesiastical livings of not more than 50*l.* yearly value; discharging the same from first-fruits; allowing time to bishops, &c. for payment of their first-fruits, 260, 261. *pl.* 65, 66. 71, 72.

c. 28. Tithes of hemp and flax, ascertaining, [Exp.] 1537. *pl.* 54.

c. 29. Highways, [Rep. 7 *G.* 3. *c.* 42. *s.* 57.] 352. *pl.* 10.

c. 30. Rates of foreign coins in *American* plantations, 23. *pl.* 1—4.

c. 31. Fire, mischiefs by, preventing; buildings, [Rep. by 12 *G.* 3. *c.* 73. *s.* 46. and 14 *G.* 3. *c.* 78. *s.* 101.] 254. Stat. *Rep.*

c. 32. Qualification of elections of the members of the bank of *Eng.*, 50. *pl.* 60—62.

c. 33. Cochineal, import.

c. 34. Forfeited estates in *Ire.*, claims to, [Exp.]

c. 35. Registry of deeds and wills of lands in East Riding of *Yorkshire* and *Hull*, 384—386. *pl.* 4. 7—17. 19—21. 23. 27—31. 34. 36—43.
s. 4. is Exp.

c. 36. Militia, [Exp.]

c. 37. Seamen, 1343. *pl.* 12—17.; prize, 1295. *pl.* 1—8.; slaves, 1373. Stats. *in force*, *pl.* 1. Trade with *France*, 299. *pl.* 2.
s. 9. is Rep. by 15 *G.* 3. *c.* 31. *s.* 19. trade with *America*.
ss. 3. 14. commissions, granting to take ships in *America*;
ss. 15—17. 19. privateers navigating by foreign seamen;
ss. 21, 22. prize captures, are Exp.

7 *Ann.* A. D. 1708.

c. 1. Aid by land-tax, 442. *pl.* 5.

c 2. Army and marines recruiting.

c. 3. Malt, &c. duties, [Exp.]

c. 4. Mutiny, [Exp.]

c. 5. Naturalizing foreign protestants, 519, *pl.* 5, 6.
ss. 1, 2. and 4. are Rep. by 10 *A.* *c.* 5. naturalizing foreign protestants.

c. 6. Cattle; bringing dead calves to *London*, 106. Butcher, *pl.* 6, 7.

c. 7. Bank of *Eng.*, 48. *pl.* 1., 49. *pl.* 8, 9., 50., *pl.* 40—46., 77. *pl.* 12.
s. 6. Rep. by 12 *A.* *St.* 1. *c.* 11. *s.* 23.
ss. 3, 4. 31—60. 64. Exp.
ss. 15—20. 60. exchequer bills issuing, Exp.

c. 8. Loan; duties; exchequer bills, &c. Copper &c. wire export.
ss. 9—11. Exchequer bills circulating. Exp.
s. 22. army debentures, registering. Exp.

c. 9. Commissioners of sewers in *London*, (Local.)

c. 10. Amending the laws of commissions of sewers, 1354—1356 *pl.* 7. 33—35.

c. 11. Salt provisions duty, import from *Scot.*; fish and flesh, export from *Scot.*
ss. 1—4. 6—9. foreign salt; allowances; stock in hand, &c. Exp.

c. 12. Ambassadors and foreign ministers, privileges of, 22. Ambassador, *pl.* 1—5.
ss. 1, 2. are Exp.

c. 13. Cloths, *York*, [Rep. in part 5 *G.* 3. *c.* 51. *s.* 1. and *per tot.* 49 *G.* 3. *c.* 109. *s.* 1. (cloths)], 1598. *pl.* 60.

c. 14. Libraries, parochial, preservation of in *Eng.*, 483. *pl.* 1—12.

c. 15. *Whitsuntide* and *Lammas* terms in *Scotch* exchequer, altering, [Rep. 30 *G.* 3. *c.* 17.]

c. 16. Against laying wagers relating to public, [Exp.] 369. *pl.* 1.

c. 17. Fire, preventing mischiefs by, [Rep. 12 *G.* 3. *c.* 73. *s.* 46., 14 *G.* 3. *c.* 78. *s.* 101. buildings.] 254. Stats. *Rep.*

c. 18. Rights of patrons to advowsons, 13. Advowson, *pl.* 8, 9.

c. 19. Conveyances of estates in fee, trust, or by way of mortgage, by infants seised thereof, 335. *pl.* 16, 17.

c. 20. Registering deeds, wills, &c. of real property in *Middlesex*, 358—387. *pl.* 4. 10, 11. 15—17. 20. 22—25. 30.—31. 44—51.

c. 21. Improving union of the two kingdoms; treason in *Scot.*
s. 10. suspended 17 *G.* 2. *c.* 38. *s.* 3., Rep. by 39 *G.* 3. *c.* 93. treason, forfeiture.

c. 22. Pardon, [Exp.] 1214. *pl.* 6.

c. 23. Militia [Exp.]

c. 24. Coin and coinage, [Exp. since repeal of coinage duties, see 18 *C.* 2. *c.* 5.]
s. 2. issuing overplus of coinage duty, Exp.

c. 25. Continuing and making perpetual several statutes, 57. *pl.* 2. Prosecutions for making, &c. coining tools, 138. *pl.* 71. 80.

8 *Ann.* A. D. 1709.

c. 1. Land tax, [Exp.] 442. *pl.* 5.

c. 2. Corn, export of, [Exp.]

c. 3. Malt, &c. duties, [Exp.]

c. 4. Coals, &c. duties, [Exp.]

c. 5. Army and marines recruiting, [Exp.]

c. 6. Raw silk and mohair yarn, 107. *pl.* 3, 4.

c. 7. Supplies; duties of excise; sale of annuities; lottery.
ss. 18—20. pepper stock in hand, are Exp.
ss. 38—62. lottery, are Exp.

c. 9. Candles, duties; stamp duties on premiums given with clerks and apprentices, 1393. *pl.* 1., 1419. *pl.* 74. 82., 1426, 1427. *pl.* 224—234.
s. 1. is Rep. by 24 *G.* 3. *S.* 2. *c.* 36. *s.* 1. wax candles, excise duties.
ss. 7—9. is Rep. by 25 *G.* 3. *c.* 74. *s.* 26. wax candles.

8 *Ann.* A. D. 1709. (*continued.*)

*ss.*32—34. is Rep. by 44 *G.*3. *c.*98. *s.*1., 55 *G.*3. *c.*184. *s.*1. duties of stamps.
*s.*30. candles, contracts, is Exp.
*c.*10. Mutiny act, [Exp.]
*c.*11. Corn, &c. export, [Exp.]
*c.*13. Loan; customs; duties; fees, &c. Silks, exporting, 1371. *pl.*16. 19.
*s.*30. raising 10,000*l.* applied to naval stores in plantations, Exp.
*s.*31. unregistered debentures, registering, is Exp.
*c.*14. Security of rents; to prevent frauds of tenants, 439, 440. *pl.*16—18. 20—25.
*c.*15. Security of government.
*s.*1. oaths, taking, is Exp.
*s.*8. Dr. *Newton* taking the oath *de fideli*, is Exp.
*c.*16. Attendance of noblemen, &c. on lords of justiciary in circuits in *Scotland*, discharged; criminal informations by *porteous* roll abolished.
*c.*17. *Edystone* light-house, 1341. *pl.*19—21.
*c.*18. Bread, [Rep. 31 *G.*2. *c.*29. *s.*1] 84. *pl.*6.
*c.*19. Copyright of books, 485, 486. *pl.*1. 9. 13. 17, 18.
*ss.*1, 2. and *ss.*5, 6. are Rep. by 54 *G.*3. *c.*156. *s.*1. and *ss.*4, 5. copyright of books.
*s.*4. is Rep. 12 *G.*2. *c.*36. *s.*3. books, import prices, 83. Books, *pl.*4.
*c.*20. Militia, [Exp.]

9 *Ann.* A.D. 1710.

*c.*1. Land-tax, 4*s.* in the pound, [Exp.] 442. *pl.*5.
*c.*2. Quarantine, [Rep. 7 *G.*1. *St.*1. *c.*3. *s.*22., 45 *G.*3. *c.*10, *s.*9.] 1307. *pl.*1.
*c.*3. Malt, &c. duty, [Exp.]
*c.*4. Army and marines recruiting, [Exp.]
*c.*5. Qualification of members of H.C., 1224. *pl.*228. 231. 235—240.
*c.*6. Exports, duty; candles, duty; lottery, supply by; lotteries and illegal insurances, suppressing, 397. *pl.* 10, 11., 497. *pl.*1—5.
*s.*11. is Rep. by 24 *G.*3. *S.*2. *c.*36. *s.*1. wax candles, excise duties.
*ss.*13, 14. candles, stock in hand, are Exp.
*s.*16. indemnity, candles making, is Exp.
*s.*58. offices for marriage insurances, is Exp.
*s.*60. lottery tickets, is Exp.
*c.*7. Bank of *Eng.* to exchange exchequer bills; bank of *Eng.* and E.I.Co., governors of, 50. *pl.*63. 51. *pl.*64.
*c.*8. French wines, import, [Exp.] 299. *pl.*2.
*c.*9. Mutiny act, [Exp.]
*c.*10. Establishing general post office.
*s.*5. is Rep. by 25 *G.*3. *c.*51. *s.*66. post horses.
*s.*6. is Rep. in part by 5 *G.*3. *c.*25. *s.*1., postage rates to *America*: and by 37 *G.*3. *c.*18. *ss.*1. 4., 41 *G.*3. *U.K.* *c.*7. *s.*1., postage rates; 42 *G.*3. *c.*101. *s.*1., postage foreign.
*s.*9. is Rep. in part by 5 *G.*3. *c.*25. *s.*8. postage.
*s.*17. is Rep. in part by 19 *G.*3. *c.*51. *s.*39., 20 *G.*3. *c.*51. *s.*17. postage.
*s.*14. postage, duties due, is Exp.
*c.*11. Hides and skins, 478. *pl.*16. Vellum, &c. duties. Parliament, elections to, [Exp.] 1222. *pl.*185., 1223. *pl.*195.
*s.*10. is Rep. by 48 *G.*3. *c.*60. *s.*5. leather.
*s.*11. is Rep. by 39 & 40 *G.*3. *c.*66. *s.*1. hides and skins, gashing.
*s.*12. is Rep. by 36 *G.*3. *c.*110. *s.*10. shaving hides, penalty.
*ss.*29—34. hides and skins, stock in hand, are Exp.
*c.*12. Duty on hops, [*see* now as to customs, 59 *G.*3. *c.*52. Excise, 43 *G.*3. *c.*69.]

9 *Ann.* A.D. 1710. (*continued.*)

*s.*27. is Rep. by 20 *G.*3. *c.*18. *s.*2. hops, import, *Irc.*
*s.*20. hops, stock in hand, is Exp.
*s.*28. hops, contracts, is Exp.
*c.*13. Accounts, public, 1. Stats. *Exp.*, *pl.*3.
*c.*14. Gaming, excessive, 320, 321. *pl.*17—20. 22—27.
*c.*15. Assizes of billet, 308, 309. *pl.*10—13.
*c.*16. Attempting life of privy counsellor when in execution of his of his office, felony without clergy, 1294. *pl.*1.
*s.*2. is Exp.
*c.*17. Preserving woods in *America*, [Exp.] 22. *pl.*1.
*s.*1. is Rep. by 8 *G.*1. *c.*12. *s.*6. woods, preserving in *America*.
*c.*18. Highways, [Rep. 7 *G.*3. *c.*42. *s.*7.] 352. *pl.*10.
*c.*20. *Mandamus* and *quo warranto*; jeofails, 409, 410. *pl.*1. 3. 10. 13. Rights of offices and franchises in corporations and boroughs, 301, 302. *pl.*43—51.
*c.*21. Registering seamen, 1343. *pl.*18, 19. Public debts, satisfying; *South Sea* company, 1385. *pl.*1—16, 18—27. Stamps on apprentices, 1427. *pl.*235. Iron, export to *Spain*.
*s.*46. is Rep. by 47 *G.*3. *S.*1. *c.*23. *South Sea* company.
*ss.*46, 47. 49—52. is Rep. by 55 *G.*3. *c.*57. *s.*1. *South Sea* company.
*ss.*27—33. 39—41. 65. apprentice duty, Exp.
*c.*23. Hackney coaches and chairs, 339—341. *pl.*1—3. 6. 10. 18. 21—23. 25—30. 32—38. 42, 43. Stamp duties, 1398. Stats. *in force*, *pl.*1., 1419, 1420. *pl.*74. 76. 79. 82—84. 109., 1422. *pl.*137. 139. 161. 164., 1425, 1426. *pl.*201—205., 1432, 1433. *pl.*344—346. 349, 350.
———is Rep. in part by 30 *G.*3. *c.*38. *s.*18. wine licences, stamps.
*ss.*6—7. are Rep. by 24 *G.*3. *S.*2. *c.*27. *s.*4. (hackney coaches,) 48 *G.*3. *c.*87. *s.*1.
*ss.*23, 24. 39, 40. are Rep. by 44 *G.*3. *c.*98. *s.*1., 55 *G.*3. *c.*184. *s.*1. stamp duties.
*s.*23. is Rep. by 30 *G.*3. *c.*38. *s.*1. stamps.
*s.*34. is Rep. virtually by 55 *G.*3. *c.*184. *s.*7. counterfeiting stamps.
*s.*36. is Rep. by 42 *G.*3. *c.*99. *ss.*5, 6., 55 *G.*3. *c.*184. *s.*7. prices of stampt vellum, &c.
*s.*36. is Rep. by 5 *G.*3. *c.*46. *s.*5. stamps, discount.
*s.*4. is Exp. in part; hackney coaches and chairs.
*c.*24. Mine adventurers' company, 514. *pl.*5—7.
*ss.*2—8. 10—15. 17—19. mine adventurers, are Exp.
*c.*25. Game, preservation of, 313. *pl.*85. 87. 89—92.
*c.*27. Encouragement of trade to *America*.
*s.*2, 3. trade, adventurers to *America*, is Exp.
*c.*28. Combination of coal owners; coal trade, 133, 134. *pl.*11. 13—23.
*s.*12. continuing clause, is Exp.
*c.*29. Militia, [Exp.]
*c.*30. Frauds in woollen and other manufactures, 501. *pl.*1.

10 *Ann.* A. D. 1711.

*c.*1. Land-tax 4*s.* in the pound, [Exp.] 442. *pl.*5.
*c.*2. Church of *Eng.*, securing, 1350. *pl.*3. Toleration of dissentors, confirming; oaths to be taken and declaration subscribed by practisers in K.B., 524, 525. *pl.*1. 5. 14. 20.
*ss.*1—6. are Rep. by 5 *G.*1. *c.*4. *s.*1. protestant interest secured.
*s.*10. oaths of advocates in *Scotland*, is Exp.
*c.*3. Malt, &c. duty, [Exp.]
*c.*4. Precedence of Princess *Sophia*, &c. [Exp.] 429. *pl.*37.
*c.*5. Naturalizing foreign protestants, [Exp. in part.] 519. *pl.*5.
*c.*6. Assizes of beech wood fuel, 309. *pl.*14, 15.
*c.*7. Against disturbance of religious worship in *Scotland*, [*semb. Scot.* only.]

10 *Ann.* A. D. 1711. (*continued.*)

c. 7. as to penalties on officiating in or resorting to any episcopal meeting house in *Scot.*, is REP. by 32 *G.* 3. *c.* 63. *s.* 1.

c. 8. Accounts, public, [EXP.] 1. STATS. *Exp. pl.* 3.

c. 9. Army and marines recruiting, [EXP.]

c. 10. Mutiny, [EXP.]

c. 12. [*Scot. only.*] Presentation to vacant churches in *Scot.* restored to patrons.

c. 13. *Yule* vacance, [REP. 1 *G.* 1. *St.* 2. *c.* 28. *Scot. only.*]

s. 2. is REP. by 1 *G.* 1. *St.* 2. *c.* 28. *Yule* vacance, *Scot.*

c. 14. Jurors, returning, [*s.* 5. local.] 25. *pl.* 1., 416. *pl.* 68. 70.

ss. 1—4. continuing clauses, are EXP.

c. 15. Bankrupt, 58. *pl.* 8. 11. 60. 54.

s. 2. sale before 20*th April*, 1712., is EXP.

c. 16. Cloths, [REP. 49 *G.* 3. *c.* 109. *s.* 1.] 1598. *pl.* 61.

c. 17. Collection of 6*d. per* month for *Greenwich* Hospital, 330. *pl.* 2. 7—15.

ss. 12, 13. *Greenwich* hospital, and *ss.* 21, 22. are REP. by 9 *G.* 3. *c.* 30. *s.* 1., harbour moorings, 54 *G.* 3. *c.* 159. *s.* 1., 1276. *pl.* 1.

ss. 9—19. are EXP.

c. 18. Inrolment of crown leases; pleading deeds of bargain and sale enrolled, and of fee farm rents, 175. *pl.* 23, 24.

ss. 1, 2. crown leases, are EXP.

c. 19. Duties, &c. stamps, 1398. STATS. *in force, pl.* 1., 1422. *pl.* 137. 139, 140., 1417—1420. *pl.* 33. 69. 74. 76. 79. 82. 84. 86, 87. 110—113., 1420. *pl.* 165., 1425, 1426. *pl.* 185, 186. 206., 1433. *pl.* 347, 348. 351—356., 1465. *pl.* 667—673. persons disabled to be M. P.s, 1222, 1223. *pl.* 185. 196.; hackney coaches, 339. *pl.* 1. 7, 1.; brokerage fees, 488. *pl.* 6.; lotteries, *pl.* 1. 6.; marriages, 508. *pl.* 10.

s. 6. is REP. by 47 *G.* 3. *S.* 2. *c.* 30. *s.* 6. soap, penalty.

ss. 9—11. are REP. by 17 *G.* 3. *c.* 52. soap, excise.

s. 28. is REP. by 5 *G.* 3. *c.* 43. *s.* 14. soap.

s. 32. is REP. by 11 *G.* 1. *c.* 7. *s.* 4. paper duty.

s. 33. is REP. by 12 *A. St.* 2. *c.* 5. books, &c. import duty.

ss. 45. 47. are REP. by 26 *G.* 3. *c.* 78. *s.* 1. stained paper.

s. 96. is REP. by 25 *G.* 3. *c.* 74. *s.* 16. silks, &c. export.

ss. 100, 101. 103. 108. are REP. by 44 *G.* 3. *c.* 98. *s.* 1., 55 *G.* 3. *c.* 185. *s.* 1.

s. 112. is REP. by 55 *G.* 3. *c.* 185. *s.* 1. and *s.* 5.

s. 115. is REP. by 55 *G.* 3. *c.* 184. *s.* 7. stamps, discount.

s. 117. is REP. by 42 *G.* 3. *c.* 99. *ss.* 5, 6., 44 *G.* 3. *c.* 98. *s.* 1., *Sch.* C., and *QU.* whether not previously entirely repealed by 5 *G.* 3. *c.* 46. *s.* 5.

s. 56. paper stock in hand, is EXP.

ss. 84—88. Silks, &c. printing stock in hand, is EXP.

ss. 127—157. lotteries, *ss.* 160, 161. 164. 171. cards, EXP.

c. 20. Insolvent debtors, liberating, [EXP.] 388. *pl.* 4.

c. 21. (*Scot.* only) Linen cloth, yarn, &c. making.

s. 6. linen, (*Scot.*) is EXP.

c. 22. Relief of persons importing prize goods from *America.*

c. 23. Fraudulent conveyances to multiply votes in county elections, 1219, 1220. *pl.* 124. 128. 133—136. 145., 1222. *pl.* 179. 183, 184.

s. 2. as to disability to vote at county elections, for non-assessment to rates and taxes, is REP. by 18 *G.* 2. *c.* 18. *s.* 2., 19 *G.* 2. *c.* 28. *s.* 2.

s. 4. is REP. by 18 *G.* 2. *c.* 18. *s.* 1. elections to parliament, freeholders' oath.

c. 25. Militia, [EXP.]

c. 26. Duties, &c. stamps, 1398. STATS. *in force, pl.* 1., 1417—1419. *pl.* 34. 76. 79., 1427. *pl.* 234., 1436. *pl.* 418—421.; imitation tea, 302. *pl.* 3, 4.; illegal insurances, 397. *pl.* 12.

ss. 11—13. are REP. by 19 *G.* 3. *c.* 40. *s.* 2. starch.

s. 32. is REP. by 10 *G.* 1. *c.* 10. *s.* 1. cocoa-nuts duty.

10 *Ann.* A. D. 1711. (*continued.*)

s. 72. is REP. by 55 *G.* 3. *c.* 184. *s.* 7. stamps, discounts.

ss. 67. 69. 73. are REP. by 44 *G.* 3. *c.* 98. *s.* 1., 55 *G.* 3. *c.* 184. *s.* 1. stamp duties.

s. 23. starch, &c. stock in hand, is EXP.

ss. 42—44. tea and drugs, are EXP.

s. 61. gold and silver wire, is EXP.

ss. 80—105. lottery, are EXP.

s. 110. lottery offices, is EXP.

s. 115. indemnity apprentice duty, is EXP.

c. 27. Royal *African* company, and their creditors, [EXP.] 13. AFRICAN TRADE, *pl.* 2.

c. 28. Trade and corporation of *East India* company, [EXP. *comm. semb.*] 193. *pl.* 2.

c. 29. *East India* goods, duties, (see now 59 *G.* 3. *c.* 52. *Schedule.*)

c. 30. *South Sea* trade, [virtually REP. 55 *G.* 3. *c.* 57. *s.* 1.] 1385. *pl.* 1.

s. 31. Commissioners of army accounts, 141. *pl.* 4.

c. 32. Further time for taking oaths by officers of college of justice, [EXP. *Scot.* only.]

c. 33. Circuit courts in *Scot.* [REP. 20 *G.* 2. *c.* 43, *s.* 1. *Scot.* only.]

c. 34. *St. Christophers, Nevis,* &c. (explaining 5 *A. c.* 23. *s.* 88.)

12 *Ann. St.* 1. A. D. 1713.

c. 1. Land-tax, [EXP.] 442. *pl.* 5.

c. 2. Malt, &c. duty, lottery. Stamps, 1398. STATS. *in force, pl.* 1. Copyhold, 1436. *pl.* 407, 407. (*a*)

s. 4. is REP. by 46 *G.* 3. *c.* 139. (now *Exp.*) *s.* 6. malt, penalty, monthly entry, 48 *G.* 3. *c.* 74. *s.* 16. malt, penalty.

s. 35. is REP. by 46 *G.* 3. *c.* 139. *s.* 7. [EXP.] malt penalty concealing.

s. 35. is REP. by 48 *G.* 3. *c.* 74. *s.* 17. malt, &c.

s. 36. is REP. by 46 *G.* 3. *c.* 139. *s.* 1. (EXP.) malt cisterns, penalty on erecting; and by 48 *G.* 3. *c.* 74. *s.* 18. malt, &c.

s. 1. is EXP.

c. 3. Public and army accounts, &c. [EXP.] 1. STATS. *Exp. pl.* 3., 141. *pl.* 4.

c. 4. Inclosures in West Riding of *Yorkshire,* for benefit of clergy, (Local.)

c. 5. Elections to parliament, ascertaining value of freeholds, 1219, 1220. *pl.* 124. 146.

so much as disables from voting by reason of noncharge or nonassessment, is REP. by 18 *G.* 1. *c.* 18. *s.* 2. parliament elections.

c. 6. Elections of M. P.s in *Scot.*, 1334. *pl.* 20. 22—27.

REP. in part by 7 *G.* 2. *c.* 16. *s.* 2. parliament elections, freeholders' oath, (*Scot.*)

s. 3. is REP. in part by 16 *G.* 2. *c.* 11. *s.* 1. parliament elections, (*Scot.*)

c. 7. Robberies in houses, punishing, 1329. *pl.* 13—16.

c. 8. Militia, [EXP.]

c. 9. Naval stores, import from *Scot.* into *Eng.*

c. 10. Northern borders, [EXP.] 528. *pl.* 18.

c. 11. Soldiers enlisting; bank of *Eng.*, [EXP.] 49. *pl.* 9—11.

ss. 24. 25. redemption of the 100,000*l. per ann.* paid to the bank of *Eng.*, and determining the corporation, are REP. by 15 *G.* 2. *c.* 13. *s.* 3.

c. 12. Mutiny act, [EXP.]

c. 13. Soldiers and sailors exercising trades, [EXP.]

c. 14. Hackney chairs, licensing, 339, 340. *pl.* 1. 19, 20.

c. 15. Making 7 & 8 *W.* 3. *c.* 7. perpetual, 1219. *pl.* 101.

c. 16. Sail-cloth making in *G. B.*, 1330. *pl.* 9, 10.

s. 1. is EXP.

c. 18. Poor, settlement and removal, 1272, 1273. *pl.* 194. 216. Cochineal importation; copper export.

12 *Ann. St.* 2. A. D. 1713.

c. 1. Land-tax 2*s.* in the pound, [EXP.] 442. *pl.* 5.

12 *Ann. St.* 2. A. D. 1713. (*continued.*)

*c.*2. Salt, drawback on export for curing fish, 269. *pl.*4—13.

*c.*3. Malt, &c. duty; spirits; Bank of *Eng.*, loan by, on *South Sea* stock; [Exp.] 51. *pl.*65, 66.
*ss.*1—8. are Exp.

*c.*4. Army, [Exp.]

*c.*5. Duty on books and prints imported.

*c.*6. Mortuaries, 519. *pl.*7.

*c.*7. Protestant interest secured, [Rep. 5 *G.*1. *c.*4, *s.*1.] 1350. *pl.*4.

*c.*8. Tobacco trade.
*s.*7. tobacco, is Exp.

*c.*9. Excise duties; lottery, &c.; *South Sea* company; appropriation of supplies; adulterating hair powder, 302. *pl.*3. 5. Stamps, 1398. Stats. *in force*, *pl.*1., 1417. *pl.*35., 1419, *pl.*74. 84. 88., 1422. *pl.*141., 1424. *pl.*166.
*s.*2. is Rep. by 11 *G.*1. *c.*7. *s.*4. paper duty.
*s.*15. is Rep. by 25 *G.*3. *c.*74. *s.*16. silks, &c. export.
*s.*21. 23. 28. are Rep. by 44 *G.*3. *c.*98. *s.*1., 55 *G.*3. *c.*184. *s.*1., stamps, stipendiary curates' licences.
*s.*27. is Rep. by 5 *G.*3. *c.*46. *s.*5. stamps, discount.
*s.*31. apprentice duty, is Exp.
*ss.*25. 31—63. are Exp.

*c.*10. Militia, [Exp.]

*c.*11. Foreign enlistment for service of pretender prevented, [Exp.]

*c.*12. Curates, maintenance in *Eng.* Simony, 1390. *pl.*66, 67.
*s.*1. is Rep. by 57 *G.*3. *c.*99. *s.*1.

*c.*13. *Scotch* equivalent; commissioners, discharge.
*ss.*1, 2. equivalent commissioners, (*Scot.*) Exp.

*c.*14. Papist; recusants, benefices belonging to, 1211. *pl.*196. 203. 212., 1212. *pl.*213, 214.

*c.*15. Longitude, [Rep. in part by 14 *G.*3. *c.*66. *s.*1., wholly by 58 *G.*3. *c.*20. *s.*1.] 495. *pl.*1.

*c.*16. Mortgages, rate of interest on, 1560, 1561. *pl.*7—9.

*c.*17. Coal bushel, Coals, *pl.*24, 25.

*c.*18. Wreck, 1609. *pl.*4—13.

*c.*19. Duty; excise, stamps, lottery, &c.

*c.*20. Linen manufacture, (*Scot.*) [Exp.]

*c.*21. Unwrought incle, import.

*c.*22. Duchy of *Cornwall* leases, &c. 174. *pl.*4.

*c.*23. Poor rates, vagrants, [Rep. 13 *G.*2. *c.*24., 17 *G.*2. *c.*5. *s.*34.] 1561. *pl.*12.

1 *Geo.* 1. *St.* 1. A. D. 1714.

*c.*1. The king's household, [Exp.] 429. *pl.*38.

*c.*2. Land tax commissioners' names; lottery, [Exp. as to land tax.] 442. *pl.*6.

*c.*3. Oaths taken in *G. B.* by persons holding offices in, &c. *Ire.* [Exp.]

1 *Geo.* 1. *St.* 2.

*c.*1. Land tax, 2*s.* in the pound, [Exp.] 442. *pl.*7.

*c.*2. Malt, &c. duty.
*ss.*1—7. is Exp.

*c.*3. Mutiny, [Exp.]

*c.*4. Liberties of subject; limitation of the crown, 483. *pl.*59.; naturalization, 519. *pl.*4.
*s.*1. is Exp.

*c.*5. Riots, 1327. *pl.*18—29.

*c.*6. Quaker's affirmation; non-payment of tithes, &c. by, 1306. *pl.*12—15.
*s.*3. as to the forms therein, is Rep. by 8 *G.*1. *c.*6. *s.*1.; affirmation by quakers, 1306. *pl.*7.

*c.*8. Detaining suspected persons, [Exp.] 480. *pl.*1.

*c.*9. Mutiny, [Exp.]

*c.*10. Queen *Anne's* bounty, 1311—1313. *pl.*1. 11, 12. 15—25. 27—33. Discharging small livings from first-fruits, 260, 261. *pl.*65. 73, 74.
*s.*4. in part is Exp.

1 *Geo.* 1. *St.* 2. A. D. 1714. (*continued.*)

*c.*11. Drawing carriages with more than 5 horses at length, [Rep. 7 *G.*3. *c.*42. *s.*57. as to highways, 352. *pl.*17.] 114. *pl.*1.

*c.*12. Bank of *Eng.*; exchequer bills; H. M.'s revenue for civil services; sale of annuities; paying arrears for work at *Blenheim*.
in part Rep. by 11 *G.*1. *c.*7. *s.*1., *ad valorem* duty.
*s.*8. is Rep. by 10 *G.*2. *c.*17. *s.*1., sweets duty.
*s.*8. as to hawkers and pedlars, is Rep. by 50 *G.*3. *c.*41. *s.*1.
*s.*27. civil list, Exp.

*c.*13. Succession of the crown; oaths, 582. *pl.*66. 68. 70—87., 1334. *pl.*1.
*s.*1. as to the abjuration and assurance oath, is Rep. by 6 *G.*3. *c.*53. *s.*1., 31 *G.*3. *c.*32. *s.*22., oaths, form of.
*s.*1. as to the three months, is Rep. by 2 *G.*2. *c.*31. *s.*3.
*s.*2. in part is Rep. by 2 *G.*2. *c.*31. *ss.*3, 4., oaths, &c. taking.
*s.*6. virtually Rep. by 2 *G.*2. *c.*31. *s.*5., 9 *G.*2. *c.*26. *s.*4.
*s.*1. in part, *ss.*3. 13.; 21. 23—25. 28—30., oaths, taking, &c. (*Scot.*), Exp.

*c.*14. Militia; annual account of trophy money, [Exp.]

*c.*15. Cloths, [Rep. 49 *G.*3. *c.*109. *s.*1.] 1589. *pl.*60.

*c.*18. Against import of fish by foreigners; preserving fry of fish; import of lobsters and turbots in foreign bottoms, 262. *pl.*60—62. 68—72. 75—77. Preserving salmon in rivers in *Eng.*, 285, 286. *pl.*267. 271—275. 279—282.
*s.*14. is Rep. by 37 *G.*3. *c.*95. *s.*1., fish, *Wilts*, &c.

*c.*19. Annuities for loan of 910,000*l.*; *Scot.* sugar houses.

*c.*20. Public peace in *Scot.*, (*Scot.* only.)
*s.*1. as to allegiance, and *s.*2. and 9. is Rep. by 21 *G.*2. *c.*34.
*ss.*17—19., after 29th *Sept.* 1748., church, (*Scot.*)
*s.*7. is Rep. virtually by 20 *G.*3. *c.*50. and 21 *G.*2. *c.*34. *s.*17., treason. Tenants' lands, recognizing to superiors, (*Scot.*)
*s.*1. is Exp.
*ss.*3—8. *semble* since *s.*1. *rep.* Exp.
*ss.*10—12. as to disarming the *Highlands*, since expiration of 19 *G.*2. *c.*39. is Exp.

*c.*21. *South Sea* company, enlarging stock; appropriation of supplies.
*s*1. *South Sea* company, capital, Exp.
*s.*3. Salt duty, accounts making up, Exp.

*c.*22. Princess of *Wales*'s revenue, [Exp.] 429. *pl.*39.

*s.*24. Army accounts, commissioners, [Exp.] 141. *pl.*4.

*c.*25. Seamen, disturbances, 1343. *pl.*20—23. Naval stores preservation, 1481, 1482. *pl.*6. 15. 17—25. Piracy, 1261. *pl.*11.
*s.*7. as to seamen's wages is Rep. virtually by 55 *G.*3. *c.*60. *s.*1.
*s.*7. is Exp. virtually, since repeal of 9 & 10 *W.*3. *c.*41. *s.*3.

*c.*26. Coals, hemp, flax, &c. continuing statutes. *Anglesea* quarter-sessions.

*c.*27. Equivalent, (*Scot.*) [Exp.]

*c.*28. (*Scot.* only.) *Yule* vacance.

*c.*29. Families of Protestant palatines settled in *Ire.* taking the oaths, [Exp.] 519. *pl.*3.

*c.*30. Detaining suspected persons, [Exp.] 480. *pl.*1.

*c.*31. Land tax, [Exp.] 442. *pl.*7.

*c.*33. Trials for treason, [Exp.] 1544. *pl.*19.

*c.*34. Mutiny act, [Exp.]

*c.*35. Army accounts, new commissioner, [Exp.] 141. *pl.*4.

*c.*36. Malt, &c. duty; receivers clearing accounts; other duties, &c.
*ss.*1—13. Exchequer bills; lottery; malt, &c. duty.
*s.*19. paper stock in hand, is Exp.

*c.*37. Grant of regalities of the crown to Prince of *Wales*, as such, [Local, and Exp.] 174. *pl.*4.

*c.*38. Parliaments; septennial act, 1225. *pl.*241.

*c.*39. Indemnity; rebellion, [Exp.]

1 *Geo.* 1. A. D. 1714. (*continued.*)

c. 40. Cochineal, import, [Exp.]
c. 43. Coinage; senna, duties; appropriation of supplies.
c. 44. Ale and beer duty, (*Scot.*) [Exp.]
c. 45. Holding assizes in *Cornwall*, 420. *pl.* 34. 37.
c. 46. Manufactures to resemble tobacco; abuses in making snuff, 1538, 1539. *pl.* 18—25.
c. 47. Seducing soldiers; papists enlisting, 1350. *pl.* 1—2. 6, 7.
c. 48. (*Eng.* and *Scot.*) planting and preservation of timber, and other trees, 1546. *pl.* 1—4. Burning woods, 1596. *pl.* 37.
c. 50. Forfeited estates, commissioners, *Scot.* heritable jurisdictions.
ss. 1—30. 34—36. are [Exp.]
c. 51. Liberties of subject; limitation of crown, 431. *pl.* 71., 483. *pl.* 59.
c. 52. Highways, [Rep. 7 *G.* 3. *c.* 42. *s.* 57.] 352. *pl.* 11.
c. 54. Securing peace of Highlands of *Scot.*; disarming act.
ss. 1—9. is Exp. for disarming Highlands, *semb.* since expiration of 19 *G.* 2. *c.* 39.
ss. 15, 16. Indemnity to lord justice clerk not performing circuit in *May* 1716, (*Scot.*)
c. 55. Papists, registering names and estates, [Rep. 31 *G.* 3. *c.* 32. *s.* 21.] 1203. Stats. *Rep.* &c. *pl.* 3.
c. 56. Pensioners disabled from sitting in the House of Commons, 1222, 1223. *pl.* 185. 197, 198.
c. 57. Hackney coaches, &c.; riding on carts by drivers (*Eng.* only), 114. *pl.* 1—3., 339, 340. *pl.* 1. 24. 31. 39, 40. 42—44.

3 *Geo.* 1. A. D. 1716.

c. 1. Commerce with *Sweden* restrained.
c. 2. Mutiny, [Exp.] except *s.* 50.; suing for penalties incurred by 1 *G.* 1. *St.* 2. *c.* 47. 1350. *pl.* 3.
c. 3. Land-tax, [Exp.] 442. *pl.* 7.
c. 4. Duties; receivers, &c. 1315. *pl.* 5—6.
s. 1. 15—16. exchequer bills lost, &c.; malt, &c. duty, are Exp.
c. 5. (*Scot.* only.) Ale and beer duty.
s. 10. is Rep. by 9 *G.* 1. *c.* 14. *s.* 25. ale and beer import into *Edinburgh*.
c. 6. Ale and beer duty, (*Scot.*) [Exp.]
c. 7. Lottery; excise, &c.
s. 43. Salaries to commissioners of army accounts, is Exp.
c. 8. Bank of *Eng.*, redemption of funds of; advances by, 48. *pl.* 1., 50. *pl.* 47—51. 59., 77. *pl.* 12.
s. 5. exchequer bills, 2,000,000*l.* delivered up by bank.
c. 9. *South Sea* company fund, interest reduced to *5 per cent*, &c.
c. 10. Tenths of the clergy, collecting, and levying, 258, 259. *pl.* 3. 17—21.
c. 11. Gamekeepers, [Rep. 48 *G.* 3. *c.* 93. *s.* 1.] 309. *pl.* 13. Confirmation of game laws, 313. *pl.* 86.
c. 12. Bankrupts' certificates. [Exp.] 57. *pl.* 3.
c. 13. Pilots, [Rep. by 48 *G.* 3. *c.* 104. *s.* 1. and 52 *G.* 3. *c.* 39. *s.* 1.] 1243. *pl.* 1.
c. 14. *Scot.*, equivalent.
s. 3. application of 31,565*l.* 2*s.* 5½*d.* is Exp.
c. 15. Sheriffs, their offices, fees, and accounts, 1360—1365. *pl.* 82—104. Accounts of *Welsh* sheriffs, 1574. *pl.* 156. Returning estreats, 238. *pl.* 12. Recovery of fines due to H. M., 254. *pl.* 21.
c. 16. Sheriffs, their patents, and accounts, 1365, 1366. *pl.* 105—110.
c. 17. Army accounts, commissioners, [Exp.] 141. *pl.* 4.
c. 18. Papists, registering names, deeds, and real estates, [Rep. 31 *G.* 3. *c.* 32. *s.* 21.] 1203. Stats. *Rep.* &c. *pl.* 3.
c. 19. Pardon, [Exp.] 1214. *pl.* 6.
c. 20. Forfeited estates, claims before commissioners. [Exp.]
c. 21. *Irish* linen cloth, export to *America*. Wool, &c. export from *Ire.*

4 *Geo.* 1. A. D. 1717.

c. 1. Land-tax 3*s.* in the pound. [Exp.] 442. *pl.* 7.
c. 2. *South Sea* company, H. M. a governor, [Exp.] 1385. *pl.* 1.
c. 3. Malt, &c. duty; exchequer bills, &c. lost, &c.; appropriation of supplies.
ss. 1—7. 13. exchequer bills, lost, &c.; malt, &c. duty, are Exp
c. 4. Mutiny. [Exp.]
c. 6. Bone-lace, dealers in; hawkers and pedlars, licensing, 546. *pl.* 4—5.
c. 7. Raw silk and mohair yarn, consumption of, 107, 108. *pl.* 3—4. 6—13.
c. 8. As to estates of Earl of *Errol*; forfeited estates in *G. B.* and *Ire.* vested in trustees for sale, [Rep. 39 & 40 *G.* 3. *c.* 78. *s.* 1.]
ss. 1—31. 33. 43. are Exp.
c. 9. Army accounts, commissioners, [Exp.]
c. 10. Half-yearly dividends on annuities.
c. 11. Robbery, burglary, &c. preventing, by transportation, 106. Burning in Hand, *pl.* 3. Pirates, 1251, 1252. *pl.* 11. 29. Hirings to *America*, 23. *pl.* 6—10. Helping to stolen goods, 535. *pl.* 13—14. 16. Transportation, 1541, 1542. *pl.* 1—2. 4—6. [*Eng.* only, except as to transportation, which extends to the *American* dominions, *s.* 9.]
s. 4. as to punishment of death for helping to stolen goods, is Rep. by 1 *G.* 4. *c.* 115. *s.* 1., 537. *pl.* 49.
c. 12. Wreck, 1609. *pl.* 14.
s. 3. is Rep. by 45 *G.* 3. *c.* 113. *s.* 1. & *s.* 7. ships destroying.

5 *Geo.* 1. A. D. 1718.

c. 1. Land tax, [Exp.] 442. *pl.* 7.
c. 2. Malt, &c. duty, [Exp.]
c. 3. Exchequer bills, &c. cancelling, paying off; exchanging for ready money, [Exp.]
c. 4. Protestant interest strengthened, (*Eng.*, *Wa.* and *Ber.*, *Jersey* and *Guernsey.*) 526. *pl.* 25, 26.
c. 5. Mutiny act, [Exp.]
c. 6. Quieting and establishing corporations, 150. Stats. *Rep.* &c. *pl.* 1., Stats. *in force*, *pl.* 8. 10., 526. *pl.* 25, 26.
c. 7. Tobacco trade, [Exp.]
c. 8. Wives and children left upon parish by husbands, &c. relief, 1271. *pl.* 189—191.
c. 9. Coals, duties, [*semb.* Exp.] Lotteries, private, 497. *pl.* 1. 7.
c. 11. Running uncustomed goods; frauds in customs; wrecked goods liable to customs, *s.* 13., 1609. *pl.* 6.; adulterating coffee, 303. *pl.* 22.; snuff, 1539. *pl.* 26.
s. 14. Rep. by 28 *G.* 3. *c.* 38. *s.* 1., wool, &c. export.
c. 12. Highways, [Rep. 7 *G.* 3. *c.* 42. *s.* 57.] 352. *pl.* 12.
c. 13. Amendment of writs of error; preventing arrest or reversal of judgments after verdict, 234, 235. *pl.* 24—26.
s. 2. as to appeals, since 59 *G.* 3. *c.* 47. *s.* 1. 27. *pl.* 12.
c. 14. Army accounts, commissioners, [Exp.] 141. *pl.* 4—5.
c. 15. Deer stealing, [Rep. 16 *G.* 3. *c.* 30. *s.* 27.] 309. *pl.* 12.
cc. 16—17. Ale and beer duty, *Scot*, [Exp.]
c. 18. British fishery; salt duties, 269, 270. *pl.* 14—20.
s. 5. salt, is Exp.
ss. 9. 12—14. herrings export, *Scot.* are Exp.
c. 19. *South Sea* company; appropriating supplies, 1398. *pl.* 2.
s. 48. is Rep. by 41 *G.* 3. *U. K.* *c.* 86. *s.* 8. limitation of prosecutions on bonds for export of cards and dice.
ss. 1—14. *South Sea* Co. lottery, is Exp.
c. 20. *Scotland*; public debts; funds; equivalents.
ss. 19—22, are Exp.
c. 21. Trade with *East Indies*, [Rep. 33 *G.* 3. *c.* 52. *c.* 146.] 193. *pl.* 3.
c. 22. Claims on forfeited estates, *Scot.* [Exp.]
c. 23. New commissioner for executing statutes relating to forfeited estates, and estates given to superstitious uses. [Exp.]
c. 24. Bankrupts, [Exp.] 57. Stats. *Rep.* *pl.* 4.
c. 25. Bread; sailcloth, [Rep. by 31 *G.* 2. *c.* 29. *s.* 1.]

4 *Geo.* 2. A. D. 1731. (*continued.*)

c. 26. Proceedings in courts of justice in *Eng.* and exchequer in *Scot.* to be in *English*. 11. ADMIRALTY, *pl.* 1. 8. 412. *pl.* 1, 2. 4—6.

s. 2. law proceedings, *English* language, is EXP.

c. 27. Sail-cloth duties bounty, and stamping with makers's name and abode, 1330. SAIL-CLOTH, *pl.* 6.

c. 28. Frauds of tenants, preventing; rents, recovery of; leases, renewal of, 439, 440. *pl.* 16. 26. 28—32. (not EXT. to *Scot.* *s.* 7.)

c. 29. Gunpowder export, [EXP. and REP. 31 *G.* 3. *c.* 42. *s.* 10.]

c. 32. Stealing lead or iron bars fixed to houses, or fences thereto belonging, 535. *pl.* 20, 21.

c. 33. Penny post letters, allowance of 1*d.* more on delivery of, in any place out of *London*, *Westminster*, *Southwark*, and suburbs.

5 *Geo.* 2. A. D. 1732.

c. 1. Malt, &c. duty, [EXP.]

c. 2. Mutiny, [EXP.]

c. 3. Charitable corporations, discovery of effects by, 118. *pl.* 2. [EXP.]

c. 5. Land-tax 1*s.* in the pound, 442. *pl.* 7. [EXP.]

c. 6. Duties on salt, reviving; same on white herrings, &c.

ss. 6, 7. are REP. by 29 *G.* 2. *c.* 23. *s.* 15. White herrings import from *Scot.*

c. 7. Debts, more easy recovery of, in H. M.'s *American* plantations, 23. *pl.* 6—10.

s. 4. is REP. by 37 *G.* 3. *c.* 119. *s.* 1. negro slaves.

c. 9. Hops import, *Ire.*, [REP. by 21 *G.* 3. *c.* 18. *s.* 2.]

c. 12. Corn export; tillage, [REP. 31 *G.* 3. *c.* 30. *s.* 1.]

c. 17. Sinking fund, further application of by paying off 1,000,000*l.* *South Sea* stock; appropriating supplies; exchequer bills, &c. lost, &c.

c. 18. Justices of peace, further qualification of, 422, 423. *pl* 28—31. 42—45.

c. 19. Appeals at quarter sessions to be determined according to the merits, notwithstanding defects of form in original proceedings; to oblige persons suing out *certioraris* to remove orders made on such appeals into K. B., to give security to prosecute the same with effect, 423. *pl.* 50—53.

c. 20. Pilots, regulation of; *Thames*, mischiefs, &c. in, 492, 493. *pl.* 99—109., 1243. *pl.* 2.

ss. 1. 8. 9. 12. are REP. in part as to pilots, by 48 *G.* 3. *c.* 104. *s.* 1., 52 *G.* 3. *c.* 39. *s.* 1. pilots.

ss. 2, 3. 5. are REP. as to searching ships for gunpowder, by 12 *G.* 3. *c.* 61. *s.* 31.

c. 21. Unlawful export of woollen manufactures of *Ire.*

ss. 1—5. Wool, &c. export of, are REP. by 20 *G.* 3. *c.* 6. *s.* 1. and 28 *G.* 3. *c.* 38. *s.* 1.

c. 22. Hats, export prevented; number of hat-makers apprentices in plantations restrained; hat-making in *G. B.* 344, 345. *pl.* 1—10.

s. 10. is EXP.

c. 24. Growth of coffee in H. M.'s plantations in *America* encouraging.

c. 25. Process of courts of equity against persons who abscond, and cannot be served therewith, or refuse to appear, 164. *pl.* 29—38.

c. 27. Arrests, frivolous and vexatious, preventing, 34. *pl.* 18. 23. 35. *pl.* 25—28.

c. 28. *Greenland* fishery, [EXP.] 290. *pl.* 3. 5, 6.

c. 29. *East India* trade, [EXP.] 193. *pl.* 3.

c. 30. To prevent committing frauds by bankrupts, 60, 61. *pl.* 59—64.; 61, 62. *pl.* 66—69. 71—92.; 63, 64. *pl.* 95—108.

s. 1. as to punishment of death, is REP. by 1 *G.* 4. *c.* 115. *s.* 1.

s. 26. as to meetings held in the *Guildhall*, is REP. by 1 & 2 *G.* 4. *c.* 115. *s.* 1.

ss. 47, 48. proceedings on bankrupts' certificates, are EXP.

5 *Geo.* 2. A. D. 1732. (*continued.*)

c. 31. Charitable corporations, claims on, [EXP.] 118. *pl.* 2.

c. 33. Charges of prosecution under 1 *G.* 2. *St.* 2. *c.* 19. paid out of tolls, 384. *pl.* 1. 3.

ss. 1, 2. 4, 5. are REP. by 7 *G.* 3. *c.* 40. *s.* 61. turnpikes, &c. destroying.

6 *Geo.* 2. A. D. 1733.

c. 1. Malt, &c. duty. [EXP.]

c. 2. Charitable corporation, books, &c. production of, [EXP.]

c. 3. Mutiny, [EXP.]

c. 4. Indemnity, offices, &c. [EXP.]

c. 5. Papists; enrolment of deeds, &c. [EXP.] 1203. STATS. *Rep.* *pl.* 7.

c. 6. Law proceedings in *English*; court of receipt of exchequer, 412. JUDICIAL PROCEEDINGS, *pl.* 1, 2.

c. 7. Precious stones, free import.

c. 10. Land-tax 1*s.* in the pound, 442. *pl.* 7.

c. 13. Trade of sugar colonies in *America*, 20. *pl.* 5.

c. 14. Frivolous arrests, &c. preventing; debts and damages, recovery of in *Wales* and co. *Chester*, 1576. *pl.* 218—220. As to law proceedings in *English*, in courts in *Wales*, 412. *pl.* 1—4.

s. 5. in part EXP. as to forfeitures; process of pipe office.

c. 17. Spirits, duty on; licensing retailers; duties on, and against running of *French* brandies.

c. 18. Ale and beer duty, (*Scot.*) [EXP.]

c. 23. Elections to parliament, [REP. 18 *G.* 2. *c.* 18. *s.* 11.] 1215. *pl.* 6

c. 25. Supplies; and appropriation thereof.

s. 6. Princess Royal, portion, is EXP.

s. 20. issuing money by treasury for *Westminster Abbey*, is EXP.

c. 26. Coining, or counterfeiting broad pieces, [EXP.] 135. *pl.* 31.

c. 27. Attornies, regulation of, 41. *pl.* 22., 42. *pl.* 45.

s. 1. is EXP.

c. 28. Capital stock of *South Sea* company, converting into redeemable annuities, and settling the remainder in the company.

c. 31. Relief of parishes, &c. from charges of bastards born therein, 68. *pl.* 5., 69. *pl.* 10.

s. 1—3. *semb.* REP. by 49 *G.* 3. *c.* 68. *s.* 6.

c. 33. Whale fishery, [REP.] 290. *pl.* 356.

c. 34, Quarantine, [REP. 45 *G.* 3. *c.* 10. *s.* 9.] 1307. *pl.* 1.

c. 35. Charitable corporation; lottery, [EXP.]

c. 36. Charitable corporation. [EXP.]

c. 37. Juries, and special juries in counties palatine, 416, 417. *pl.* 78. 95.; continuing several statutes, 528. *pl.* 18.; breaking river or sea banks, 53. *pl.* 1—2.; cutting hop-binds, 365. *pl.* 4—5.

s. 3. 7. 9. is EXP.

c. 38. Tea, export. [EXP.]

7 *Geo.* 2. A. D. 1734.

c. 1. Malt, &c. duty, [EXP.]

c. 2. Mutiny, [EXP.]

cc. 3, 4. Prince of *Orange* naturalized, 519. *pl.* 4. [EXP.]

c. 5. Ale, &c. duty, *Scot.* [EXP.]

c. 6. Salt, red, and white berrings duty; licensing the erecting rock-salt refineries in *Essex* and *Suffolk*.

c. 7. Land-tax 2*s.* in the pound, [EXP.] 442. *pl.* 7.

c. 8. Stock-jobbing, 1479. *pl.* 3—13.

c. 9. Highways, cutting hedges adjoining, [REP. 7 *G.* 3. *c.* 42. *s.* 57.] 352. *pl.* 13.

c. 10. Indemnity offices, &c.; justices of peace *Cambridge*, 422, 423. *pl.* 28. 45.

ss. 1, 2. 4, 5. are EXP.

c. 11. Charitable corporation; lottery, [EXP.]

c. 12. Sinking fund, applying sum out of; supplies appropriating, [EXP.]

7 *Geo.* 2. A. D. 1734. (*continued.*)

c. 13. Princess, Royal annuity, [Exp.]

c. 14. Arrack, duties on; apprentices indentures, duties on.
s. 1. is Rep. by 22 *G.* 3. *c.* 28. *s.* 3., brandy, customs duty.
s. 5. apprentice duty, Exp.

c. 15. Responsibility of owners of ships for acts of masters or mariners, 1367. *pl.* 21—25.

c. 16. Election of M.P.s for *Scot.*; and incapacitating the judges of the courts of session, justiciary, and exchequer in *Scot.* to be elected, and sit or vote as members of the H. of C. 1334, 1335. *pl.* 28—36. 1337. *pl.* 76.
ss. 7, 8. are Rep. by 16 *G.* 2. *c.* 11. *s.* 17. 24. 30. 31.
s. 11. is Exp.

c. 17. *South Sea* company's bonds, paying off.

c. 18. Cochineal and indigo, import.

c. 19. Hops foreign, import into *G. B.* and *Ire.*; adulterating hops, 365. *pl.* 6—9.

c. 20. Mortgages, for more easy redemption, and foreclosure of, 517. *pl.* 6—9.

c. 21. Robbery, for more effectual punishment of assaults to commit, 1329. *pl.* 17—19.

c. 22. Forging acceptances of bills, numbers or principal sums of accountable receipts, for notes, bills, warrants, or orders, or other securities for payment of money, or delivery of goods, 297. *pl.* 21. 23.

c. 23. Militia [Exp.]

c. 25. Cloths, [Rep. 5 *G.* 3. *c.* 51. *s.* 1.] 1598. *pl.* 62.

8 *Geo.* 2. A. D. 1735.

c. 1. Malt, &c. duty, [Exp.]

c. 2. Mutiny, [Exp.]

c. 4. Indemnity for not making declaration in 13 & 14 *C.* 2. *c.* 4. [Exp.]

c. 6. Registery of deeds of lands in *North Riding*, 385. *pl.* 4. 7—21. 23, 24, 30, 31. 34. 36. 40—42. 52—62.
s. 5. is Exp.

c. 11. One million from sinking fund, for service of, 1735. [Exp.]

c. 12. Salt and herrings duties; apprentices' indentures duties.
s. 1. salt duties, Exp.
s. 14. apprentice duty, Exp.

c. 13. Copyright in prints, 487. *pl.* 29—32. 38.
s. 5. is Exp.

c. 14. Charitable corporation lottery, claims in respect of fortunate tickets, [Exp.]

c. 16. Actions on statute of hue and cry, 371. *pl.* 23—38.

c. 17. Indemnity offices, &c. [Exp.]

c. 18. Continuing certain statutes, [Exp.]

c. 19. *id.*, [Exp.]

c. 20. Destroying turnpikes, locks, or other works, erected by any statute for making rivers navigable, &c., 384, 385. *pl.* 1. 4. 7—21.
s. 1. as to punishment of death, is Rep. by 1 *G.* 4. *c.* 115. *s.* 1.
s. 1. 6. are Rep. in part as to turnpikes; and
ss. 11—13. & 17. are Rep. by 7 *G.* 3. *c.* 40. *s.* 61. turnpike road.
s. 19. Exp.

c. 21. Continuing certain statutes, [Exp.]

c. 23. Land-tax 2*s.* in the pound, appropriation of supplies, [Exp.] 442. *pl.* 7.

c. 24. Debtors, imprisonment, 388. *pl.* 7.; set off and mutual credit, 1354. Sett off, *pl.* 1. 3.
s. 2. is Rep. by 33 *G.* 3. *c.* 5. *s.* 5.
s. 1. is Exp.

c. 25. Indemnity; protestant purchasers of papists' estates, [Exp.] 1203. *pl.* 8.

c. 29. Forfeited estates, *Greenwich Hospital*, 1252. *pl.* 37., 331. *pl.* 31.
s. 9. is Rep. by 16 *G.* 3. *c.* 24. *s.* 2., *Greenwich Hospital*, accounts laying before parliament.

c. 30. Quartering soldiers during elections of M.P.s 1225. *pl.* 242, —247.

9 *Geo.* 2. A. D. 1736.

c. 1. Malt, &c. duty, [Exp.]

c. 2. Mutiny, [Exp.]

c. 3. Land-tax 2*s.* in the pound, [Exp.] 442. *pl.* 7.

c. 4. Printed, &c. calicoes, use of, 110. Calico, *pl.* 11.

c. 5. Witchcraft, &c. 1593. Stats. *in force*, *pl.* 1—4.

c. 6. Indemnity, [Exp.]

c. 18. Scavengers in cities, &c. assessments for repairing and clearing streets therein; bankrupt, 60. *pl* 58.; felony, 248. *pl.* 74. 297. *pl.* 21.
s. 3. is Rep. by 7 *G.* 3. *c.* 42. *s.* 57. highways.

c. 23. Retailers of spirits, duty on, and licensing.
s. 3. is Rep. by 16 *G.* 2. *c.* 8. *s.* 1. spirituous liquors retailing, duty.
s. 17. is Rep. by 22 *G.* 2. *c.* 28. *s.* 3., and lastly by 59 *G.* 3. *c.* 52. *s.* 1.

c. 25. Relief of H.M.'s subjects wrecked in *Cadiz* and *St. Mary's*, in *Spain*, 1609. *pl.* 15.

c. 26. Indemnity offices; time of taking the oaths, 532, 533. *pl.* 66. 68. 71—73. 88, 89. Declaration against transubstantiation, 1209. *pl.* 166., 1210. *pl.* 176.
ss. 1, 2. indemnity, offices, 7—9. papists enrolment of deeds, &c. 1203. Stats. *Rep.* &c. *pl.* 7.

c. 27. Ale and beer duty, (*Scot.*) [Exp.]

c. 29. Building *Westminster* bridge.
s. 5. destroying the bridge, is Rep. by 1 *G.* 4. *c.* 116. *s.* 1.
ss. 14—34. 36, 37. lottery, are Exp.

c. 30. Foreign enlistment, [Rep. 59 *G.* 3. *c.* 69. *s.* 1.] (see 59 *G.* 3. *c.* 69.) 293. Stats. *Rep.*

c. 31. Ale and beer duty (*Scot.*), [Exp.]

c. 32. Deficient masters in chancery; stamp duties, [Exp.]

c. 33. Fresh fish taken by foreigners, preventing import, [Exp.] 262, 263. *pl.* 60. 63, 64. Export of fish to ports of *Mediterranean*, 263. *pl.* 78.; preservation of fry of lobsters on coast of *Scot.*

c. 34. Loan of 600,000*l.* charged on sinking fund; paying off 1,000,000*l.* *South Sea* annuities; appropriating supplies.

c. 35. Indemnifying offenders against customs and excise laws.
s. 20. is Rep. by 48 *G.* 3. *c.* 84, *s.* 7. tea, &c. hawkers offering to sale without permit.
ss. 1—9. indemnity, run goods, are Exp.

c. 36. Charitable uses, disposition of lands to, 13. *pl.* 10., 518. *pl.* 16—20.
s. 5. is Rep. by 45 *G.* 3. *c.* 101., 15. *pl.* 10. colleges purchasing advowsons.

c. 37. Sail cloth manufacture; foreign imported, duties on, 1330, 1331. *pl.* 13—17. 19—21.
ss. 6, 7. regulations for making sail cloth, are Rep. by 1 *G.* 4. *c.* 25.
s. 10. is Exp.

c. 38. Prosecutions on 2 *G.* 2. *c.* 24. *s.* 11. for bribery in elections, 1218. *pl.* 83. 95.

10 *Geo.* 2. A. D. 1737.

c. 1. Malt, &c. duty, [Exp.]

c. 2. Mutiny, [Exp.]

c. 3. Land tax, 2*s.* in the pound, [Exp.] 442. *pl.* 7.

c. 4. and *c.* 7. Ale and beer duty (*Scot.*), [Exp.]

c. 8. Stock jobbing, 1479. *pl.* 3.

c. 13. Indemnity offices, &c. [Exp.]

c. 14. Relief at *Leghorn* of distressed persons and wrecked mariners, H.M.'s subjects, 1609. *pl.* 16.

c. 17. Spirits, &c. duties; exchequer bills, &c. lost, &c.

c. 19. Interludes playing in and near the universities in *Eng.*, 1535. *pl.* 3, 4. licensing taverns therein, 1593. *pl.* 29, 30.

c. 26. Insolvent debtors, [Exp.] 388. *pl.* 6.

10 *Geo.* 2. A. D. 1737. (*continued.*)

c. 27. Apples, &c. imported, duty; other duties; sail cloth export.
s. 6. apprentice duty, is Exp.
c. 28. Vagrant act amended as to players, 1534. *pl.* 5—14.
s. 5. as to what theatres, is Rep. by 7 *G.* 3. *c.* 27. *s.* 19. (see 1534. *pl.* 5.)
c. 30. Repeals all acts imposing duties, *ad valorem* of foreign oysters imported, and imposes others.
c. 31. *Thames* watermen, 1582. *pl.* 17. 25—31. 54—64.
c. 32. Continuing several statutes; firing coal mines, 134. *pl.* 26. Removing sea banks, punishment, 53. *pl.* 1. 3., 1328. *pl.* 45. Breed of wild fowl, preserving, 313. *pl.* 92.
ss. 7—9. are Rep. by 16 *G.* 3. *c.* 30. *s.* 27. deer stealing.
ss. 2, 3. are Exp.
c. 35. Porteous riot, 1326. *pl.* 7.

11 *G.* 2. A. D. 1738.

c. 1. Malt, &c. duty, [Exp.]
c. 2. Mutiny, [Exp.]
c. 4. Ale, &c. duty (*Scot.*), [Exp.]
c. 9. Insolvent debtors, [Exp.] 388. *pl.* 7.
c. 11. Papists enrolment of deeds, &c. [Exp.] 1203. *pl.* 7.
c. 14. Land-tax, 2*s.* in the pound, [Exp.] 442. *pl.* 7.
c. 16. Ale and beer duty (*Scot.*) [Exp.]
c. 17. Papists conforming to protestant religion, estates of, 1212. *pl.* 218—222. Presentations to papists' benefices by 2 universities in *Eng.*, 1212. *pl.* 215.
c. 18. Continuing certain statutes, [Exp.]
c. 19. Rents, more effectual securing payment of, and preventing frauds by tenants, 439—441. *pl.* 16. 19. 27. 33—45. 47—52.
c. 20. Relief of poor prisoners of K. B., and Marshalsea, [Rep. 53 *G.* 3. *c.* 115. *s.* 1.] 1280. *pl.* 2.
c. 22. Corn, exportation, violences respecting, (see 36 *G.* 3. *c.* 9.) 1548, 1549. *pl.* 12—20.
c. 24. Privilege of parliament, 1216, 1217. *pl.* 41. 44. 50. 52, 55. 64, 65.
s. 3. *semble* is Rep. by 10 *G.* 3. *c.* 50. *s.* 1.
c. 26. Enforcing 9 *G.* 2. *c.* 23. and 10 *G.* 2. *c.* 19.
c. 27. Supply; redeeming certain annuities; appropriating supplies.
c. 28. Cloth manufacture, *Yorkshire*, West Riding, (Local.)
c. 30. Forfeited estates, application of rents; *Greenwich* hospital, 331. *pl.* 31.
c. 31. Indemnity offices, &c. [Exp.]

12 *Geo.* 2. A. D. 1739.

c. 1. Malt, &c. duty, [Exp.]
c. 2. Mutiny, [Exp.]
c. 3. Land-tax 2*s.* in the pound, 442. *pl.* 7.
c. 5. Coinage duties continuing, [Rep. 22 *G.* 3. *c.* 28. *s.* 3. and lastly by 59 *G.* 3. *c.* 52. *s.* 1.] (*see* 18 *C.* 2. *c.* 5. *tit.* Coin.) 135. *pl.* 29.
c. 6. Indemnity, offices, &c. [Exp.]
c. 13. Attornies and solicitors; bread, 41. *pl.* 22., 42. *pl.* 47—49., 43. *pl.* 51. 64. 71.
ss. 1, 2. is Rep. by 31 *G.* 2. *c.* 29. *s.* 1.
s. 3. is Exp.
c. 14. Papists, enrolment of deeds, &c. [Exp.] 1203. *pl.* 7.
c. 19. Grant out of sinking fund; appropriation of supplies; clerks, &c. indentures, duties.
s. 18. apprentice duty, is Exp.
c. 21. Import of woollen and bay yarn from *Ireland*, duties, [Rep. in part, 26 *G.* 2. *c.* 11., 20 *G.* 3. *c.* 6., 28 *G.* 3. *c.* 38.]
c. 22. Bonds to revenue by masters of ships, condition of; *East Indies*, trading to, and import of *East India* goods to *Ireland*.
c. 24. Chancery, investing suitors' money for answering charges of accountant general's office, 162, 163. *pl.* 15. 26., 164. *pl.* 39—42.
c. 25. Leather, making and currying, 478. Stats. *Rep.* &c. *pl.* 16. Stats. *in force*, *pl.* 8. 14—19.

12 *Geo.* 2. A.D. 1739. (*continued.*)

c. 26. Gold and silver wares, abuses, &c. in, 324—326. *pl.* 32. 54—54.
s. 6. as to silver manufactures, is Rep. by 30 *G.* 3. *c.* 31. *s.* 1.
s. 8. is Rep. by 31 *G.* 2. *c.* 32. *ss.* 14, 15. plate, marks on, forging, *see* now 13 *G.* 3. *c.* 59. *ss.* 1, 2. &c.
c. 27. Justices of assize may act in their own counties, 420. *pl.* 47.
c. 28. Gaming, effectual preventing, 321. *pl.* 27. Lotteries, 497, 498. *pl.* 12—24.
c. 29. County rates, more easy assessing, &c. 157—159. *pl.* 1—12. 14—26., 161. *pl.* 56. Rate in *Middlesex*, 1285. *pl.* 98—101.
s. 11. is Rep. in part by 55 *G.* 3. *c.* 51. *s.* 17.
s. 23. is Rep. by 53 *G.* 3. *c.* 113. *s.* 1.
c. 30. Registering foreign ships under H.M.'s protection; plantation sugar, carrying, [Rep. 34 *G.* 3. *c.* 42. *s.* 7.]
c. 36. Limiting prices of books, 485. Stats. *Rep.*
ss. 1, 2. 4. continuing statutes against importing books, are Exp.

13 *Geo.* 2. A. D. 1740.

c. 1. Malt, &c. duty, [Exp.]
c. 2. Land-tax, 2*s.* in the pound, 442. *pl.* 7.
c. 3. Seamen, better supply of, 1345. *pl.* 55—57.
s. 1. Merchant ships, navigating by 3-fourths foreigners during the then war, is Exp.
c. 4. Seamen, encouragement to enter H.M.'s service; trade to *America*, securing.
c. 6. Indemnity, offices, &c. [Exp.]
c. 7. Naturalizing foreign protestant settlers in *America*, 519—520. *pl.* 14—20. 28.
c. 8. Woollen, &c. and leather manufactures, frauds in, 478, 479. *pl.* 20—28., 501. *pl.* 1—3. 7, 8. [*Qu.* if not Rep. 43 *G.* 3. *c.* 51. *s.* 30.]
s. 1. as to punishments for reeling short yarn, is Rep. by 14 *G.* 3. *c.* 44. *s.* 1.
c. 10. Mutiny, [Exp.]
c. 17. Increase of seamen to navigate merchant ships, 1345. *pl.* 58.
c. 18. *Certiorari*, 116. *pl.* 3. Process within franchises, 1366. *pl.* 114—115. County rates, 157. *pl.* 1., 159. *pl.* 27.
ss. 1—4. continuing several statutes, are Exp.
c. 19. Horse-races, increase of, [*semb. Eng.* only] 369, 370. *pl.* 1—9. Gaming, lotteries, &c. 498. *pl.* 25—27.
ss. 3. 5. is Rep. by 18 *G.* 2. *c.* 34. *s.* 11.
c. 20. Fraudulent qualifications of electors of members of parliament for cities and towns, which are counties of themselves in *Eng.*, [Rep. in part by 19 *G.* 2. *c.* 28. *ss.* 1, 2.] 1219, 1220. *pl.* 124. 145., 1222. *pl.* 183, 184.
c. 21. Collieries and coal works, wilful destruction of, 134. *pl.* 27—28.
c. 23. Supplies, (1,221,000*l.* 1*s.* 8*d.*) appropriation thereof.
c. 24. Vagrants, [Rep. 17 *G.* 2. *c.* 5. *s.* 34.] 1561. *pl.* 12, 13.
c. 27. Commerce with *Spain* prohibited, [Exp.]
c. 28. Greenland fishermen, impressing.
s. 5. is virtually Rep. by 26 *G.* 3. *c.* 41. *s.* 17., 292. *pl.* 389.
ss. 1—4. continuing clauses, are Exp.
s. 6. apprentice duty, is Exp.
c. 29. Hospital for deserted children, 572. *pl.* 9.

14 *Geo.* 2. A. D. 1741.

c. 1. Land-tax, 4*s.* in the pound, [Exp.] 442. *pl.* 7.
c. 2. Malt, &c. duty, [Exp.]
c. 3. Corn, &c. export, [Exp.]
c. 6. Sheep and other cattle, against stealing and destroying, 116. *pl.* 14—17.
s. 2. as to rewards, is Rep. by 58 *G.* 3. *c.* 70. *s.* 1. and *semble* not revived, *id. s.* 5.
c. 7. Import of victual from *Ireland*, &c. into *Scotland* in time of dearth, licensing.
c. 9. Mutiny, [Exp.]

14 *Geo.* 2. A.D. 1741. (*continued.*)

c. 10. Recovering small debts; relief of poor debtors in *London*. (Local.)
s. 1. is Rep. by 39 & 40 *G.* 3. *c.* civ. small debts, *London*.
c. 17. Inconveniences arising from delays of causes after issue joined, prevented, 527. *pl.* 2—7.
c. 18. Indemnity, offices, &c. [Exp.]
c. 20. Common recoveries, amending law of; estates *pur auter vie*, 237. *pl.* 6., 1318. *pl.* 19—27. Devises of such estates, 1590, 1591. *pl.* 10. 20.
c. 21. Indemnity; protestant purchasers of papists' estates, 1203. *pl.* 8.
c. 22. Rock salt used in salt works at *Neath*, county of *Glamorgan*.
ss. 1—18. continuing duties on salt, red and white herrings, &c. Exp.
c. 33. County bridges repairing and rebuilding, 94, 95. *pl.* 29, 30. Houses of correction repairing, erecting, &c. 1285. *pl.* 102. 104. Rogues and vagabonds, passing, 1562. *pl.* 24, 25.
c. 34. Continuing certain statutes, [Exp.]
c. 35. Cloths, [Rep. 5 *G.* 3. *c.* 51. *s.* 1.] 1598. *pl.* 62.
c. 36. Trade to *Persia* through *Russia*.
c. 37. Unwarrantable schemes in *American* plantations, preventing, 23. *pl.* 11—13.
s. 3. Exp.
c. 38. Encouragement of seamen; and better manning H.M.'s fleet.
s. 4. navy, in part Exp.
c. 39. Ascertaining longitude and latitude of *G. B.* and *Ire.* &c. by survey, [Rep. 14 *G.* 3. *c.* 66. *s.* 1.] 495. *pl.* 2.
c. 41. Supplies; drawback on coals used in fire engines for draining tin and copper mines, county *Cornwall*; appropriating supplies; exchequer bills, &c. lost; clerks, &c. indentures, duties on.
s. 18. exchequer bills lost, &c. Exp.
s. 19. apprentices, &c. duty, Exp.
c. 42. [Rep. 7 *G.* 3. *c.* 40. *s.* 61. turnpike roads, 7 *G.* 3. *c.* 42. *s.* 57. Highways,] 352. *pl.* 14.

15 *Geo.* 2. A. D. 1742.

c. 1. Malt, &c. duty, [Exp.]
c. 2. Highways, [Rep. 7 *G.* 3. *c.* 42. *s.* 57.] 352. *pl.* 14.
c. 3. Grant of 1,000,000*l.* out of sinking fund.
c. 4. Mutiny, [Exp.]
c. 8. Ale and beer duty, (*Scot.*) [Exp.]
c. 11. Land-tax 4*s.* in the pound, [Exp.] 442. *pl.* 7.
c. 13. Bank of *Eng.* corporation stock, &c. of, 48. *pl.* 1. 5., 49. *pl.* 9. 11., 50. *pl.* 52—56. 59. Other banks issuing notes, &c. (*s.* 5.), 77. *pl.* 12.
s. 4. (and *s.* 3. except as to repeal of 12 *A. St.* 1. *c.* 11. *ss.* 24. —25.) and *ss.* 11—14. Rep. virtually by 21 *G.* 3. *c.* 60. *s.* 10., redemption of bank of *Eng.*, stock.
ss. 1, 2. loan by bank of *Eng.* Exp.
s. 9. dividend on their then stock, Exp.
c. 19. Grant of 800,000*l.* by annuities; duties on quicksilver taken as prize; appropriating supplies.
ss. 1—20. annuities granting, Exp.
c. 20. Gold and silver lace counterfeiting; proportions of fine silver and silk, settling; better making of gold and silver thread, 326, 327. *pl.* 61—73. 79, 80.
ss. 12, 13. lace making, Exp.
c. 21. Indemnity, offices, &c. [Exp.]
c. 22. Certain officers excluded from being members of parliament, 1222, 1223, *pl.* 185. 199—201.
c. 24. Justices of a *liberty*, committal by to *county* gaol, 422. *pl.* 24. 26.
c. 25. Warehousing rum or *British* plantation spirits by importers, before paying excise duties thereon, [Exp. on *25th March* 1811.]

15 *Geo.* 2. A. D. 1742. (*continued.*)

c. 27. Cloth on rack, woollen yarn or wool left out to dry, stealing in night time, 1600, 1601. *pl.* 68—71.
c. 28. Current coin counterfeiting; uttering counterfeit coin, 138, 139. *pl.* 71. 76. 86—95.
s. 7. is Rep. as to rewards by 58 *G.* 3. *c.* 70. *s.* 1.
s. 9. is Rep. *id. ibid.*, but its regulations as to paying the reward *may* still be acted on under 58 *G.* 3. *c.* 70. *s.* 5.
s. 10. is Exp., fund for coin prosecutions out of coinage duty.
c. 29. Foreign cambrics, import duty, [Exp.]
c. 30. Marriage of lunatics prevented, 373. *pl.* 10, 11.
c. 31. Plantation trade; prize goods, import from *America*. Security for costs by claimants of vessels seized for export of wool or unlawful import; allowing *East India* goods to be taken out of warehouses to be cleaned or refreshed, 1371. *pl.* 16. 21. 26, 27.
c. 32. Gunpowder, keeping in *London*, &c. [Rep. 11 *G.* 3. *c.* 35. *s.* 13.]
c. 33. Pulling up bent growing on sandhills on north-west coasts of *Eng.* and of *Scot.*, 54. *pl.* 5—8.
s. 5. is Rep. by 34 *G.* 3. *c.* 42. *s.* 7. registering foreign ships under H. M.'s protection.
ss. 1—4. continuing several statutes, Exp.
c. 34. Explains 14 *G.* 2. *c.* 6. *s.* 1., 116. *pl.* 14, 15.
c. 35. Continuing certain statutes, [Exp.]

16 *Geo.* 2. A. D. 1743.

c. 1. Land-tax 4*s.* in the pound, 442. *pl.* 7.
c. 2. Malt, &c. duty, [Exp.]
c. 8. Spirits and licences for retailing spirits, duties.
s. 8. is Rep. in part by 30 *G.* 3. *c.* 38. *ss.* 2. 18., spirit licences, duty.
c. 11. Elections of members of parliament in *Scot.*, conduct of returning officers thereat, 218. *pl.* 83., 1335—1338. *pl.* 37 —80.
c. 12. Beer, &c. duty on retailers of in *London* and *Westminster*. Excise licences for retailing spirits.
c. 13. Lottery and annuities, 1,800,000*l.* at 3 *per cent.* raised by, [Exp.]
c. 14. Mutiny, [Exp.]
c. 15. Conviction of offenders found at large within *G. B.* after ordered for transportation, 1541. *pl.* 8—11.
c. 17. Insolvent debtors, [Exp.] 388. *pl.* 9.
c. 18. Justices of peace acting in certain cases relating to parishes and places to the rates, &c. of which they were chargeable, 423. *pl.* 54—56.
s. 2. is Exp.
c. 24. Land-tax, commissioners' names, [Exp.] 442. *pl.* 8.
c. 25. Supply from sinking fund; appropriation of supplies; grants to compassionate list.
c. 26. Hawking unstamped newspapers, 1398. Stats. *in force*, *pl.* 1., 1463. *pl.* 626.
ss. 1—4. 7., continuing certain statutes, Exp.
c. 27. Bankrupt, [Exp.] 60. *pl.* 58.
c. 29. Highways, [Rep. 7 *G.* 3. *c.* 42. *s.* 57.] 352. *pl.* 17. Carts drawing with 4 horses, 114. *pl.* 2.
c. 30. Persons qualifying for offices by receiving the sacrament, 1209. *pl.* 166., 1210. *pl.* 168, 169.
ss. 1, 2. 5. are Exp.
c. 31. Escapes of prisoners, assisting, 1286. *pl.* 126—131.
c. 32. Papists, enrolment of deeds, &c. [Exp.] 1202. *pl.* 7.

17 *Geo.* 2. A. D. 1744.

c. 1. Land-tax 4*s.* in the pound, [Exp.] 442. *pl.* 9.
c. 2. Malt, &c. duty, [Exp.]
c. 3. Overseers of poor to give public notice of making poor rates, and to produce same, 1268. *pl.* 133—136.

5 Geo. 1. A. D. 1718. (continued.)

c. 26. Gunpowder, keeping in *London*, &c. [Rep. 11 G. 3. c. 35. s. 13., 12 G. 3. c. 61. s. 31.] 335. pl. 1.
c. 27. Seducing artificers into foreign parts, 504, 505. pl. 54—59.
c. 28. Killing deer, punishment, 314. pl. 108—110.
c. 29. Oaths of Scotch clergy to government, [Rep. in part 32 G. 3. c. 63. s. 1.]
s. 6. is Exp.
s. 7. ministers of church in *Scot.* taking oaths of allegiance, &c., is Exp.
c. 30. *Scot.* highways, bridges, and ferries.
s. 2. Rep. in part as to the meeting, by 11 G. 3. c. 53. s. 4.
c. 32. Islands of *St. Christophers* and *Nevis*, relief of settlers, [Exp.]

6 Geo. 1. A. D. 1719.

c. 1. Land-tax 3*s.* in the pound, [Exp.] 442. pl. 7.
c. 2. Malt, &c. duty, [Exp.]
c. 3. Mutiny, [Exp.]
c. 4. *South Sea* company, stock &c.
s. 1. Rep. by 28 G. 3. c. 28. stamps, stipendiary curates' licences.
s. 44. national debt, *South sea* company, contributing to payment of, is Exp.
c. 5. Dependency of *Ire.* on crown of *G. B.*; secured, [Rep. 22 G. 3. c. 53.]
c. 6. Carriage within 10 miles of *London* and *Westminster*, [Rep. as to meal, malt, and coals, by 4 G. 3. c. 39. s. 4., also as to loads of bricks, &c. by 11 G. 3. c. 51. s. 4.] 352. Stats. *in force*, pl. 1, 2.
cc, 7—9. Ale and beer duty, (*Scot.*) [Exp.]
c. 10. *South Sea* company, loan of exchequer bills to, [Exp.]
c. 11. Foreign salt cellared, &c.; gold and silver plate, marks on, 324. pl. 28—31.; forgery relating to *South Sea* stock, [Exp.] 1386. pl. 28.
s. 4. Rep. by 31 G. 3. c. 32. s. 1. plate duty.
s. 40. Rep. by 20 G. 3. c. 18. s. 2. hops import into *Ire.*
c. 12. Frauds in allowances on damaged wines; time lengthened for drawbacks on their export.
c. 13. Serges, plaids, fingrums and stocking manufactures in *Scot.*
s. 5. serges, is Exp.
c. 14. Raw silk, import from *Turkish* dominions.
c. 15. Deal boards, &c. import from *Germany*.
c. 16. Trees, planting and preservation, 1546. pl. 1. 5—7.
c. 17. Army accounts, commissioners, [Exp.] 141. pl. 4, 5.
c. 18. Sea assurances; bottomry, lending money on, 398. pl. 28—31. 34—56.
s. 4. Rep. in part as to double damages, by 8 G. 1. c. 15. s. 25.
c. 19. Gaols; piracy; crimes committed on shore in foreign parts, 422. pl. 24, 25.
s. 4. Rep. by 22 G. 2. c. 33. s. 1. navy.
c. 21. Revenues of excise, customs, stamps, post-office, and house-money, frauds in, preventing, 1398. Stats. *in force*, pl. 1., 1421. pl. 129., 1425. pl. 200., 1453. pl. 357—359.; sheriffs issuing warrants, 1366. pl. 108—110., 1442., pl. 513, 514.
ss. 1—2. are Rep. by 3 G. 2. c. 7. s. 13. revenue, frauds.
s. 45. is Rep. by 7 G. 1. *St.* 1. c. 21. s. 12. tea import.
s. 11. distillers entering warehouses, is Exp.
c. 22. Insolvent debtors, [Exp.] 388. pl. 5.
c. 23. Robbery, burglary, &c. preventing, 248. pl. 65. 68. 73.; transportation, 1540, 1541. pl. 1. 3. 7.; helping to stolen goods, 535. pl. 13. 15; streets deemed highways in cases of robbery, 1329. pl. 12.
c. 24. Purchasers of forfeited estates, (*Scot.*) [Exp.]

7 Geo. 1. St. 1. A. D. 1720.

c. 1. *South Sea* directors, disabled, 1385. pl. 2.
c. 2. *id.* [Exp.] pl. 3.
c. 3. Quarantine, [Exp. Rep. 8 G. 1. c. 10.] 1307. pl. 1.
c. 4. Land-tax, 3*s.* in the pound, [Exp.] 442. pl. 7.
c. 5. *South Sea* company ingrafting part of their stock on that of the bank of *Eng.*, and part on that of *East India* company, 194. pl. 31. 33, 34.
s. 38. in part Exp., repayment of money by *South Sea* company.
c. 6. Mutiny, [Exp.]
c. 7. Printed, &c. calicoes, use of, 110. Calico, pl. 1—10.
ss. 6. 8. calico, are Exp.
c. 12. Buttons and button-holes of cloth, serge, &c., 107. pl. 3. 5, 6. 8. 14, 15.
c. 13. Regulating journeymen taylors in weekly bills, 1529, 1530. pl. 1—3. 7—9. 12—14. 16. 18.
s. 2. is Rep. virtually by 8 G. 3. c. 17. s. 1.
s. 7. is Rep. *id.* s. 2.
s. 9. is Rep. *id.* s. 9.
c. 20. Malt, &c. duties, land-tax, appropriation of supplies, allowance to receivers of land-tax, 1315. pl. 5, 6.
ss. 1—28. lottery; malt, &c. duty, are Exp.
ss. 32, 33., *Dagenham* breach, exchequer bills lost, &c., are Exp.
c. 21. *East Indies*, trading to under foreign commissions, 197. pl. 97—102.
s. 1. and ss. 4, 5. are Rep. by 33 G. 3. c. 52. s. 146. *East Indies*.
s. 14. is Rep. by 48 G. 3. c. 104. s. 1., and 52 G. 3. c. 39. s. 1 court of loadmanage, cinque ports.
s. 3. *semble* Exp. since 33 G. 3. c. 52. ss. 129, 130., and 53 G. 3. c. 155. s. 40. illicit trade to *East Indies*.
c. 25. Ale and beer duty, (*Scot.*) [Exp.]
c. 27. Annuities charged on civil list, payments by royal assurance Co.s, 398. pl. 30.
s. 19. is Rep. by 48 G. 3. c. 2. ss. 17, 18. 6*d.* duties on offices.
s. 27., *East India* Co., payment of monies due to, is Exp.
c. 28. *South Sea* Co.'s directors' estates sold towards paying the Co's losses, [Exp.] 1385. pl. 4.
c. 29. Pardon, [Exp.] 1214. pl. 6.
c. 30. Army accounts, commissioners, [Exp.] 141. pl. 4.
c. 31. Bankrupts, 60. pl. 55—57.
s. 3. is Rep. by 5 G. 2. c. 30. s. 22. bankrupts.

7 Geo. 1. A. D. 1720.

St. 2. To restore public credit after the frauds of *South Sea* Co.'s directors.
s. 2. is Rep. by 9 G. 1. c. 6. s. 1. *South Sea* Co.'s capital.

8 Geo. 1. A. D. 1721.

c. 1. Land-tax 2*s.* in the pound, [Exp.] 442. pl. 7.
c. 2. Malt, &c. duty; lottery; exchequer bills lost, &c.; unlawful lotteries, 497. pl. 1. 8, 9.
ss. 1—35. 38, 39., malt, &c. duty, are Exp.
c. 3 Mutiny, [Exp.]
c. 4 Red herrings, duty on salt used in curing; sugar houses in *Scot.* duties on; salt lost in rivers, harbours, &c.; duties on salt delivered in *Scot.*
ss. 7, 8. sugar house duties, (*Scot.*) are Exp.
s. 9. salt for curing fish, is Exp.
c. 6. Quakers, affirmation and declaration by, 1306. pl. 2. 7. 10.
c. 7. Ale and beer, (*Scot.*) [Exp.]
c. 8. Quarantine, [Rep. 45 G. 3. c. 10. s. 9., and Exp.] 1307. pl. 1.
c. 10. Quarantine, [Rep. see c. 8.] 1307. pl. 1.

8 *Geo.* 1. A. D. 1721. (*continued.*)

c. 12. Naval stores import, &c.
ss. 5, 6. 22. *American* colonies, *pl.* 2., are EXP.
c. 15. Silk manufactures; duties; single damages and costs in actions on policies of the two assurance corporations, 398. *pl.* 28. 32.
s. 13. is REP. by 4 *G.* 3. *c.* 9. *s.* 1. beaver skins, import duties.
c. 16. Salt in herring fisheries; tobacco export; rock salt refiners, relief.
s. 5. tobacco export, (*Scot.*) EXP.
c. 17. Shipwrecked mariners in *Portugal*, collecting money for relieving, 1609. *pl.* 15.
c. 18. Running goods; BOATS, 81. STATS. *in force*, *pl.* 1. 3., 82. *pl.* 5. 11. Quarantine; copper ore made an *enumerated* commodity.
s. 5. and *s.* 14. are EXP.
s. 14. is REP. by 45 *G.* 3. *c.* 10. *s.* 9. quarantine.
c. 19. Penalties for destroying game, recovery of, 313. *pl.* 93—95.
c. 20. Exchequer bills cancelling; customs and other duties; appropriation of supplies, [EXP.]
c. 21. *South Sea* Co. selling effects, [EXP.] 1385. *pl.* 5.
c. 22. Forging powers for transfer of stock, or for receipt of dividends; personating the true owners, 1479. STATS. *in force*, *pl.* 1, 2. *South Sea* Co. stock subscriptions, mistakes as to.
s. 3. *South Sea* Co. directors, is EXP.
c. 23. *South Sea* Co. directors' estates, 1385. *pl.* 6. [EXP.]
c. 24. Piracy suppressing, 1252. *pl.* 31—36. 38., 1343. *pl.* 24, 25. 27.
s. 8. is REP. in part as to trading by H. M.'s naval officers, by 22 *G.* 2. *c.* 33. *s.* 1.
c. 25. Recognizances of statute staple; signing judgments in *Wa.* and counties palatine, time of, 1516. *pl.* 10. 16, 17. 21. 24, 25.
c. 27. Butter, packing and weighing in county of *York*, [REP. in part, 36 *G.* 3. *c.* 86. *s.* 18.]
c. 28. Records of commissary court of *Aberdeen* burnt, supplied, [EXP.]

9 *Geo.* 1. A. D. 1722.

c. 1. Detaining suspected persons, [EXP.] 480. *pl.* 1.
c. 2. Land-tax 2*s.* in the pound, [EXP.] 442. *pl.* 7.
c. 3. Malt, &c. duty, lottery.
ss. 1—34., malt, &c. duty on, are EXP.
c. 4. Mutiny, [EXP.]
c. 5. Five *per cent.* annuities redeeming, (*s.* 35.) 141. *pl.* 4.
ss. 4—19. 22—33. 36. annuities, [EXP.]
c. 6. Adding 2,000,000*l.* to *South Sea* Co.'s stock, &c.
s. 2. is EXP.
s. 19. special bail, is EXP.
s. 10. is REP. by 6 *G.* 2. *c.* 28. *s.* 27., *South Sea* annuities, bequests of.
c. 7. Laws of settlement; employment and relief of poor, 427. *pl.* 120. 124., 1270. *pl.* 172. 174—176., 1272, 1373. *pl.* 194. 221. 225. justice resident in a city or other county of itself.
s. 4. is REP. by 22 *G.* 3. *c.* 83. *s.* 1. Poor.
c. 8. Exempting apothecaries from offices and juries, 25. *pl.* 1.; payment of seamen's wages; naval stores preservation; frauds in customs, &c. [EXT. to *Ire.* 52 *G.* 3. *c.* 12. *s.* 1.]
s. 2. 6. 9, 10. silk manufactory, are EXP.
c. 12. Transferring annuities payable at exchequer by indorsements on its standing orders.
c. 14. Ale and beer duty, (*Scot.*)
c. 18. Tax on papists, 1203. STATS. *Rep.*, &c. *pl.* 4. [EXP.]
c. 19. Coinage, and other duties; appropriation of supplies; foreign lotteries, 497. *pl.* 1. 10, 11.
s. 1. is REP. by 22 *G.* 3. *c.* 28. *s.* 3., and lastly by 59 *G.* 3. *c.* 52. *s.* 1. (see 18 *C.* 2. *c.* 5. *tit.* COIN.)
ss. 10—19. *s.* 37. land-tax commissioners names, are EXP.
c. 20. Ale and beer duty, *Scot.*, [EXP.]

9 *Geo.* 1. A. D. 1722. (*continued.*)

c. 21. Appointing commissioners of customs of *G. B.*; tobacco duties; frauds in export, &c.
s. 3. is REP. by 21 *G.* 3. *c.* 16. *s.* 5. tobacco.
s. 17. is REP. by 2 *G.* 2. *c.* 9. tobacco import.
c. 22. Persons going armed in disguise, (black act,) 1327, 1328. *pl.* 31, 32. 34—44.
s. 13. and *s.* 17. are REP. virtually, (see 3 *W. & M. c.* 10.) by 16 *G.* 3. *c.* 30. *s.* 27.
s. 16. 2, 3. going armed and in disguise, *ss.* 15. 17. *semble* EXP. since repeal of 3 *W. & M. c.* 10.
c. 23. *South Sea* company, 1385. *pl.* 6.
c. 24. Papists taking the oaths, [EXP.] 1203. STATS. *Rep.* &c. *pl.* 5.
c. 25. Amends 8 *G.* 1. *c.* 28. (*Scot.*) [EXP.]
c. 26. *East Indies*, [REP. 33 *G.* 3. *c.* 52. *s.* 146.]
c. 27. Journeymen shoemakers selling, pawning, &c. shoes, leather, &c. 495. *pl.* 111—116.
c. 28. Privileged places; the Mint, *Southwark*, 1293, 1294. *pl.* 3—13.
s. 3. is REP. by 1 *G.* 4. *c.* 116. *s.* 1.
ss. 11—15. 17—24. Mint *Southwark*, are EXP.
c. 29. Recovery of fines by lords of manors; certain exemptions of infants and *femes covert* from forfeitures of copyholds, 147. *pl.* 3—9.

10 *Geo.* 1. A. D. 1723.

c. 1. Land-tax 2*s.* in the pound, [EXP.] 442. *pl.* 7.
s. 2. is EXP.
c. 2. Malt, &c., duty; exchequer bills, lost, &c.; supply, appropriation, [EXP.]
c. 3. Mutiny act, [EXP.]
c. 4. Papists taking the oaths, [EXP.] 1203. STATS. *Rep. &c. pl.* 6.
c. 5. Annuities, redeeming, &c. [*semb.* EXP.]
c. 10. Coffee, tea, &c. imported, duties; relief to Earl of *Carnwath*.
s. 5. is REP. by 18 *G.* 2. *c.* 26. *s.* 1., tea, duty.
s. 9. coffee warehouses, is EXP.
s. 20. chocolate, stock in hand, is EXP.
s. 50. cocoa-nuts, export, is EXP.
c. 11. *India* silks, &c. used in furniture, [EXP.]
c. 14. *South Sea* company, directors, [EXP.] 1385. *pl.* 6.; 1472. *pl.* 2.
c. 16. *Greenland* fishery, [EXP.] 290. *pl.* 356.
c. 17. Continuing statutes, [EXP.] 528. *pl.* 18.
s. 18. Amending, 6 *G.* 1. *c.* 13.
c. 19. Law explained concerning trial and admission of ordinary lords of session, (*Scot.*)
c. 20. Drugs, &c. viewing, *London*, [EXP.] 1242. STAT. *Exp.*

11 *Geo.* 1. A. D. 1724.

c. 1. Land-tax 2*s.* in the pound, [EXP.] 442. *pl.* 7.
c. 2. Indemnity to deficient masters in chancery, [EXP.] 162. STATS. *Exp. pl.* 1.
c. 4. Inconveniences from want of elections of mayors, &c. on the usual days, preventing, 150, 151. *pl.* 13—21.
s. 7. is EXP.
c. 6. Mutiny, [EXP.]
c. 7. Great raisins, import duty, [REP. 14 *G.* 3. *c.* 74. *s.* 1.] in part REP. by 22 *G.* 3. *c.* 28. *s.* 3., brandy customs duty; by 27 *G.* 3. *c.* 13. *s.* 21., book of rates; and see now 59 *G.* 3. *c.* 52. *Sched.*
s. 10. is REP. by 49 *G.* 3. *c.* 98. *s.* 1., and 59 *G.* 3. *c.* 52. *s.* 1. (see *Sched.* A. Inwards, *tit.* Rags.) import duty.
s. 11. apples, duty, is EXP.
c. 8. Malt, &c., duty; stamp duty, newspapers, 1398. STATS. *in force*, *pl.* 1.; 1463. *pl.* 623, 624.
ss. 1—12. are EXP.
s. 23. exchequer bills lost, &c., is EXP.
s. 24. apprentice duty, is EXP.

11 *Geo.* 1. A. D. 1724. (*continued.*)

*c.*9. Bank annuities continued and reduced; uttering of forged, &c. notes, [Exp.] 297. *pl.*17, 18.

*s.*17. Annuities of 25,000*l.* on civil list, redemption of; H. M.'s debts.

*c.*18. Elections within *London.* (Local.)

*s.*15. mayor and aldermen's negative in elections in *London,* Rep. by 19 *G.*2. *c.*8.

*c.*21. Insolvent debtors, [Exp.] 388. *pl.*6.

*c.*22. Privileged places, *viz. Wapping, Stepney,* &c. 1294. *pl.*14—16.

*s.*3. is Exp.

*c.*23. Gunpowder, keeping in *London,* &c. [Rep. 11 *G.*3. *c.*35. *s.*13., 12 *G.*3. *c.*61. *s.*81.] 335. *pl.*1.

*c.*24. Cloths, *Yorkshire,* [Rep. 5 *G.*3. *c.*51. *s.*1.] 1598. *pl.*62.

*c.*26. Highlands of *Scot.,* disarming.

*ss.*1—9. are Exp.; *s.*13. disarming Highlands (*Scot.*), is Exp. in part.

*c.*28. Buildings; mischiefs by fire, [Rep. 14 *G.* 3. *c.*78. *s.*101.] 96. Stats. *Rep. pl.*3.

*c.*29. Continuing statute.

*ss.*5—7. are Rep. by 43 *G.*3. *c.*113. *s.*1., ships, destroying.

*ss.*1, 2. 4. are Exp.

*c.*30. Revenues, frauds in stamps, 1398. Stats. *in force, pl.*1.; salt used in curing fish exported from *Scot.*; insurance companies, general issue by, 398. *pl.*28. 33.; policies of insurance, stamp duties on, 399. *pl.*57., 1438. *pl.*456.

*ss.*36—38. is Rep. by 5 *G.*3. *c.*43. *s.*14., soap.

*s.*7. warehoused coffee, exported, is Exp.

*s.*22. in part, chocolate warehoused, is Exp.

*s.*42. Foreign salt, is Exp.

12 *Geo.* 1. A. D. 1725.

*c.*1. Land-tax 2*s.* in the pound, [Exp.] 442. *pl.*7.

*c.*2. Lottery, [Rep. in part 48 *G.*3. *c.*2. *s.*17. as to duty of 6*d.* on offices, (see 49 *G.*3. *c.*32., Exp.]

*c.*3. Mutiny, [Exp.]

*c.*4. Malt, &c. duty on making, and export; price of ale sold in *Scot.*; exchequer bills lost, &c.

*ss.*1—47. malt, &c. duty, are Exp.

*s.*61. malt drawback, is Exp.

*c.*12. Victualler's duty in *London* and *Westminster,* and weekly bills sending out beer, &c. in pots, &c. less than a gallon; adding 100 hackney chaises, 339. *pl.*1. 7. 9. 11.; land-tax; appropriating supplies.

*ss.*1—13. are Rep. by 16 *G.*2. *c.*12. *s.*1., victuallers.

*c.*26. Duty on snuff, repealed; *Greenland* fishery encouraged.

*s.*7. *Greenland* fishery, is Exp.

*c.*27. Ale, &c. duty, *Glasgow,* [Exp.]

*c.*28. Improvement of customs and excise duties; boats seized by customs, using, 82. *pl.*4.

*s.*32. treasury compounding for run goods, is Exp.

*c.*29. Frivolous and vexatious arrests, preventing, 34. *pl.*18—20. 23.; attornies, 41. *pl.*21., 172. *pl.*4.

*s.*1. as to the sum for which arrest may be made, is Rep. by 31 *G.*3. *c.*124. *s.*1.

*c.*30. Riots, [Exp.] 1327. *pl.*31.

*c.*31. *Nisi prius,* trials by in county of *Middlesex,* 1372. *pl.*1. 4, 5.

s 1. as to number of days after term, is Rep. by 24 *G.*2. *c.*18. *s.*5., 1 *G.*4. *c.*55. *s.*1.

*c.*32. Effects of suitors in chancery, securing; preventing counterfeiting of *East India* and *South Sea* bonds, and indorsements thereon, 162, 163. *pl.*15—21., 297. *pl.*19, 20.

*c.*33. Stamps, duties, 1398. Stats. *in force, pl.*1., 1416. *pl.*26., 1418. *pl.*55., 1419. *pl.*74. 78. 84., 1424. *pl.*166. Deficient masters in chancery, 162. *pl.*25.

*ss.*1—5., 10—14. are Rep. by 44 *G.*3. *c.*98. *s.*1., 55 *G.*3. *c.*184. *s.*1.

12 *Geo.* 1. A. D. 1725. (*continued.*)

*s.*6. is Rep. by 5 *G.*3. *c.*46. *s.*3., 42 *G.*3. *c.*99. *ss.*5, 6., 44 *G.*3. *c.*98. *s.*1., stamps, discount.

*ss.*1—3. 22. 24—29. stamp duties paid into bank, deficient masters in chancery, are Exp.

*c.*34. Workmen in woollen manufacture, unlawful combinations of; better payment of their wages, (U.K. by 57 *G.*3. *c.*122. *s.*3.) 1599—1600. *pl.*47—52. 65—67.

*s.*7. is Rep. by 22 *G.*3. *c.*40. *s.*4., combinations in woollen manufactures.

*c.*35. Bricks and tiles, [Exp.] 93. Stats. *Exp. pl.*1.

13 *Geo.* 1. A. D. 1726.

*c.*1. Land-tax, 4*s.* in the pound, [Exp.] 442. *pl.*7.

*c.*2. Mutiny, [Exp.]

*c.*3. Annuities, &c. redeeming.

*c.*5. Import of salt from Europe into *Pensylvania,* [Exp.]

*c.*7. Malt, &c. duty; supplies appropriating; exchequer bills, &c. lost; duties on apprentices' indentures; appropriation of supplies.

*ss.*1—27. Malt, &c. duty, [Exp.]

*s.*36. Exchequer bills, &c. lost, [Exp.]

*s.*37. Apprentice duty, [Exp.]

*c.*8. *South Sea* Co. negroes, [Exp.] 1385. *pl.*7.

*c.*21. Exchequer bills, 370,000*l.* [Exp.]

*c.*22. *South Sea* Co., 1385. *pl.*6.

*c.*23. Woollen manufacture regulated; wages payment of in money, 1600, 1601. *pl.*54. 74—82.

*s.*9. *semb.* Rep. by 29 *G.*2. *c.*33. *s.*1., 30 *G.*3. *c.*12. *s.*1.

*ss.*3. 10—14. are Rep. by 49 *G.*3. *c.*109. *s.*2. cloths.

*c.*24. Dying trade, abuses in, [Rep. 23 *G.*3. *c.*15. *s.*1.] 192. Stats. *Rep.*

*c.*25. Import of cochineal.

*c.*26. Linen and hempen manufactures. (*Scot.*)

*c.*27. Continuing statute, [Exp.]

*c.*28. Sale of forfeited estates, (*Scot.*) [Exp.]

*c.*29. Qualification for offices, further time given, 533. *pl.*88—91.

*ss.*2, 3. indemnity offices, &c.; *s.*4. (since 9 *G.*2. *c.*26. *s.*4.), and *s.*5. are Exp.

*c.*30. Fisheries, manufactures, and improvements, (*Scot.*)

1 *Geo.* 2. *St.* 1. A. D. 1728.

*c.*1. Wine lees duty; H. M.'s household, [Rep. 1 *G.*2. *c.*17. *s.*1.] 429. *pl.*40.

*c.*2. *South Sea* Co., H. M. governor, [Exp.] 1385. *pl.*1.

*c.*3. Revenue settled on queen, [Exp.] 429. *pl.*41.

*s.*5. Indemnity offices, &c. [Exp.] 537. *pl.*1.

*s.*2. is Rep. as far as relates to qualification by taking oaths to remain in office for 6 months after demise of crown, by 1 *G.*2. *St.*2. *c.*23. *s.*7.

1 *Geo.* 2. *St.*2. A. D. 1728.

*c.*1. Malt, &c. duty, [Exp.]

*c.*2. Mutiny, [Exp.]

*c.*5. Land-tax, [Exp.] 442. *pl.*7.

*c.*8. Aid by sale of annuities; other supplies.

*s.*16. incumbrances on duties discharged by treasury, Exp.

*c.*9. Seamens wages; appropriation of supplies.

*ss.*1—5. exchequer bills lost, &c. Exp.

*c.*13. Quarantine, 1307. *pl.*1.

*c.*14. Seamen, [Rep. 31 *G.*2. *c.*10. *s.*32.]

*c.*16. Low wines and spirits, duty; excise appeals; number of commissioners who may hear causes pending before them.

*s.*2. distillers penalties, Exp.

*c.*17. Wine lees, &c. duty; silks export; wine import; apprentices, &c. indentures, duty.

1 *Geo.* 2. *St.* 2. A. D. 1728. (*continued.*)

c. 19. Turnpikes, locks, or navigation works erected by statute, punishing, 384, 385. *pl.* 1, 2. 21.
ss. 1, 2. are REP. in part as to turnpikes, by 7 *G.* 3. *c.* 40. *s.* 61. 1551. *pl.* 1.
c. 21. Forfeited estates, [EXP.] (*Scot.*)
c. 22. Ale and beer duty, [EXP.] (*Scot.*)
c. 23. Indemnity offices, &c. [EXP.]

2 *Geo.* 2. A. D. 1729.

c. 1. Mixing malt of different wettings.
ss. 1—10. malt duty, &c., EXP.
c. 2. Mutiny, [EXP.]
c. 3. Sale of annuities to bank of *Eng.* at 4 *per cent.*. on 1,250,000*l.* Produce of sinking fund applying.
c. 4. Land-tax 3*s.* in the pound. [EXP.] 442. *pl.* 7.
c. 6. Indemnity to Lord *Powlett;* money stolen out of exchequer, made good, [EXP.]
c. 7. *Greenwich Hospital,* duties granted for, collecting, 330, 331. *pl.* 16—26.
c. 8. Trustees for raising money on estates of *South Sea* directors discharged, and the produce vested in the Co., 1385. *pl.* 8. [EXP.]
c. 9. Tobacco stript from stalk, export.
c. 15. Bricks and tiles, [EXP.] 93. *pl.* 1.
c. 17. Spirits duty, licensing retailers, [REP. 6 *G.* 2. *c.* 17. *s.* 1.]
c. 18. Coin, import and export duty. Appropriating supplies.
c. 20. Insolvent debtors, [EXP.] 388. *pl.* 6.
c. 21. Trial of murders where either stroke or death only happens in *Eng.*, 364. *pl.* 24, 25.
c. 22. Debtors relief as to imprisonment, 388. *pl.* 7.; set off and mutual credit, 1354. SET OFF, *pl.* 1, 2.
ss. 1—12. 14—16. are REP. by 32 *G.* 3. *c.* 28. *ss.* 5—12.
c. 23. Attornies and solicitors, regulations, 41. *pl.* 22—27., 42. *pl.* 35—43. 46. 48. 50., 43. *pl.* 52—54. 56, 57.
ss. 9. 19. 29. attornies, EXP.
c. 24. Bribery in elections of members of parliament, 1218. *pl.* 80. 83. 86—95.
s. 3. is REP. by 16 *G.* 2. *c.* 11. *s.* 38., parliament elections, (*Scot.*)
s. 4. is REP. by 28 *G.* 3. *c.* 52. *s.* 31., bribery, &c.
c. 25. Punishment of forgery, perjury, and subornation thereof. Stealing bonds, notes, or other securities for payment of money, felony, 248. *pl.* 74—76., 297. *pl.* 21, 22., 1242. *pl.* 13, 14.
s. 1. forgery of deeds, REP. virtually, by 45 *G.* 3. *c.* 89. *s.* 1.
c. 26. Watermen, &c. on *Thames,* 1582. *pl.* 23, 24. 37. 41. 48—50. 52, 53., 1586. *pl.* 84, 85.
c. 27. Queen appointed regent without taking the oaths, [EXP.] 429. *pl.* 42.
c. 28. Spirits and cochineal import; pleading in *formâ pauperis,* to customs informations, 7. *pl.* 1. Gaming, 320. *pl.* 3. 5. Licensing inns, &c. 14. ALEHOUSE, STATS. *Rep. pl.* 1.
s. 11. is REP. by 26 *G.* 2. *c.* 31. *s.* 4., alehouse licences.
ss. 1—6. 12., alehouse licenses, EXP.
c. 31. Indemnity; time fixed for taking oaths for qualification for offices, 532, 533. *pl.* 66. 68. 71, 72.
s. 4. REP. virtually as to the times there fixed, by 9 *G.* 2. *c.* 26. *s.* 3.
s. 5. is REP. *id. s.* 4.
ss. 1, 2. 8. indemnity offices, &c.
c. 33. Forfeited estates, [EXP.] (*Scot.*)
c. 34. Surrender of lands in *Carolina* to H. M., [EXP.] 22. *pl.* 3.
c. 35. Woods in *America* preserved; import of masts, &c. from *Scot.*, [EXP.]
c. 36. Seamen in merchants' service, regulation, &c. 1343, 1344, *pl.* 29—41.

3 *Geo.* 2. A. D. 1730.

c. 1. Land-tax 2*s.* in the pound, [EXP.] 442. *pl.* 7.
c. 2. Mutiny, [EXP.]
c. 5. Lending money to foreign states without licence by privy seal, [EXP.]
c. 7. Distilling cyder; malt steeping for export; and export.
ss. 1—11. malt-duties, are EXP.
c. 11. Locks upon *Thames,* [REP. by 24 *G.* 2. *c.* 8. *s.* 26.] 1534. STATS. *Rep.*
c. 12. Salt to *New York, America,* import, [EXP.]
c. 14. *East India* Company's fund, [REP. by 33 *G.* 3. *c.* 32. *s.* 146.] 193—194. *pl.* 23. 29. and trade, 197. *pl.* 103—110.
s. 9. REP. in part by 33 *G.* 3. *c.* 52. *s.* 146.
ss. 5, 6. 10—12. are EXP.
c. 16. Supply of 550,000*l.* by exchequer bills; land-tax; appropriation of supplies.
s. 10. arrears of land-tax, is EXP.
c. 20. Duties on salt, taking off, 270. *pl.* 21. *East India* Company's annuity, charging on aggregate fund.
s. 6. discharge of salt proprietors, EXP.
c. 22. Bricks and tiles, 93. *pl.* 1. [EXP.]
c. 25. Juries, better regulation of, 416—418. *pl.* 78—82. 84—94. 96. 99, 100. 102—104.
s. 22. is EXP.
c. 27. Debtors, [EXP.] 388. *pl.* 7.
c. 28. Rice carrying from *America* to *Europe,* [EXP.]
c. 29. Bread, assize, &c of; bankrupts' relief, 57. *pl.* 5. Papists' enrolment of deeds, &c.; relief of protestant purchasers, 1203. STATS. *Rep. pl.* 7. Certificates of poor settlements; charges of removing uncertificated persons, 1272, 1273. *pl.* 194. 212, 113.
ss. 1—7. and *s.* 8. *last part* EXP.
c. 30. Decrees in chancery, 164. *pl.* 27, 28.
c. 31. Brokers in *Bristol.*
c. 32. Adjournments of court of session; limiting time of executing sentences importing corporal punishments in *Scot.*
c. 36. *Skerries* light-house, 1341, 1342. *pl.* 22—30.

4 *Geo.* 2. A. D. 1731.

c. 1. Malt, &c. duty, [EXP.]
c. 2. Mutiny, [EXP.]
c. 4. Land-tax 2*s.* in the pound, [EXP.] 442. *pl.* 7.
c. 5. Sinking fund, further application of by paying off *South Sea* annuities.
c. 6. Indemnity offices, &c. [EXP.]
c. 7. Juries in *Middlesex,* 416—418. *pl.* 78. 83. 101.
c. 9. Raising money by lottery; exchequer bills, &c. lost; appropriating supplies.
ss. 13—28. lottery, are EXP.
c. 10. Idiots and lunatics, conveyances or surrenders of lands by, 373. *pl.* 5—7.
c. 11. Ale and beer duty, *Scot.*, [EXP.]
c. 12. Coinage duties, [REP. by 22 *G.* 3. *c.* 28. *s.* 3.; lastly 59 *G.* 3. *c.* 52. *s.* 1. see 18 *C.* 2. *c.* 5. tit. COIN.] 135. *pl.* 29.
c. 14. Frauds in revenue of excise with respect to starch, coffee, tea, and chocolate; adulterating hair-powder, 302. *pl.* 6—12.
c. 15. As to prohibiting import of nonenumerated goods into *Ire.*, [REP. as to import of hops into *Ire.*, by 20 *G.* 3. *c.* 18. *s.* 2.]
c. 16. Stealing cotton goods, &c. from fields, &c. [REP. by 18 *G.* 2. *c.* 27. *s.* 4.] 81. *pl.* 1.
c. 18. Counterfeiting *Mediterranean* passes, 511. *pl.* 7—9.
c. 21. Naturalization; children of natural-born subjects, 519. *pl.* 5, 6. *s.* 3. is EXP.
c. 24. Watermen on *Thames,* 1583. *pl.* 21.

17 *Geo.* 2. A. D. 1744. (*continued.*)

c. 5. Houses of correction, 1285. *pl.* 102. 104—107. 118.; commitment to prison by justices, 422. *pl.* 24. 27.; vagrants, 1562, 1563. *pl.* 26, 27. 29. 31. 33, 34. 38. 40. 49—58. 60—73.

c. 6. Suspected persons detaining, [Exp.] 480. *pl.* 1.

c. 7. Taking and swearing affidavits to be used in any courts of county palatine of *Lancaster*, 157. *pl.* 23—26.

c. 8. Butter, [Rep. in part by 36 *G.* 3. *c.* 86. *s.* 18.]

c. 11. Widows, &c. of ministers of church of *Scot.*, &c., providing for, [Rep. in part by 19 *G.* 3. *c.* 20. *s.* 86.]

c. 15. Army, marines, recruiting, [Exp.]

c. 16. Mutiny, [Exp.]

c. 17. *East India* company, 193, 194. *pl.* 23. 27—29. 31., 197. *pl.* 106.
s. 11. is Rep. by 33 *G.* 3. *c.* 52. *s.* 146. *East Indies.*
s. 13. is Rep. by 21 *G.* 3. *c.* 65. *s.* 2. *East India* company.
ss. 1—3. 11—12. 15. *East India* company, payment of 1,000,000*l.* are Exp.

c. 18. Raising 1,800,000*l.* at 3 *per cent.* by annuities, and a lottery, [Exp.]

c. 21. Ale and beer duty, (*Scot.*) [Exp.]

c. 26. Army, marines, recruiting [Exp.]

c. 30. Counterfeit stamps; preventing the affixing to foreign or other linens.

c. 31. Duties, &c. bounty on export of linens.

c. 33. Supplies; appropriation thereof; exchequer bills, &c. lost, &c.

c. 34. Seamen in H. M.'s service, and privateers, encouraging to annoy the enemy; property of ships of war and privateers in prizes, &c.

c. 35. Coals, [*semb.* Rep. 47 *G.* 3. *Scss.* 2. *c.* lxviii. *s.* 2.]

c. 36. Foreign goods, import.

c. 37. Improved wastes, where chargeable to parochial rates. Addenda.

c. 38. Poor, 1268. *pl.* 133. 137, 138. 146., 1269. *pl.* 147, 148, 149. 152—160.

c. 39. High treason, to hold correspondence with sons of the Pretender, 1544. *pl.* 20.
s. 3. is Rep. by 39 *G.* 3. *c.* 93. Treason, forfeiture.

c. 40. Embezzlement of H. M.'s stores, (Ext. to *Ire.* by 52 *G.* 3. *c.* 12. *s.* 1.) 1482. *pl.* 13. Selling wine without licence in universities, 1593. *pl.* 31—32.
ss. 1—9. continuing clauses, are Exp.

18 *Geo.* 2. A. D. 1745.

c. 1. Land-tax 4*s.* in the pound, [Exp.] 442. *pl.* 9.

c. 2. Malt, &c. duty, [Exp.]

c. 5. Salt and herrings, duties on, [Rep. 27 *G.* 3. *c.* 13. *s.* 35.]

c. 7. Mutiny, [Exp.]

c. 9. Lottery.
s. 1. is Rep. by 26 *G.* 3. *c.* 59. *s.* 1. wine, customs duty.

c. 10. Army, marines, recruiting, [Exp.]

c. 11. Indemnity, offices, &c. [Exp.]

c. 15. Separating the barbers and surgeons of *London*, into two distinct corporations, 1242. *pl.* 21—24.

c. 17. Discovering of N.W. passage, [Rep. 58 *G* 3 *c.* 20. *s.* 9.] 495. *pl.* 3.

c. 18. Elections of knights of shire in *Eng.*, 1219, 1220. *pl.* 124.—125. 127—129. 145—148. 155, 156. 162.
s. 1. is Rep. in part virtually by 25 *G.* 3. *c.* 84. *s.* 4.

c. 20. Justices of peace, qualification of, 422. *pl.* 28, 29. 32—45.

c. 22. Supplies; appropriation thereof.
ss. 25—26. apprentice indentures, &c. are Exp.

c. 24. Preventing export of foreign, under name of *British* or *Irish* linens.

c. 25. *British* and *Irish* linens, export bounty, [Exp.]

c. 26. Excise duties on tea; offenders against excise laws escaping from one county to another.
s. 9. tea warehoused, is Exp.

18 *Geo.* 2. A. D. 1745. (*continued.*)

c. 27. Stealing linen and cotton goods in printing or bleaching, &c. fields, 81. *pl.* 1. 3—4.
ss. 1—2. are Rep. by 51 *G.* 3. *c.* 41. *s.* 1.

c. 28. Indemnity; run goods, [Exp.]

c. 30. Piracy, 1251. *pl.* 11. 20, 21.

c. 31. Duties for support of *Greenwich* hospital, collecting 330, 331. *pl.* 2. 27—30.
s. 5. prize agents; registering letters of attorney, is Exp.

c. 33. Carts within weekly bills, horses and drivers of, 114. *pl.* 7—11.

c. 34. Gaming, 320, 321. *pl.* 17. 21. 27—36. Horse-racing, 369, 370. *pl.* 1. 4—5.

c. 35. Navy, [Rep. 22 *G.* 2. *c.* 33. *s.* 1.]

c. 36. Against wearing and import of cambrics and *French* lawns.
s. 5. is Exp.

19 *Geo.* 2. A. D. 1746.

c. 1. Suspected persons, detaining, [Exp.] 410. *pl* 1.

c. 2. Militia, [Exp.]

c. 3. Land-tax 40*s.* in the pound, [Exp.] 442. *pl.* 9.

c. 4. Malt, &c. duty, [Exp.]

c. 5. Horned cattle distemper, [Exp.] 115. *pl* 10.

c. 6. Loan by bank of *Eng.*, 48. *pl.* 1, 2.

c. 7. Court of session, *Scot.*, [Exp.]

c. 8. Acts of common council of *London.*

c. 9. Qualification of jurors in trials for high treason in *Scot.*
ss. 1—3. trial of traitors, are Exp. 1544. *pl.* 19.
s. 23. glass contracts, is Exp.

c. 11. Mutiny, [Exp.]

c. 12. Duties, &c. supplies.
ss. 1, 3. are Rep. by 17 *G.* 3. *c.* 39. *s.* 23., glass import duties.
ss. 21, 22. are Rep. by 20 *G.* 3. *c.* 6. *s.* 2. glass export duties.

c. 13. Justices of peace taking oaths, [Exp.] 421. Stats. *Rep.*, *pl.* 2.

c. 14. Encouraging coinage of money, [Rep. 22 *G.* 3. *c.* 28. *s.* 3., and lastly 59 *G.* 3. *c.* 52. *s.* 1., (see 18 *C.* 2. *c.* 5. *tit.* Coin), 135. *pl.* 29.

c. 16. Papists, enrolment of deeds. &c., [Exp.] 1203. *pl.* 7.

c. 17. Suspected persons, detaining, [Exp.] 480. *pl.* 1.

c. 20. Indemnity, [Exp.]

c. 21. To prevent profane cursing and swearing, 1486 *pl.* 1—15.

c. 22. Havensand navigable rivers in *Eng.* preservation of, 1276. *pl.* 2—9.

c. 23. Continuing certain statutes, [Exp.]

c. 26. Suspected persons; bail, *Scot.* [Exp.] 1214. *pl.* 6.

c. 27. Duties on foreign sail-cloth imported, and on all foreign-made sails, making up foreign sail-cloth, &c., 1531. *pl.* 24—28.
s. 4. exemption from penalties of that act, in favour of sails brought from *E. I.*, is Rep. by 54 *G.* 3. *c.* 66. *s.* 2.

c. 28. Elections of M. P.s for cities and towns in *Eng.* being counties of themselves, 1219, 1220. *pl.* 124. 145., 1222. *pl.* 184., 1225. *pl.* 248—260.

c. 30. Encouragement of trade of sugar colonies to *America.*

c. 31. Supplies; appropriation thereof; exchequer bills lost, &c.

c. 32. Bankrupts, 60. *pl.* 58., 64. *pl.* 109, 110.

c. 33. Indemnity offices, &c., [Exp.]

c. 34. Persons going armed or disguised in defiance of customs or excise laws; relief of customs officers in informations on seizures.
ss. 13—15. going armed and disguised, [Exp.]

c. 35. Coals, [Rep. 26 *G.* 3. *c.* 108. *s.* 27.]

c. 36. Naval stores, [Exp.]

c. 37. Insurance on ships of *G. B.*, and the effects therein regulated, 397. *pl.* 15—20.
s. 8. is Exp.

19 *Geo.* 2. A.D. 1746. (*continued.*)

*c.*38. Qualifying ministers of meeting-houses in *Scot.*
ss. 5. 8. 11—13. are REP. by 32 *G.*3. *c.*63. *s.*1. church, *Scot.*
ss. 1, 2. and *s.*7. in part, *s.*10. are EXP.

*c.*39. Disarming highlands; highland dress; oaths to H. M.; praying for royal family.
*s.*13. is REP. by 21 *G.*2. *c.*34. *s.*2. arms *Scot.*, and *semb.* EXP.
*s.*17 is REP. by 22 *G.*3. *c.*63. *s.*1. highland dress.
*s.*21. as to resorting to meeting-houses, *semble* virtually REP. by 32 *G.*3. *c.*63. *s.*1. *sed quære?*
*ss.*1—16. 18, 19. are EXP.

20 *Geo.* 2. A. D. 1747.

*c.*1. Suspected persons, detaining, 480. *pl.*1.

*c.*2. Land-tax 4*s.* in the pound, [EXP.] 442. *pl.*9.

*c.*3. House, &c. tax, [REP. 43 *G.*3. *c.*161. *s.*84.] 1486. *pl.*1.

*c.*4. Horned cattle distemper, [EXP.] 115. *pl.*10.

*c.*5. Malt, &c. duty, [EXP.]

*c.*10. Carriages duty; lottery, [REP. 25 *G.*3. *c.*47. *s.*1.]

*c.*11. Mutiny, [EXP.]

*c.*17. Ale and beer duty, *Scot.*, [EXP.]

*c.*19. Wages and regulations of certain servants and apprentices 27. *pl.*6., 28. *pl.*14. 17., 436, 437. *pl.* 24—28.
*s.*7. is REP. by 27 *G.*2. *c.*6. *s.*1., tinners in *Cornwall*, 28. *pl.* 23.

*c.*20. Title deeds, &c. destroyed, &c. (*Scot.*)

*c.*24. Payment of shares of prizes to *Greenwich Hospital*; embezzlement of the stores thereof, 331. *pl.*34. 37.
*s.*6. as to letters of attorney is REP. by 55 *G.*3. *c.*60. *s.*1.
*s.*3. shares of prizes of run men, is EXP.

*c.*26. Ale and beer duty, *Scot.* [EXP.]

*c.*30. Allowing persons impeached by house of commons of treason, &c. to defend by counsel, 1545. *pl.*69, 70.

*c.*35. Indemnity, prize agents registering letters of attorney, [EXP.]

*c.*36. Grant of 1,000,000*l.* out of sinking fund; raising 500,000*l.*; appropriation of supplies; bounties on exports of *British* and *Irish* coarse linens, continued.

*c.*37. Sheriffs, ease of, as to return of process, 1366. *pl.*111—113.

*c.*38. Merchant service, seamen maimed, &c. and their families, 1345. *pl.*62—103.

*c.*39. Duty to be paid by distillers on licences taken out by them for retailing spirits.

*c.*41. Forfeited estates, (*Scot.*) [EXP. *semb.*]

*c.*42. Exposition of statutes, [EXP. and REP. 43 *G.*3. *c.*161. *s.*84. except *s.*3.] 1478. STATUTES. *pl.*7. House, &c. tax, 1486. *pl.*1.

*c.*43. Heretable jurisdictions in *Scot.* abolishing and restoring to crown; administration of justice there. Oaths by law professors, &c.
*s.*29. all between brackets are REP. by 28 *G.*2. *c.*7. heretable jurisdiction, (*Scot.*)
*ss.*7—13. are EXP.

*c.*44. Extends 13 *G.*2. *c.*7. to other foreign protestants scrupling to take an oath, 519, 520. *pl.*14. 21. 25—28.

*c.*45. Apprentices' indentures, duty on, 1398. STATS. *in force*, *pl.* 1., 1427. *pl.*236. 241.
*s.*10. is REP. by 21 *G.*2. *c.*2. *s.*8. prize goods warehoused, export.
*ss.*1—4. sail-cloth and silk manufactures, are EXP.
*s.*7. heretable jurisdiction, *Scot.* is EXP.
*s.*10. prize goods landing warehoused, is EXP.

*c.*46. Return of rebels, or their going to enemies countries, preventing, 1544. *pl.*21.

*c.*47. Continuing several statutes, [EXP.]

*c.*48. Indemnity, offices, &c. [EXP.]

*c.*50. Tenures, and administration of justice in *Scot.*

20 *Geo.* 2. A. D. 1747. (*continued.*)

*c.*51. Highland dress; sale of entailed estates in *Scot.* to the crown.
REP. in part by 22 *G.*3. *c.*63. which repeals so much of that act as restrains the use of the highland dress.
*s.*1. is EXP.

*c.*52. [EXP. *semb.* except as to effect of pardon on offenders estates,] 36. ARSON, STATS. *Rep. pl.*1.

21 *Geo.* 2. A. D. 1748.

*c.*1. Malt, &c. duty, [EXP.]

*c.*2. Subsidy of tonnage and poundage; loan of 6,300,000*l.* by annuities and lottery charged thereon, [EXP.]

*c.*3. Arrests, frivolous and vexatious, preventing, 34. *pl.* 18.

*c.*4. Insuring *French* ships and goods, [EXP.] 396. *pl.* 2.

*c.*6. Mutiny, [EXP.]

*c.*7. Land-tax, 4*s.* in the pound, [EXP.] 442. *pl.*9.

*c.*9. Indemnity, offices, &c. [EXP.]

*c.*10. House &c., tax, [REP. 43 *G.*3. *c.*161. *s.*84.] 1486. *pl.*1.

*c.*11. Courts martial, navy, [REP. 22 *G.*2. *c.*33. *s.*1.]

*c.*12. *Summer* assizes for county of *Bucks*, 420. *pl.*34. 38, 39.

*c.*13. Mistake in *c.*6. [EXP.]

*c.*14. Tea, export to *Ire.* and plantations; payments of loan.
*s.*1. is REP. by 32 *G.*3. *c.*9. tea export, *America*, &c. certificates.
*s.*2. is REP. by 7 *G.*3. *c.*56. *s.*7. tea export.
*s.*7. subsidy, poundage, is EXP.

*c.*17. Title deeds, lost, &c. (*Scot.*) [EXP.]

*c.*19. Treason, punishment of in Highlands of *Scot.*; taking down evidence in writing, (*Scot.*); sheriffs and stewarts depute and substitute, (*Scot.*); circuits, (*Scot*).
*ss.*1—6. 13. are EXP.

*c.*23. Grant of 1,000,000*l.* out of sinking fund; appropriating that and other supplies.

*c.*26. Amending, &c. 18 *G.*2. *c.*26.
*s.*1. is EXP.

*c.*28. Highways, &c. 352. *pl.*14.; weighing engines; prices of carriage; 115. *pl* 1. 3. 6, 7.; waggoners' names on carriages, &c. 115. *pl.*4.

*c.*29. Orphans, &c. of *London*, relief.

*c.*30. Making indigo in *America*, [EXP.]

*c.*31. Insolvent debtors, [EXP.] 388. *pl.*9.

*c.*33. Continuing several statutes, [EXP.]

*c.*34. Amending, &c. 1 *G.* 1. *St.*2. *c.* 54., 19 *G.*2. *c.*39. (*Scot.*); oaths to H.M., qualifications for offices; theft of cattle; disarming Highlands, (*Scot.*)
REP. in part (*viz. s.*21. &c.) by 32 *G.*3. *c.*63. *s.*1. church of *Scot.*
REP. in part as to highland dress, by 22 *G.*3. *c.*63.
*s.*1. first part only, is EXP.
*ss.*2—7. are EXP.

22 *Geo.* 2. A. D. 1749.

*c.*1. Malt, &c. DUTY, [EXP.]

*c.*2. Land-tax 4*s.* in the pound, [EXP] 442. *pl.*9.

*c.*3. Court of appeals in prize causes, [EXP.] 1294. *pl.*4.

*c.*5. Mutiny, [EXP.]

*cc.*10. and 13. Ale and beer duty, (*Scot.*) [EXP.]

*c.*21. Widows, &c. of clergy of *Scot.*, relief of, [REP. in part by 19 *G.*3. *c.*20. *s.*86.]

*c.*23. Annuities in discharge of navy, &c. bills amounting to 3,230,382*l.* 5*s.* 1*d.* charged on the sinking fund, [EXP.]

*c.*24. Proceedings in actions on statutes of hue and cry, 371. *pl.*23. 39.

*c.*25. Horses, carriages, &c. let for travelling post.
*s.*3. post horses, is EXP.

*c.*27. Hats, silk, &c. manufacture, 1371, 1372, *pl.*1. 14.; journeymen dyers, &c. combinations; wages, (*Extends to U. K.* by 57 *G.*3. *c.*122. *s.*3.) 501—503. *pl.*8. 11. 17. 19—21. 27—28. 31—33.
*s.*1. is REP. as to punishments for reeling short yarn, by

22 Geo. 2. A. D. 1749. (*continued.*)

14 *G.*3. *c.*44. *s.*1.; *s.*8. by 17 *G.*3. *c.*56. *s.*2.; and *s.*9. by *id.* *s.*8. abuses in woollen manufactures.

*c.*29. Authentic valuation roll for *Argyllshire, Scot.*

*c.*30. Moravians settling in *America*, encouraged, 24. *pl.* 14—21.

*c.*33. Reducing into one act the laws relating to the government of H. M.'s ships and forces by sea. Articles of war for sea-service. Seamen, 1343. *pl.*24. 26. 28.

*s.*15. is Rep. by 19 *G.*3. *c.*17. *s.*1. navy, articles of war.

*c.*36. Foreign embroidery, gold and silver thread, &c. import.

*c.*37. Coal, culm, and cinders, export duty.

*c.*38. Gunpowder, keeping in one place; carrying, &c., [Rep. by 11 *G.*3. *c.*35. *s.*13., 12 *G.*3. *c.*61. *s.*31.] 335. *pl.* 2.

*c.*41. Land-tax; commissioners' names, 442. *pl.* 10.

*c.*42. Supplies; appropriations thereof; exchequer bills, &c. lost.

*ss.*29—30. exchequer bills lost, &c., are Exp.

*c.*44. Soldiers and mariners exercising trades, [Exp.]

*c.*45. Whale fishery, [Exp.] 290. *pl.*356.

*c.*46. Attorneys' and solicitors' clerks, &c.; admission, &c.; regulation, 41. *pl.*22., 42. *pl.*28—34., 40—41. 43. *pl.*56., 115. Cattle, *pl.*10., 116. *pl.*21—25. Tanning leather, 479. *pl.*29, 30. Return of process in counties palatine of *Chester* and *Lancaster*, 154. *pl.*4, 5. Levying executions on hundredors, 372. *pl.*1, 2. Affirmation by quakers, 1306. *pl.*1. 8—9. Bread, 84. *pl.* 5.

*ss.*21, 22. are virtually Rep. by 31 *G.*2. *c.*29. *s.*25.

*ss.*1, 2. continuing clauses, &c.; *ss.*15. 20. 23. admission of attorneys; *s.*26. cow calves, killing; and *ss.*30—32. horned cattle distemper, are Exp.

*c.*48. Outlawry for treason, (*Scot.*)

*c.*49. Fishmarket, *Westminster*; preventing forestalling, &c. fish; dimensions of fish sold, 263. *pl.*73., 266, 267. *pl.*142—150., 269. *pl.*178.

*ss.*2—8. 13—17. 19. are Rep. by effect of 30 *G.*3. *c.*54. *s.*1 fishmarket, *Westminster*; *s.*21. by 29 *G.*2. *c.*39. *s.*14. fish, sale of.

*s.*9. in part Exp.

*c.*52. Vesting forfeited estates in trustees for benefit of *Greenwich* hospital, 331. *pl.*32.

*ss.*1—13. are Rep. by 16 *G.*3. *c.*24. *s.*2. *Greenwich* hospital accounts; laying before parliament, &c.

23 Geo. 2. A. D. 1750.

*c.*1. Reducing interest on annuities.

*c.*2. Land-tax 3*s.* in the pound, [Exp.] 442. *pl.*11.

*c.*3. Malt, &c. duty, [Exp.]

*c.*4. Mutiny, [Exp.]

*c.*9. Duties on *China* raw silk.

*c.*11. Prosecutions for perjury, and subornation thereof, 1242. *pl.*15—18.

*c.*13. Artificers, seducing; export of utensils of silk manufacture, 504, 505. *pl.* 54—56. 60—64. 66, 67. Appeals made under 22 *G.*2. *c.*27. *s.*3., 501, 502. *pl.*8. 18.

*s.*9. as to form of conviction therein, is Rep. by 17 *G.*3. *c,*56. *s.*21. woollen, &c. manufactures, abuses in.

*c.*16. Annuities, loan by, [Exp.]

*c.*20. Growth of raw silk in H. M.'s colonies in *America.*

*c.*21. Supplies; improvement of fisheries and manufactures in *Scot.*; appropriation of supplies; candles, soap, starch, import.

*c.*22. Annuities, subscribing; *East India* Company raising money by annuities, 193, 194. *pl.*23. 35—37.

*ss.*7—13. are Exp.

*c.*23. Horned cattle, distemper, 115. *pl.*10.

*c.*24. *British* white herring fishery, 273. *pl.*73.

*s.*11. 13. 16. are Rep. by 30 *G.*2. *c.*30. *s.*1. white herring fishery, bounty.

23 Geo. 2. A. D. 1750. (*continued.*)

*c.*25. Hanaper office, revenue of; augmenting income of master of rolls, 164—165. *pl.* 44—51.

*c.*26. Salmon in *Ribble*, 285. *pl.*277, 278. *Nisi Prius* records out of exchequer, fees on, 171. *pl.*53, 54. Excise office; admitting solicitors attorneys without fees, 41. *pl.*22., 42. *pl.*44.

*s.*11. is Rep. by 24 *G.*2. *c.*55. *s.*4. warrants of justices of peace, 421. Stats. *Rep. pl.*1.

*ss.*13, 14. are Rep. by 13 *G.*3. *c.*32. *s.*6. turnips, stealing, 1548. Stat. *Rep.*; in part (*semb.*) by 26 *G.*3. *c.*108. *s.*27. coals.

*ss.*1—3. 5, 6. are Exp.

*c.*28. Uniformity of public prayers and sacraments, 1352. *pl.*51—53.

*s.*3. is Exp.

*c.*29. Import of iron from H. M.'s colonies in *America*; slitting or rolling mills prohibited to be erected there.

*s.*2. is Rep. by 5 *G.*3. *c.*45. *s.*23. iron, import.

*ss.*3, 4. 13. are Rep. by 30 *G.*2. *c.*16. *ss.*2—4. bar-iron coastwise.

*c.*31. Trade to *Africa*, [Rep. virtually by 1 & 2 *G.*4. *c.*28. *s.*1. except *s.*1. and latter part of *s.*5.] 13. African Trade, Stats. *Rep., &c. pl.*3. Stats. *in force*, 14. *pl.*1.

*ss.*2—30. 37, 38. are Rep. by 1 & 2 *G.*4. *c.*28. *s.*1.

*s.*6. in part, *ss.*31—36. are Exp.

*c.*32. *Irish* sail-cloth import; duties (*Qu.* Exp.)

*c.*33. County court of *Middlesex*, proceedings and recovery of small debts in. (Local.)

*c.*34. Import of *Persian* raw silk from *Russia.*

24 Geo. 2. A. D. 1751.

*c.*1. Malt, &c. duty, [Exp.]

*c.*2. Lottery, &c.

*ss.*10—26. lottery, are Exp.

*c.*4. Loan of 1,013,148*l.* 4*s.* 6*d.* by exchequer bills, charged on sinking-fund, &c. Bank of *Eng.* general courts and courts of directors, 51. *pl.* 67—69.

*ss.*23—24. further time for subscribers to loans by persons beyond sea, are Exp.

*c.*5. Indemnity offices, &c. [Exp.]

*c.*6. Mutiny, [Exp.]

*c.*7. Land-tax 3*s.* in the pound, [Exp.] 443. *pl.*11.

*c.*11. Reducing interest on *South Sea* Company's capital stock, 1386. *pl.*29—32. Frauds by their officers, &c.

*c.*18. Trials by jury, regulation of, 413, 414. *pl.*32. 36., 416—418. *pl.*78. 97, 98. 105. *Nisi Prius* trials co. *Middlesex*, enlarging time for, 1372. *pl.*1. 3.

*s.*5. as to 14 days after term, is Rep. by 1 *G.*4. *c.*55. *s.*1.

*c.*23. Regulating commencement of the year; correcting calendar, 109, 110. *pl.*1—8. 11.

*c.*24. Administration of government in case of the crown descending to any of the children of *Frederick* Prince of *Wales*, under the age of 18 years, [Exp.] 429. *pl.*43.

*c.*31. Pot ashes certificate; linen and hempen manufactures in *Scot.* encouraging, [Rep. in part by 49 *G.*3, *c.*98. *s.*40.]

*c.*34. Game, (*Scot.*) [Rep. 13 *G.*3. *c.*54. *s.*1.] 309. *pl.*14.

*c.*38. Ale and beer duty, (*Scot.*) [Exp.]

*c.*40. Duties on retailing spirits; brewers, distillers, &c. acting as justices in matters relating to distillers, &c. 1619. *pl.*45. (*a*). Debts contracted for conveying spirits into prisons, 1287. *pl.*138—143., 1396. *pl.*1, 2.

*s.*5. is Rep. by 30 *G.*3. *c.*38. *s.*2., spirit licences duty.

Rep. partly by 30 *G.*3. *c.*38. *s.*18.

c. 41. Tobacco duties, [Rep. 29 *G.*3. *c* 68. *s.*171.]

*c.*43. Driving carts, &c. in *London*, &c. [Rep. except *ss.*8, 9. by 7 *G.*3. *c.*40. *s.*61. turnpike roads, 1551. *pl.*2.] 114. *pl.*4, 5.

24 Geo. 2. A.D. 1751. (*continued.*)

c. 44. Notice of action, &c. to justices of peace indemnifying constables, &c. acting under their warrants, 425, 426. *pl.* 84—92.

c. 45. Preventing robberies on navigable rivers, wharfs, &c. 1329. *pl.* 20, 21.

c. 46. Foreign linen yarns, duties.
s. 1. is Exp.

c. 47. Supplies; appropriation thereof; exchequer bills lost, &c.
s. 24. exchequer bills, &c. lost, &c., is Exp.

c. 48. Abbreviation of *Michaelmas* term in *Eng.*, 185, 186. *pl.* 15—25. Swearing in mayor of *London*, 490. *pl.* 41. Sheriffs, 1358. *pl.* 17, 18.

c. 49. *African* company; creditors. [Exp.]

c. 50. Duchy of *Cornwall*, leases, &c., [Exp.] 174. *pl.* 4.

c. 51. [Rep. (except as to ss. 1, 2.) 49 *G.* 3. *c.* 98. *s.* 40.; entirely, 59 *G.* 3. *c.* 52. Table (A.) Inwards, *tit.* 'Ashes.'] 22. *pl.* 6.

c. 52. Continuing several statutes, [Exp.]

c. 53. Paper bills of credit; *America*, [Exp.] 22. *pl.* 7.

c. 54. Horned cattle distemper, [Exp.] 115. *pl.* 10.

c. 55. Apprehending persons in any county or place on warrant granted in another county, &c., backing warrants, &c. 423. *pl.* 57—59.

c. 56. Admeasurement of flour on export; *E. I.* Co.'s reduced annuities, allowances respecting.

c. 57. Bankrupt, [*semb.* in part, Rep. 26 *G.* 3. *c.* 108. *s.* 27. coals.] 60. *pl.* 58. 64., *pl.* 111, 112.
ss. 1—8. 11, 12. continuing clauses, are Exp.

25 Geo. 2. A.D. 1752.

c. 1. Malt, &c. duty, [Exp.]

c. 2. Mutiny, [Exp.]

c. 3. Land tax 3*s.* in the pound, [Exp.] 443. *pl.* 11.

c. 4. Inrolments in county *Middlesex*, 388. *pl.* 63, 64.

c. 6. Attestations of wills, &c. of real estates in *Eng.* and colonies in *America*, 1590, 1591. *pl.* 10. 12—17.
ss. 3—5. and *s.* 8. legatees, witnesses to wills, *semb.* are Exp.

c. 9. Ale and beer duty, *Scot.* [Exp.]

c. 10. Blacklead mines, robbery of, 514. *pl.* 8—11.

c. 15. Indemnity, offices, [Exp.]

c. 20. Admission of vassals of "*the principality of Scot.*," and their rents, &c. [Exp.]

c. 25. Loan, &c.; appropriation of supplies.

c. 26. Insurance on foreign *East Indiamen*, [Rep. 31 *G.* 2. *c.* 27.] 396. *pl.* 3.

c. 27. Annuities, converting and consolidating.

c. 29. Reward to coroners; removal of coroners for misdemeanors, 149. *pl.* 20—26.

c. 30. Amends 24 *G.* 2. *c.* 23., 109. *pl.* 1. 3., 110. *pl.* 9, 10., 490. *pl.* 40.
s. 1. is Exp.

c. 31. Horned cattle distemper, [Exp.] 115. *pl.* 10.

c. 32. Gum Senegal import; apprentices, &c. indentures, duties.

c. 35. Bounty on tar.
ss. 1, 2. are Exp.

c. 36. Thefts and robberies, 248. *pl.* 77, 78. Places of entertainment, 1534, 1535. *pl.* 5. 14—17. Disorderly houses, 188. *pl.* 1—3. 5—11. Advertizing rewards without questions asked for returning things stolen, 535. *pl.* 13. 17—19. Vagrant, 1562, 1563. *pl.* 26. 39.

c. 37. Murder, 364. *pl.* 26—37.

c. 39. Inheriting lands by children of an alien, 20. *pl.* 40. 42, 43.

c. 40. *African* company, [Rep. virtually, 1 & 2 *G.* 4. *c.* 28. *s.* 1.] 13.
African Trade, Stats. *Rep.*, &c. *pl.* 3, 4.
ss. 1, 2. 5—7. are Rep. by 1 & 2 *G.* 4. *c.* 28. *s.* 1.
s. 1. in part is Exp., ss. 3, 4. 8—26. are Exp.

c. 41. Forfeited estates, [Rep. partly, 14 *G.* 3. *c.* 22. *s.* 3. as to lands of Lord *Lovat*; totally, 24 *G.* 3. *S.* 2. *c.* 57. *s.* 34.]

25 Geo. 2. A. D. 1752. (*continued.*)

c. 42. *Greenwich* hospital, [Exp.]

c. 49. Ale and beer duty, (*Scot.*)

26 Geo. 2. A. D. 1753.

c. 1. Malt, &c. duty, [Exp.]

c. 2. Game, destroying, time of bringing actions for, enlarged, 315. *pl.* 95—98.

c. 3. Salt and herrings duties, continuing.

c. 4. Land tax 2*s.* in the pound, [Exp.] 443. *pl.* 11.

c. 5. Mutiny, [Exp.]

c. 6. Quarantine, [Rep. 39 & 40 *G.* 3. *c.* 80. *s.* 1, 2. 8., 45 *G.* 3. *c.* 10. *s.* 9.] 1306. *pl.* 1.

c. 8. *Exeter*, import of wool, &c. from *Ire.* into; general import permitted, 26 *G.* 2. *c.* 11.

c. 9. *British* white herring fishery regulating, [Exp.] 273. *pl.* 73.

c. 11. Export of wool and woollen or bay yarn from any port in *Ire.* to any port in *G. B.*

c. 12. *London* duty on wines imported into out-ports.

c. 13. Tobacco, removal of; postage; retailing of spirits; granting ale and beer licences, 1619. *pl.* 45. (*b*), 45. (*c*)
s. 171. tobacco, &c. are Exp.

c. 14. Fees of clerks to justices of peace, 426. *pl.* 95—99.

c. 15. Interest on debentures for bounty granted on export of corn.

c. 16. Reducing number of directors of *South Sea* Company, regulating their election, 1386. *pl.* 33—35., fishery, encouraging.

c. 17. Window-tax, (*Scot.*) [Rep. 43 *G.* 3. *c.* 161. *s.* 84.] 1486. *pl.* 2.

c. 18. *Levant* seas, regulating trade into.

c. 19. Stealing shipwrecked goods; relief of losers thereby, 1609, 1610. *pl.* 16—36.

c. 20. Linen manufactory, Highlands, (*Scot*) [Exp.]

c. 21. Silk manufactures, encouraging; payment of duties on import of silks, &c. not made in *G. B.*

c. 22. For providing a general repository for Sir *Hans Sloane*'s museum, *Harleian* collection, and *Cottonian* library (now called the *British Museum*).

c. 23. Supplies and appropriation thereof; annuities, subscribing.
s. 12. annuities, is Exp.

c. 24. Papists, enrolment of deeds, &c. [Exp.] 1203. *pl.* 7.

c. 25. Longitude, [Rep. 14 *G.* 3. *c.* 66. *s.* 1., 58 *G.* 3. *c.* 20. *s.* 1.] 495. *pl.* 4.

c. 26. Jews' naturalization, [Rep. 27 *G.* 2. *c.* 1.] 410. *pl.* 1.

c. 27. Justices of *quorum*, acts of, 426. *pl.* 101, 102.

c. 28. Highways, repairing, [Rep. 7 *G.* 3. *c.* 42. *s.* 57.] 352. *pl.* 15.

c. 29. Disarming Highlands; forfeited estates.
ss. 1, 2, 3. *semb.* Exp.

c. 30. Turnpike roads, [Rep. 7 *G.* 3. *c.* 40. *s.* 61.] 1551. *pl.* 3.

c. 31. Licensing alehouses in *Eng.*; conviction of persons selling ale, &c. without licence, 15, 16. *pl.* 46—62.
s. 3. is Rep. by 32 *G.* 3. *c.* 59. *s.* 1., alehouse licences.
s. 1. is Exp.

c. 32. Salt, duties; candles, import; sail-cloth bounties.
ss. 1—5. 10, 11. continuing clauses, are Exp.

c. 33. Marriages, clandestine, preventing, 508, 509. *pl.* 11—28.
s. 19. marriage act, reading, is Exp.

c. 34. Vagrants, passing, 1562. *pl.* 26., 1565. *pl.* 59.; prisoners, 1280. *pl.* 3.; election of public officers of *Chester*, 109. *pl.* 1. 4., 155. *pl.* 17.
ss. 1. 3. K.B. prison, 1280. *pl.* 3. are Exp.

c. 96. Ale and beer duty, (*Scot.*) [Exp.]

27 Geo. 2. A. D. 1754.

c. 1. Jews' naturalizing, 410. *pl.* 1.

c. 2. Malt, &c. duty, [Exp.]

c. 3. Securing to constables the expences of conveying offenders to gaol (1286, 1287, *pl.* 132—135.), and for allowing charges

27 Geo. 2. A.D. 1754. (*continued.*)

of poor persons bound to give evidence, against felons, 248. *pl.* 77. 79.

c. 4. Land-tax 2*s.* in the pound, [Exp.] 443. *pl.* 11.

c. 5. Mutiny, [Exp.]

c. 6. Extends 20 *G.* 2. *c.* 19. to Stannaries.

c. 7. Frauds, &c. of clock and watch manufacturers, 133. *pl.* 1—6.

c. 9. Mutiny act for *East India* company's troops; offences in *East Indies* and *St. Helena*, punishment of, 225. *pl.* 594-606.

c. 10. Loan from sinking fund; appropriating supplies.

c. 11. Coinage duty, continuance, 135. *pl.* 29., spirits, import duty, [Rep. 22 *G.* 3. *c.* 28. *s.* 3., lastly 59 *G.* 3. *c.* 52. *s.* 1. (see 18 *C.* 2. *c.* 5. *tit.* "Coin."]

c. 13. Indemnity, offices, &c. [Exp.]

c. 14. Horned cattle, distemper, [Exp.] 115. *pl.* 10.

c. 15. Amending the Black Act, (9 *G.* 1. *c.* 22.,) 1327. *pl.* 31. 33.

c. 16. Court of conscience acts to be deemed public acts, 166. *pl.* 1.; fees of clerks of justices of peace for *Middlesex*, 426. *pl.* 95. 100.; drivers of carriages riding thereon or hurting passengers by negligence, 114. *pl.* 6.

c. 17. Appointment of marshal of K. B. revested in the crown; regulation of that office and its inferior offices, 1287, 1288. *pl.* 144—154.

ss. 3—4. 10. 15. 18. saving for Duke of *Leeds's* property, are Exp.

c. 18. Continuing certain statutes, [Exp.]

c. 20. Proceedings on distresses by justices' warrants, 426. *pl.* 104—107.

28 Geo. 2. A.D. 1755.

c. 1. *Chelsea* hospital pensioners, 122, 123. *pl.* 1. 3—6.

s. 2. half yearly payment, is Rep. by 55 *G.* 3. *c.* 125 *s.* 1., quarterly payment provided, *id. s.* 2.

s. 3. is Exp.

c. 2. Malt, &c. duty, [Exp.]

c. 3. Indemnity, members of cities neglecting to take oaths, [Exp.] 150. Stats. *Rep. &c. pl.* 3.

c. 4. Mutiny, [Exp.]

c. 5. Land-tax 2*s.* in the pound, [Exp.] 443. *pl.* 11.

c. 6. Mortuaries, taking away in diocese of *Chester*, and giving recompence for same to the bishop, as archdeacon of *Chester*, 519. *pl.* 7.

c. 7. Offices of sheriff and steward depute in *Scot.*

c. 10. Papists' enrolment of deeds, &c. [Exp.] 1203. *pl.* 7.

c. 11. Marines, [Exp.]

c. 12. Game, selling or offering to sale, 313, 314. *pl.* 98. 102, 103.

c. 13. Insolvent debtors, [Exp.] 388. *pl.* 9.

c. 14. *British* white herring fishery, encouragement of, [Exp.] 273. *pl.* 73.

s. 4. is Rep. by 30 *G.* 2. *c.* 30. *s.* 1., white herring fishery, bounty.

c. 15. Raising 1,000,000*l.* by lottery, [Exp.] 497. *pl.* 6.

c. 16. Foreign seamen serving, [Exp.]

c. 17. Turnpike roads, [Rep. (except *s.* 4.) 7 *G.* 3. *c.* 40. *s.* 61.] 1551. *pl.* 3.

c. 18. Horned cattle, distemper, [Exp.] 115. *pl.* 10.

c. 19. Ale, selling without licence, 15. *pl.* 46. 57.; against burning furze, goss, &c. in forests, &c. 1597. *pl.* 38.

ss. 4, 5. apprentice indentures, &c. are Exp.

c. 20. Whale fishery, [Exp.] 290. *pl.* 356.

c. 21. Spirits import; tea, import in ships not employed by the *East India* company.

c. 22. Grant of 1,200,000*l.* out of sinking fund; appropriation of supplies.

c. 24. Indemnity, offices, &c. [Exp.]

c. 25. Indigo, encouraging the making in *British* plantations in *America*.

c. 29. Ale and beer duty, (*Scot.*) [Exp.]

29 Geo. 2. A.D. 1756.

c. 1. Malt, &c. duty, [Exp.]

c. 2. Land-tax, 4*s.* in the pound, [Exp.] 443. *pl.* 11.

c. 3. Mutiny, [Exp.]

c. 4. Recruiting land forces and marines, [Exp.]

c. 5. Commissions to foreign engineers to act in *America* only, [Exp.]

c. 6. Marines, [Exp.]

c. 7. Loan of 2,000,000*l.* by annuities and lottery, [Exp.]

c. 8. Quarantine, [Rep. 39 & 40 *G.* 3. *c.* 80. *s.* 1. 2. 8., 45 *G.* 3. *c.* 10. *s.* 9.] 1307. *pl.* 1.

c. 11. Supply of seamen, [Exp.]

c. 12. Exciseable liquors, licences, 15. *pl.* 46., 16. *pl.* 63—65., 1398. Stats. *in force*, *pl.* 1., 1425. *pl.* 200., method of granting them in *Scot.*

s. 7. is Rep. by 7 *G.* 3. *c.* 44. *s.* 8.

s. 19. is Rep. by 41 *G.* 3. (*U. K.*) *c.* 86. *s.* 11. ale licences exemptions.

ss. 23, 24. as to *Eng.*, *Wa.*, or *Ber.*, are Rep. by 32 *G.* 3. *c.* 59. *s.* 1. granting alehouse licences at petty sessions, 14. Alehouses, Stats. *Rep. pl.* 2.

c. 13. Cards and dice, duty, additional on, 1398. Stats. *in force*, *pl.* 1., 1433. *pl.* 360—365. 367.

ss. 1—4. 12. are Rep. by 44 *G.* 3. *c.* 98. *s.* 1.

c. 14. Silver plate, duties, [Rep. 17 *G.* 3. *c.* 39. *s.* 42.]

c. 15. Bounty on export of certain *British* and *Irish* linens; foreign flax, linen, yarns, duties on import.

c. 16. Salt petre export; gunpowder, &c. export; gunpowder, arms, &c. carrying coastwise, restrained, 335. *pl.* 6—12.

c. 17. Foreign enlistment, [Rep. 59 *G.* 3. *c.* 69. *s.* 1.] 293. Stat. *Rep.*

c. 18. Insolvent debtors, [Exp.] 388. *pl.* 9.

c. 19. Fines on jurors summoned and neglecting to attend to serve on juries, in cities, &c. and franchises, 418. *pl.* 106—110.

c. 20. *Clyde* light-house (*Scot.*), 1341. *pl.* 5—16.

c. 23. Fisheries in *Scot.*, encouraging.

ss. 7, 8. and *s.* 15. are Rep. by 27 *G.* 3. *c.* 13., 45 *G.* 3. *c.* 68., 49 *G.* 3. *c.* 98., 59 *G.* 3. *c.* 52.

c. 24. Supplies of 255,955*l.* 11*s.* 11½*d.*, 1,300,000*l.*, and 83,412*l.* 2*s.* 5½*d.*, [Exp.]

c. 25. *Westminster* police, [Rep. in part 3 *G.* 3. *c.* 23. *s.* 15.]

c. 26. Continuing several statutes; land-tax commissioners, indemnity to, [Exp.]

c. 27. Extending 22 *G.* 2. *c.* 33. to seamen, &c. employed on the lakes, great waters, or rivers, in *North America*.

c. 28. Continuing two statutes, [Exp.]

c. 29. Loan of 1,000,000*l.*; appropriating supplies, [Exp.]

c. 30. Stealing and receiving of stolen lead, iron, copper, brass, bell metal, and solder, preventing, 535, 536. *pl.* 23—34.

s. 2. and *semble* *s.* 3. are Rep. by 27 *G.* 3. *c.* 13., 59 *G.* 3. *c.* 52.

c. 31. To enable infants, lunatics, and femes covert to surrender leases, in order to renew them, 476. *pl.* 8—12.

c. 32. Indemnity offices, [Exp.]

c. 33. Workmen, combinations of; payment of wages, &c. by 1599, 1600. *pl.* 47, 55—60.

ss. 1, 2. are Rep. by 30 *G.* 3. *c.* 12. *s.* 1.

c. 34. Navy, manning, [Exp.]

c. 35. Recruiting forces in *America*, [Exp.]

c. 36. Inclosing common for planting; against destruction of trees, 1546, 1547. *pl.* 8—10. 12. 14—20.

s. 2. is Rep. in part by 31 *G.* 2. *c.* 41. *s.* 1.

c. 39. Fish market, *Westminster*, forestalling fish, 266—269. *pl.* 142. 151, 152. 154—159. 178., dimensions thereof, 263. *pl.* 73. 268. *pl.* 169.

ss. 1, 2. 6, 7. are Rep. by 33 *G.* 2. *c.* 27. *s.* 1. *Westminster* fish market.

ss. 9—13. are Rep. by 30 *G.* 3. *c.* 54.

c. 86. *Blackfriars* bridge, building.

30 *Geo.* 2. A. D. 1757.

c. 1. Corn, &c. export, [Exp.]
c. 2. Foreign troops, quartering, [Exp.]
c. 3. Land-tax, 4*s.* in the pound, [Exp.] 443. *pl.* 11.
c. 4. Malt, &c. duty, [Exp.]
c. 5. Raising 1,050,005*l.* 5*s.*, by lottery, [Exp.] 497. *pl.* 6.
c. 6. Mutiny, [Exp.]
c. 7. Corn, &c. import, [Exp.]
c. 8. Recruiting land forces and marines, [Exp.]
c. 9. Corn, &c. export, [Exp.]
c. 10. Low wines, &c. making from barley, &c. [Exp.]
c. 11. Marines, [Exp.]
c. 12. Amends 29 *G.* 2. *c.* 33. Wool, &c. 1600. *pl.* 61—64.
c. 13. Recruiting land forces and marines, [Exp.]
c. 14. Corn, &c. imported, duties, [Exp.]
c. 15. Spirits making from grain, [Exp.]
c. 16. Bar iron, import from H. M.'s colonies in *America* into all ports of *G. B.*
c. 17. Organzined silk, import, [Exp.]
c. 18. Prizes taking, [Exp.]
c. 19. Stamp duties, wine licences, 1398. Stats. *in force*, *pl.* 1., 1416. *pl.* 76. 79. 82. 85. 89., 1419. *pl.* 89., 1426. *pl.* 201. 207. 208.
Rep. in part by 30 *G.* 3. *c.* 38. *s.* 18. wine licences.
ss. 1, 2. 15. are Rep. by 30 *G.* 3. *c.* 38. *s.* 1. stamps.
ss. 1. 17, 18. are Rep. by 44 *G.* 3. *c.* 98. *s.* 1., 55 *G.* 3. *c.* 184. *s.* 1.
s. 2. is Rep. by 42 *G.* 3. *c.* 99. *ss.* 5, 6., 44 *G.* 3. *c.* 98. *s.* 1. *Sch.* (C.)
s. 21. stamps discounts, is Rep. by 5 *G.* 3. *c.* 46. *s.* 5., 42 *G.* 3. *c.* 99. *s.* 5., 44 *G.* 3. *c.* 98. *s.* 1.
ss. 16. 76, 77. apprentice fees and indentures, are Exp.
c. 20. Horned cattle, distemper, [Exp.] 115. *pl.* 10.
c. 22. Misbehaviour of drivers of carts within weekly bills, 114. *pl.* 7. 15, 16., 115. *pl.* 18—25., (see 7 *G.* 3. *c.* 22.)
ss. 8—10. are Rep. by 7 *G.* 3. *c.* 42. *s.* 57. highways.
c. 23. Loan, [Exp.]
c. 24. Obtaining money by false pretences, 122. *pl.* 5—7. Pawning of goods, 1235. Stats. *Rep.*, &c. *pl.* 1. Gaming in public houses, 321, 322. *pl.* 37—47.
ss. 3—13. are virtually Rep. by 39 & 40 *G.* 3. *c.* 99. *s.* 17. pawnbrokers.
c. 25. Militia in *Eng.* [Exp.]
c. 26. Grants from sinking fund; appropriation of supplies.
cc. 27, 28. [Rep. 7 *G.* 3. *c.* 40. *s.* 61.] Turnpike roads, commissioners meetings, 1551. *pl.* 4, 5.
c. 29. Indemnity, landing prohibited goods, [Exp.]
c. 30. White herring fishery, 273. *pl.* 73.
c. 37. Time for executing acts, enlarged, [Exp.]

31 *Geo.* 2. A. D. 1758.

c. 1. Corn, &c. export and import, [Exp.]
c. 2. Malt, &c. duty, [Exp.]
c. 3. Organzined silk, import, [Exp.]
c. 4. Land-tax, [Exp.] 443. *pl.* 11.
c. 5. Mutiny, [Exp.]
c. 6. Marines, [Exp.]
c. 7. Commissioners for executing 31 *G.* 2. *c.* 4. [Exp.] 443. *pl.* 12.
c. 9. Indemnity, offices, &c. [Exp.]
c. 10. Providing for *British* seamen in foreign parts, 1347. *pl.* 105, 106. Unlawful arrests of seamen, *id. pl.* 110—114. Seamen in navy, payment of, and remitting their wages to their wives and families; frauds attending such payments, 1349. *pl.* 135.
ss. 21—24. as to letters of attorney; duties on probates, &c.; of seamen's wills, &c. is Rep. by 55 *G.* 3. *c.* 60. *s.* 1.
s. 34. is Rep. by 32 *G.* 3. *c.* 67. *s.* 15. navy, articles of war.
s. 20. navy seamen, is [Exp.]

31 *Geo.* 2. A. D. 1758. (*continued.*)

c. 11. Apprentices, settlement by indenture, 1272. *pl.* 194. 207. Wages of servants in husbandry hired for less than a year, differences respecting, 436, 437. *pl.* 24, 25.
s. 2. is Exp.
c. 12. Madder, growth of, [Exp.] 501. *pl.* 1.
c. 13. Commissioners for executing acts, meetings, [Exp.] 141. *pl.* 6.
c. 14. Elections of knights of the shire for *England*, 1219—1221. *pl.* 124. 149—154.
c. 15. Culm, export to *Lisbon*, [Exp.]
c. 16. Forfeited estates, produce applied to improving Highlands, [Exp.]
c. 17. *Westminster* police. (Local.)
c. 21. Papists' enrolment of deeds by, [Exp.] 1203. *pl.* 7.
c. 22. Duties on pensions, houses and windows; loan of 5,000,000*l.* by sale of annuities and lottery; forgery of deeds, bills, &c. 297. *pl.* 22.
ss. 31—34. are Rep. virtually by 43 *G.* 3. *c.* 161. *s.* 84.
s. 9. offices and pensions; royal family, is Exp.
c. 26. Militia in *England*, [Exp.]
c. 27. Insurances of foreign ships bound to or from the *East Indies*, 396. *pl.* 3.
c. 28. Import of provisions from *Ireland*, [Exp.]
c. 29. Bread, making; price of; adulterating, [assize tables are Rep. only as to their operation out of *London*, &c. by 53 *G.* 3. *c.* 116., and as to *London* by 38 *G.* 3. *c.* lv., 48 *G.* 3. *c.* lxx. *s.* 1.] 84—88. *pl.* 11—55., 90. *pl.* 89, 90.
ss. 22. 42. are Rep. by 33 *G.* 3. *c.* 37. *s.* 1. bread; convictions.
ss. 24. 28. are Rep. by 48 *G.* 3. *c.* lxx. *s.* 1. bread, (*London.*)
s. 25. is Rep. by 38 *G.* 3. *c.* lv. *s.* 10. bread, (*London.*)
c. 30. Militia, pay, &c. [Exp.]
c. 31. Supply of 2,491,848*l.* 5*s.* out of surpluses on sinking fund, &c. retail spirit licences.
s. 7. is Rep. by 30 *G.* 3. *c.* 38. *s.* 1. stamps; and by 30 *G.* 3. *c.* 38. *s.* 18. wine licences.
c. 32. Silver plate made in *G. B.*, duty; licences of dealers in gold and silver plate; frauds in stamping the same.
s. 15. is Rep. by 13 *G.* 3. *c.* 59. *s.* 1. gold and silver plate, stamping.
c. 33. Loan of 800,000*l.* appropriating supplies, [Exp.]
c. 34. Turnpike roads, commissioners meeting, [Rep. 7 *G.* 3. *c.* 40. *s.* 61.] 1551. *pl.* 4.
c. 35. Madder stealing, 500. *pl.* 2—4.
s. 4. is Rep. by 26 *G.* 3. *c.* 108. *s.* 27. coals.
ss. 1—3. continuing clauses, are Exp.
c. 36. Landing spirits before duties paid; duties on foreign exciseable liquors, regulating payment of.
ss. 1—4. continuing clauses, are Exp.
c. 37. Malt, export, [Exp.]
c. 40. Hay and straw in *London* and weekly bills, [Rep. in part by 36 *G.* 3. *c.* 88. *s.* 1.] (Local.)
c. 41. Amending 29 *G.* 2. *c.* 36.
c. 42. Making perpetual several statutes, 1546. *pl.* 8. 10. 13.

32 *Geo.* 2. A. D. 1759.

c. 1. Provisions, &c. import from *Ireland*, [Exp.]
c. 2. Export of corn, &c. prohibited, [Exp.] *see c.* 8.
c. 3. Land-tax, [Exp.] 443. *pl.* 13.
c. 4. Malt, &c. duty, [Exp.]
c. 5. Mutiny, [Exp.]
c. 7. Indemnity offices, &c. [Exp.]
c. 8. Prohibition of export of corn, &c. taken off, [Exp.]
c. 9. Marines, [Exp.]
c. 10. Tonnage and poundage; coffee, &c. duty; loan and lottery.
ss. 11. 15. coffee, chocolate, stock in hand, are Exp.
c. 11. Cattle from *Ireland*, import, [Exp.] 116. *pl.* 18—20.
c. 12. Tallow from *Ireland*, import duties discontinued, [Exp.]

32 Geo. 2. A. D. 1759. (*continued.*)

c. 14. Post-fines due to the crown, or grantees thereof, collection and payment of, 252, 253. *pl.* 39—50. sheriff's relief therein.
c. 15. Turnpike roads, (*Scotland.*)
c. 17. Summoning persons for offences against, or forfeitures incurred by excise laws.
c. 18. Disposition of penalty incurred under 31 *G.* 2. *c.* 29., 84. *pl.* 11.
s. 1. continuing clause, is Exp.
c. 19. Stamp duties, wine licences; saving for universities, privileges.
c. 20. Militia. [Exp. and Rep. *comm. semb.* by 42 *G.* 3. *c.* 90.]
c. 21. Militia, [Exp.]
c. 22. Annuities, adding, charging, &c. on several stocks.
c. 23. Continuing several statutes, [Exp.]
c. 24. Sale of gold or silver plate in small quantities without licence; duty on licences to sellers and refiners of such plate.
c. 25. Navy. manning, [Exp.]
c. 27. Coals, [Rep. 26 *G.* 3. *c.* 108. *s.* 27.]
c. 28. (Lords' act.) Debtors giving up their property to creditors, 388—391. *pl.* 1. 6. 8—15. Imprisonment of, 33, 34. *pl.* 11—15. Regulation of prisoners, 1288. *pl.* 155—164.
s. 13. in part, and *s.* 14. are Rep. by 37 *G.* 3. *c.* 85. *s.* 1. debtors discovering effects.
s. 24. is Rep. by 52 *G.* 3. *c.* 34. *s.* 2.
s. 16. is Exp. in part.
c. 29. Samples of foreign spirits taking by officers of excise; samples taking out by traders before the duties are charged.
c. 31. Grant of surpluses from sinking fund, and other supplies Exp.
c. 32. Fraudulent import of cambrics and *French* lawns.
c. 33. Pensions and offices, duties on.
c. 34. Import of woollen manufactures of *France*, [Exp.] 1598. *pl.* 63.
c. 35. Judges' salaries, augmentation, 410. *pl.* 1, 2. Stamps, 1398. Stats. *in force*, *pl.* 1., 1419. *pl.* 82. 85. 88., 1424. *pl.* 166.
ss. 1—4, 5. in part, 7. 9—13. are Rep. in part by 44 *G.* 3. *c.* 98. *s.* 1., 55 *G.* 3. *c.* 184. *s.* 1.
s. 8. is Rep. by 55 *G.* 3. *c.* 184. *s.* 7.
ss. 10—12. are Exp.
c. 36. Loan of 1,000,000*l.* and supply, [Exp.]

33 Geo. 2. A. D. 1760.

c. 1. Land-tax, [Exp.] 443. *pl.* 13.
c. 2. Militia, laws relating to, executing, [Exp.]
c. 3. Malt, &c. duty, [Exp.]
c. 4. Prohibition to make spirits from grain, [Exp.]
c. 5. Provisions from *Ire.*, import prohibited, [Exp.]
c. 6. Mutiny, [Exp.]
c. 7. Malt; duties; to prevent fraudulent allowances in guaging malt; exchequer bills, &c. lost
s. 14., malt contracts, Exp.
s. 71. exchequer bills, lost, &c. Exp.
c. 8. Marines, [Exp.]
c. 9. Spirits duties on; export of; boats, seizing, 81. *pl.* 2.
s. 17. is Rep. by 2 *G.* 3. *c.* 5. *s.* 11. low wines and spirits.
c. 10. Duchy of *Cornwall* leases, &c. [Exp.] 174. *pl.* 4.
c. 12. Annuities, granting, adding, &c. Lottery tickets, cancelling.
c. 13. Papists' enrolment of deeds, &c.; 1203., *pl.* 7.
c. 14. Meetings of commissioners for executing acts, [Exp.] 141. *pl.* 7.
c. 16. Continuing several statutes, [Exp.]
c. 17. Sail cloth, making in *G. B.*, [Exp.]
c 18. Loan, appropriation of supplies, [Exp.]
c. 19. Payment of prize and bounty monies appropriated to *Greenwich* hospital.
s. 8. as to manner of levying, &c. penalties, *comm. semb.* is Rep. by 16 *G.* 3. *c.* 24. *s.* 9., prize and bounty money.
c. 20. Qualification of M. P.s, 1224. *pl.* 228. 232. 234, 235.
c. 21. Grant from sinking fund, [Exp.]
c. 22. Weekly allowances to families of militia men in *Eng.*, [Exp.]

33 Geo. 2. A. D. 1760. (*continued.*)

c. 23. Loan of 1,500,000*l.*, [Exp.] Navy services.
c. 24. Militia pay, &c. in *Eng.*, [Exp.]
c. 25. Hackney coaches and chairs, *Eng.*, 339. *pl.* 1.
c. 26. Treason in *Scot.*, [Exp.]
c. 28. Export of *British* sugar plantation spirits.
c. 27. *Westminster* fish-market, 262, 263. *pl.* 60. 74. 160. 178.
s. 11. is Rep. by 8 *G.* 3. *c.* 25. *s.* 7., spirits export; proof.
c. 29. Indemnity, offices, &c., [Exp.]

1 G. 3. A. D. 1760.

c. 1. Civil list, [Exp.] 429. *pl.* 44.
c. 2. Land-tax 3*s.* in the pound, [Exp.] 443. *pl.* 13.
c. 3. Malt, &c. duty; excise regulations for distilling cyder; steeping malt; [Exp.]
c. 4. Provisions import from *Ire.*, [Exp.]
c. 5. H. M. to be governor of *South Sea* company, [Exp.] 1385, *pl.* 1.
c. 6. Mutiny act, [Exp.]
c. 7. Beer and ale duty; loan and lottery; export of beer and ale
s. 8. is Rep. by 2 *G.* 3. *c.* 14. *s.* 3., beer and ale.
c. 8. Marines, [Exp.]
c. 9. Continuing, 6 *G.* 2. *c*, 13., [Exp.]
c. 10. Duties on hogs' lard, and grease, imported from *Ire.*, [Exp.]
c. 11. Duchy of *Cornwall* leases, &c. [Exp.] 174. *pl.* 4. Sugar colonies, 22. *pl.* 5.
c. 12. Indemnity, offices, &c. [Exp.]
c. 13. Justices of peace, qualification, 422, 423. *pl.* 28. 46. 47.
s. 1. is Exp.
c. 14. Mutiny act for forces of *E. I.* Co., 225. *pl.* 594. 607.
c. 16. Coinage duties continuing, 135. *pl.* 29.
ss. 1, 2. *semb.* are Rep. by 22 *G.* 3. *c.* 28. *s.* 3., lastly by 59 *G.* 3. *c.* 52. *s.* 1., and see 18 *C.* 2. *c.* 5. *tit.* Coin.
c. 17. Insolvent debtors, [Exp.]
c. 18. Grant of 1,762,400*l.* from sinking fund; and of 8,866*l.* 10*s.* surplus in exchequer, [Exp.]
c. 19. Loan of 1,000,000*l.*; appropriating supplies; exempting grants to royal family from payment of taxes, [Exp.]
c. 20. Loan of 1,500,000*l.* for naval and other services; attornies' clerks, duties.
c. 21. Game, (*Scot.* only.) [Rep. 13 *G.* 3. *c.* 54. *s.* 16.]
c. 22. Militia pay, &c., [Exp.]
c. 23. Commissions and salaries of judges, 420. *pl.* 53, 54.

2 G. 3. A. D. 1761.

c. 1. *Somerset-house*, [Exp. and Rep. 15 *G.* 3. *c.* 33. *s.* 1.] 429. *pl.* 45.
c. 2. Creditors compelling prisoners charged in execution to deliver up their estates, [Exp.] 388. *pl.* 9.
c. 3. Land-tax 4*s.* in the pound, [Exp.] 443. *pl.* 13.
c. 4. Malt, &c., duty, [Exp.]
c. 5. Spirits made in, or imported into *G. B.* duties on; *British* made spirits, export; duties on, payment of.
s. 19. is Rep. by 42 *G.* 3. *c.* 93. *s.* 7., spirituous liquors regulations.
s. 22. is Rep. by *id. s.* 9., spirits warehousing, penalty.
s. 26. is Rep. by *id. s.* 8., spirits decrease of wash, penalty.
s. 27. is Rep. by *id. s.* 10., spirits coast-wise, penalty.
s. 29. is Rep. by *id. s.* 12., spirits shipping, penalty.
s. 14. spirits shipped for export, [Exp.]
c. 6. Salted beef, &c., import from *Ire.*, [Exp.]
c. 7. Loan of 1,500,000*l.* for navy debts and services, [Exp.]
c. 8. Window duty, [Rep. 43 *G.* 3. *c.* 161. *s.* 84.], 1487. *pl.* 3.
c. 9. Annuities, &c., granting, &c.; exchequer bills, lost, &c., [Exp.]
c. 10. Loan by sale of annuities, &c. of 12,000.000*l.* charged on sinking fund, [Exp.]
c. 11. Mutiny, [Exp.]
c. 12. Marines, [Exp.]
c. 13. Land-tax commissioners' names, [Exp.] 443. *pl.* 14.

2 *Geo.* 3. A. D. 1761. (*continued.*)

c. 14. Vexatious proceedings with respect to prices of beer, &c. preventing; fraudulent mixing of ale, &c. preventing, 70. *pl.* 30—32.; export thereof.

c. 15. Fish supplying, *London* and *Westminster*, with; fishermen encouragement, 263, 264. *pl.* 83—104. 107, 108. 110. 112—125.

s. 9. in part Rep. by 36 *G.* 3. *c.* 118. *s.* 1.

s. 17. is Rep. by 42 *G.* 3. *c.* lxxxviii. *s.* 1., fish selling wholesale in *London*.

ss. 22, 23. are Rep. by 50 *G.* 3. *c.* 108. *s.* 1.

s. 13. Exp.

c. 16. Navy, [Exp.]

c. 17. Forfeited estates, (*Scot.*), [Exp. *comm. semb.* since repeal of 25 *G.* 2. *c.* 41.

c. 18. Longitude, [Rep. 14 *G.* 3. *c.* 66., 58 *G.* 3. *c.* 20. *s.* 4.], 495. *pl.* 5.

c. 19. Game, preservation of in *Eng.*, 313. *pl.* 97, 98.; 316. *pl.* 141—144.

Rep. as to *black* and *red game* by 13 *G.* 3. *c.* 55. *s.* 13.

s. 1. is Rep. as to *partridges* by 39 *G.* 3. *c.* 34. *ss.* 1, 2.

c. 20. Militia, [Exp.]

c. 22. Keeping registers of parish poor infants under 4 years old within bills of mortality, 491. *pl.* 57—73.

s. 1. and *Sched.* (A) and (B), are Rep. by 7 *G.* 3. *c.* 39. *s.* 16., and *Sched.* (B) and (C).

s. 2. is Exp.

c. 23. Indemnity, offices, &c. [Exp.]

c. 24. Salt, import from *Europe* into *Nova Scotia* in *America*.

c. 25. Naturalizing foreign protestants serving in *America*, [Exp.] 519, 520. *pl.* 14. 26—28.

c. 26. Papists enrolment of deeds, &c. [Exp.]

c. 27. Court of session, power to adjourn between 20*th Dec.* and 15*th Jan.*

c. 28. (Bumboat act.) Thefts by navigators of boats on *Thames*, (1 *Brod. & Bing. Rep.* 432.) 1531—1533. *pl.* 1—23.

c. 29. Conviction for killing house doves and pigeons, 316. *pl.* 145—148.

c. 31. Extending 2 *G.* 2. *c.* 36. to H. M.'s colonies in *America*, 1344. *pl.* 41.

c. 33. Grant of 1,009.217*l.* 2*s.* 8½*d.* from sinking fund; supplies of 358,678*l.* surpluses, &c.; annuity to Speaker *Onslow*, [Exp.]

c. 34. Loan of 1,000,000*l.* appropriation of supplies, [Exp.]

c. 35. Militia pay, [Exp.]

c. 36. Judges' salaries, 410. *pl.* 1. Stamp duties, 1398. Stats. *in force*, *pl.* 1., 1419. *pl.* 82. 85. 89., 1424. *pl.* 166.

ss. 1, 2. 5. 7. 9. are Rep. by 44 *G.* 3. *c.* 98. *s.* 1., and 55 *G.* 3. *c.* 184. *s.* 7., stamp duties.

s. 6. is Rep. by the latter only.

ss. 3, 4. are Exp.

3 *Geo.* 3. A. D. 1762.

c. 1. Malt, &c. duty, [Exp.]

c. 2. Land-tax, 4*s.* in the pound, [Exp.] 443. *pl.* 15.

c. 3. Marines, [Exp.]

c. 4. Land-tax, commissioners' names, [Exp.] 443. *pl.* 16.

c. 5. Indemnity, offices, &c. [Exp.]

c. 6. Bread, making, and price of; adulterating. Extending (*s.* 10.) 31 *G.* 2. *c.* 29. to *Scot.*, 84. Stats. *in force*, *pl.* 1., *Note.*

c. 7. Mutiny, [Exp.]

c. 8. Marines carrying on trade, [Exp.] 1253. *pl.* 3.

c. 9. Annuities granting, charged on sinking fund, [Exp.]

c. 10. Militia, pay, &c. [Exp.]

c. 11. Bread, making, and price of; adulterating, [Rep. 59 *G.* 3. *c.* 36. *s.* 1.] 84. *pl.* 11.

ss. 8, 9. are Rep. by 38 *G.* 3. *c.* lv. *s.* 10. bread, marking.

3 *Geo.* 3. A. D. 1762. (*continued.*)

c. 12. Wines imported, duty; cyder and perry duty; loan by annuities charged thereon; destroying banks, floodgates, &c. 384. *pl.* 1. 6.

Rep. in part by 6 *G.* 3. *c.* 14. *s.* 1. cyder and perry duties.

s. 1. is Rep. by 26 *G.* 3. *c.* 59. *s.* 1. wine, customs duty.

s. 5. is Rep. by 6 *G.* 3. *c.* 40. *s.* 2. leakage of wine, allowance.

c. 13. Frauds in obtaining allowances of malt duty, and mixing fresh grain with grain making into malt.

c. 14. Longitude, [Rep. in part 14 *G.* 3. *c.* 66. *s.* 1.] 495. *pl.* 6.

c. 15. Occasional freemen voting at elections of M. P.s for cities and boroughs, preventing, 1225, 1226. *pl.* 261, 264—268.

c. 16. *Greenwich* hospital, out pensioners; regulating out pensions, 332. *pl.* 40—43. 45—48.

c. 17. Raising 1,800,000*l.* loans; appropriating supplies, [Exp.]

c. 18. Grant of 2,000,000*l.* to H. M. from the sinking fund; and of 67,120*l.* 9*s.* 6*d.*, surpluses, [Exp.]

c. 20. Duty, import of butter from *Ire.*, [Exp.]

c. 21. Silk manufactures.

c. 22. Customs revenue improvement; officers making seizures, encouragement; clandestine running of goods, preventing.

c. 24. Voting for shires, and cities, and towns being counties of themselves, by virtue of an annuity or rent-charge, 1225, 1226. *pl.* 262. 269—277.

c. 25. Making indigo in *America*; prize goods.

c. 28. Ale and beer duty (*Scot.*), [Exp.]

4 *Geo.* 3. A. D. 1763.

c. 1. Malt, &c. duty, [Exp.]

c. 2. Land-tax, 4*s.* in the pound, [Exp.] 443. *pl.* 17.

c. 3. Mutiny act, [Exp. except *s.* 3.] 1350. *pl.* 3.

c. 4. Naturalization, 519. *pl.* 4.

c. 6. Tallow, &c. import from *Ire.*, [Exp.]

c. 7. Cyder and perry duties, [Rep. 6 *G.* 3. *c.* 14. *s.* 1.]

c. 8. Marines, [Exp.]

c. 9. Beaver skins, import and export, duty and drawbacks.

c. 10. Discharge of recognizances estreated into exchequer, 171. *pl.* 55, 56.

c. 11. Continuing several statutes, [Exp.]

c. 12. Banks, floodgates, &c. of rivers, destroying.

ss. 1—4. continuing sections, are Exp.

ss. 1—10. loan; *s.* 11. exchequer bills, &c. lost, &c. are Exp.

c. 13. 2,000,000*l.* granted from sinking fund.

ss. 1—10. are Exp.

s. 11. is Rep. in part by 8 *G.* 3. *c.* 23. *s.* 1. leakage of wines, allowance, *Guernsey*, &c.

c. 14. Buildings, [Rep. 14 *G.* 3. *c.* 78. *s.* 101.] 96. *pl.* 3.

c. 15. Sugar plantations, trade of, and duties in.

s. 1. is Rep. by 6 *G.* 3. *c.* 53. *s.* 1. coffee, pimento, &c. duties.

ss. 40, 41. are Rep. in part as to courts of prosecution, by 49 *G.* 3. *c.* 107. *s.* 1.

s. 13. is Rep. by 24 *G.* 3. *S.* 2. *c.* 16. *s.* 6. export to colonies, old subsidy.

ss. 20. 23. are Rep. by 6 *G.* 3. *c.* 52. *s.* 29. molasses, growth of, bond.

ss. 40, 41. are Rep. in part as to courts of prosecutions in plantation trade, by 49 *G.* 3. *c.* 107. *s.* 1.

s. 15. *East India* company, drawbacks, is Exp.

c. 16. Infants, conveyances of lands, by in counties palatine and *Wa.*, 335. *pl.* 18, 19.

c. 17. Militia, [Exp.]

c. 18. Consolidating the annuities charged on sinking fund.

c. 19. Salt, import from *Europe* into *Canada*.

c. 20. *Senegal* vested in *African* company, [Rep. virtually by 1 & 2 *G.* 4. *c.* 28. *s.* 1.] 13. African trade, Stats. *Rep.*, &c. *pl.* 3. 6.

c. 21. Taking and swearing of affidavits in courts of county palatine of *Durham*, 155, 156. *pl.* 10—12.

c. 22. Whale fishery, continuing acts relating to, [Exp.] 290. *pl.* 356.

3 *Geo.* 3. A. D. 1763. (*continued.*)

*c.*23. Raising 800,000*l.* by loans, or exchequer bills; supplies, appropriating.
*s.*27. apprentice indentures, &c. is Exp.
*c.*24. Frauds in sending and receiving letters free of postage; franking; forgery of franks, 1620. *tit.* Forgery.
*s.*1. is Rep. by 24 *G.*3. *S.*1. *c.*6. *s.*1. postage.
*c.*25. Forging power of attorney, &c. to transfer stock, 1479. *pl.*14, 15.
*ss.*1—14. are Exp.
*c.*26. Hemp import, bounty, [Exp.] 349. Stats. *Exp. pl.*3.
*c.*27. Rice, carrying in *America*, [Exp.]
*c.*28. Provisions from *Ire.*, import, [Exp.]
*c.*29. Whale fishery; Gulf of *St. Lawrence*, [Exp.] 281. *pl.* 197.
*c.*30. Militia, pay, &c. [Exp.]
*c.*31. Tools used in destroying H. M.'s trees may be seized, 1597. *pl.*39.
*ss.*1—5. indemnity, offices, &c. are Exp.
*c.*32. Suitors' cash in chancery, laying out in securities, applying the interest to answer charges of accomptant general's office, 164. *pl.*39—42.
*c.*33. M. P.s traders becoming insolvent, 66. *pl.*134—137.
*s.*2. is Exp.
*c.*34. Paper bills of credit issued in *American* plantations, tender of; 24. *pl.*22—25.
*s.*4. proviso against repeal of statutes now expired; existing bills, saving for, is Exp.
*c.*36. Justices for *Kent* and *Essex*, power as to hackney coaches, 341. *pl.* 49. 52.
*s.*1. continuing clause, is Exp.
*c.*37. Manufacture of cambric and lawns in *Eng.*, 484. *pl.* 11, 12. Breaking into shop, &c. and destroying, 110, 111. Cambric, *pl.* 1—16. 18, 19.
*s.*27. is Exp.
*c.*38. Papists' inrolment of deeds, &c. [Exp.] 1203. *pl.*7.
*c.*46. Ale and beer (*Scot.*), [Exp.]

5 *Geo.* 3. A. D. 1765.

*c.*1. Salted beef, pork, &c. import from *Ire.* [Exp.]
*c.*2. Malt, &c. duty, [Exp.]
*c.*3. Goods, produce of certain places ceded to *France* and *Spain*, import, [Exp.]
*c.*4. Indemnity offices, &c. [Exp.]
*c.*5. Land tax, [Exp.] 443. *pl.*17.
*c.*6. Marines, [Exp.]
*c.*7. Mutiny, [Exp.]
*c.*10. Free import of cattle from *Ire.*, 115. Stats. *in force*, *pl.*3., 116. *pl.*18—20.
*c.*11. [Rep. 14 *G.*3. *c.*66. *s.*1., 58 *G.*3. *c.*20. *s.*4. longitude.] 495. *pl.*5.
*c.*12. Stamps duties, *America*, [Rep. 6 *G.*3. *c.*11.] 22. *pl.*8.
*c.*14. Fish and conies, preserving; sea banks in county of *Lincoln*, damage to by breeding conies therein, 316. *pl.*149—154., 1578. Warrens, *pl.*1—4.
*c.*15. Times limited for executing acts, [Exp.]
*c.*16. Annuities granted by 33 *G.*2. *c.*7. and 2 *G.*3. *c.*10., altering times of paying.
*s.*2. times of payment of annuities, Exp.
*c.*17. Leases for lives of tythes and incorporeal hereditaments by ecclesiastical persons, 477. *pl.*29—32.
*c.*18. Madder, [Exp.] 500. *pl.*1.
*c.*19. Exchequer bills, loan by, [Exp.]
*c.*20. Longitude, [Rep. 58 *G.*3. *c.*20. *s.*4.] 495. *pl.*7.
*c.*21. Land-tax commissioners, [Exp.] 443. *pl.*18.
*c.*22. *British* herring fishery, [Exp.] 273. *pl.*73.
*c.*23. Lottery, [Exp.]

5 *Geo.* 3. A. D. 1765. (*continued.*)

*c.*24. Prize agents accounting, [Exp.]
*c.*25. Rates of postage altered; post office regulated.
*s.*2. 5. are Rep. by 37 *G.*3. *c.*18. *s.*1., 41 *G.*3. *U.K. c.*7. *s.*1., postage rates.
*c.*26. Import, *Isle of Man*, duties, [Rep. 7 *G.*3. *c.*45. *s.*1.] 501. Man, *pl.*1.
*c.*27. Administration of government in case of the crown descending on any of the children of H. M. under 18 years of age, [Exp.] 429. *pl.*46.
*c.*28. Suitors in chancery, investing their cash; and applying interest to increase the income of the masters of the court, 165. *pl.*52, 53.
*c.*29. Silks, import and export.
*c.*30. Exports to *Africa*; imports and exports generally.
*s.*6. bugles import, Exp.
*ss.*8, 9. goods from *Isle of Man*, Exp.
*c.*31. Wheat, &c. import, [Exp.]
*c.*32. Wheat, &c. export, [Exp.]
*c.*33. Mutiny acts in *America*, [Exp.]
*c.*34. Militia, pay, &c. [Exp.]
*c.*35. Duties on exports; deeds, stamp duties on, 1398. Stats. *in force*, *pl.*1. Charterparties, 1435. *pl.*387, 388.
*s.*3. is Rep. in part by 6 *G.*3. *c.*52. *s.*3., coals; *East India* goods, duties, &c.
*ss.*4, 5. 10. are Rep. by 44 *G.*3. *c.*98. *s.*1., 55 *G.*3. *c.*184. *s.*1.
*s.*6. is Rep. by 55 *G.*3. *c.*184. *s.*7.
*c.*36. Militia, [Exp.]
*c.*37. Gums *Senegal* and *Arabic*, duties on, [Exp.]
*c.*38. Turnpike roads, [Rep. 7 *G.*3. *c.*40. *s.*61.] 1551. *pl.*5.
*c.*39. *Isle of Man*, illicit trade to.
*s.*13. is Rep. by 32 *G.*3. *c.*50. *s.*12. *Isle of Man*, bond; trade to *Africa*, &c. bond.
*c.*40. Allowance to receivers of duties on offices, &c. in *Scot.*
*ss.*1—29. supplies, granting and appropriating.
*s.*31. filing affidavits of clerkship.
*c.*41. Insolvent debtors, [Exp.] 588. *pl.*9.
*c.*42. One-fourth of the annuities granted by 3 *G.*3. *c.*9. redeeming, [Exp.]
*c.*43. Customs, excise, &c. regulations in *Isle of Man.*
*c.*44. *African* trade, [Rep. 23 *G.*3. *c.*65. *s.*1.] 14. *tit. id.* Stats. *Rep.* &c. *pl.*5.
*c.*45. Trade of H. M.'s *American* dominions, duties, &c. and fees of officers of customs there.
*s.*24. is Rep. by 6 *G.*3. *c.*52. *s.*29., molasses, growth of, bond.
*s.*13. Coffee warehousing, Exp.
*c.*46. Stamp duties on cards, &c. 1398. Stats. *in force*, *pl.*1., 1417. *pl.*82, 85. 85. 89., 1420, 1421. *pl.*114. 135., 1422. *pl.*147, 148., 1425. *pl.*185. 187., 1427. *pl.*242, 243., 1434. *pl.*368—377., 1436. *pl.*407, 408., 1438. *pl.*457, 458. 460, 461. Ale and beer licences, 17. *pl.*81—87. Court rolls, 147. *pl.*10.
*s.*6. is Rep. by 42 *G.*3. *c.*99. *ss.*5, 6., 44 *G.*3. *c.*98. *s.*1., stamps, discount.
*s.*22. is Rep. by 35 *G.*3. *c.*113. *s.*1., retailers of beer.
*s.*40. is Rep. by 55 *G.*3. *c.*184. *s.*7.
*ss.*42, 43. are Rep. by 44 *G.*3. *c.*98. *s.*1., 55 *G.*3. *c.*184. *s.*1.
*c.*47. Judges' salaries, augmentation of in *Eng.* and *Scot.* 410. *pl.*1. Stamps, 1398. Stats. *in force*, *pl.*1., 1424. *pl.* 166.
*ss.*1, 2. 5. 7. 9. are Rep. in part, by 44 *G.*3. *c.*98., 55 *G.*3. *c.*184. *s.*1.
*s.*8. is Rep. by 55 *G.*3. *c.*184. *s.*7.
*ss.*3, 4. 10, 11. Judges salaries, Exp.
*c.*48. Import of foreign silk stockings and gloves prohibited; silk manufactures.
*c.*49. Bank-notes, issuing in *Scot.*
*s.*8. notes and bills issuing by banks, (*Scot.*) is Exp.

5 *Geo.* 3. A.D. 1765. (*continued.*)

c. 51. Cloths, *Yorkshire.*
s. 13. is REP. by 6 *G.* 3. *c.* 23. *s.* 14., cloths.
s. 23. is REP. by 49 *G.* 3. *c.* 109. *s.* 2., cloths.

6 *Geo.* 3. A.D. 1766.

c. 1. Beef, &c. from *Ire.*, import, [EXP.]
c. 2. Malt, &c. duty, [EXP.]
c. 3. Corn, &c. from *America*, import, [EXP.]
c. 4. Oats and oatmeal, import, [EXP.]
c. 5. Corn, &c. export, [EXP.]
c. 7. Indemnity, offices, &c. [EXP.]
c. 8. Mutiny, [EXP.]
c. 9. Land-tax, [EXP.] 443. *pl.* 19.
c. 10. Marines, [EXP.]
c. 11. Repeals 5 *G.* 3. *c.* 12., 22. *pl.* 8.
c. 12. Dependency of *American* dominions on *G. B.*, 22. *pl.* 9.
c. 13. Linen cloth import from *Russia;* tea import.
c. 14. Malt, cyder, &c. duty, factor charged, [EXP.]
c. 15. Exchequer bills, loan by, (1,800,000*l.*) [EXP.]
c. 17. Tillage, [*semb.* REP. 31 *G.* 3. *c.* 30. *s.* 1.]
c. 18. Mutiny acts in *America*, [EXP.] 22. *pl.* 10.
c. 19. Leather gloves and mitts, manufacture, and import.
c. 21. Annuities, redeeming, [EXP.]
c. 23. Cloth making, West Riding, *Yorkshire*, (Local.)
s. 16. *semble* REP. 49 *G.* 3. *c.* 109. *s.* 2., hatters cards, using for sticking cloths on tenters.
c. 25. Apprentices and persons working under contract, regulating, 27. *pl.* 6., 28. *pl.* 20—23., 436. *pl.* 17, 18.
c. 27. Buildings, [REP. 14 *G.* 3. *c.* 78. *s.* 101.] 96. STATS. *Rep. pl.* 3.
c. 28. Foreign silks and velvets import.
s. 15. REP. by 22 *G.* 3. *c.* 40. *s.* 5. silk manufacture, combination of workmen.
c. 29. Frame-work knitted pieces and stockings, fraudulent marking, 298. *pl.* 4—16.
c. 30. Militia, [EXP.]
c. 31. *Spurn* light-houses, 1342. *pl.* 37.
c. 32. Extending 4 *G.* 1. *c.* 11. as to transportation to *Scot.*; *Mairburn*, in *Scot.*
ss. 3—6. are REP. by 13 *G.* 3. *c.* 54. *s.* 16. game, (*Scot.*)
c. 36. Cultivation and preservation of trees, roots, plants, and shrubs, 1547, 1548. *pl.* 21, 22.
c. 37. Buildings, [REP. 14 *G.* 3. *c.* 78. *s.* 101.] 96. STATS. *Rep. pl.* 3.
c. 38. House, &c. duty, [REP. 32 *G.* 2. *c.* 2., 38 *G.* 3. *c.* 40., *s.* 1. 43 *G.* 3. *c.* 161. *s.* 84.] 1487. *pl.* 4.
c. 39. Loan of 1,500,000*l.* by annuities and lottery, charged on sinking fund, [EXP.]
c. 40. Exports and imports; stamp duties; corporations, 1398. STATS. *in force*, *pl.* 1. Copyholds, 1436. *pl.* 409, 410.
s. 5. apprentice indentures, is EXP.
s. 8. grain export to *Isle of Man*, is EXP.
s. 12. import of oats, is EXP.
c. 41. Grant from sinking fund; appropriating supplies, [EXP.]
c. 42. Continuing 4 *G.* 3. *c.* 19. [EXP.]
c. 43. Turnpike roads, [REP. 7 *G.* 3. *c.* 40. *s.* 61.] 1551. *pl.* 6.
c. 44. Continuing several statutes, [EXP.]
c. 45. *British* made cordage, foreign rough hemp, export, [EXP.]
s. 8. is REP. by 9 *G.* 3. *c.* 35. *s.* 4. iron export.
c. 46. Imports and exports.
ss. 7, 8. bugles, import from *Isle of Man*, are EXP.
c. 47. Spirits, import and warehousing.
c. 48. Timber trees, underwoods, roots, &c. preservation of, 1547. *pl.* 23—27. 30—34.
c. 49. [EXP. except *s.* 3, 4. copyholds, 147. *pl.* 11. 12. REP. in part, 18 *G.* 3. *c.* 24. *s.* 3. tobacco import. 27 *G.* 3. *c.* 27. *s.* 1. ports in *Jamaica* and *Dominica.*]

6 *Geo.* 3. A.D. 1766. (*continued.*)

c. 50. Export to *Isle of Wight*; affidavits, *Isle of Man*, 13. AFFIDAVIT, *pl.* 1, 2. ports of landing in *Isle of Man.*
c. 51. Indemnity; stamp duties in *America*, 22. *pl.* 8. [EXP.]
c. 52. Duties.
ss. 6—8. molasses import, certificate, &c. EXP.
c. 53. Oaths, abjuration and assurance, 532. *pl.* 66—69. (lists of witnesses, copies of indictments delivering in high treason, *Scotland* only.)
c. 61. Pilots, [REP. 37 *G.* 3. *c.* 78.] 1243. *pl.* 3.

7 *Geo.* 3. A.D. 1767.

c. 1. Continuing 5 *G.* 3. *c.* 1. [EXP.]
c. 2. Export of non-enumerated goods from *British* colonies in *America.*
c. 3. Corn, &c. export, [EXP.]
cc. 4, 5. Wheat import, [EXP.]
c. 6. Malt, &c. duty, [EXP.]
c. 7. Indemnity; embargo on ships laden with wheat, [EXP.]
c. 8. Oats, oatmeal, &c. import, [EXP.]
c. 9. Oaths by justices of peace on issuing new commission of the peace, 422, 423. *pl.* 28. 48, 49.
c. 10. Mutiny, [EXP.]
c. 11. Wheat, &c. import, EXP.
c. 12. Tallow, &c. import discontinued, [EXP.]
c. 13. Marines, [EXP.]
c. 14. Land-tax 3*s.* in the pound, 443. *pl.* 19. [EXP.]
c. 15. Militia pay, &c. [EXP.]
c. 16. Exchequer bills, [EXP.]
c. 17. Militia pay, &c. [EXP.]
c. 18. *British* Museum, power of trustees to sell and exchange duplicates.
c. 20. Hats and bonnets, and materials for, duties on import.
s. 1. is REP. by 10 *G.* 3. *c.* 43. *s.* 1. bast and straw hats duty.
c. 21. Justices not of *quorum*, warrants of, in cities, &c. having only one justice of *quorum* qualified to act therein, 426. *pl.* 101. 103.
c. 22. Wheat, &c. import, [EXP.]
c. 24. Raising 1,500,000*l.* by annuities and lottery, attended with annuities to be charged on sinking fund, [EXP.] 497. *pl.* 6.
c. 25. Redeeming 1-4th of the annuities created by 3 *G.* 3. *c.* 12. [EXP.]
c. 26. *id.* [EXP.]
c. 28. Linen cloth import duty; carried with duties imposed by *c.* 20. to sinking fund.
c. 29. Extortion in sheriffs, &c. and bailiffs of liberties in cases of execution, 1360. *pl.* 64. 67.
c. 30. Rice, &c. import from *America*, [EXP.]
c. 31. Indemnity, offices, &c. [EXP.]
c. 33. Houses, &c. duty, [REP. lastly by 43 *G.* 3. *c.* 161. *s.* 84.] 1487. *pl.* 4.
c. 34. Papists, inrolment of deeds, &c. [EXP.] 1203. *pl.* 7.
c. 35. Duties, &c. [EXP.]
c. 36. Continuing statutes, &c. [EXP.]
c. 38. Prints and engravings, copyrights of, 487. *pl.* 29. 33—38.
ss. 3, 4. *Jane Hogarth*'s property in *Hogarth*'s prints, are EXP.
c. 39. Parish poor children regulated within bills of mortality, 28. *pl.* 32. 34., 491, 492. *pl.* 57. 74—94.
s. 2. sending children into the country to be nursed, and *s.* 19. entries in registers, are EXP.
c. 40. [REP. (except *s.* 61.) 13 *G.* 3. *c.* 84. *s.* 86., turnpike roads, 1551. *pl.* 7. (*s.* 61.), *id. pl.* 1.]
c. 41. Commissioners of customs resident in *America*, 24. *pl.* 27—29.
s. 3. deputations, &c. is EXP.

7 Geo. 3. A. D. 1767. (*continued.*)

c. 42. Highways, 352. *pl.* 16.; carriages, 114. *pl.* 7. 17., [Rep. (except *s.* 57.) by 13 *G.* 3. *c.* 78. *s.* 84., and *ss.* 39, 40. were previously Rep. by 8 *G.* 3. *c.* 5. *ss.* 1, 2.]

c. 43. Fraudulent import and wearing cambrics and *French* lawns, 110, 111. *pl.* 1, 2—9. 11. 13—15. 17, 18.
s. 5. is Rep. by 34 *G.* 3. *c.* 50. *s.* 1. cambrics import.
ss. 19, 20. cambrics, warehousing for export, are Exp.

c. 44. Stamp duties, 1398. Stats. *in force*, *pl.* 1., 1438. *pl.* 457. 459, 460.; hackney coaches 341. *pl.* 53—55. 58. 60—65.
ss. 3, 4. 6. are Rep. by 44 *G.* 3. *c.* 98. *s.* 1., and 55 *G.* 3. *c.* 184. *s.* 1.
s. 13. and *s.* 17., and *s.* 14. are *virtually* Rep. by 24 *G.* 3. *S.* 2. *c.* 27. *s.* 4. and 48 *G.* 3. *c.* 87. *s.* 1.
s. 5. is Rep. by 55 *G.* 3. *c.* 184. *s.* 7.
s. 9. by 42 *G.* 3. *c.* 98. *s.* 5. stamps discount, and by 44 *G.* 3. *c.* 98. *Sch.* (C.) and *ss.* 5, 6.
s. 13. is Rep. by 24 *G.* 3. *S.* 2. *c.* 27. *s.* 4. hackney coaches fares.

c. 45. Trade, fisheries, &c. of *Isle of Man*, encouraging, 281. *pl.* 186.
s. 3. is Rep. by 26 *G.* 3. *c.* 36. *s.* 5. *Isle of Man*, fish import.
s. 8. is Rep. by 20 *G.* 3. *c.* 42. *s.* 2. tea and coffee import, customs duty.
s. 17. is Rep. by 11 *G.* 3. *c.* 52. *s.* 4. linen manufacture, bounties, *Isle of Man*, 484. *pl.* 13. *note.*

c. 46. Duties in *American* colonies, [Rep. as to duty on tea, 18 *G.* 3. *c.* 12. *s.* 2. 24. *pl.* 31.] smuggling there.
s. 1. is Rep. by 18 *G.* 3. *c.* 12. *s.* 2. *American* colonies, taxing.
ss. 1. 7. are Rep. by 10 *G.* 3. *c.* 17. *ss.* 1, 2. china export.

c. 47. Duties on exports and imports.
ss. 7, 8. rice export duty, are Exp.

c. 48. Joint stock companies, declaring dividends by; members qualification for voting in general courts, 151. *pl.* 22—25.

c. 49. *East India* Company, regulating proceedings of, 197. *pl.* 111. 113.
s. 2. *East India* Company dividend, is Exp.

c. 50. Revenue of post office; rate of postage between *G. B.* and *Man*, and within that island.

c. 54. Grant of 2,010,121*l.* 10*s.* 3½*d.* from sinking fund; supplies; and appropriation thereof.
ss. 34—36. importation from *America*, are Exp.

c. 55. Mutiny act, [Exp.]

c. 56. Tea import, export, consumption, duties.
s. 9. is Rep. by 8 *G.* 3. *c.* 25. *s.* 9. tea import.
s. 1. inland duty on tea discontinued, Exp.

c. 57. Payment of 400,000*l.* by *East India* Company annually for 2 years, [Exp.] 193. *pl.* 4.

c. 58. Foreign linens imported, duties; establishing fund to encourage growth of hemp and flax, 349. *pl.* 2, 3.

c. 59. Governor of *New York* prohibited from passing, &c. any act of assembly till H. M.'s troops are furnished with necessaries, 22. *pl.* 11.

8 Geo. 3. A. D. 1768.

cc. 1—3. Import of corn, &c. and export thereof prohibited, [Exp.]

c. 4. Malt, &c. duty, [Exp.]

c. 5. Highways, 352. *pl.* 16. 19.

c. 6. Indemnity, offices, &c. [Exp.]

c. 7. Mutiny act, [Exp.]

c. 8. Land-tax, 3*s.* in the pound, [Exp.] 443. *pl.* 19.

c. 9. Provisions, import, 115. Stats *in force*, *pl.* 1.
s. 1. is Exp. continuing clause.

c. 10. Playhouse in *Bath*, licensing, 1534. *pl.* 5.

c. 11. Dividends by *East India* Company, [Exp.]

c. 12. Marines, [Exp.]

c. 13. Troops on *Irish* establishment.

8 Geo. 3. A. D. 1768. (*continued.*)

c. 14. Accommodation of judges of great sessions in *Wa.*, 1576. *pl.* 221—223.

c. 15. Offenders, transportation of, 1541. *pl.* 12, 13.

c. 17. Taylors in bills of mortality, wages, hours, &c. of work, 1529—1530. *pl.* 1. 4—6. 10, 11. 15. 17. 19—21.

c. 18. Loan by exchequer bills, [Exp.]

c. 19. Mutiny, [Exp.]

c. 20. Militia pay, &c. [Exp.]

c. 22. Plantation trade, [Rep. 49 *G.* 3. *c.* 107. *s.* 1.] 23. *pl.* 12.

c. 23. Leakage of wines imported from *Guernsey* and *Jersey*.
s. 5. continuing clause, is Exp.

c. 24. Malt, &c. export, (*Norfolk*,) [Exp.]

c. 25. Duties on imports and exports; stamps, 1398. Stats. *in force*, *pl.* 1., 1438. *pl.* 457. 460. 462, 463.
s. 3. is Rep. by 25 *G.* 3. *c.* 63. *s.* 5. delivery of salt for manure.

c. 26. Duchy of *Cornwall*, leases, &c. [Exp.]

c. 27. Continuing several statutes, [Exp.] 290. *pl.* 356, &c.

c. 28. *Norwich* theatre, 1534. *pl.* 5.

c. 29. Redeeming remainder of annuities established by 3 *G.* 3. *c.* 12. *ss.* 32—34. [Exp.]

c. 30 Grant of 2,250,000*l.* from sinking fund; appropriating supplies, [Exp.]

c. 31. Raising 1,300,000*l.* by annuities, and 600,000*l.* by lottery, [Exp.]

8 & 9 Geo. 3. A. D. 1769.

c. 1. Export of corn, &c. prohibited, [Exp.] 135. *pl.* 21.

9 Geo. 3. A. D. 1769.

c. 1. Malt export, [Exp. and Rep. 10 *G.* 3. *c.* 10.]

c. 2. Malt duty, [Exp.]

c. 3. Mutiny, [Exp.]

c. 4. Rice, import from *American* colonies, [Exp.]

c. 5. Land-tax 3*s.* in pound, [Exp.] 443. *pl.* 19.

c. 6. Spirits, clandestine import; penalties of selling excisable liquors by retail without licence.

c. 7. Marines, [Exp.]

c. 9. Provisions, import from *Ireland*, [Exp.]

c. 11. Plate, using by inn, &c. keepers, 327. *pl.* 81—82.
ss. 2—4. are Exp.

c. 12. Indemnity, offices, &c. [Exp.]

c. 14. Land-tax, [Exp.] 443. *pl.* 20.

c. 15. Raising 1,800,000*l.* by loans or exchequer bills, [Exp.]

c. 16. Quieting possessions, 1313—1314. *pl.* 1. 3—13. Limitation of actions by H. M.
s. 2. is Rep. by 11 *G.* 3. *c.* 42. *s.* 2. parliament, elections.

c. 17. *Hull* and *York* theatres, 1534. *pl.* 5.

c. 18. Mutiny, [Exp.] 22. *pl.* 10.

c. 19. Chancery; suitors, cash, investing; applying the interest to defray charge of accountant general's office, 164, 165. *pl.* 39—43. 54.
s. 4. is Rep. virtually by 46 *G.* 3. *c.* 128. *s.* 4., 46 *G.* 3. *c.* 129. *s.* 2.

c. 20. Repair of shire-halls, &c. 105. Buildings, Public, *pl.* 1—5.

c. 24. Annual payment of 400,000*l.* by E. I. Co., [*semb.* Exp.] 193. *pl.* 4.

c. 25. Making 1 *G.* 3. *c.* 16. perpetual; coin, 135. *pl.* 21. 29.

c. 26. Insolvent debtors, [Exp.] 388. *pl.* 9.

c. 27. Rice export from *American* colonies. [Exp.]

c. 28. Export from *Jersey* and *Guernsey* of goods necessary for *Newfoundland* fishery, and import of all non-enumerated goods, except rum.

c. 29. Demolishing mills, 513. *pl.* 3—5. Destroying, &c. property belonging to collieries and mines. Fences for inclosing lands under statute, damaging, &c. 514. *pl.* 12, 13.

c. 30. Harbour moorings, 1276. Ports, Stats. *Exp. pl.* 2. Naval stores embezzling; perjury relating to seamen's wages, 1349. *pl.* 135, 136.

9 *Geo.* 3. A. D. 1769. *(continued.)*

ss. 2, 3. harbour moorings, are REP. by 54 *G.* 3. *c.* 159. *s.* 1.
ss. 5, 6. as to the crimes of forging and perjury therein, and the abstract of articles of war, are REP. by 55 *G.* 3. *c.* 60. *s.* 1. and *s.* 57.
s. 4. indemnity, is EXP.
c. 33. Lottery, [EXP.] 497. *pl.* 6.
c. 34. Grant of 1,664,822*l.* 4*s.* 5½*d.* from sinking fund, appropriating, [EXP.]
c. 35. Naval stores, export, 1481. STATS. *Rep. pl.* 2. Supplies; compensation to clerks in offices of principal secretaries of state for loss of franking; franking.
s. 3. as to offering pre-emption of naval stores to navy commissioners, is REP. by 57 *G.* 3. *c.* 17.
c. 36. Applying monies to service of 1779, [EXP.]
c. 37. Bricks, 93. *pl.* 1. Payments by churchwardens and overseers in other than lawful money, 1272. *pl.* 192, 193.
ss. 1—6. bricks and tiles; indemnity, offices, &c. are EXP.
c. 38. Culture of raw silk in *American* colonies, [*semb.* EXP.]
c. 39. Prohibiting by H. M.'s proclamation the import of foreign hides or skins.
ss. 1—9. hides and skins, import, are EXP.
c. 41. Customs; customs officers' fees at *Senegambia*; compensation to receivers general of the duties on offices, &c. in *Scot.*; preservation of trees and underwoods, 1547. *pl.* 23. 28. 34. Export of bigg from *Orkneys*.
c. 42. Militia, [EXP.]

10 *Geo.* 3. A. D. 1770.

c. 1. Malt, export. [EXP. and REP. 10 *G.* 3. *c.* 10. *s.* 1.]
c. 2. Provisions import, [EXP.]
c. 3. Mutiny, [EXP.]
c. 4. Horned cattle, distemper; order in council, [EXP.] 115. *pl.* 11.
c. 5. Malt, &c. duty, [EXP.]
c. 6. Land-tax, [EXP.] 443. *pl.* 21.
c. 7. Marines, [EXP.]
c. 8. Tallow, &c. import duties, [EXP.]
c. 9. Militia pay, &c. [EXP.]
c. 10. Malt, export, [EXP.]
c. 11. Exchequer bills, 1,800,000*l.*, loan by, [EXP.]
c. 15. Mutiny, [EXP.] 22. *pl.* 10.
c. 16. Regulating trials of controverted elections, or returns of members of parliament, 1226—1228. *pl.* 281—285. 288. 293—315. 317.
s. 2. is REP. by 11 *G.* 3. *c.* 42. *s.* 2. elections to parliament.
s. 30. is [EXP.]
c. 17. Duties on imports and exports.
c. 18. Stealing dogs, preventing, 191. *pl.* 1—5.
c. 19. Game, preserving, [REP. 13 *G.* 3. *c.* 80. *s.* 5.], 309. *pl.* 15.
c. 30. Rectifying mistake in 9 *G.* 3. *c.* 41. *s.* 8. Trees, 1547. *pl.* 23.
c. 31. Rice, export.
c. 32. Excise office, *London*, building.
c. 33. Land-tax commissioners' names, [EXP.] 443. *pl.* 34.
c. 34. Longitude, [REP. 14 *G.* 3. *c.* 66. *s.* 1., 58 *G.* 3. *c.* 20. *s.* 4.] 495. *pl.* 8.
c. 35. Paper bills of credit issuing by governor, &c. of *New York*, [EXP.] 23. *pl.* 13.
c. 36. Annuities created by 29 *G.* 2. *c.* 7. redeeming, [EXP.]
c. 37. Fees of officers of customs, and of naval officers in *Newfoundland*, 520. *pl.* 1, 4.
s. 1. continuing clause, is EXP.
c. 38. *British* and *Irish* linens export bounty, [EXP.]
c. 39. Corn prices registering, and export, [REP. 31 *G.* 3. *c.* 30. *s.* 1. and EXP.]
c. 40. Flax and hemp manufacture, (*Scotland*), 349. *pl.* 5—7.
ss. 1, 2. in part, as to hemp and flax, raising 8000*l. per. ann.* are REP. by 21 *G.* 3. *c.* 58. *s.* 1., 26 *G.* 3. *c.* 43. *s.* 1.

10 *Geo.* 3. A. D. 1770. *(continued.)*

c. 41. Parliament; writs in room of members dying during recess of parliament, [REP. 24 *G.* 3. *S.* 2. *c.* 26. *s.* 1.] 1215. *pl.* 7.
c. 42. Indemnity, offices; registering of agreements, &c. [EXP. except *s.* 7. *tit.* TREES.] 1546. *pl.* 11.
c. 43. Hats, bonnets, and materials for making them; duties; fraudulent importation thereof.
s. 5. bast and straw hats, &c. EXP.
c. 44. Weights and measures used by traders in exciseable commodities; hackney coaches and chairs, 341. *pl.* 53. 58. 60—65.
c. 45. Horned cattle, distemper, [EXP.] 115. *pl.* 12.
c. 46. Lottery, [EXP.] 497. *pl.* 6.
c. 47. Regulating persons employed by the *East India* Co., 197. *pl.* 113—119.
s. 1. is REP. by 33 *G.* 3. *c.* 52. *s.* 146. *East Indies*.
c. 48. Receiving stolen jewels, gold and silver plate, in cases of burglary and highway robbery, made more penal, 247. *pl.* 43. 51.
c. 49. Bricks and tiles, 93. *pl.* 1. 5—9. 12. 14—17.
s. 7. confining the provision for dimensions of bricks to 15 miles round *London*, is REP. by 17 *G.* 3. *c.* 42. *s.* 1. *comm. semb.*
s. 1. continuing clause, is EXP.
c. 50. Privilege of parliament, preventing delays of justice by, 1216, 1217. *pl.* 48—50. 1217. *pl.* 61—63.
c. 51. Entails in *Scotland*, improvement of estates held in.
c. 52. Grant of 1,700,000*l.* from sinking fund; appropriating supplies, EXP.]

11 *Geo.* 3. A. D. 1771.

c. 1. Corn, &c. export, [EXP.]
c. 2. Malt, &c. duty, [EXP.]
c. 3. Foreign seamen serving, [EXP.]
c. 4. Quieting possessions, 1313, 1314. *pl.* 1. 12, 13.
c. 5. Land-tax, 4*s.* in the pound, [EXP.] 443. *pl.* 23.
c. 6. Mutiny, [EXP.]
c. 7. Marines, [EXP.]
c. 8. Provisions, import, [EXP.]
c. 11. Mutiny, [EXP.]
c. 16. *Liverpool* theatre, 1534. *pl.* 5.
c. 18. Indemnity, offices, &c. [EXP.]
c. 20. Lunatics accepting surrenders of old, and granting new leases, 476. *pl.* 13—16.
c. 24. Hackney coaches, 339. *pl.* 1. 4. 12—15.
c. 25. Exchequer bills, loan of 1,800,000*l.* by, [EXP.]
c. 28. Hackney coach and chair men, offences by, in and near *London* and *Westminster*; registering of carts, &c. renewing, 341. *pl.* 50—51.
ss. 3—4. carts, &c. entry of, are EXP.
c. 31. White herring fishery, [EXP.] 273. *pl.* 72.
s. 4. is REP. by 19 *G.* 3. *c.* 26. and 25 *G.* 3. *c.* 65. *s.* 2. *British* fisheries, bounty, &c.
c. 32. Militia pay, &c. [EXP.]
c. 35. Gunpowder, [REP. 12 *G.* 3. *c.* 61. *s.* 31.] 335. *pl.* 3.
c. 37. Live cattle and flesh provisions, export, [EXP.] 115. *pl.* 13.
c. 38. *Greenland* whale fishery, [virtually REP. 26 *G.* 3. *c.* 41.] 290. *pl.* 357.
ss. 14—17. *Greenland* whale fishery, *American* ships, are EXP.
c. 39. Rice, export, [EXP.]
c. 40. Copper coin, counterfeiting, 139. *pl.* 94—97.
c. 41. Naval stores, import; raw silk; and mohair yarn, import.
s. 3. Mahogany duty repaid.
c. 42. Controverted elections, or returns of M. P.'s 1226—1228 *pl.* 281. 285. 289. 318. 321.
c. 47. Lottery, [EXP.] 497. *pl.* 6.
c. 48. Grant of 1,650,000*l.* out of sinking fund; other supplies; appropriation of the whole.

11 *Geo.* 3. A. D. 1771. (*continued.*)

c. 49. Continuing 6 *G.* 3. *c.* 28. [Exp.]
c. 50. White oak staves, &c. from *America*, import, [Exp.]
c. 51. Carriage of loads in and near *London* and *Westminster*, 352.
Stats. *in force*, *pl.* 3.; bigg, export of from *Kirkwall*.
ss. 1—3. lastage and ballastage on *Thames*, are Exp.
c. 52. Harbours in *Isle of Man*.
s. 2. is Rep. by 54 *G.* 3. *c.* 182. *s.* 1. harbour duties in *Isle of Man*.
s. 3. rates of duties is Rep. by 50 *G.* 3. *c.* 42.
ss. 9, 10. are Exp.
c. 53. Highways in *Scot.*, widening.
c. 55. *New Shoreham*, election of M. P.s for, 1232. *pl.* 391.

12 *Geo.* 3. A. D. 1772.

c. 1. Export of corn, &c. [Exp.]
c. 2. Provisions, &c. import, [Exp.]
c. 3. Land-tax 3*s.* in the pound, [Exp.] 443. *pl.* 23.
c. 4. Mutiny, [Exp.]
c. 5. Marines, [Exp.]
c. 6. Malt, &c. duty, [Exp.]
c. 7. *East India* company, duty on tea, [Exp.]
c. 10. Papists' enrolment of deeds, [Exp.] 1203. *pl.* 7.
c. 11. Regulating future marriages of royal family, 509, 510. *pl.* 29—32.
c. 12. Mutiny, [Exp.]
c. 13. Militia, pay, &c. [Exp.]
c. 20. Proceeding against persons standing mute on arraignment for felony or piracy, 249. *pl.* 82—84.
c. 21. Relief in proceedings on writs of *mandamus* for admission of freemen into corporations, 151. *pl.* 26—28.
c. 23. Insolvent debtors, [Exp.] 388. *pl.* 10.
c. 24. Securing H. M.'s stores, &c. 1482. *pl.* 26—28.
c. 25. *Greenwich* hospital, unclaimed shares of prize money.
ss. 1—3. 7. unclaimed shares of prizes, are Exp.
c. 29. *Spurn* light houses, 1342, *pl.* 37.
s. 13. as to bridges, is Rep. by 43 *G.* 3. *c.* 59. *s.* 2., 52 *G.* 3. *c.* 110. *s.* 5., 55 *G.* 3. *c.* 143. *s.* 5.
c. 30. Judges of *Chester*, and great sessions in *Wa.*; salaries augmenting, 410. *pl.* 1—2.
c. 31. Indemnity, offices, &c. [Exp.]
c. 32. Rice, &c. import, [Exp.]
c. 33. Wheat, &c. import, [Exp.]
c. 39. Loans, raising 180,000*l.* by, [Exp.]
c. 42. *Savoy*, some parts in duchy of *Lancaster*, and some within survey of exchequer, 175. *pl.* 30.
s. 3. is Exp.
c. 45. Carters, carriages, &c. regulation in *Scot.*
c. 46. Frauds in revenues of excise, as to tea, soap, and spirits.
c. 47. Bankrupt, [Exp.] 60. *pl.* 58.
c. 48. Stamp duties, frauds in, preventing, 1398. Stats. *in force*, *pl.* 1. 1419. *pl.* 90—92.
c. 49. Hackney coaches, 341, 342, *pl.* 53. 70.
c. 50. Leather manufacture; oak bark, duty on.
s. 2. is Rep. by 43 *G.* 3. *c.* 68. *s.* 1., 49 *G.* 3. *c.* 98. *s.* 1. 59 *G.* 3. *c.* 52. *s.* 1.
s. 15. is Exp.
c. 51. Horned cattle, distemper, [Exp.] 115. *pl.* 11.
c. 52. Coiners prosecuting, expences allowed by treasury, [Exp.] 135. *pl.* 32.
c. 54. *East India* company, building ships by, 227. *pl.* 646—651.
c. 55. Trade of *G. B.* and *Ire.*, frauds in.
c. 56. Continuing several statutes, [Exp.]
c. 57. Quarantine, [Rep. 39 & 40 *G.* 3. *c.* 80. *s.* 8., 45 *G.* 3. *c.* 10. *s.* 9.] 1307. *pl.* 1.
c. 58. Herring fishery, 281. *pl.* 187—189. 192, 193.
s. 6. is Exp.

12 *Geo.* 3. A. D. 1772. (*continued.*)

c. 60. Tea and rice, export and import; certificate on removal of certain goods to *London*, out of the country, taking.
c. 61. Gunpowder, carrying within *G. B.*, 335—337. *pl.* 16—46.
ss. 4. 9. are Exp.
s. 21. is Rep. in part by 54 *G.* 3. *c.* 152. loading gunpowder.
c. 63. Lottery, [Exp.] 497. *pl.* 6.
c. 67. Marine society, 1348. *pl.* 115.
c. 70. Grant of 1,856,723*l.* 1*s.* 2*d.* from sinking fund; other supplies; appropriation of the whole.
s. 30. exchequer bills, lost, &c. is Exp.
c. 71. Forestallers, &c., 294. Forestallers, Stats. *Rep. pl.* 1—2.
s. 2. is Exp.
c. 72. Privileges of bills extended to promissory notes, and actions on both, in *Scot.*
ss. 1—35. 37. 38. 44. insolvent debtors (*Scot.*), are Exp.
c. 73. Building within weekly bills, [Rep. 14 *G.* 3. *c.* 78. *s.* 101.] 96. Stats. *Rep.*, &c. *pl.* 4., 104. *pl.* 1.

13 *Geo.* 3. A. D. 1773.

cc. 1, 2. Corn import.
c. 3. Corn export, [Exp.]
c. 4. Provisions, import, [Exp.]
c. 5. *Id.* [Exp.]
c. 6. Malt, &c. duty, [Exp.]
c. 7. Rice import, [Exp.]
c. 8. Land-tax, [Exp.] 443. *pl.* 23.
c. 9. *East India* company appointing commissioners, [Exp.] 193. *pl.* 5.
c. 10. Mutiny, [Exp.]
c. 11. Marines, [Exp.]
c. 12. Indemnity, offices, &c. [Exp.]
c. 14. Lending money by aliens on security of estates in *West Indies*, 1589, 1590. *pl.* 1—9.
c. 21. Naturalization, 519, 520. *pl.* 5. 10—13.
c. 23. Militia pay, &c. [Exp.]
c. 24. Mutiny, [Exp.]
c. 25. Naturalization, 519, 520. *pl.* 14. 29.
c. 26. *British* built ships, shares of, abuses in sale of to foreigners.
c. 31. Criminal laws, more effectual execution of in *Eng.* and *Scot.*, 124. *pl.* 60, 61. 63—66.
c. 32. Turnips, potatoes, cabbages, parsnips, peas, stealing, &c. 1549. *pl.* 21, 22. 24—27.
c. 33. Poplar, alder, maple, larch, and hornbeam, destroying, 1547, 1548. *pl.* 23. 35.
c. 43. Corn export and import, [Rep. 31 *G.* 3. *c.* 30. *s.* 1.]
c. 44. Tea, export duty; deposit on bohea tea sold at the company's sale, increased; licences to *East India* company to export tea duty-free.
c. 51. Frivolous suits in courts at *Westminster* in causes of action arising within *Wa.*, preventing, 1576, 1577. *pl.* 224—238. Proceedings of great sessions, regulating, 1572, 1573. *pl.* 98. 107, 108.
c. 52. Wardens for assaying wrought plate in *Sheffield* and *Birmingham* appointed, 327. *pl.* 83—86.
c. 54. Game, preserving in *Scot.*, 316, 317. *pl.* 142. 155—165.
s. 15. is Exp.
c. 55. Preservation of moor game in *Eng.* &c., 316. *pl.* 142.
c. 56. Spirits, retailing; stamps on linens, counterfeiting.
c. 57. Paper bills of credit issued in *America*, tender of, 24, *pl.* 22. & 26.
s. 2. is Exp.
c. 58. Clergymen in gaols in *Eng.*, 1289. 165, 166. 168, 169.
c. 59. Stamping gold and silver plate, punishment of frauds, 327. *pl.* 83—86., 328. *pl.* 90—93.

13 *Geo.* 3. A. D. 1773. (*continued.*)

c. 62. Assize and making of bread, regulating, 84. STATS. *in force*, *pl.* 11., 88, 89. *pl.* 55—72., 90. *pl.* 89, 90.
ss. 2. 13. are REP. by 38 *G.* 3. *c.* lv. *s.* 10. marking bread.
c. 63. Affairs of *East India* Company, management of, 198—200. *pl.* 120, 121. 124—152. 155, 156. 158—164., 204, *pl.* 241.
s. 21. as to commencement of salaries of offices in *East Indies*, is REP. by 53 *G.* 3. *c.* 155. *s.* 89.
s. 23. as to governor-general, &c. trading, is REP. by 33 *G.* 3. *c.* 52. *s.* 146.
ss. 24. and *semb.* 25, 26. are REP. by 24 *G.* 3. (*Scss.* 2.) *c.* 25. *s.* 47. *East Indies*.
ss. 27. 32. are REP. by 33 *G.* 3. *c.* 52. *s.* 146.
ss. 5. 11. (25. *semb.*) 29. are EXP.
c. 64. Loan by exchequer bills to *East India* Company, [EXP. *comm. semb.*] 193. *pl.* 6.
c. 65. Stamp duties on newspapers, 1463. *pl.* 625.
c. 66. Raising 1,000,000*l.* by loans or exchequer bills, [EXP.]
c. 67. Paper, foreign, import duty.
c. 68. Silk manufacturers, regulating wages, 1371. *pl.* 29—36.
c. 69. Salt, import into *Canada*, [EXP.]
c. 70. Culm, export to *Lisbon*, [EXP.]
c. 71. Gold coin, counterfeiting, clipping, and diminishing, 139. *pl.* 98—100.
c. 72. Import of cod, &c. caught in the gulph of *St. Lawrence*, 283. *pl.* 223—228.
c. 73. Cocoa, coffee, &c. import.
s. 13. opening ports in *Jamaica*, is EXP.
c. 74. Tonnage of ships, ascertaining, 1567. *pl.* 31, 32. Duties, bounties, &c.
c. 76. Indemnity, militia; qualifications not delivered, [EXP.]
c. 77. Grant from sinking fund; appropriation of supplies, [EXP.]
c. 78. Highways in *Eng.*, consolidation of statutes respecting preservation of, 352—359. *pl.* 4—46. 50. 88. APPENDIX, No. IV.
ss. 34, 35. 38, 39. are REP. by 34 *G.* 3. *c.* 74. *s.* 1. highways, statute duty.
s. 10. *in part*, and *ss.* 82. 84. EXP.
c. 79. Bank of *Eng.* bills or notes, forging, 50. *pl.* 70—73.
c. 80. Game, preservation of in *Eng.*, 317. *pl.* 166—174.
c. 81. Commons, cultivation and improvement of, [*Qu.* if EXP.?] 142, 143. *pl.* 1. 8—36.
c. 82. Lying-in hospitals, settlement of bastards born in, 372, 373. *pl.* 10—27.
c. 84. Turnpike roads in *Eng.*, consolidating the laws regulating, 1551—1557. *pl.* 2—4. 6—10. 12—16. 25—28. 30, 31. 33—41. 43—92. APPENDIX, Nos. IV. V.
s. 1. in part, as to additional tolls, and *s.* 16. are REP. by 14 *G.* 3. *c.* 82. *s.* 1. turnpike roads.
s. 12. is REP. by 14 *G.* 3. *c.* 14. *s.* 1. turnpike roads; wheels of carriages.
s. 16. unlimited number of horses in engines, &c., is REP. by 14 *G.* 3. *c.* 82. *s.* 1.
s. 23. is REP. in part, as to additional tolls, by 18 *G.* 3. *c.* 28. *s.* 1. turnpike roads.
s. 34. is REP. by 14 *G.* 3. *c.* 57. turnpike roads; side gates.
s. 69. is REP. by 16 *G.* 3. *c.* 39. *s.* 1. turnpike roads; tire of wheels of waggons.
s. 5. and *s.* 86. in part, are EXP.

14 *Geo.* 3. A. D. 1774.

c. 1. Land-tax 3*s.* in the pound, [EXP.] 443. *pl.* 23.
c. 2. Malt, &c. duty, [EXP.]
c. 3. Mutiny, [EXP.]
c. 4. Marines, [EXP.]
c. 5. Export of corn, &c., [EXP.]
c. 6. Mutiny act in *America*, [EXP.]
c. 9. Provisions, import, [EXP.]

14 *Geo.* 3. A. D. 1774. (*continued.*)

c. 10. Gum *Senegal*, export.
c. 11. Biscuit, &c., export to *Newfoundland*, [REP. 31 *G.* 3. *c.* 30., which repeals 13 *G.* 3. *c.* 43., and EXP.] 281. *pl.* 198.
c. 14. Turnpike roads; width of wheels and length of carriages liable to be weighed, 1551, 1552. *pl.* 3. 17—24.
s. 2. indemnity, is EXP.
c. 15. Making 10 *G.* 3. *c.* 16., 11 *G.* 3. *c.* 42. perpetual, 1226. *pl.* 281.
c. 17. Land-tax commissioners, [EXP.] 443. *pl.* 24.
c. 18. Militia pay, &c., [EXP.]
c. 19. Trade with *American* colonies, [REP. 16 *G.* 3. *c.* 5. *s.* 42.] 23. *pl.* 14.
c. 20. Fees to jailors; criminals acquitted, &c. relieved from paying, [and see 55 *G.* 3. *c.* 50.] 1289. *pl.* 175—178.
c. 25. Embezzlements, &c. by workmen in woollen manufactures, 1601. *pl.* 83—92.
c. 28. Beer, &c. duty, [EXP.] (*Scot.*)
c. 31. Statute labour, [REP. 37 *G.* 3. *c.* 52.] (*Scot.*)
c. 32. Bank of *Scot.* increasing capital stock.
ss. 2—8. are EXP.
ss. 11, 12. bank of *Scot.*, are EXP.
c. 34. *East India* Company's supply of market in *G. B.* with tea, 201. *pl.* 199.
ss. 1, 2. *East India* Company's sale of teas, are EXP.
c. 36. Continuing acts for repairing turnpike roads, 1551, *pl.* 3.
c. 37. Papists' enrolment of deeds, &c., [EXP.] 1203. *pl.* 7.
c. 39. Administration of justice in *Massachusett's* bay, [EXP.]
c. 41. Free ports in *Jamaica*, [EXP.]
c. 42. Light silver coin of the realm, import from abroad into *G. B.* or *Ire.*, 139. *pl.* 101, 102.
s. 1. as to forfeiture of silver coin less in weight than at the rate of 62*s.* for every lb. troy, is REP. by 56 *G.* 3. *c.* 68. *s.* 2. and *s.* 4.
s. 2. is REP. by 56 *G.* 3. *c.* 68. *s.* 12. tender in silver.
s. 3. is EXP.
c. 43. Rebuilding 6 clerks' office; erecting register's and accountant-general's offices for preserving books, records, &c. (Local.)
c. 44. Woollen yarn manufacture, 1602. *pl.* 93—97.
c. 45. *Massachusetts* bay, *North America*, [REP. 18 *G.* 3. *c.* 11.] 23. *pl.* 15.
c. 46. Rewards for apprehending highwaymen in county *Durham*, 156. (*Durham*) *pl.* 13—17., 248. *pl.* 65.
s. 5. is EXP.
c. 47. Indemnity, offices, &c. [EXP.]
c. 48. Insurances on lives, regulating, 397, 398. *pl.* 23—27.
c. 49. Mad-houses, regulating, 373, 374. *pl.* 11. (*a*)—44.
s. 35. is EXP.
c. 54. Army in *North America*, quarters, [EXP.]
c. 57. Payment of tolls at side gates, 1554. *pl.* 42., and see *pl.* 41.
c. 58. Residence of M. P.s, 1589. *pl.* 165, 166. 168, 169.
c. 59. Gaols, health of prisoners in; preventing gaol distemper, 1289. *pl.* 179—182.
c. 60. Indemnity to victuallers of *Godley*, *Surrey*, for selling ale, &c. without licence, [EXP.]
c. 64. Corn, import and export, [EXP.]
c. 65. Leases of forfeited estates, [EXP. since repeal of 25 *G.* 2. *c.* 41. *comm. semb.*
c. 66. Longitude, navigation, [REP. virtually, 58 *G.* 3. *c.* 20. *s.* 4.] 495. *pl.* 9.
c. 67. Continuing certain statutes, [EXP.]
c. 68. Hops, buying and selling, [REP. 39 & 40 *G.* 3. *c.* 81. *s.* 1.] 365, 366. STAT. *Rep.* and STATS. *in force*, *pl.* 10, 11. 15—23.
c. 69. Loan by exchequer bills, of 1,250,000*l.*, [EXP.]
c. 70. Gold coinage, [*semb.* EXP.] 135. *pl.* 33.
c. 71. Export of utensils in cotton, linen, woollen, and silk manufactures, 505. *pl.* 60—67.

14 *Geo.* 3. A.D. 1774. (*continued.*)

s. 5. is Rep. by 26 *G.* 3. *c.* 76. wool cards, export.
Rep. in part by 15 *G.* 3. *c.* 5. utensils in silk, &c. manufactures, export.

c. 72. Cotton stuffs manufactured in *G. B.*, duty on, and use and wear of.

c. 73. Distillers; excise duty on low wines and spirits; allowance of duty on soap imported and used in woollen and linen manufactures.

c. 74. Great raisins, import, duty.

c. 76. Lottery, redeeming 1,000,000*l.* of 3 *per cents.* [Exp.]

c. 77. Insolvent debtors; bankrupts, 388. *pl.* 11. [Exp.]

c. 78. Building act, 96—104. *pl.* 1—82., 104, 105. *pl.* 1., 254. 255. *pl.* 1—15.
s. 72. is Rep. by 25 *G.* 3. *c.* 77. *s.* 1.
ss. 89—94. Exp.

c. 79. 6 *per cent.* interest on mortgages on estates in *Ire.* and the *West Indies*, 517. *pl.* 10—12.

c. 80. Continuing several statutes, [Exp.]

c. 81. Elections for M. P.s in *Scot.* 1338. *pl.* 81—83.

c. 82. Turnpike roads, additional tolls at weighing engines, 1531. *pl.* 3—5.; number of horses in carriages drawn upon, 1552. *pl.* 22.; exemptions from tolls, 1556. *pl.* 11.
s. 5. Exp.

c. 83. Government of *Canadas*, 111. 112. *pl.* 1, 2. 5, 6. 8—11. 21—23. 29.
ss. 12—16. are Rep. by 13 *G.* 3. *c.* 31. *s.* 1., government of *Quebec.*

c. 84. Bills of naturalization, inconveniences by, 520. *pl.* 30, 31.

c. 85. Grant of 2,080.696*l.* 12*s.* 8¼*d.* from sinking fund and other supplies; appropriation of the whole, [Exp.]

c. 86. Process in offences against customs laws, *viz.* running goods, &c.; prosecutions for penalties thereof.
ss. 1—4. 6—13. continuing clauses, Exp.

c. 87. Cattle driving, &c. *London*, [Exp.] 488. *pl.* 7.

c. 88. Fund for expences of government of *Canada.*
s. 1. Rates of duties on imports to *Canada*, is Rep. by 27 *G.* 3. *c.* 13. *s.* 1.; 43 *G.* 3. *c.* 68. *s.* 1.; 49 *G.* 3. *c.* 98. *s.* 1.; 59 *G.* 3. *c.* 52. *s.* 1.
s. 4. is Exp.

c. 92. Weights used in weighing gold and silver coin, 139, 140. *pl.* 103—110.

15 *Geo.* 3. A.D. 1775.

c. 1. Indian corn, import, [Exp.]

c. 2. Malt, &c. duty, [Exp.]

c. 3. Land tax, [Exp.] 443. *pl.* 25.

c. 4. Marines, [Exp.]

c. 5. Wool cards, export to *American* colonies, 505. *pl.* 60. 65.

c. 6. Mutiny act, (*see c.* 15.) [Exp.]

c. 7. Provisions, &c. import, [Exp.]

c. 8. Militia pay, &c. [Exp.]

c. 10. Trade with *American* colonies, [Rep. 16 *G.* 3. *c.* 5. *s.* 42.]

c. 14. Manufactures, 602. *pl.* 98, 99.

c. 15. Mutiny act, *c.* 6. Ext. to marines in *America*, [Exp.]

c. 17. Indemnity, offices, &c. [Exp.]

c. 18. Trade with *American* colonies, [Rep. 16 *G.* 3. *c.* 5. *s.* 42.] 23. *pl.* 17.

c. 22. Building offices of accountant-general and register in chancery, (Local.)

c. 26. Land-tax commissioners, [Exp.] 443. *pl.* 26.

c. 27. Measuring coal waggons used in loading coal ships at ports, 134, 135. *pl.* 29—36.

c. 28. Colliers, coal-bearers, and salters in *Scot.* emancipated.
ss. 3—13. Rep. virtually by 39 *G.* 3. *c.* 56. *s.* 1., colliers, &c. *Scot.*

c. 29. Repealing three *Scotch* acts against the clan *Mac Gregor.*

c. 30. Fees of marker of weights for gold and silver coin, 139. *pl.* 103. 107.

c. 31. *Newfoundland* and southern whale fishery, [Rep. 26 *G.* 3. *c.* 50. *s.* 1., and 35 *G.* 3. *c.* 92. *s.* 1.] 287. *pl.* 299., 290. *pl.* 357.

15 *Geo.* 3. A.D. 1775. (*continued.*)

c. 32. 152. Cottages, *pl.* 1.

c. 34. Rape and vegetable oils, encouraging manufacture in *G. B.*, by reducing duties on rape, &c. imported from *Ire.*

c. 35. Raw goat skins, import.

c. 36. Issuing writs for election of M. P.s, (*s.* 1.) and
s. 2. speaker's warrants during recess of parliament, for electing M. P.s in room of those become peers, is Rep. by 24 *G.* 3. *S.* 2. *c.* 26. *s.* 1.
s. 3. notice in *London Gazette*, is Rep. by *id. ibid.*

c. 37. Galley tiles, *ad valorem* duty on import.
s. 2. as to the duties since, is Rep. by 27 *G.* 3. *c.* 13. *s.* 1. 43 *G.* 3. *c.* 68. *s.* 1., 49 *G.* 3. *c.* 98. *s.* 1., 59 *G.* 3. *c.* 52. *s.* 1.

c. 38. Exchequer bills, raising 1,250,000*l.* by, [Exp.]

c. 39. Oaths, power of justices to administer, where penalty is to be levied, or distress made, in pursuance of any statute wherein it is not expressly directed, 426. *pl.* 109, 110.

c. 40. Import of spirits to *Canada* by inland navigation.

c. 41. Lottery; and redeeming 1,000,000*l.* of 3 *per cents.* [Exp.]

c. 42. Grant of 1,915,552*l.* 16*s.* 11¾*d.* from sinking fund. Supplies appropriation, [Exp.]

c. 44. Export of *British* manufactures by *E. I.* Co., [Exp. *comm. semb.*] 192. *pl.* 7.

c. 45. Export of army clothing from *Ire.*
s. 3. flax seed import (*Ire.*) is Exp.

c. 46. Fisheries in *Tweed*, (Local.)
s. 4. is Rep. by 37 *G.* 3. *c.* 48. *s.* 12. fisheries in *Tweed.*

c. 47. *Manchester* theatre, 1534. *pl.* 5.

c. 48. Ale and beer duty, (*Scot.*) [Exp.]

c. 51. Bills of exchange under limited sum, [Rep. 48 *G.* 3. *c.* 88. *s.* 1.] 76. Bills, &c., Stats. *Exp. pl.* 1.

c. 53. Universities in *Eng.*, *Scot.*, and *Ire.*, copyrights of; delivery of books to university libraries, 485. *pl.* 1., 486, 487. *pl.* 22—28.

16 *Geo.* 3. A.D. 1776.

c. 1. Malt, &c. duty, [Exp.]

c. 2. Mutiny, [Exp.]

c. 3. Militia, calling out, [Exp.]

c. 4. Land-tax, 4*s.* in the pound, [Exp.] 443. *pl.* 27.

c. 5. Prize agents' accounts, [Rep. in part by 21 *G.* 3. *c.* 44. *s.* 10., and in part by 23 *G.* 3. *c.* 26., trade with *United States*,] 23. *pl.* 14. 17, 18.

c. 6. Northwest passage; approach within a degree of the North pole, [Rep. 58 *G.* 3. *c.* 20. *s.* 9.] 495. *pl.* 10.

c. 7. Marines, [Exp.]

c. 8. Making 5 *G.* 3. *c.* 10., and 8 *G.* 3. *c.* 9. perpetual, 115. *pl.* 1., 116. *pl.* 18.

c. 10. (Local.) Duchy of *Cornwall*, leases, &c. 174. *pl.* 4.

c. 11. Mutiny, [Exp.]

c. 12. Tallow, &c. import duties, [Exp.]

c. 14. Land-tax, commissioners' names, [Exp.] 443. *pl.* 28.

c. 16. Beer, &c. duty, (*Scot.*) [Exp.]

c. 19. Militia, pay, &c. [Exp.]

c. 20. Foreign seamen serving, [Exp.]

c. 24. *Greenwich* hospital, vesting estates in governors of, 331. *pl.* 33.

c. 30. Deer stealing, preventing, 314—316. *pl.* 111. 114—132. 135—140. (*Eng.* only, see *s.* 28.)
s. 1. penalty on unlawfully killing, &c. deer, is Rep. by 42 *G.* 3. *c.* 107. *s.* 6.
s. 2. is Exp.

c. 34. Stamp duties, 1398. Stats. *in force*, *pl.* 1., 1419. *pl.* 76. 79. 89., 1421. *pl.* 130., 1434. *pl.* 366. Lottery. Annuities.
ss. 1—4. are Rep. by 25 *G.* 3. *c.* 47. carriages, duty.
ss. 5—9. 11. 23. 25. are Rep. by 44 *G.* 3. *c.* 98. *s.* 1., 55 *G.* 3. *c.* 184. *s.* 1., and *id. c.* 185. *s.* 1.
ss. 19—55. are Exp.

16 *Geo.* 3. A.D. 1776. (*continued.*)

c. 35. Exchequer bills, loan of 1,500,000*l.* by, [Exp.]
c. 37. Wheat, &c. export, [Exp.]
c. 38. Insolvent debtors, [Exp.] 388. *pl.* 11.
c. 39. Provision in 13 *G.* 3. *c.* 84. for countersinking the tire of wheels of waggons, &c. used on turnpike roads, repealed (*s.* 1). What wheels deemed flat (*s.* 2.), 1553. *pl.* 32. Flat fellies of wheels.
c. 40. Poor, returns by overseers, [Exp.] 1258. *pl.* 4.
c. 41. Flax seed, import, bounty, (*Ire.*) [Exp.]
c. 42. Corn, &c. import to *Preston*, [virtually Rep. 31 *G.* 3. *c.* 30. *s.* 1.]
c. 43. Hard labour for transportable offenders, [Exp.] 1540. *pl.* 1.
c. 44. Carriages, double tolls, [Exp.] 1551. *pl.* 8., 1553. *pl.* 29.
c. 45. Raising 1,000,000*l.* [Exp.]
c. 46. Coiners, expences for prosecuting, allowed, [Exp.] 135. *pl.* 32.
c. 47. Fees to officers of customs in *Newfoundland*, 520. *pl.* 1, 2.
ss. 1—2. are Rep. by 25 *G.* 3. *c.* 50. *s.* 1. and 35 *G.* 3. *c.* 92. *s.* 1. Southern whale fishery, 287. *pl.* 299.
c. 48. Limitation of prosecution on bonds relating to revenue of customs.
s. 3. is Rep. by 27 *G.* 3. *c.* 13. *s.* 1.; and lastly, 59 *G.* 3. *c.* 52. *s.* 1. feathers, &c., import duty.
s. 1. bugles, import, Exp.
c. 49. Grant of 1,837,428*l.* 3*s.* 10*d.* from sinking fund; appropriating supplies; exchequer bills, &c. lost, &c.
c. 50. Indemnity; offices, &c. [Exp.]
c. 51. Supply of market with tea, 201. *pl.* 199.
ss. 1—4. *East India* company, drawbacks, &c. 193. *pl.* 8.
c. 52. Inheritance of lands by children of aliens in *Scot.* 20. *pl.* 40—43.
c. 54. Continuing certain statutes, [Exp.]
c. 61. (Local.) *Chester* light house.

17 *Geo.* 3. A. D. 1777.

c. 1. Land-tax 4*s.* in the pound, 443. *pl.* 29.
c. 2. Malt, &c. duty, [Exp.]
c. 3. Mutiny, [Exp.]
c. 4. Marines, [Exp.]
c. 7. [Exp. and Rep. in part, 21 *G.* 3. *c.* 44. *s.* 10. prize commissions to private ships; prize agents accounts; and in part by 23 *G.* 3. *c.* 26. trade with *United States*.]
c. 8. Day of annual election of *East India* directors, 198. *pl.* 122—123.
s. 3. notice in *London Gazette*, is Exp.
c. 9. Suspected persons, detaining, [Exp.] 23. *pl.* 20.
c. 10. Militia, pay, &c. [Exp.]
c. 11. (Local.) Abuses in woollen manufacture in counties of *York*, *Lancaster*, and *Chester*.
c. 14. *Chester* theatre, licensing, 1534. *pl.* 5.
c. 16. Exemptions from turnpike tolls on account of cattle going to and from water or pasture, 1557. *pl.* 94—96.
c. 20. Ale and beer duty, (*Scot.*)
c. 21. Support of H. M.'s household, and of the crown of *G. B.* [Exp.] 429. *pl.* 47.
c. 26. Registering grants of life annuities, and better protection of infants against them, [Rep. 53 *G.* 3. *c.* 141. except as to annuities and rent charges granted before 14 *July* 1813.] 24, 25. *pl.* 1—9.
c. 27. Tea, export to *Ire.*, drawback of duty on, [Rep. 27 *G.* 3. *c.* 13. *s.* 1.; and lastly 59 *G.* 3. *c.* 52. *s.* 1.]
c. 28. Wheat, &c, export, [Exp.]
c. 29. Manufacturing leaves imitating tea; frauds on excise respecing tea, 502—303. *pl.* 13—21.
c. 30. Suspended 57 *G.* 3. *c.* 32. which expires on 1 *May* 1825, being two years after expiration of restrictions on bank payments in cash, see 59 *G.* 3. *c.* 49. *s.* 1. promissory notes and inland bills for less than 5*l.* in *Eng.*, restraining negotiation of, 77. *pl.* 13—16.
c. 34. Foreign seamen, serving, [Exp.]

17 *Geo.* 3. A. D. 1777.

c. 35. Silk, import and manufactures, [Exp.]
s. 24. is Rep. by 25 *G.* 3. *c.* 69. *s.* 1. *Florence* wine, import; flasks, duty.
s. 31. is Rep. by 34 *G.* 3. *c.* 27. *s.* 7. glass, allowance.
c. 36. Commissioners for executing acts, meetings, [Exp.]
c. 37. Indemnity, offices, &c. [Exp.]
c. 38. Exchequer bills, 1,500,000*l.* [Exp.]
c. 39. Glass making, and export; excise duties on; duties on persons using plate, repealed.
ss. 1—22. is Rep. by 43 *G.* 3. *c.* 161. *s.* 84. servants tax, 1487. *pl.* 5.
s. 31. is Rep. by 35 *G.* 3. *c.* 114. *s.* 19. glass.
s. 39. glass, contracts respecting, is [Exp.]
c. 40. Carrying captures into *North America*, [Exp.] 23. *pl.* 21.
c. 41. Clandestine unshipping from and receiving goods at sea, on board *East India* company's vessels; manner of discharging bonds for due export of certain goods; delivering manifestoes of cargoes of *British* vessels sailing to the *Baltic*, to the proper consuls there.
s. 4. is Rep. by 18 *G.* 3. *c.* 40. *s.* 1. run goods.
c. 42. Bricks and tiles, 93. *pl.* 5. 10—17.
c. 43. Abatement of duties on importers of damaged currants, &c.; allowance on other damaged goods.
s. 4. export of tobacco pipe clay, is [Exp.]
c. 44. Continuing several statutes, [Exp.]
c. 45. Papists' inrolment of deeds, &c. [Exp.] 1203. *pl.* 7.
c. 46. Loan, 5,000,000*l.* annuities; 500,000*l.* lottery, [Exp.] 497. *pl.* 6.
c. 47. Grant of 1,939,636*l.* 5*s.* 9½*d.* from sinking fund; appropriating supplies, [Exp.]
c. 48. Longitude; discoveries, &c. in navigation, 495. *pl.* 9.
c. 50. Auctions, 44. *pl.* 1., II. *pl.* 1., 45. *pl.* 5—7. 9. 12—13., 46. *pl.* 21. 26., 72, 73. *pl.* 42—56. Stamps, 1398. Stats. *in force*, *pl.* 1., 1419. *pl.* 89., 1437. *pl.* 23, 24
ss. 1—4. are Rep. by 19 *G.* 3. *c.* 56. *s.* 1. auctioneers duty.
s. 5. as to duties therein, is Rep. by 19 *G.* 3. *c.* 56. *s.* 1.
s. 21. is Rep. by 42 *G.* 3. *c.* 99. *ss.* 5, 6., 43 *G.* 3. *c.* 69. *s.* 1.
ss. 16—19. 22. 26, 27. are Rep. by 44 *G.* 3. *c.* 98. *s.* 1., 55 *G.* 3. *c.* 184. *s.* 1.
s. 21. is Rep. by 42 *G.* 3. *c.* 99. *ss.* 5, 6., 44 *G.* 3. *c.* 98. *s.* 1. and *Sch.* (C.)
s. 25. is Rep. by 55 *G.* 3. *c.* 184. *s.* 7. auction duties.
s. 14. is Exp.
c. 51. Loan of 1,000,000*l.* [Exp.]
c. 52. Soap-making; excise regulations for opening warehouses where rum, &c. is deposited, penalty.
s. 16. spirits, drawback, is Exp.
c. 53. Houses, purchasing, &c. for residence of clergy on their benefices, 72. (*Gilbert*'s act) *pl.* 34—40. Appendix, No. VI.
c. 55. Hat manufactory, regulating, 345. *pl.* 11—20.
c. 56. Manufactures, 501—504. *pl.* 8—11. 14—16. 18. 22—27. 29, 30. 34—42.
s. 24. offences before 1 *July* 1777., is Exp.
c. 57. Copyrights of prints securing to inventors and engravers, 487. *pl.* 39, 40.

18 *Geo.* 3. A. D. 1778.

c. 1. Suspected persons, detaining, [Exp.] 23. *pl.* 20.
c. 2. Land-tax 4*s.* in the pound, [Exp.] 443. *pl.* 29.
c. 3. Malt, &c. duty, [Exp.]
c. 4. Mutiny, [Exp.]
c. 5. Marines, [Exp.]
c. 6. Foreign seamen serving, [Exp.]
c. 8. *Bristol* theatre, licensing, 1534. *pl.* 5.
c. 11. Repeals 14 *G.* 3. *c.* 45., 23. *pl.* 15.
c. 12. Declaratory against taxation of certain *American* colonies by parliament of *G. B.*, [*semb.* Exp.] 24. *pl.* 30—31.

18 *Geo.* 3. A. D. 1778. (*continued.*)

c. 13. Commissioners for treating with *North America*, [Exp.] 23. *pl.* 22.
c. 14. Militia, pay, &c. [Exp.]
c. 15. Prize goods import by captors, [Exp.]
c. 16. Wheat flour, &c. export, [Exp.]
c. 18. Forging acceptances or receipts, intending to defraud corporations, 297. *pl.* 21. 23.
c. 19. Costs on complaints determined before justices out of sessions, 426. *pl.* 111—114. Appendix, No. VII. Charges of constables, payment of in certain cases, 426. *pl.* 115—119. Prosecutors and witnesses in felony, 248. *pl.* 77. 80, 81.
c. 22. Raising 6,000,000*l.* by annuities; 480,000*l.* by lottery, 497. *pl.* 6.
c. 23. Land-tax commissioners, [Exp.] 443. *pl.* 30.
c. 24. Tobacco import from *Dominica*, [Exp.]
ss. 1, 2. 4. tobacco import, are Exp.
c. 26. Inhabited houses, duty, [Rep. by 43 *G.* 3. *c.* 161. *s.* 4.]
c. 27. Wines and vinegar imported, duties.
s. 1. is Rep. by 26 *G.* 3. *c.* 59. *s.* 1. wine, customs duty.
ss. 6, 7. are Rep. in part by 23 *G.* 3. *c.* 11. *s.* 5. *French* wines, import in bottles.
c. 28. Tolls, double payment of, (*Eng.*) 1558. *pl.* 29.
s. 2. contracts for leasing tolls, is Exp..
c. 30. Duty on servants, (*Scot.*) [Rep. virtually by 21 *G.* 3. *s.* 31. *s.* 1., 43 *G.* 3. *s.* 161. *s.* 84.]
c. 38. Raising 1,500,000*l.* by exchepuer bills, [Exp.]
c. 39. Indemnity, offices, [Exp.]
c. 40. Manner of discharging bonds for due export from *G. B.* to foreign parts; manifestos, delivery of as in 17 *G.* 2. *c.* 41. by like ships sailing to *Denmark*, *Norway*, and *Archangel*.
c. 42. *Smalls* lighthouse, 1342. *pl.* 31—36.
c. 45. Continuing certain statutes, [Exp.]
c. 46. Papists' enrolment of deeds, &c., [Exp.] 1203. *pl.* 7.
c. 47. Male parish apprentices, binding till 21 years old, 28. *pl.* 33.
c. 52. Insolvent debtors, [Exp.] 388. *pl.* 11.
c. 53. Marines, &c. recruiting, [Rep. by 19 *G.* 3. *c.* 10. *s.* 1.]
c. 54. Grant of 2,296,209*l.* 1*s.* 8½*d.* from sinking fund; other supplies; and appropriation thereof, [Exp.]
c. 55. Exports from *Ire.* to *British* colonies in *America* or *Africa*. Fisheries and navigation of *Ire.*
ss. 8, 9. are virtually Rep. by 26 *G.* 3. *c.* 50. *s.* 1., 55 *G.* 3. *c.* 92. *s.* 1. 287. *pl.* 299.
c. 56. Cotton yarn of *Irish* manufacture, import duty free.
c. 57. Exchequer bills, 500,000*l.* raising by, [Exp.]
c. 58. Sugar, &c.; clandestine conveyance from *British American* colonies into *G. B.*
c. 59. Militia, [Exp.]
c. 60. Papists, relief of penalties and disabilities, 1212. *pl.* 223—227.
s. 3. is Exp.
c. 61. Forfeited estates, *Ire.* [Exp. (except as to repeal of 1 *A. St.* 1. *c.* 32.)]
c. 62. Transportation, [Exp.] 1540. *pl.* 1.
c. 63. Trustees of turnpike acts, executing them, 1557. *pl.* 97, 98.
Tolls for horses or carriages of officers or soldiers on duty, *id. pl.* 97. 99.

19 *Geo.* 3. A. D. 1779.

c. 1. Detaining suspected persons, [Exp.] 23. *pl.* 20.
c. 2. Land-tax 4*s.* in the pound, [Exp.] 443. *pl.* 31.
c. 3. Malt, &c. duty, [Exp.]
c. 4. Muslins, &c. export.
s. 2. is Rep. by 59 *G.* 3. *c.* 52. *s.* 1. and see *Table* B. 193. *pl.* 8.
ss. 1, 2. are Exp.
c. 5. *French* prizes, landing, [Exp. except *s.* 4. which is Rep. by 20 *G.* 3. *c.* 9. *s.* 3. prize tea, &c. *E. I.* goods, certificates.]

19 *Geo.* 3. A. D. 1779. (*continued.*)

c. 6. Power to admiralty to hold *Palliser's* court martial on shore, [Exp.]
c. 8. Marines, [Exp.]
c. 9. Organzined *Italian* thrown silk, import, [Exp.]
c. 10. Repeals, 18 *G.* 3. *c.* 53. marines, recruiting.
c. 14. Foreign seamen serving, [Exp.]
c. 15. Madhouses, [Exp.] 373. *pl.* 11. (*a*)
c. 16. Mutiny, [Exp.]
c. 17. Government of H. M.'s sea-forces, [Exp.]
c. 18. Raising 7,000,000*l.* by annuities, and 490,000*l.* by lottery, [Exp.] 497. *pl.* 6.
c. 19. Militia, pay, &c. [Rep. 22 *G.* 3. *c.* 47. *s.* 27.]
c. 20. Fund for widows and orphans of *Scotch* clergy, &c.
c. 21. Lottery office keepers, regulating, [Rep. 22 *G.* 3. *c.* 47. *s.* 27.] 496. *pl.* 2.
c. 22. Entries of goods to be made at port of importation; export of spirits to be consumed on board vessels in foreign parts.
ss. 1. 3—6. are Exp.
c. 25. Additional duties of customs and excise.
c. 25. is Rep. as to duties of customs by 59 *G.* 3. *c.* 52. *s.* 1., and as to duty on carriages by 25 *G.* 3. *c.* 47.
s. 1. is Rep. by 26 *G.* 3. *c.* 59. *s.* 1. wine, customs duty; 30 *G.* 3. *c.* 38. *s.* 2. spirit licences.
c. 26. White herring fishery, [Exp.] 273. *pl.* 72.
s. 3. is Rep. by 25 *G.* 3. *c.* 65. *ss.* 1, 2. *British* fisheries, bounty, &c.
c. 27. Bounty on export of *Irish* linens.
s. 1. continuing clause, is Exp.
c. 28. Import of goods enumerated in navigation act, [Exp.]
c. 29. Corn, &c. import into *Isle of Wight*, [Exp.]
c. 35. Tobacco, growth of, in *Ire.*; import of from *Ire.* into *G. B.*
c. 37. Hemp, import, [Exp.] 349. Stats. *Exp. pl.* 2.
c. 38. Times of holding *Martinmas* and *Candlemas* terms in exchequer in *Scotland*.
c. 40. Starch, better securing duties on.
c. 41. Wine export, drawback on, [*semb.* Rep. 59 *G.* 3. *c.* 52. *s.* 1.]
c. 41. Protestant dissenting ministers and schoolmasters, relief of, 524. *pl.* 1. 9, 10. 23, 24.
c. 45. (Local.) Fee farm rents, selling in duchy of *Lancaster*; enfranchising copyholds therein; encouraging growth of timber therein, 175. *pl.* 31.
ss. 3, 4. 13. are Rep. in part by 27 *G.* 3. *c.* 34. *s.* 1. duchy of *Lancaster*, sale of fee farm rents.
c. 47. Indemnity, offices, &c. [Exp.]
c. 48. Discharging vessels in port of *London*.
c. 49. Lace manufacturers, payment of wages to, 437. *pl.* 1—5.
c. 50. Frauds by private distillers, preventing; spirits, duties on, securing.
c. 51. Post horses, [Rep. 20 *G.* 3. *c.* 51. *s.* 1.] 1398. *pl.* 3.
c. 52. Duty on salt used in curing pilchards taken off; duty imposed on pilchards consumed at home only.
c. 53. Cotton wool, growth of *American* colonies, discontinuing duties on.
c. 54. Transportation, [Exp.] 1540. *pl.* 1.
c. 55. Commissioners executing acts, meeting of, [Exp.]
c. 56. Auctioneers licences; auction duties, 44. *pl.* 1. *s.* 5. (I.) (II.) *pl.* 1. 45. (V.) *pl.* 1—6. 8—9. 46. *pl.* 14. 2*d* 15. 16. 19. 2*d* 21. 24—26.
s. 2. is Rep. by 27 *G.* 3. *c.* 13. *s.* 35., 43 *G.* 3. *c.* 69. *s.* 1.
s. 7. is Rep. by 42 *G.* 3. *c.* 92. *s.* 14. auctioneers security.
c. 59. Houses, &c. servants' tax, [Rep. in part 38 *G.* 3. *c.* 40. *s.* 1., house, &c. duty; and wholly by 43 *G.* 3. *c.* 161. *s.* 84.] 1487. *pl.* 6.
c. 61. *East India* company, territorial revenues, &c. continued to. [Exp.] 193. *pl.* 9.

19 *Geo.* 3. A. D. 1779. (*continued.*)

c. 62. Lime and articles for improving land, removal of without coquet or bond.

c. 63. Exchequer bills, 1,500,000*l.*

c. 64. *Id.* 1,900,000*l.*

c. 65. Puisne judges and barons, augmenting salaries, 410. *pl.* 1, 2.

c. 66. Stamp duties, 1398. STATS. *in force*, *pl.* 1., 1416. *pl.* 25., 1419. *pl.* 89.

ss. 1. 3, 4. 9—11. are REP. by 44 *G.* 3. *c.* 98. *s.* 1., 55 *G.* 3. *c.* 184. *s.* 1.

s. 6. is REP. by 42 *G.* 3. *c.* 99. *ss.* 5, 6., 44 *G.* 3. *c.* 98. *s.* 1., and *Sch.* (C.)

s. 8. is REP. by 55 *G.* 3. *c.* 184. *s.* 7.

ss. 12, 13. are REP. by 37 *G.* 3. *c.* 19. *s.* 1. and *s.* 12. stamp duties, charging, &c.

c. 67. Navy, [EXP.]

s. 44. is REP. by 20 *G.* 3. *c.* 33. *s.* 7. navy.

REP. in part by 21 *G.* 3. *c.* 44. *s.* 10. prize agents' accounts.

c. 69. Smuggling preventing, 81. BOATS, STATS. *in force*, *pl.* 1., 82. *pl.* 6, 7. 12. offences against customs and excise laws, indemnity for.

s. 25. thread lace, is EXP.

c. 70. Arrests, frivolous and vexatious, [continued till end of session next after 1*st Nov.* 1823., see 57 *G.* 3. *c.* 101.] 34. *pl.* 18, 19. 29, 30.

s. 1. holding to bail for 10*l.*, is REP. by 51 *G.* 3. *c.* 124. *s.* 1.

c. 71. Grant of 2,071,854*l.* 13*s.* 8½*d.* out of sinking fund, appropriating supplies, [EXP.]

c. 72. Militia, [EXP.]

c. 73. Raising 1,000,000*l.* [EXP.]

c. 74. Transportation, 1541. *pl.* 14—16. Judges lodgings in what county situate, 421. *pl.* 57. Burning in the hand, 105, 106. *pl.* 1—3. Penitentiary, 1238. *pl.* 1.

s. 3. as to whipping women, is REP. by 1 *G.* 4. *c.* 57. *s.* 2.

ss. 5—69. 71—74. are EXP.

c. 75. Navy, [EXP.] 1345. *pl.* 58.

c. 76. Militia augmenting, [EXP.]

20 *Geo.* 3. A. D. 1780.

c. 1. Election for *Hants* at *New Alresford*, [EXP.] 1215. *pl.* 8.

c. 2. Land-tax, 4*s.* in the pound, [EXP.] 443. *pl.* 31.

c. 3. Malt, &c. duty, [EXP.]

c. 4. Silk, &c. import, [EXP.]

c. 5. Continuing 17 *G.* 3. *c.* 9. [EXP.] 23. *pl.* 20.

c. 6. Trade of *Ire.* with foreign parts, statutes restraining, repealed.

c. 7 Sugar, import from *America.*

c. 8. Indemnity, militia qualifications, [EXP.]

c. 9. Prize goods, import, [EXP.]

c. 10. Trade between *Ire.* and *British* colonies.

c. 11. Beer, &c. duty (*Scot.*), [EXP.]

c. 12. Mutiny, [EXP.]

c. 13. Marines, [EXP.]

c. 14. Militia, pay, &c. [EXP.]

c. 16. Lottery, [EXP.] 497. *pl.* 6.

c. 17. Difficulties relating to voters at county elections, removing, 1219. *pl.* 124., 1221, 1222. *pl.* 155. 157, 158. 162—178.

c. 18. Imports and exports into and from *Ire.*, 20. *pl.* 4.

c. 19. Continuing several statutes.

c. 20. Foreign seamen, serving, [EXP.]

c. 23. Prize agents accounts; navy, [REP. in part 21 *G.* 3. *c.* 44. *s.* 10.]

c. 25. Pot, &c. ashes import, duty, [EXP.]

c. 28. Stamp duties, [REP. as to legacy duty by 36 *G.* 3. *c.* 52. *s.* 1.] 1398. STATS. *in force*, *pl.* 1., 1442. *pl.* 522.

ss. 1, 2. 7—9. are REP. by 44 *G.* 3. *c.* 98. *s.* 1., 55 *G.* 3. *c.* 184. *s.* 1., 55 *G.* 3. *c.* 185. *s.* 1.

ss. 1. 3. as to legacy receipt duties, are REP. by 36 *G.* 3. *c.* 52. *s.* 1.

20 *Geo.* 3. A. D. 1780. (*continued.*)

s. 4. is REP. by 42 *G.* 3. *c.* 99. *ss.* 5, 6., 44 *G.* 3. *c.* 98. *s.* 1. and *Sch.* (C.) *ss.* 5, 6. allowances of stamp duties.

s. 6. is REP. by 55 *G.* 3. *c.* 184. *s.* 7. counterfeiting stamps.

c. 29. Merchandize of *Grenada*, &c. in neutrals, [EXP.]

c. 30. Wines and vinegar imported, duties on.

s. 1. is REP. by 26 *G.* 3. *c.* 59. *ss.* 1. 3. wine, customs duty.

c. 31. Corn, &c. export bounty, [EXP.]

c. 34. Salt duties; salt export to *Isle of Man*, regulating.

c. 35. Malt; spirits, &c. duties, additional.

s. 6. is REP. by 21 *G.* 3. *c.* 55. *s.* 40. brewers' allowances.

ss. 2—4. are EXP.

c. 36. Binding poor children apprentices in incorporated hundreds, &c. 1272, 1273. *pl.* 194. 226. Bastards born in houses of industry, ascertaining settlement of, 31. *pl.* 89—91.

c. 37. Marines, [REP. 23 *G.* 3. *c.* 37.]

c. 39. Tobacco, import, [EXP.]

c. 41. Insolvent debtors (*Scot.*), [EXP.]

c. 42. *Isle of Man*, imports, additional duties.

c. 43. 1,500,000*l.* raised by exchequer bills, [EXP.]

c. 44. Militia, [EXP.]

c. 45. *Levant*, &c. import from, [EXP.]

c. 46. Provisions, &c. export, [EXP.]

c. 47. Indemnity, offices, &c. [EXP.]

c. 50. Exempting *Winchester*, the county of *Southampton*, *Shrewsbury*, and *Salop*, from 8 *G.* 2. *c.* 30. [EXP.] 1215. *pl.* 9.

c. 51. Post-horse duties, [REP. (except repeal in *s.* 1.) 25 *G.* 3. *c.* 51. *s.* 1.] 1398. *pl.* 3.

c. 52. Starch and hair powder, import duties; duties on starch and sweets.

c. 53. 1,900,000*l.* raised by exchequer bills, [EXP.]

c. 54. Public accounts, commissioners for examining, [EXP.] 1. STATS. *Exp. pl.* 5.

c. 55. Removal of wool, &c.

c. 56. Territorial possessions remaining in possession of *East India* company, [EXP.] 193. *pl.* 9.

c. 57. Raising 1,000,000*l.* [EXP.]

c. 58. Coffee export by *East India* company, drawback, [EXP.]

c. 59. Copper export, [EXP.]

c. 60. *Greenland* and southern whale fisheries, [*semble* REP. 26 *G.* 3. *c.* 50., 35 *G.* 3. *c.* 92. *s.* 1.] 287. *pl.* 299.

c. 61. Longitude; discoveries in navigation, [EXP.] 495. *pl.* 11.

c. 62. Grant of 1,849,542*l.* 1*s.* 11¼*d.* out of sinking fund; appropriation of supplies, [EXP.]

c. 63. Indemnity for acts done in suppressing riots in *London* in 1780. [EXP.] 1326. *pl.* 8.

c. 64. Sheriffs indemnified for escapes during riots in 1780, 1280. STATS. *Rep.*, &c. *pl.* 4.

21 *Geo.* 3. A. D. 1781.

c. 1. Riots in *London* in 1780; indemnity to sheriffs, &c. for escapes of prisoners, [EXP.]

c. 2. Continuing 27 *G.* 3. *c.* 9. [EXP.] 23. *pl.* 20.

c. 3. Land-tax, 4*s.* in the pound, [EXP.] 443. *pl.* 31.

c. 4. Malt, &c. duty, [EXP.]

c. 5. Military or ships stores, what goods shall be deemed; import by purchasers of prize goods condemned abroad, on like advantages as by captors; prize tobacco, reducing duties on.

s. 1. *Dutch* prizes, is EXP.

s. 3. *East India* prize goods, is EXP.

c. 6. Silk import, [EXP.]

c. 7. Militia, [EXP.]

c. 8. Mutiny, [EXP.]

c. 9. Marines, [EXP.]

c. 11. Foreign seamen, serving, [EXP.]

c. 14. Annuities; lottery; 497. *pl.* 6. Consolidating annuities, [EXP.]

21 *Geo.*3. A.D. 1781. (*continued.*)

*c.*15. Prize agents' accounts, [Rep. in part 21 *G.*3. *c.*44. *s.*10.]

*c.*16. Abatements on foreign goods repealing. Tobacco and sugar imported, duty.

*c.*17. Carriages, duty, [Rep. in part 25*G.*3. *c.*47., 30*G.*3. *c.*38. *s.*2. spirit licences.]

*c.*18. Militia, [Exp.]

*c.*19. Flax and flax-seed, import, [Exp.]

*c.*20. Turnpike roads, 1557. *pl.*93.

*c.*21. Militia pay, &c. [Exp.]

*c.*23. Land-tax commissioners, [Exp.] 443. *pl.*32.

*c.*24. Paper, duties on, [Rep. 34 *G.*3. *c.*20. *s.*53.]

*c.*25. Indemnity, offices, &c. [Exp.]

*c.*26. *Levant*, &c. import from, [Exp.]

*c.*27. *Portuguese* goods, import, [Exp.]

*c.*28. Bugles, warehoused, further time for exportation of or paying duties on; duties on rum imported from *Scot.* into *Man.*

*c.*29. Continuing certain statutes, [Exp.]

*c.*31. Servants, [Rep. 43 *G.*3. *c.*161. *s.*84.]

*c.*32. Verdigris, manufactory in *G. B.*; duty on, imported.

*c.*37. Utensils in woollen, cotton, linen, or silk manufactures, export, [Rep. 26 *G.*3. *c.*76.] 505, 506. *pl.*61. 65. 68—75.

*c.*39. Securing owners' property in vessels liable to forfeiture for importing spirits, &c. by misconduct of seamen.

*c.*40. Bounties on *British* and *Irish* linens, *British* calicoes, cottons, &c.

*s.*2. is Rep. by 23 *G.*3. *c.*75. *s.*1., smalts, customs duty.

*c.*41. Raising 1,500,000*l.* by exchequer bills, [Exp.]

*c.*42. Raising 1,900,000*l.* by exchequer bills, [Exp.]

*c.*43. Continuing 20 *G.*3. *c.*50. [Exp.] 1215. *pl.*9.

*c.*44. Securing to *Greenwich* hospital all forfeited and unclaimed shares of prize and bounty money arising for prizes sold beyond sea.

*s.*11. distribution of bounty and prize-money, is Exp.

*c.*45. Accounts, public, [Exp.] 1. Stats. *Exp. pl.*5.

*c.*48. Balances, paying into exchequer, [Exp.]

*c.*49. *Sunday*, preventing abuses on, 363, 364. *pl.*51—59.

*c.*50. Corn, export, &c. [Rep. 31 *G.*3. *c.*30. *s.*1.]

*c.*51. Papists registering names and estates, [Exp.] 1203. Stats. *Rep. &c. pl.*3.

*c.*52. Longitude; discoveries in navigation, [Exp.] 495. *pl.*11.

*c.*53. Rendering valid certain marriages, 510. *pl.*33—35.

*c.*54. Regulating elections for *Coventry*, 1232. *pl.*392. (Local.)

*c.*55. Duties on exports.

*s.*21. is Rep. by 25 *G.*3. *c.*74. *s.*8., tea import.

*s.*23. is Rep. by 24 *G.*3. *S.*2. *c.*47. *s.*31., tea seizures.

*s.*30. is Rep. by 30 *G.*3. *c.*37. *s.*8., low wines, &c.

*ss.*47, 48. are Rep. by 20 *G.*3. *c.*64., spirituous liquors, &c. import.

*ss.*3—5. cocoa nuts, are Exp.

*s.*3. hemp and flax raising, bounty, is Exp.

*c.*56. Almanacs, stamp duties, 1398. *pl.*1., 1419. *pl.*89., 1425, 1426. *pl.*201. 205. 209—211.; allowance from to universities of *Oxford* and *Cambridge*.

*ss.*1—3. 8. 10, 11. are Rep. by 44 *G.*3. *c.*98. *s.*1. and 55 *G.*3. *c.*184. *s.*1.

*s.*9. is Rep. by 55 *G.*3. *c.*184. *s.*7.

*c.*57. Grant of 1,742,912*l.* 2*s.* 2*d.* from sinking fund; appropriating supplies, [Exp.]

*c.*58. Hemp and flax, encouraging growth of in *Eng.* [Exp.]

*s.*2. is Rep. by 26 *G.*3. *c.*43. *s.*1., 8000*l.* *per annum* for raising hemp and flax.

*c.*59. Loan of 1,000,000*l.* [Exp.]

21 *Geo.*3. A.D. 1781. (*continued.*)

*c.*60. Exclusive privileges of bank of *Eng.*, 48. *pl.*1., 50. *pl.*57—59., 77. *pl.*12.

*s.*11. is Rep. by 39 & 40 *G.*3. *c.*28. *s.*13., agreement with bank for 2,000,000*l.*

*ss.*1—10. loan by bank of *Eng.*, are Exp.

*c.*62. Imports.

*s.*3. Orchillia weed, &c. import, is Exp.

*c.*63. Insolvent debtors, [Exp.] 388. *pl.*12.

*c.*64. Mistakes in *c.*55. respecting exempting candles from 5 *per cent.* additional duty, rectified.

*c.*65. *East India* company, possessions and trade of, 193. *pl.*11. 23. 41., 197—199. *pl.*106. 120. 165—171., 225. *pl.*608, 609. 613, 614., 227. *pl.*652—657.

*s.*17. as to the part between brackets, Rep. by 33 *G.*3. *c.*52. *s.*128.

*ss.*29. 34. are Rep. by 33 *G.*3. *c.*52. *s.*146., *East Indies*.

*s.*34. is Rep. by 24 *G.*3. *S.*2. *c.*25. *s.*30., *East Indies*.

*ss.*1—15. 18. 20—22. 25, 26. 28. 30, 31. 34, 35. are Exp.

*c.*66. Interest on mortgages of glebes, &c. incumbent paying, 72. *pl.*34. 41., Appendix, No. VIII.

*s.*2. is Rep. virtually *comm. semb.* by 1 *G.*4. *c.*6. *s.*2.

*c.*67. Cattle, driving within bills of mortality, 488, 489. *pl.*7—21.

*c.*68. Stealing copper, brass, &c. utensils, fixed to dwelling houses; iron fences, &c. 535. *pl.*22.

*c.*69. Pewter pots, vessels, &c. stealing or receiving, 535, 536. *pl.*23. 35.

*c.*70. *East India* company's government in *East Indies*, 200, 201. *pl.*172—198.

*ss.*27, 28., *East Indies*, Exp.

22 *Geo.*3. A.D. 1782.

*c.*1. Continuing 17 *G.*3. *c.*9. [Exp.] 23. *pl.*20.

*c.*2. Land-tax, 4*s.* in the pound, [Exp.] 443, *pl.*33.

*c.*3. Malt, &c. duty, [Exp.]

*c.*4. Mutiny, [Exp.]

*c.*5, Marines, [Exp.]

*c.*6. Militia, [Exp.]

*c.*7. Silk, import, [Exp.]

*c.*8. Raising 13,500,000*l.* by annuities, and 405,000*l.* by lottery, 497. *pl.*6.

*c.*9. Land-tax commissioners' names, [Exp.] 443. *pl.*34.

*c.*10. Exchange of *American* prisoners, (*Scot.*) [Exp.] 23. *pl.*23.

*c.*11. Bank of *Ayr* annuities redeemed, (*Scot.*) [Exp.]

*c.*13. Continuing several statutes, [Exp.]

*c.*15. Prize and bounty money unclaimed, [Exp.]

*c.*16. Foreign seamen serving, [Exp.]

*c.*18. Beer duty, (*Scot.*) [Exp.]

*c.*19. *Greenland* and whale fishery bounty, [Exp.] 291. *pl.*357.

*c.*20. Tallow, &c. import, [Exp.]

*c.*21. Foreign snuff, equalizing duties on, and regulating its importation; forfeiture of privateers found at sea having on board foreign spirits.

*s.*1. tea, &c. prize, import, Exp.

*c.*23. Papists' enrolment of deeds, &c. [Exp.] 1203. *pl.*7.

*c.*24. Militia pay, &c. [Exp.]

*c.*25. Ships captured from H. M.'s subjects, and goods on board, ransoming prohibited, 1368. *pl.*34—37.

*s.*4. is Exp.

*c.*26. Foreign troops, *Minorca*, quarters, [Exp.]

*c.*28. Duties on tobacco, snuff, arrack, &c.

*c.*29. Continuing 20 *G.*3. *c.*50. [Exp.] 1215. *pl.*9.

*c.*30. *West India* produce, import, [Rep. 23 *G.*3. *c.*14. *s.*6.]

*c.*31. Bribery and corruption in election of members of parliament for *Cricklade*, 1232. *pl.*393.

*c.*32. Coals, loading ships with, [Exp.]

22 Geo. 3. A.D. 1782. (continued.)

c. 33. Stamps, bills of exchange, [Rep. 23 G. 3. c. 49.] 1398. *pl.* 4.

c. 34. Consolidating certain annuities.

ss. 1—6. exchequer bills, Exp.

c. 36. Loan by exchequer bills 1,900,000*l.*, [Exp.]

c. 38. Plantation tobacco, import, [Exp.]

c. 39. Duties on *Glauber* or *Epsom* salts; also on mineral alkali, or flux for glass from salt.

s. 2. is Rep. by 26 G. 3. c. 90. s. 1., 38 G. 3. c. 89. s. 118., licence for making mineral alkali; salt duty.

s. 11. is Rep. by 25 G. 3. c. 63. s. 5., delivery of salt for manure.

c. 40. Destroying woollen, silk, linen, or cotton goods, or implements prepared for manufacture thereof, 484. *pl.* 11. 13., 1372. *pl.* 45, 46., 1603. *pl.* 100, 101.

c. 41. Disabling certain revenue officers from voting at elections of members of parliament, 1222, 1223. *pl.* 185. 202, 203. 205—207.

s. 4. is Exp.

c. 45. Contractors for public service, disabled from being elected members of parliament, 1222, 1223. *pl.* 185. 208—215.

ss. 4. 6—8. existing contracts, are Exp.

c. 46. Peace with *America*, [Exp.] 23. *pl.* 19. 24.

c. 47. Lottery office keepers, licence, [Rep. 42 G. 3. c. 54. s. 27.] 496. *pl.* 3.

c. 48. Duty on persons whose property is insured against loss by fire, 1398. Stats. *in force*, *pl.* 1., 1437, 1438. *pl.* 245, 246. 429—448.

s. 1. as to duty on foreign fire policies, is Rep. by 26 G. 3. c. 82. s. 9., and entirely by 44 G. 3. c. 98. s. 1., and 55 G. 3. c. 184. s. 1.

ss. 3. 26. are Rep. by 44 G. 3. c. 98. s. 1., and 55 G. 3. c. 184. s. 1., stamp duties.

s. 13. insurances against fire, is Exp.

c. 49. Rectifying a mistake in c. 21., running tea in ships having letters of marque.

c. 50. Continuing several statutes, [Exp.] 1. Stats. *Exp. pl.* 5.

c. 51. Indemnity to *East India* company, for failures in payment to the public, [*semble* Exp.] 193. *pl.* 12.

c. 53. Repeals 6 G. 1. c. 5.

c. 55. Indemnity, offices, [Exp.]

c. 58. Discovery and punishment of buyers and receivers of stolen goods, 536, 537. *pl.* 36—42.

c. 60. Seducing artificers employed in printing, or making blocks, &c. for printing calicoes, &c. export of such blocks, &c. prohibited, 506. *pl.* 76—84.

c. 61. Bees-wax, import duty, [Rep. 27 G. 3. c. 13. s. 1., and 59 G. 3. c. 52. s. 1.

c. 62. Militia, [Exp.]

c. 63. Repeals so much of 19 G. 2. c. 39. as restrains the use of the Highland dress.

c. 64. Amending laws relating to houses of correction, 1285, 1286. *pl.* 103. 108. 113—118., 1289. *pl.* 165. 167.

ss. 1, 2. Exp.

c. 66. Additional duties of customs and excise, [Rep. in part by 30 G. 3. c. 38. s. 2. spirit licences.]

s. 1. is Rep. by 26 G. 3. c. 59. s. 1., wine, customs duty.

c. 67. Grant of 2,284,715*l.* 10*s.* 8*d.* from sinking fund; appropriating supplies, [Exp.]

c. 68.

ss. 1—9., are Rep. by 42 G. 3. c. 36. s. 6., table beer.

ss. 11, 12. are Rep. by 25 G. 3. c. 47., carriages duty.

s. 22. is Rep. by 25 G. 3. c. 74. s. 8., tea import.

ss. 1—9. excise duties on beer, &c. are Exp.

c. 70. Commander in chief and his secretary, to send and receive letters free of postage.

c. 71. Supplying the enemy with ships, [Exp.] 1366. *pl.* 3.

22 Geo. 3. A.D. 1782. (continued.)

c. 72. Foreign silks, import, [Exp.]

c. 73. Extends 12 C. 2. c. 34. to *Scot.*, tobacco planting, 1538. Stats. *Exp.*

s. 2. entering tobacco the growth of *Scot.* Exp.

c. 74. Meetings of commissioners for executing acts, [Exp.] 443. *pl.* 35.

c. 75. Patent offices in plantations, discharging duty of in person, 538, 539. *pl.* 29, 30. 32, 33.

c. 76. Raising 1,000,000*l.* [Exp.]

c. 78. Imports from *Europe*.

c. 79. Volunteers, [Exp.]

c. 81. Paymaster general's office, [Rep. 23 G. 3. c. 50. s. 1., and 48 G. 3. c. 49. s. 1.]

c. 82. Discharging debt on civil list; regulating offices, 431, 432. *pl.* 72—82. 85—97. 29—104.

ss. 6—12. are Rep. by 54 G. 3. c. 157. s. 1.

s. 18. is Rep. virtually by 50 G. 3. c. 117: ss. 13. 14.

s. 3. civil list debt, 38. 41. are Exp.

c. 83. Poor relief, and employment of, 1260, 1261. *pl.* 32—35. 38—41. 43. 46—48. 50. 58. 76. 78—87., 1270. *pl.* 176., Appendix, No. IX.

s. 20. is Rep. in part as to paying for workhouses, by 43 G. 3. c. 110. s. 1. poor.

23 Geo. 3. A.D. 1783.

c. 1. Wheat, &c. import, [Exp.]

c. 2. Preventing the supplying the enemy with ships, 1366. *pl.* 3. [Exp.]

c. 3. Land-tax, 4*s.* in the pound, [Exp.] 443. *pl.* 36.

c. 4. Malt, &c. duty, [Exp.]

c. 6. Continuing several statutes, [Exp.]

c. 7. Marines, [Exp.]

c. 9. Rice, &c. import, [Exp.]

c. 10. Silk, import, [Exp.]

c. 11. Currants, wine, import; cocoa nuts export.

ss. 1, 2. are Rep. by 29 G. 3. c. 68. s. 171., tobacco removing, &c.

c. 12. Exchequer bills, 1,000,000*l.* [Exp.]

c. 14. Repeals 22 G. 3. c. 30.

ss. 1—5. *West India* produce import, are Exp.

c. 15. Frauds in dying trade preventing, 192, 193. *pl.* 1—15.

c. 17. Mutiny, [Exp.]

c. 18. Bankrupt (*Scot.*), [Con. (*see* 54 G. 3. c. 137. s. 78.) till the end of the next session after *25th July*, 1821.]

s. 54. is Exp.

c. 21. Buckrams, export, [Exp.]

c. 22. Papists' enrolment of deeds, &c. 1203. *pl.* 7.

c. 23. Settlements of prisoners in K. B., or the rules thereof, 1274. *pl.* 235.

c. 24. Mutiny, [Exp.]

c. 26. Trade with *United States*, opening.

c. 28. Exclusive right of [but see 39 & 40 G. 3. c. 67.] *parliament* and courts of *Ire.* in matters of *legislation* and judicature; no writs of error or appeal from any of H M.'s courts there, shall be heard in courts of *G. B. Addenda.*

c. 30. Indemnity, offices, &c. [Exp.]

c. 35. Raising 1,200,000*l.* by annuities, and 480,000*l.* by lottery, [Exp.] 497. *pl.* 6.

c. 36. *East India* company indemnified for not making regular payments of sum stipulated to be paid to the public, [Exp. *semb.*] 193. *pl.* 13.

c. 37. Repeals 20 G. 3. c. 37. volunteers.

c. 39. *United States*, trade with, [Exp.] 1358. *pl.* 1.

c. 40. Militia, pay, &c. [Exp.]

c. 45. Proceedings of justiciary and circuit courts in *Scot.*

c. 49. Stamps, bills of exchange, receipts, &c. [Rep. 31 G. 3. c. 25. c. 1.] 1398. *pl.* 5.

c. 30. Paymaster-general, [Rep. 45 G. 3. c. 58. s. 1.]

c. 51. Gipsies, 337. Stats. *Rep.*

23 *Geo.* 3. A. D. 1783. (*continued.*)

c. 52. Mutiny, [Exp.]

c. 53. Poor injured by failure of harvest, *Scot.* [Exp.]

c. 56. Drawback of duty on rice exported, [Rep. 27 *G.* 3. *c.* 13. *s.* 1. and lastly, 59 *G.* 3. *c.* 52. *s.* 1.]

c. 57. Prize goods warehoused, [Exp.]

c. 58. Such parts of all private acts passed before 5 *Dec.* 1782, as exempt any instrument from stamp duty, are Rep. by 23 *G.* 3. *c.* 58. *ss.* 13, 14. (*Stamp duties*) 1398. Stats. *in force*, *pl.* 1., 1417. *pl.* 36, 37., 1419. *pl.* 89., 1425. *pl.* 191—194., 1437. *pl.* 422., 1442. *pl.* 523.

s. 1. as to exemptions from stamp duty of bonds for 100*l.* or under, is Rep. by 35 *G.* 3. *c.* 30. *s.* 3., and 36 *G.* 3. *c.* 52. *s.* 1. legacy duty.

ss. 1. 6. 7. 12. 15—19. are Rep. by 44 *G.* 3. *c.* 98. *s.* 1., 55 *G.* 3. *c.* 184. *s.* 1.

s. 2. is Rep. by 36 *G.* 3. *c.* 52. *s.* 1. duties on legacies to wife, &c.

s. 9. is Rep. by 42 *G.* 3. *c.* 99. *s.* 5., 44 *G.* 3. *c.* 98. *Sch.* (C.). allowances on prompt payment of stamp duties.

s. 11. is Rep. by 55 *G.* 3. *c.* 184. *s.* 7. counterfeiting, &c. stamps.

c. 62. Medicine licences duty, [Rep. by 25 *G.* 3. *c.* 79. *s.* 1.] 1398. *pl.* 6.

c. 63. Stage coach, &c. duties, [Rep. by 25 *G.* 3. *c.* 51. *s.* 1.]

c. 64. Commissioners of excise in *Eng.* and *Scot.*, power of compounding with persons making malt only for private consumption, taken away.

ss. 2—4. malt stock in hand, penalties, &c. are Exp.

c. 65. *African* trade, Stats. *Rep.* &c. [Rep. virtually by 1 & 2 *G.* 4. *c.* 28. *s.* 1.] 1487. *pl.* 7.

c. 66. Waggons, &c. duty, [Rep. virtually by 25 *G.* 3. *c.* 47., 32 *G.* 3. *c.* 4., 43 *G.* 3. *c.* 161. *s.* 84.] 1487. *pl.* 7.

c. 67. Births, burials, &c. duty, [Rep. by 34 *G.* 3. *c.* 11.]

c. 68. Public accounts, commissioners, [Exp.] 1. Stats. *Exp. pl.* 5.

c. 69. Adjutant-general of forces and comptrollers of army accounts sending and receiving letters postage free.

c. 70. Foreign spirits, illegal import; *British* ditto, illegal distillation; removing tea; preventing vexatious actions against excise officers, 1325. *pl.* 3. 5—9.

s. 18. is Rep. in part by 26 *G.* 3. *c.* 73. *s.* 1. low wines, discharge cock.

s. 28. is Rep. by 25 *G.* 3. *c.* 74. *s.* 8. tea import.

s. 16. *in part* Exp. distillers demolishing trunks, &c.

c. 72. Raising 1,500,000*l.* by exchequer bills, [Exp.]

c. 74. Muslins, &c., duty, &c. [Exp.]

c. 75. Damaged tobacco, growth of *Scot.*, duties.

s. 2. is Exp.

c. 76. To prevent landing and removing wines in *G. B.*, and relanding refined sugar entered for export, to obtain drawback or bounty.

s. 1. is Rep. by 26 *G.* 3. *c.* 59. *s.* 64., wine in bottles, removal.

c. 77. Flax and cotton manufactmres in *G. B.* [Con. to 25*th July*, 1821. Exp. see 1 *G.* 4. *c.* 15.] 501. *pl.* 1.

Rep. as to drawback on brimstone used in oil of vitriol, by 50 *G.* 3. *c.* 57., 1 *G.* 4. *c.* 15.

s. 4. is Rep. by 31 *G.* 3. *c.* 42. *s.* 10. brimstone, import duties.

c. 78. Grant of 2,200,000*l.* from sinking fund; appropriation of supplies, [Exp.]

c. 79. Coffee and cocoa-nuts growth of, encouraging in H. M.'s *American* islands, &c.

c. 80. *American* loyalists, [Exp.] 23. *pl.* 25.

c. 11. Corn export; import bounty, [Exp.]

c. 82. Regulations in receipt of exchequer, establishing, 171. *pl.* 57—67.

s. 9. as to paying surplus to sinking fund, is Rep. by 56 *G.* 3. *c.* 46. *s.* 5.

s. 7. is Exp.

23 *Geo.* 3. A. D. 1783. (*continued.*)

c. 83. *East India* Company; relief; loan; dividend, [Exp. except *s.* 12.] 193. *pl.* 14.

c. 84. Raising 55,000*l.* by exchequer bills, [Exp.]

c. 88. Persons apprehended having on them any implement for housebreaking, &c. deemed vagrants under 17 *G.* 2. *c.* 5. 1562. *pl.* 23. 30.

24 *Geo.* 3. *Sess.* 1. A. D. 1783.

c. 1. Malt, &c. duty, [Exp.]

c. 2. Trade with United States, 1558. *pl.* 1. [Exp.]

c. 3. Further time for payments by *East India* company, 193. *pl.* 14. [Exp.]

c. 4. Land-tax, 4*s.* in the pound, [Exp.] 443. *pl.* 36.

c. 6. Conveyance of letters and packets by post between *G. B.* and *Ire.*

c. 7. Stamp duties, 1398. [Rep. 31 *G.* 3. *c.* 25. *s.* 1.] 1398. *pl.* 5. 9.

c. 10. Land-tax, commissioners' names, [Exp.] 443. *pl.* 37.

c. 11. Mutiny. [Exp.]

c. 12. Transportation, [Rep. 24 *G.* 3. *Sess.* 2. *c.* 56. *s.* 17.] 1540. *pl.* 2.

c. 13. Militia, [Exp.]

c. 14. Continuing 23 *G.* 3. *c.* 21. [Exp.]

c. 15. Trade with *United States*, [Exp.] 1558. *pl.* 1.

c. 16. Papists' enrolment of deeds, &c. [Exp.] 1203. *pl.* 7.

c. 17. Marines, [Exp.]

c. 19. Rates for carriage of passengers and goods for hire to and from the *Isle of Wight*, 230. *pl.* 1. (Local.)

24 *Geo.* 3. *Sess.* 2. A. D. 1784.

c. 1. Trade with *United States*, [Exp.] 1558. *pl.* 1.

c. 2. *East India* company's *Midsummer* dividend, [Exp.] 193. *pl.* 15.

c. 3. Abuses by manufacturers of woollen goods in *Suffolk*, (Local.)

c. 6. Soldiers, &c. exercising trades, [Exp.] 1258. *pl.* 3.

c. 7. Manufactories; (*Scot.*) rope and soap manufactories, *Glasgow.*

c. 8. Conveyance of letters by post between *G. B.* and *Ire.*

c. 9. Bonds for high duties on corn imported, commissioners of customs cancelling, [Exp.]

c. 10. Lottery, [Exp.] 497. *pl.* 6.

c. 11. Duties on candles.

s. 3. candles, stock in hand, is Exp.

s. 4. *id.* contracts, is Exp.

c. 12. Bank of *Scot.*, capital stock increasing, [Exp.]

c. 13. Public accounts, commissioners, 1. Stats. *Exp. pl.* 5.

c. 16. Discontinuing petty customs on aliens' goods imported, and 1 *per cent.* on exports to or imports from *Mediterranean* in unqualified ships; old subsidy to be drawn back on exports to *British American* colonies.

c. 18. Excise duties on paper, &c. [Rep. 27 *G.* 3. *c.* 13. *s.* 35.]

c. 19.

s. 2. is Rep. by 48 *G.* 3. *c.* 60. *s.* 6. leather.

s. 1. Continuing clause, is Exp.

s. 6. Extending 1 *J.* 1. *c.* 22. to *G. B.* (478. *pl.* 16.) is Exp.

c. 20. Manufacturer's name and mark on plated goods, 327, 328. *pl.* 83. 87. 89. (*s.* 1. is Local,)

c. 21. Hat manufactory, export of *British* hare skins, &c. prohibited; goats' hair import, duty free.

c. 23. Trade with *United States*, [Exp.] 1558, *pl.* 1.

c. 24. Bricks and tiles.

s. 1. is Rep. in part by 25 *G.* 3. *c.* 72. *s.* 1. linens printed, &c. excise duty; by 27 *G.* 3. *c.* 13. *s.* 25.; 43 *G.* 3. *c.* 69. *s.* 1.

ss. 7—9. are Rep. by 25 *G.* 3. *c.* 66. *s.* 1. bricks and tiles, excise.

ss. 2. 19. are Exp. bricks, &c. contracts.

c. 25. Regulation of affairs of *East India* company. Court of judicature establishing, for trial of offences committed in the *East Indies*, 201. 205. *pl.* 201—207. 215. 235—240. 242—246. 209. *pl.* 325, 326. 332.

ss. 18. 19. 27. are Rep. in part by 26 *G.* 3. *c.* 16. *ss.* 3. 5. *East Indies.*

ss. 1—29. 31—36. 40—57. 59—63. are Rep. by 33 *G.* 3. *c.* 52. *s.* 146. *East Indies.*

24 *Geo.* 3. *Sess.* 2. A.D. 1784. (*continued.*)

ss. 68, 69. 72. *semble* Rep. by 26*G.*3. *c.* 57. *ss.* 1, 2. 8.
ss. 55—57. 61. are Rep. by 26*G.*3. *c.* 57. *s.* 31. *East Indies.*
as to the governor general, *semble* Rep. 53*G.*3. *c.* 155. *s.* 80.
Repeals of particular sections before the general repeals: viz.
ss. 18—19. are Rep. in part by 26*G.*3. *s.* 16. *s.* 5.; *s.* 27. in part by *id. s.* 3.; and *ss.* 55—57. 61. by 26*G.*3. *c.* 57. *s.* 31.
s. 58. is Exp.

c. 26. Speakers warrants for elections of M.P.s, 1232. *pl.* 394—402.

c. 27. Hackney coaches, 339. *pl.* 1. 16, 17. 22. 41. 45—47. Carriages, 114. *pl.* 7. 12.
ss. 4, 5. are Rep. by 26*G.*3. *c.* 72. *s.* 1.; 48*G.*3. *c.* 87. *s.* 1. hackney coach fares.
s. 2. is Exp.

c. 30. Retail licenses of exciseable liquors, stamp duties additional on, [*semb.* Rep. 41*G.*3. (U.K.) *c.* 86.; 44*G.* 3. *c.* 98. *s.* 1. Stamps, 1398. Stats. *in force*, *pl.* 1.] 1425. *pl.* 200.

c. 31. Horse tax, [Rep. in part by 25*G.*3. *c.* 47.; carriages duty, 43*G.*3. *c.* 161. *s.* 84.] 1487. *pl.* 8.

c. 32. 2,000,000*l.* payment by bank, [Exp.]

c. 33. Exchequer bills 1,500,000*l.* [Exp.]

c. 34. Relief of *East India* company as to payment of sums due to public; regulating dividends, [*comm. semb.* Exp.] 194, 195. *pl.* 38—42.

c. 35. Ordination of alien clergy of church of *Eng.* by bishop of *London*, 1390. *pl.* 68—71.

c. 36. Wax candles and wax duties; licences to make wax candles.

c. 37. Conveyance of goods in letters; letters, &c. postage-free.
s. 1. postage rates is Rep. by 37*G.*3. *c.* 18. *s.* 1.

c. 38. Tea, duties; cocoa nuts and coffee, import duties.
ss. 10—47. inhabited houses, tax, are Rep. by 43*G.*3. *c.* 161. *s.* 84. 1487. *pl.* 6.
s. 1. is in part Rep. by 25*G.*3. *c.* 74. *s.* 4. tea duty; and 38*G.*3. *c.* 40. *s.* 1. house, &c. duty.
s. 2. *East India* company's tea in warehouses, Exp.

c. 39. Annuities, [Exp.]

c. 40. Linens, printed, &c., and cotton stuffs, bleached or dyed in *G.B.*, duties; licences to bleach same, duties; cotton, &c. stuffs not dyed abroad, import duties.
s. 1. is in part Rep. by 25*G.*3. *c.* 24. cottons, &c. excise duty; and by 25*G.*3. *c.* 72. *s.* 1. linens, printed, &c. excise duty.

c. 41. Licences to deal in exciseable commodities.

c. 42. Pawnbrokers, [Exp.] 1235. Stats. *Rep.* &c. *pl.* 1.

c. 43. Game certificates [Rep. by 25*G.*3. *c.* 50. *s.* 1.]

c. 44. Grant from sinking fund, appropriation of supplies, [Exp.]

c. 45. Trade with *United States*, [*semb.* Exp.]

c. 46. Compensation for taking away an exemption from excise duties, (*Scot.*)
s. 45. is Rep. by 25*G.*3. *c.* 22. *s.* 1. distilleries, small stills, (*Scot.* only.)
ss. 1—52. is Rep. by 26*G.*3. *c.* 73. *s.* 75. distilleries, (*Scot.*)

c. 47. Smuggling, preventing; protecting customs officers from vexatious actions, 1325. *pl.* 3, 4.
ss. 4, 5. are in part Rep. by 34*G.*3. *c.* 50. *s.* 6. cambrics, import.
s. 44. smuggling, are Exp.

c. 48. Starch and soap, better securing duties on.

c. 49. Silks, export and import duties, drawbacks, &c. bounties, &c. [*semb.* Rep. 59*G.*3. *c.* 52. *s.* 1.]

c. 50.
s. 3. is Rep. by 26*G.*3. *c.* 59. *s.* 64. wine in bottles, removal.
ss. 1, 2. continuing several statutes, are Exp.

c. 51. Hats, selling by retail, licences for; hats, &c. duties on, [Rep. 51*G.*3. *c.* 70. *s.* 1. and 59*G.*3. *c.* 52. *s.* 1.] 344. *pl.* 10.
ss. 8—15. 17—21. are Rep. by 36*G.*3. *c.* 125. *s.* 1. hats.

c. 52. Exchequer bills, raising 1,000,000*l.* by, [Exp.]

24 *Geo.* 3. *Sess.* 2. A.D. 1784. (*continued.*)

c. 53. Gold and silver plate, making in *G. B.*, 328. 329. *pl.* 94—98. 100—108.
s. 1. is Rep. by 30*G.*3. *c.* 24. *s.* 1., plate used for watch cases, duty; and entirely by 27*G.*3. *c.* 13. *s.* 1.; lastly, by 59*G.*3. *c.* 52. *s.* 1. plate, duties on import.
ss. 4, 5. 8, 9. are Rep. in part by 30*G.*3. *c.* 31. *s.* 1., silver wares.
ss. 11, 12. are Rep. by 25*G.*3. *c.* 64. *s.* 2., wrought plate, export.
s. 18. is Exp. since 59*G.*3. *c.* 52. *s.* 1.

c. 54. Building gaols, 1282—1284. *pl.* 56. 65—87.

c. 55. Houses of correction, inspecting, building, &c. 1285. 1286. *pl.* 108. 111—125.

c. 56. Transportation of offenders, [Rep. 55*G.*3. *c.* 156. *s.* 1.] 1541. *pl.* 3.

c. 57. Regrant by H. M. of forfeited estates to heirs of former proprietors, (*Scot.*)
s. 5. is Rep. in part by 35*G.*3. *c.* 69. *s.* 1. forfeited estates, (*Scot.*)

c. 58. Indemnity, offices, &c. [Exp.]

25 *Geo.* 3. A.D. 1785.

c. 1. Trade between *United States* and *Newfoundland*, [Exp.] 1558. *pl.* 1.

c. 2. Malt, &c. duty, [Exp.]

c. 3. Marines, [Exp.]

c. 4. Land-tax, [Exp.] 443. *pl.* 38.

c. 5. Trade with *United States*, [Exp.] 1558. *pl.* 1.

c. 6. Mutiny act, [Exp.]

c. 8. Militia, [Exp.]

c. 11. Raising 1,500,000*l.* by exchequer bills, [Exp.]

c. 12. Raising 1,000,000*l.* by exchequer bills, [Exp.]

c. 17. Committee on petition of Hon. *St. Andrew St. John*, for undue election for county *Bedford*, to sit though reduced to 11. [Exp.]

c. 18. Gaol-delivery of *Newgate* holding during sitting of K. B. at *Westminster*, 420, 421. *pl.* 55, 56.

c. 19. Public offices, fees, &c., inquiry into, [Exp.] 141. *pl.* 7. 9.

c. 20. Land-tax commissioners, [Exp.] 443. *pl.* 39.

c. 22. Highlands of *Scot.*, licences to distil spirits in.

c. 24. Cotton and linen, or cotton stuffs wove in *G. B.*, duties repealed.

c. 25. *Tobago*, import from, [Exp.]

c. 29. Spanish ships prizes, [Exp.]

c. 30. Shop-tax, [Rep. 29*G.*3. *c.* 9.] 1487. *pl.* 9.
ss. 31—35. are virtually Rep. by 44*G.*3 *c.* 98. *s.* 1., 55*G.*3. *c.* 184. *s.* 1.

c. 31. Office of treasurer of navy regulating.

c. 32. Annuities granting, [Exp.]

c. 33. Exchequer bills, 1,000,000*l.* raised by, [Exp.]

c. 35. Sale of lands, &c. of crown debtors, or their sureties, 243, 244. *pl.* 1. 22, 23.

c. 40. (Local.) Woollen manufacture in *Bedford*, *Huntingdon*, *Northampton*, *Leicester*, *Rutland*, *Lincoln*, and *Ely*, abuses in.

c. 43. [Rep. 43*G.*3. *c.* 161. *ss.* 84. and 85. servants-tax, and by 32*G.*3. *c.* 3. as to tax on female servants,] 1487. *pl.* 10.

c. 44. Insurance on ships, goods, &c., [Rep. 28*G.*3. *c.* 56. *s.* 1.] 396. *pl.* 4.

c. 45. Imprisonment in *London*, &c. by courts of conscience acts; fees to gaolers thereon abolishing, 166, 167. *pl.* 2, 3. 5—10.

c. 46. Transportation, and removal of offenders, (*Scot.*)

c. 47. Excise and stamp duties transferred to tax office, [Rep. 43*G.*3. *c.* 161. *s.* 84.] 1398. Stats. *in force*, *pl.* 1., 1487. *pl.* 11.

c. 48. Pawnbrokers' licences 1398. Stats. *in force*, *pl.* 1., 1465, 1466. *pl.* 674—682.
ss. 1, 2. 11. 13. are Rep. by 44*G.*3. *c.* 98. *s.* 1, 55*G.*3. *c.* 184. *s.* 1,
s. 10. is Rep. by 44*G.*3. *c.* 98. *s.* 1., 55*G.*3. *c.* 184. *s.* 7., duties on pawnbrokers' licences.

25 Geo. 3. A.D. 1785. (*continued.*)

c. 49. Excise penalties, [Rep. 43 *G.* 3. *c.* 161. *s.* 2.] 1487. *pl.* 12.

c. 50. Game certificates, 318. *pl.* 175—199.

ss. 1, 2. are Rep. by 44 *G.* 3. *c.* 98. *s.* 1., game certificates, duties on.

ss. 3. 27. now altered *comm. semb.* 48 *G.* 3. *c.* 55. *Sch.* (L.), gamekeepers' certificates.

s. 22. as to 6 months imprisonment, and *s.* 26. are Rep. by 26 *G.* 3. *c.* 82. *s.* 7., game certificates, duty.

s. 24. as to form of conviction, is Rep. by 31 *G.* 3. *c.* 21. *s.* 4.

c. 51. Post-horse duties, 1398. Stats. *in force*, *pl.* 1. (misprinted, *c.* 57.)

ss. 4, 5. 48. 65. are Rep. by 44 *G.* 3. *c.* 98. *s.* 1., rates of post-horse duties.

c. 52. Auditing public accounts, 1—3. *pl.* 1—5. 18—22. 25—29. 37. 48—50. 52. 58. 60.

s. 18. is Rep. by 46 *G.* 3. *c.* 141. *s.* 12., public accounts.

c. 54. Coals, culm, and cinders entered coastwise, duties.

c. 55. [Rep. 36 *G.* 3. *c.* 80., glove licence duty, and 34 *G.* 3. *c.* 10., gloves, &c. duty, 1398. *pl.* 10.

c. 56. Cordage manufacture for shipping; foreign-made cordage, illicit import preventing, 1482, 1483. *pl.* 29—40.

c. 57. Mail carriages exempted from turnpike tolls in *G. B.*; see as to *Scot.* 53 *G.* 3. *c.* 68., 1557. *pl.* 100, 101.

c. 58. Pilchard fishery, 284, 285. *pl.* 260—264.

ss. 1—3. pilchard fishery bounty, Exp.

c. 59. Raising 650,000*l.* by lottery, [Exp.] 497. *pl.* 6.

c. 60. Compensation for loss of franking letters, &c. to clerks of secretaries of state.

ss. 1—27. grant of 2,297,460*l.* 3*s.* 10½*d.* from sinking fund appropriation of supplies, [Exp.]

c. 61. H. M.'s bounties to indigent persons, [Exp.] 429. *pl.* 48.

c. 62. Hay export, [Exp.]

c. 63. Salt; duties; allowances for waste; used for manure; export; herrings, export from *Man*; fish curers not to be dealers in salt, 281. *pl.* 190.

s. 27. salt duties, is Exp.

c. 64. Gold and silver plate, allowances of duties on; export of, 328, 329. *pl.* 94. 99. 109—112.

c. 65. *British* fisheries, encouraging, 271, 272. *pl.* 51—63.

ss. 1—6. are Exp.

c. 66. Bricks and tiles, duties.

c. 67. Tools in iron and steel manufactures export prohibited; seducing artificers therein, prevented, 506, 507. *pl.* 85—94.

c. 68. Public accounts, [Exp.] 1. Stats. *in force*, *pl.* 5.

c. 69. Export and import duties, drawbacks, bounties, &c.

s. 4. wheat, &c. export from *Lancaster*, is Exp.

c. 70. Rectifying mistake in *c.* 43., [Exp.] 1487. *pl.* 10.

c. 71. Time for delivery of navy transport and victualling bills, [Exp.]

c. 72. Duties on linens, cottons, velvets, &c. printed, &c. in *G. B.*

ss. 5. 17. 31., linen export stamps, are Exp.

c. 73. Brewers retailing beer, allowance for leakage.

ss. 2—6. are Exp.

c. 74. Tea duties and removal; exciseable commodities examining, &c. by officers; duties on candles securing.

s. 19 in part silks, is Exp.

c. 75. Stamp duties on registry of marriages, &c. of dissenters, [Rep. 34 *G.* 3. *c.* 11. virtually.] 1398. *pl.* 11.

c. 76. *American* loyalists, [Exp.] 23. *pl.* 25.

c. 77. Against boiling turpentine near another building, 96. *pl.* 1., 104. *pl.* 73, 74. 81.

ss. 3, 4. turpentine manufactory, *Potter's-field*, *Southwark*; indemnity to proprietor, are Exp.

c. 78. Hawkers and pedlars, [Rep. in part 29 *G.* 3. *c.* 26. *s.* 1.] 345. *pl.* 3.

c. 79. Medicines, stamps, [Rep. 42 *G.* 3. *c.* 56. *s.* 1.] 1398. *pl.* 6.

c. 80. Solicitors, &c. certificates, 41. *pl.* 22., 43. *pl.* 58—60., 1398. Stats. *in force*, *pl.* 1., 1428—1430. *pl.* 259—261., 267—270. 273—296., Appendix, No. X.

25 Geo. 3. A.D. 1785. (*continued.*)

s. 1. is Rep. by 44 *G.* 3. *c.* 98. *s.* 1., &c.; lastly, by 55 *G.* 3. *c.* 184. *s.* 1.

s. 30. is Rep. by 55 *G.* 3. *c.* 184. *s.* 7., rates of stamp duties.

c. 81. Tobacco, [Rep. 29 *G.* 3. *c.* 68. *s.* 171.]

c. 82. Indemnity, offices, &c., [Exp.]

c. 83. Payment of 2,000,000*l.* by bank of *Eng.* postponed, [Exp.]

c. 84. Duration of polls, 1232, 1233. *pl.* 403—411., and regulation of elections within *Eng.*, *Wa.*, and *Ber.*, 1219, 1220. *pl.* 124. 126.; undue returns, making; neglecting to make returns, 1226—1228. *pl.* 281. 324—330.; *Isle of Wight*, polling in, 1220. *pl.* 132.

26 Geo. 3. A.D. 1786.

c. 1. Trade with *United States*, [Exp.] 1558. *pl.* 1.

c. 2. Hay, export, [Exp.]

c. 3. Land-tax, 4*s.* in the pound, [Exp.] 443. *pl.* 40.

c. 4. Continuing several statutes, [Exp.]

c. 5. Hops, export to *Ire.* regulated.

c. 6. Malt, &c. duties, [Exp.]

c. 7. Marines, [Exp.]

c. 9. Shop-tax, [Rep. 29 *G.* 3. *c.* 9.] 1487. *pl.* 9.

c. 10. Mutiny, [Exp.]

c. 16. *East India* company's affairs, management, [Rep. (except *ss.* 3, 4.) 33 *G.* 3. *c.* 52. *s.* 146.] 201, 202. *pl.* 200. 207.

c. 25. Exclusive power of court of directors of *East India* company to appoint governor-general and council of *Bengal*, 205. *pl.* 251, 252.

c. 26. *Newfoundland* fishery, [Exp.] 281. *pl.* 199.

c. 27. Society in *Scot.* for propagating Christian knowledge, grant to out of forfeited estates, [Exp.]

c. 29. *Margate* theatre, 1534. *pl.* 5.

c. 31. Vesting sums in commissioners at end of every quarter, to be applied in reduction of national debt.

s. 8. is in part Rep. by 42 *G.* 3. *c.* 71. *s.* 2. annuities.

s. 20. is in part Rep. by 32 *G.* 3. *c.* 55. *s.* 1., 42 *G.* 3. *c.* 71. *s.* 1. reduction of national debt.

c. 32. Exchequer bills, raising 1,500,000*l.* by.

c. 33. Exchequer bills, 1,000,000*l.*

s. 19. is Exp.

c. 34. Altering days of payment of certain annuities.

s. 2. long annuities, days of payment, is Exp.

c. 35. Spanish ships made prizes, [Exp.]

c. 36. *Isle of Man*, salt, sugar, fish, importing into.

c. 37. *Blackfriars* bridge *Sunday* toll, [Exp.]

c. 38. Imprisonment by process of courts of conscience; fees of gaolers thereon abolishing; commissioners' qualifications, ascertaining, 166. *pl.* 2—10.

c. 40. Production of manifests; fraud in obtaining bounties or drawbacks, and in clandestine re-landing goods, preventing.

c. 41. *Greenland* fisheries, 290. *pl.* 366, 367. 373—375. 377—389. 391, 392. 394—398.

s. 1. as to oaths, is Rep. by 58 *G.* 3. *c.* 15. *s.* 1.

ss. 14, 15. are virtually Rep. by 32 *G.* 3. *c.* 22. *s.* 4.

s. 19. is Rep. by 59 *G.* 3. *c.* 103. *s.* 2. accounts to parliament.

s. 1. *Greenland* whale fishery, is Exp.

c. 42. Battens and deals imported into *G. B.*, duties.

ss. 4, 5. Battens and deals, contracts, are Exp.

c. 43. Growth of hemp and flax, [*Qu.* Exp.?]

c. 44. Debtors, imprisonment, [Exp.] 388. *pl.* 13.

c. 45. Pilchard fishery, [Exp.] 284. *pl.* 260.

c. 46. Salaries of lords of session, justiciary, and barons of exchequer in *Scot.*

c. 47. Sentence money, discharging payment of in *Scot.*; nomination of judges of admiralty and commissary courts there.

s. 2. as to judges of *Edinburgh* commissary court, is Rep. by 55 *G.* 3. *c.* 97. *s.* 1.

26 *Geo.* 3. A. D. 1786. (*continued.*)

c. 48. Stamp duties (*Scot.*), 1398. Stats. *in force*, *pl.* 1., 1418, 1419. *pl.* 72. 76. 82.
ss. 1. 3. 11, 12. are Rep. by 44 *G.* 3. *c.* 98. *s.* 1., 55 *G.* 3. *c.* 184. *s.* 1.
s. 5. is Rep. by 42 *G.* 3. *c.* 99. *s.* 5., 44 *G.* 3. *c.* 98. *s.* 1. *Sch.* (C) rates of stamp duties (*Scot.*)

c. 49. Perfumery, duty, [Rep. 39 & 40 *G.* 3. *c.* 69. *s.* 1.] 1398. *pl.* 12.

c. 50. Southern whale fishery, [Exp. and Rep. 35 *G.* 3. *c.* 92. *s.* 1.] 287. *pl.* 299.

c. 51. Starch duties, securing.
s. 12. Starch in hand, stamping, is Exp.

c. 52. Tobacco, duty, [Rep. in part by 29 *G.* 3. *c.* 68. *s.* 171.]
ss. 3—5. *American* tobacco, customs duties, are Exp.

c. 53. Continuing several statutes, [Exp.]

c. 54. Land-tax; salaries of stamp-office, [Exp.]

c. 56. Poor returns by overseers, [Exp.] 1258. *pl.* 5.

c. 57. (Commenced in *India* from 1*st Jan.* 1787. *s.* 39.) *East Indies*, trials in; unlawful resorting to; proof of deeds executed in *G. B.* or *E. I.*, 202—205. *pl.* 207. 234. 241. 247—250., 223. *pl.* 571.
ss. 32. 34, 35. are Rep. by 33 *G.* 3. *c.* 52. *s.* 146. *East Indies.*
s. 36. licences to trade, is Exp.

c. 58. Charitable donations for the poor in *Eng.*, [Exp.] 118. *pl.* 3.

c. 59. Wines imported, duties under excise commissioners.
ss. 16—25. wine, stock in hand, are Exp.

c. 60. Increase of shipping and navigation; ascertaining tonnage of ship afloat, 1367. *pl.* 33.
s. 37. in part, ship-registering, is Exp.

c. 61. Grant from sinking fund; appropriating supplies, [Exp.]

c. 62. *East India* Company; raising money by sale of annuities, and increasing capital stock, 194, 195. *pl.* 23. 30. 43—45.
s. 1. as to redemption by *East India* company, is Rep. by 33 *G.* 3. *c.* 47. *s.* 1.
ss. 2, 3. 5. are Exp.

c. 63. Wages, prize-money, and allowances of seamen, [Rep. 55 *G.* 3. *c.* 60. *s.* 1.]
s. 1. is in part Rep. by 49 *G.* 3. *c.* 108. *s.* 1. seamen, wills, &c.
s. 5. is entirely Rep. by *id. s.* 7. prize-money.

c. 64. Duties on spirits and distillation (*Scot.*)
ss. 27, 28. are Rep. by 37 *G.* 3. *c.* 102. *s.* 12. stills (*Scot.*)
s. 35. spirits, export, (*Scot.*) is Exp.

c. 65. Raising 688,750*l.* by lottery, [Exp.] 497. *pl.* 6.

c. 66. Public offices, enquiry into fees, &c., [Exp.] 141. *pl.* 7.

c. 67. Accounts, public, [Exp.] 1. Stats. *Exp. pl.* 5.

c. 68. *American* loyalists, [Exp.] 23. *pl.* 25.

c. 69. Militia, [Exp.]

c. 70. Amending mistake in *c.* 61., [Exp.]

c. 71. Houses for slaughtering horses and other animals, licensing, 368, 369. *pl.* 46—64.

c. 72. Hackney-coaches, 339—341. *pl.* 1. 22. 47, 48.
ss. 1, 2. are *virtually* Rep. by 48 *G.* 3. *c.* 87. *s.* 1.

c. 73. Spirits, duties on import and export of.
ss. 28—30. are Rep. by 28 *G.* 3. *c.* 46. *s.* 72. spirits.
s. 76. low wines, &c. seizures, is Exp.

c. 74. Sweets, duties on.
s. 5. is Rep. by 30 *G.* 3. *c.* 38. *s.* 1. stamps; and in part by 30 *G.* 3. *c.* 38. *s.* 18. wine licences.

c. 75. Cession of *East Florida* to *Spain*, [Exp.] 23. *pl.* 26.

c. 76. Wool and spinners' cards, export, 505. *pl.* 60. 76.

c. 77. Excise laws; assaulting revenue officers, 1325. *pl.* 11, 12.
ss. 1, 2. re-payment of duties, are Exp.

c. 78. Paper, printed, painted, or stained in *G. B.*, duties on, securing.
s. 6. stamped paper, is in part Exp.
s. 19. stained paper, export, is in part Exp.

c. 79. Transferring excise and stamp duties on houses, &c. to tax-office, [Rep. 43 *G.* 3. *c.* 161. *s.* 84.] 1487. *pl.* 11.

26 *Geo.* 3. A. D. 1786. (*continued.*)

c. 80. Continuing several statutes, [Exp.]

c. 81. *British* fisheries, encouragement of, 262, 263. *pl.* 60. 65—67., 270—281. *pl.* 15. 22—30. 32—49. 187. 191. 194—196.
s. 2. is in part Rep. by 27 *G.* 3. *c.* 10. *s.* 1. *British* fisheries.
ss. 1—14. 17, 18. 24—26. 33, 34. 39—42. are Exp.

c. 82. Stamp duties, 1398. Stats. *in force*, *pl.* 1., 1417. *pl.* 38., 1420, 1421. *pl.* 115—124.
s. 10. is Exp.

c. 84. Consecration of alien bishops by *English* archbishop, 1390. *pl.* 72—75.

c. 85. Continues 6 *G.* 3. *c.* 45. [Exp.]

c. 86. Owners of ships responsibility for acts of seamen, 1367. *pl.* 21. 26—30.

c. 87. Land revenues of crown; commissioners of inquiry, [Exp.] 174. *pl.* 6.

c. 89. Export of tools used in manufactures, 506, 507. *pl.* 85. 95, 96.

c. 90. Salt, &c., obtaining, for making mineral alkali or flux for glass.

c. 91. Madhouses, 373. *pl.* 11. (*a*).

c. 92. Continuing 24 *G.* 3. *S.* 2. *c.* 42. as relates to pawns, [Exp.]

c. 95. Commissioners for executing acts; times of meeting, [Exp.]

c. 96. *Warren Hastings*'s impeachment, [Exp.]

c. 97. Exchequer bills, raising 3,000,000*l.* by, [Exp.]

c. 98. Indemnity, offices, &c. [Exp.]

c. 99. Fees of officers of exchequer on issues for payment of certain pensions at receipt of exchequer, 171. *pl.* 68—71.

c. 100. Preventing occasional inhabitants from voting in elections for cities and boroughs in *Eng.* and *Wa.*, 1225, 1226. *pl.* 263. 278—280.

c. 101. Lighthouses; northern parts; duties, [Rep. by 26 *G.* 3. *c.* 25.]

c. 103. Land-tax; assessing navy victualling office to, [Exp.] 443. *pl.* 41.

c. 105. Salaries of victualling and navy offices rateable to land-tax, [Exp.] 443. *pl.* 42.

c. 106. *British* society for extending the fisheries, &c.

c. 107. Militia, [Rep. by 42 *G.* 3. *c.* 90. *s.* 1.]

c. 121. Land-tax commissioners, [Exp.] 443. *pl.* 43.

27 *Geo.* 3. A. D. 1787.

c. 1. Lotteries, unlawful, suppressing, [Rep. by 46 *G.* 3. *c.* 184. *s.* 64.] 496. *pl.* 4.

c. 2. Criminal court of judicature in *New South Wales*, 521, 522. *pl.* 1. 3, 4. 6, 7.

c. 3. Marines, [Exp.]

c. 4. Malt, &c. duty, [Exp.]

c. 5. Land-tax 4*s.* in the pound, [Exp.] 443. *pl.* 44.

c. 6. Mutiny, [Exp.]

c. 7. Trade with *United States*, [Exp.] 1558. *pl.* 1.

c. 8. Militia pay, &c., [Exp.]

c. 9. Letters conveying between *G. B.* and *Waterford*, viâ *Milford Haven.*

c. 10. *British* fisheries, [Exp.] 270. *pl.* 22.

c. 11. Discretionary power of magistrates to commit vagrants, offenders, and persons charged with small offences, either to gaol or house of correction, 422. *pl.* 24, 25.

c. 13. Duties of customs and excise; export and import; coinage; judges' salaries augmenting, 410. *pl.* 1. Auctions, 44. *pl.* 1. Hemp and flax, 349. *pl.* 2—5.
Rep. in part by 42 *G.* 3. *c.* 38. *s.* 6. table beer.
s. 22. as to importation of *French* lawns, is Rep. by 37 *G.* 3. *c.* 72. *s.* 1. (rest Exp.)
s. 33. is Rep. by 33 *G.* 3. *c.* 70. *s.* 1. customs.
s. 58. is Rep. by 57 *G.* 3. *c.* 48. *s.* 5.
s. 72. is Rep. in part by 42 *G.* 3. *c.* 70. *s.* 1. revenue accounts.
Schedule is Rep. by 29 *G.* 3. *c.* 68. *s.* 1. tobacco, &c., customs, excise duties.

27 Geo. 3. A.D. 1787. (*continued.*)

Schedule is Rep. by 31 *G.*3. *c.*27. *s.*1. goat, &c. skins, excise duty.
id. ——— by 32 *G.*3. *c.*7. *s.*1. candles, excise.
id. ——— by 33 *G.*3. *c.*69. *s.*1. coals coastwise in *Scot.*, duty.
id. ——— by 35 *G.*3. *c.*20. *s.*5. masts; waste silk, import duties.
id. ——— 36 *G.*3. *c.*79. black lead import.
id. ——— 39 & 40 *G.*3. *c.*63. *s.*1. kid skins, excise.
Table D. ——— by 41 *G.*3. (*U.K. c.*89. *s.*1.) sculptured marble, customs duty. See 59 *G.*3. *c.*52. (Table A.) Inwards.
*s.*22. as to all but import of *French* cambrics, (see *ss.* Rep.) is Exp.
*s.*24. and *s.*65. *semble*, are Exp.
*s.*66. in first part, is Exp.
*s.*71. monies arising from repealed duties, is Exp.

*c.*16. Suse. till 1*st May*, 1825, by 37 *G.*3. *c.*32. which expires at that time, under 59 *G.*3. *c.*49. *s.*1. Bills and Notes, 77. *pl.*13—16. Judges' salaries, 410. Judges, *pl.*2.
*c.*18. Making 23 *G.*3. *c.*45. perpetual (*Scot.*)
*c.*19. Shipping and navigation, encouragement of.
*c.*22. Sales of property by H. M. [Rep. by 32 *G.*3. *c.*24. *s.*18. as to house in *Privy Garden*, wholly by 34 *G.*3. *c.*75. *s.*18., 174. *pl.*7.
*cc.*23—25. Exchequer bills, raising 2,500,000*l.* by, [Exp.]
*c.*26. Farming post-horse duties, 1471, 1472. *pl.*772—789.
*c.*27. *Jamaica*, export, &c. [Rep. by 45 *G.*3. *c.*57. *s.*16.]
*c.*28. Glass duties.
*ss.*1—4. glass duties import, are Rep.
*ss.*5—11. are Rep. by 34 *G.*3. *c.*27. *s.*4. glass excise duty regulations.
*s.*12. glass, is Exp.
*c.*29. Competency of witnesses in certain cases, obviating objections to, 1593. *pl.*2—4.
*c.*30. Spirit retail licences.
*s.*3. is Rep. by 30 *G.*3. *c.*38. *s.*2. and *s.*18. spirit licences.
*c.*31. Foreign wines, import duties allowance; excise laws.
*c.*32. Vessels of certain built, forfeiture; duties of customs.
*c.*33. Grant of 2,400,000*l.* from consolidated fund; appropriating supplies, [Exp.]
*c.*34. Crown property in duchy of *Lancaster*, 175. *pl.*32.
*c.*35. Public offices fees, &c., inquiry into, [Exp.] 141. *pl.*7.
*c.*36. Continuing several statutes, [Exp.]
*c.*37. Pawnbrokers, [Exp.] 1235. Stats. *Rep.*, &c. *pl.*2.
*s.*17. is Rep. by 28 *G.*3. *c.*50. *s.*2. pawnbrokers.
Schedule is Rep. by 21 *G.*3. *c.*37. *s.*1. deer skins, excise duties.
*c.*38. Copyrights of designs and prints of linens, cottons, &c. 414. *pl.*14—18.
*c.*39. *American* loyalists, [Exp.] 23. *pl.*25.
*c.*40. Indemnity, offices, &c. [Exp.]
*c.*41. Raising 756,875*l.* by lottery, [Exp.] 497. *pl.*6.
*c.*42. Papists' enrolment of deeds, &c. [Exp.] 1203. *pl.*7.
*c.*43. Taking affidavits and special bail in court of session of co. palatine of *Chester*, 155, *pl.*18—22.
*c.*44. Frivolous suits in ecclesiastical courts, preventing, 168. *pl.*29—31.
*c.*47. Land-tax, commissioners' names, [Exp.] 443. *pl.*45.
*c.*50. *Newcastle on Tyne* theatre, 1554. *pl.*5.

28 Geo. 3. A.D. 1788.

*c.*1. Malt, &c. duty, [Exp.]
*c.*2. Land-tax, 4*s.* in the pound, [Exp.] 443. *pl.*46.
*c.*3. Marines, [Exp.]
*c.*4. *Scotch* spirits, [Exp.]
*c.*5. Trade with *United States*, [Exp.] 1558. *pl.*1.

28 Geo. 3. A.D. 1788. (*continued.*)

*c.*6. Trade between *West Indies* and *United States*.
*ss.*15. 17. *semb.* Rep. by 45 *G.*3. *c.*57. *s.*16., trade of *West Indies* with *United States*.]
*s.*14. is Exp.
*c.*7. Gold and silver lace and thread making, 326, 327. *pl.*61. 74—80.
*c.*8. Powers of commissioners for affairs of *India*, 206. *pl.*274, 275., 211. *pl.*364., 225. *pl.*611, 612.
*s.*5. is Rep. by 54 *G.*3. *c.*36. *s.*55., 33 *G.*3. *c.*52. *s.*126., annual account of *East India* revenues.
*c.*11. Militia, pay, &c. [Exp.]
*c.*12. Mutiny, [Exp.]
*c.*16. Export of white ashes.
*c.*17. Ounce thread manufacture, regulating, 1535. *pl.*1—8.
*s.*2. in part, thread making, [Exp.]
*c.*18. Exchequer bills, 3,500,000*l.* [Exp.]
*c.*19. Exchequer bills, 2,000,000*l.* [Exp.]
*c.*20. Southern whale fishery, [Rep. 35 *G.*3. *c.*92. *s.*1.] 287. *pl.*300. 369.
*c.*21. Lottery, 750,600*l.*, [Exp.] 497. *pl.*6.
*c.*22. Indemnity, offices, &c. [Exp.]
*c.*23. Continuing several statutes, [Exp.]
*c.*24. Transportation of offenders, 1541. *pl.*17.
*ss.*1—3. linens export, bounty, Exp.
*c.*25. Light-houses, northern parts.
*c.*26. Grant out of consolidated fund; appropriating supplies, [Exp.]
*c.*27. Imports from *United Provinces*.
*c.*28. Exempting licences to stipendiary curates from stamp duties, 1398. Stats. *in force*, *pl.*1., 1416. *pl.*39.
*c.*29. *East India* Company, borrowing money on bond, 194, 195. *pl.*31. 46.
*c.*30. Licensing theatrical representations occasionally by justices, 1535. *pl.*18—21.
*c.*31. Losses by cession of *East Florida*, [Exp.] 43. *pl.*26., 46. *pl.*16. 2*d* 22.
*c.*33. Customs and excise duties and drawbacks; hereditary revenues of *Scotland*.
*c.*34. Customs laws amended, 1507. *pl.*1.
*ss.*1—4. are Rep. by 39 & 40 *G.*3. *c.*80., *ss.*1, 2. 8., and by 45 *G.*3. *c.*10. *s.*9., quarantine.
*c.*35. *Newfoundland*, *French* and *English* fishery at, [Exp. but *Qu.?*]
*c.*36. Parliament, county elections, rights of voters, [Rep. 29 *G.*3. *c.*18. *s.*1.] 1215. *pl.*10.
*c.*37. Customs and excise laws, duties, &c. 44. Auction, *pl.*1. Protecting customs officers from vexatious actions, 1525. *pl.*3. 5—10.
*s.*31. is Rep. by 34 *G.*3. *c.*27. *s.*4. glass, excise regulations.
*s.*32. is Rep. by 30 *G.*3. *c.*38. *s.*1. stamps.
*s.*30. glass, is Exp.
*c.*38. Wool, woollen manufactures, and articles used in its manufacture, export of, 1598, 1599. *pl.*4. 6. 24, 25. 27—31., 1602—1607. *pl.*102—177.
*ss.*7, 8. are Rep. as to bond to be given and licence to be obtained before removing or exchanging sheep by their owners, (in *Scot.* only *comm. semb. see s.*8. 1603. *pl.*108.) by 57 *G.*3. *c.*88.
*ss.*20—22. are Rep. by 57 *G.*3. *c.*88., permits for moving wool, &c. near sea-side.
*ss.*25, 26. are Rep. by 54 *G.*3. *c.*78.
*ss.*39. 41. 43. are Rep. by 54 *G.*3. *c.*78., fullers' earth, &c. carrying coastwise.
*s.*24. as to forging certificates, licences or instruments in *ss.*20—22, *semb.* Exp. since repeal of *ss.*20—22.
*s.*26. Exp. since that repeal.

28 *Geo.* 3. A. D. 1788. (*continued.*)

ss. 87, 88. 90. penalties for export, &c. of wool, remitted up to *1st May*, 1788.

s. 90. wool, &c. prosecutions, Exp.

c. 39. Spirits, import from *West Indies* into *Canada*.

c. 40. *American* loyalists, losses from cession of *Florida*, [Exp.] 23. *pl.* 27.

c. 44. *American* loyalists, [Exp.] 23. *pl.* 25.

c. 45. Export of hay prohibited, [Exp.]

c. 46. Duties on spirits, &c. *Scot.*; export and import thereof to and from *Scot.* and *Eng.* respectively.

ss. 25, 26. are Rep. by 37 *G.* 3. *c.* 102. *s.* 12. stills, (*Scot.*)

ss. 72—75. 79, 80. are Rep. by 29 *G.* 3, *c.* 45. *ss.* 1. 5., low wines, &c.

c. 47. Papists' enrolment of deeds, &c. [Exp.] 1203. *pl.* 7.

c. 48. Chimney sweepers, regulating, 124. *pl.* 1—17. App. No. XI.

c. 49. Enabling justices of peace to act as such out of limits of the counties in which they really are, 427. *pl.* 120—123. 125.

c. 50. Pawnbrokers, [Exp.] 1235. Stats. *Rep.* &c. *pl.* 2.

c. 52. Regulating trials of controverted elections or returns of members of parliament, 1218. *pl.* 83. 88., 1226—1231. *pl.* 281. 286. 290. 306, 307. 331—353. 356—364.

c. 53. Indemnity; coal trade; combinations.

s. 1. is Exp.

c. 54. Slaves, [virtually Rep. 47 *G.* 3. *S.* 1. *c.* 36.] 1373. Stats. *Rep.* &c. *pl.* 1.

c. 55. Frame breaking, 298, 299. *pl.* 17—22.

c. 56. Regulating insurances on ships and freights, 397. *pl.* 13. 21, 22.

c. 57. Passengers on outside of stage coaches, &c. [Rep. 50 *G.* 3. *c.* 48. *s.* 1.] 1396. Stats. *Rep.* &c.

29 *Geo.* 3. A. D. 1789.

c. 1. Trade with *United States*, [Exp.] 1558. *pl.* 1.

c. 2. Mutiny, [Exp.]

c. 3. Marines, [Exp.]

c. 6. Rating pension list to land-tax, [Exp. except *s.* 78.] 443. *pl.* 46.

c. 9. Repealing shop-tax, 1487. *pl.* 9.

c. 10. Malt, &c. duty, [Exp.]

c. 13. Suspending execution of 28 *G.* 3. *c.* 36. [Exp.] 1215. *pl.* 10.

c. 15. Militia pay, &c. [Exp.]

c. 16. Import of provisions from *United States* into H. M.'s *North American* possessions.

c. 18. Repealing 28 *G.* 3. *c.* 36.

s. 2. is Exp.

c. 19. Continuing 27 *G.* 3. *c.* 38., [Exp.] 484. *pl.* 14.

c. 26. Hawkers and pedlars, 345. *pl.* 3., 346. *pl.* 4, 5.

ss. 3—19. 21—32. are Rep. by 50 *G.* 3. *c.* 41. *s.* 1., hawkers and pedlars.

ss. 16—18. are Rep. by 35 *G.* 3. *c.* 91. *s.* 2., hawkers and pedlars.

c. 33. Lottery, 771,562*l.* 10*s.* raised by, [Exp.] 497. *pl.* 6.

c. 34. Exchequer bills, 3,500,000*l.* [Exp.]

c. 35. *Id.* 2,000,000*l.* [Exp.]

c. 36. Papists' enrolment of deeds, &c, [Exp.] 1203. *pl.* 7.

c. 37. Annuities, raising 187,000*l.* by, [Exp.]

c. 40. Indemnity, offices, &c. [Exp.]

c. 41. Raising 1,002,500*l.* by annuities, attended with benefit of survivorship in classes, [Exp.]

c. 45. Continuing 28 *G.* 3. *c.* 46.

ss. 2—4. are Rep. by 30 *G.* 3. *c.* 37. *s.* 2. low wines, &c.

c. 46. Wilful destroying ships, 1367. *pl.* 15.; preventing the destroying woollen, silk, &c. goods, or implements for making, in *Scot.*, 484. *pl.* 11. 13., 1372. *pl.* 46.

c. 49. Horses and carriages, duty, 148. [Rep. 43 *G.* 3. *c.* 161. *s.* 84. and in part by 35 *G.* 3. *c.* 109. *s.* 1.]

c. 50. Stamp duties, 1398. Stats. *in force*, *pl.* 1., 1416. *pl.* 25. 1419. *pl.* 89.

29 *Geo.* 3. A. D. 1789. (*continued.*)

ss. 1—3. 14, 15. are Rep. by 44 *G.* 3. *c.* 98. *s.* 1., 55 *G.* 3. *c.* 184. *s.* 1.

s. 13. is Rep. by 55 *G.* 3. *c.* 184. *s.* 7.

ss. 5—8. are Rep. by 42 *G.* 3. *c.* 99. *s.* 5., 44 *G.* 3. *c.* 98. *s.* 1. 55 *G.* 3. *c.* 185. *s.* 9.

c. 51. Stamp duties, 1398. Stats. *in force*, *pl.* 1., 1419. *pl.* 89., 1425. *pl.* 188. 190., 1442. *pl.* 523. Newspapers, 627—629.

s. 2. is Rep by 6 *G.* 3. *c.* 52. *s.* 1. legacy duty.

ss. 1, 3, 4. 9, 10. are Rep. by 44 *G.* 3. *c.* 98. *s.* 1., 55 *G.* 3. *c.* 184. *s.* 1.

s. 6. is Rep. by 42 *G.* 3. *c.* 99. *s.* 5.

s. 8. is Rep. by 55 *G.* 3, *c.* 184. *s.* 7.

c. 52. Lighthouses, northern parts.

c. 53. Whale fisheries, 283. *pl.* 229. 369.

ss. 3. 8. whale fisheries, are Exp.

c. 54. Continuing 23 *G.* 3. *c.* 77. [Exp.] 501. *pl.* 1.

c. 55. Stamping sails exported, 1330. *pl.* 12.

ss. 1. 3. 10. sail-cloth, import, export duties, are Exp.

c. 56. Trade of *West Indies*, and H. M.'s *North American* colonies with *United States*.

c. 57. Pawnbrokers, [Exp.] 1235. Stats. *Rep.*, *&c. pl.* 2.

c. 58. Corn, export, &c. [Rep. 31 *G.* 3. *c.* 30. *s.* 1.]

c. 59. Teas exported to *Guernsey*, *Jersey*, continent of *Europe*, and *Africa*.

c. 60. Export of coffee, in ship *Lord Camden*, [Exp.]

c. 61. Grant from consolidated fund; appropriating supplies; exchequer bills, &c. lost.

c. 62. *American* loyalists, [Exp.] 23. *pl.* 25.

c. 63. Auction duties, 44. *pl.* 1, *id.* II. *pl.* 2—4.; spirit retailers licences; dealers in brandy, licences.

c. 64. Enquiry into emoluments of customs, [Exp.]

c. 65. *East India* company, increasing capital stock, [Exp.] 194, 195. *pl.* 30. 47.

c. 66. Slaves, [Rep. virtually, 47 *G.* 3. (*S.* 1.) *c.* 36.] 1373. *pl.* 1.

c. 67. Executing laws respecting gaols, 1289. *pl.* 183—186.

c. 68. Tobacco and snuff duties.

s. 4. is Rep. by 47 *G.* 3. *S.* 1. *c.* 25. *s.* 1. *Turkey* tobacco.

ss. 64, 65. are Rep. by 30 *G.* 3. *c.* 40. *s.* 7. tobacco.

ss. 113. is Rep. in part by *id. s.* 24. tobacco.

ss. 66, 67. tobacco, accounts of, put in operation, &c. are Exp.

s. 68. tobacco, &c. forfeited, is Exp.

s. 161. tobacco, &c. penalties, is Exp.

30 *Geo.* 3. A. D. 1790.

c. 1. Indemnity, corn, &c. export, &c. [Exp.]

c. 2. Land-tax 4*s.* in the pound, [Exp.] 443. *pl.* 46.

c. 3. Malt, &c. duty.

c. 4. Unwrought tin, export eastward of *Cape of Good Hope*, duties.

c. 5. Payment of creditors, (*Scot.*) [Exp.]

c. 6. Mutiny, [Exp.]

c. 7. Marines, [Exp.]

c. 8. Trade of *West Indies* with *United States*, &c.; import of spirits into *Canadas* from.

s. 4. is Exp.

c. 9. Militia, pay, &c. [Exp.]

c. 10. Office of speaker of House of Commons, 1233. *pl.* 412. 418.

c. 11. Continuing several statutes, [Exp.] 1558. *pl.* 1.

c. 12. Indemnity, offices, &c. [Exp.]

c. 13. Land-tax commissioners' names, [Exp.] 443. *pl.* 47.

c. 14. Longitude and discoveries in navigation, [Rep. 58 *G.* 3. *c.* 20. *s.* 1.] 495. *pl.* 12.

cc. 15, 16. Exchequer bills, 3,500,000*l.* and 2,000,000*l.*

c. 17. Holding summer session in court of session; *Whitsuntide* and *Lammas* terms, altering in exchequer (*Scot.*,) 1335. *pl.* 40.

s. 5. writs from exchequer, (*Scot.*) is Exp.

30 *Geo.* 3. A. D. 1790. (*continued.*)

c. 18. Continuing certain statutes, [Exp.]
c. 19. Papists' enrolment of deeds, &c. [Exp.] 1203. *pl.* 7.
c. 22. [Rep. as to highways out of *London*, &c. by 7 *G.* 3. *c.* 42. *s.* 57.] 352. *pl.* 17.
c. 23. Farming post-horse duties, [Exp.]
c. 24. Raising 1,000,000*l.* by loan, [Exp.]
c. 26. Sale of imports from *Yucatan* free of auction duty, 44. *pl.* 1., 45. (II.) *pl.* 6. exports thereto, duty.
c. 27. New settlers in *American* colonies, 24. *pl.* 32—35.
c. 28. Cashew gum, import from *West Indies.*
c. 29. *West Indies*, imports and exports; *Canadas*, 111. *pl.* 1., 113. *pl.* 65.
c. 30. Lottery, 497. *pl.* 6.
c. 31. Marking silver wares, 328. *pl.* 94., 330. *pl.* 113, 114.
s. 2. is Exp.
c. 32. Grant of 2,300,000*l.* from consolidated fund; appropriation of supplies, [Exp.]
c. 33. Slave trade, [Exp.] 1373. *pl.* 1.
c. 34. *American* loyalists, [Exp.] 23. *pl.* 27.
c. 35. Election of knights of the shire in *Eng.*, 1219. *pl.* 124., 1221. *pl.* 159., 1620. *tit.* Parliament.
c. 36. Outside passengers by stage coaches, &c. [Rep. 50 *G.* 3. *c.* 48. *s.* 1.] 1396. Stats. *Rep.*
c. 37. Spirits duties, &c.
c. 38. Wines and sweets, retailing duties on, licences for.
ss. 3—6. wine licences, are Exp.
c. 39. Distillers' allowances, [Exp.]
c. 40. Duties on tobacco and snuff.
s. 3. is Rep. in part by 47 *G.* 3. *S.* 1. *c.* 25. *Turkey* tobacco.
s. 8. tobacco, entered places, is Exp.
c. 41. Rape, &c. import duty.
c. 42. Corn export, [Exp.]
c. 43. Commissioners of customs, defraying charges on seizures out of H. M.'s share of seizures in general.
c. 45. Converting annuities, with benefit of survivorship, in classes, into annuities for term of years.
s. 6. annuities, is Exp.
c. 47. Remitting sentences of transported felons by governor of place of transportation, 1541. *pl.* 18—20.
c. 48. Judgment against women for high or petit treason, 1545. *pl.* 71—74.
s. 3. is Exp.
c. 49. Justices visiting work or poor-houses, and reporting their condition to quarter sessions, 1275. *pl.* 261—264.
c. 50. Inquiry into crown property, [Exp.]
c. 54. Vesting *Westminster* fish-market in the Marine Society, 266—269. *pl.* 142. 179, 180.

31 *Geo.* 3. A. D. 1791.

c. 1. Spirits; duties, import, export, &c.
c. 2. Malt, duty, [Rep. 32 *G.* 3. *c.* 6.]
c. 4. Corn, import and export, [Exp.]
c. 5. Taxes, [*semb.* Rep. virtually, 43 *G.* 3. *c.* 161. *s.* 84., 48 *G.* 3. *c.* 55. *s.* 1.] 1487. *pl.* 13.
c. 6. Land-tax, 4*s.* in the pound, [Exp.] 443. *pl.* 48.
c. 7. Malt, &c. duty, Exp.]
c. 8. Indemnity, offices, &c. [Exp.]
c. 9. Marines, [Exp.]
c. 10. Additional forces transported to *India*, 225. *pl.* 611, 612.
c. 11. Sale of annuities by *East India* Co.
c. 12. Continuing several statutes, [Exp.] 1558. *pl.* 1.
c. 13. Mutiny, [Exp.]
c. 14. Land-tax, commissioners, [Exp.] 443. *pl.* 49.
c. 15. Duty on sugar.
c. 16. Militia, pay, &c. [Exp.]

31 *Geo.* 3. A. D. 1791. (*continued.*)

c. 21. Stamp duty on game certificates, 318. *pl.* 175. 192. 197. 199.
s. 1. is Rep. by 44 *G.* 3. *c.* 98. *s.* 1., 48 *G.* 3. *c.* 149. *s.* 1.
s. 2. is Rep. *semb.* by 48 *G.* 3. *c.* 55. Sch. (L.), 38 *G.* 3. *c.* 42. *s.* 41.
ss. 6—9. are Exp.
c. 25. Stamp duties on bills, notes, drafts, and receipts, 1398. Stats. *in force*, *pl.* 1., 1430, 1431. *pl.* 218—309. 312—317. 325. 1475, 1476. *pl.* 834—836. 838, 839.
Rep. as to receipts, except *ss.* 13, 14. 21, 22., by 35 *G.* 3. *c.* 55. *s.* 4., 43 *G.* 3. *c.* 126. *s.* 1.
Rep. as to all duties, by 43 *G.* 3. *c.* 126. *s.* 1.
ss. 7, 8. virtually Rep. by 55 *G.* 3. *c.* 184. *s.* 14.
ss. 2. 5. 12. 18. and 29—34. are Rep. by 44 *G.* 3. *c.* 98., 55 *G.* 3. *c.* 184. *s.* 1.
ss. 12. 15—17. 20., and so much of *ss.* 19. 24—28. as relate to receipts, are Rep. by 35 *G.* 3. *c.* 55. *ss.* 4—11.
ss. 23. 32. are Exp.
c. 26. Seal skins, cured with foreign salt, import.
c. 27. Excise duties on tanned goat and sheep skins imported; customs duties on tanned goat skins imported.
c. 28. Compensation to officers of late wine licence office, [Exp.] 537. *pl.* 2.
c. 29. Courts of *Newfoundland*, [Exp. *comm. semb.* since 33 *G.* 3. *c.* 76., 49 *G.* 3. *c.* 27.] 521. *pl.* 1.
c. 30. Corn export, &c. [Rep. in part by 44 *G.* 3. *c.* 109. *s.* 1.]
ss. 55, 56. are Rep. by 33 *G.* 3. *c.* 65. *s.* 1. corn weekly average prices.
s. 70. is Rep. by 33 *G.* 3. *c.* 65. *s.* 6. corn export.
c. 31. Government of *Canadas*, 111—113. *pl.* 1. 3. 7. 12—20. 30—64. 24. *pl.* 30.
ss. 15. 49, 50. are Exp., government of *Quebec.*
c. 32. Popish recusants, 1213, 1214. *pl.* 228—230. 232—250.
c. 33. Payment by Bank of *Eng.* into exchequer.
s. 3. is Rep. by 48 *G.* 3. *c.* 4. *s.* 5. advance of monies.
c. 35. Persons convicted of petty larceny made competent witnesses, 1593. *pl.* 5.
c. 36. Coal keels, boats, waggons, &c. measurement of, 135. *pl.* 37—41.
c. 37. *Italian* silks and tiffanies, import.
c. 38. Trade of *West Indies* and *United States.*
ss. 7—9. are Exp. since repeal of 27 *G.* 3. *c.* 27.
c. 39. Coasting trade, regulating seamen employed in, 1344, 1345. *pl.* 42—52.
c. 40. *East Indies*, [Exp.] 193. *pl.* 16.
c. 41. Grant of 3,675,000*l.* from consolidated fund; appropriating supplies, [Exp.]
c. 42. Saltpetre import duties.
ss. 1—3. indemnity import; saltpetre, are Exp.
c. 43. *Greenland* fishermen, &c. impressing.
ss. 1—4. and *s.* 6. continuing sections, are Exp.
c. 44. *Clarke*'s hydrometer, [Exp.]
c. 45. Pilchard fishery, [Rep. by 38 *G.* 3. *c.* 89. *s.* 3., 43 *G.* 3. *c.* 69. *s.* 1.] 284. *pl.* 250.
c. 46. Regulating gaols, 1289—1291. *pl.* 187—207.
s. 15. Rep. as to gaolers' fees, by 55 *G.* 3. *c.* 50. *s.* 1.
c. 47. Tobacco and snuff.
c. 48. Exchequer bills, 3,550,000*l.* [Exp.]
c. 49. *Id.* 1,833,000*l.*
Rep. in part by 33 *G.* 3. *c.* 28. *s.* 25., assessed taxes; excise; and by 34 *G.* 3. *c.* 4. *s.* 2., spirits; sugar; import duty.
c. 50. *Id.* 2,000,000*l.*
c. 51. Oyster fisheries, protecting, 283, 284. *pl.* 235, 236. 239, 240. 242—247.
c. 52. Pawnbrokers, [Exp.] 1235. Stats. *Rep. pl.* 2.
c. 53. Lottery, raising 806,250*l.* by, [Exp.] 497. *pl.* 6.

31 *Geo.* 3. A. D. 1791. (*continued.*)

c. 54. Slave trade, [Rep. virtually by 47 *G.* 3. (*Sess.* 1.) *c.* 36.] 1373. *pl.* 1.
s. 6. is Rep. by 45 *G.* 3. *c.* 44. slate, coastwise.
c. 55. *Sierra Leone* Co., [Rep. by 47 *G.* 3. (*Sess.* 2.) *c.* 44. *s.* 1.] 1369. Stats. *Rep.*
c. 56. (Local.) Wool manufactures in *Norfolk* and *Norwich*.

32 *Geo.* 3. A. D. 1792.

c. 1. Trials of controverted elections, or returns of M. P.s, 1226. *pl.* 281. 287.
c. 2. Inhabited houses, duty on, [Rep. 43 *G.* 3. *c.* 161. *s.* 84] 1487. *pl.* 4
c. 3. Duties on female servants, repealing, 1487. *pl.* 10.
c. 4. Duties on waggons, carts, &c. repealing, 1487. *pl.* 7.
c. 5. Land-tax, 4*s.* in the pound, [Exp.] 443. *pl.* 50.
c. 6. Malt duties.
c. 7. Duties on candles.
c. 8. Preventing frauds in revenue of excise, by common brewers.
c. 9. Certificates on exporting tea to *Ire.* or *America*.
c. 10. Executing body warrants of commissioners of excise.
c. 11. Declaration by auctioneers whether sales have been held under the notices given thereof, 44. *pl.* 1., 46. *pl.* 15.
c. 12. National debt reduction.
c. 14. Continuing certain statutes, [Exp.] 443. *pl.* 51., 1558. *pl.* 1.
cc. 15, 16. Exchequer bills, 3,500,000*l.*, 2,000,000*l.*, [Exp.]
c. 17. Marines, [Exp.]
c. 18. Malt, &c. duty, [Exp.]
c. 19. Mutiny, [Exp.]
c. 21. Frauds in revenue of excise respecting the manufacture of soap.
c. 22. *Greenland* whale fishery, 290. *pl.* 366., 292, *pl.* 399—405.
ss. 1, 2. are Exp.
c. 23. Land-tax commissioners names, [Exp.]
c. 25. Increasing capital stock of bank of *Scot.*
c. 26. Militia pay, &c. [Exp.]
c. 27. Indemnity, offices, &c. [Exp.]
c. 28. Lottery, 812,500*l.*, raising by, 497. *pl.* 6.
c. 32. Conveyance of horses, sheep, and lambs, between *Cowes*, *Southampton*, and *Portsmouth*.
c. 33. Seamen and marines wages, payment and remittance of to their families.
c. 34. Prize money, [Rep. in part 49 *G.* 3. *c.* 108. *s.* 1., and wholly 55 *G.* 3. *c.* 60. *s.* 1.]
c. 35. Grant of 2,300,000*l.* from consolidated fund; appropriating supplies; exchequer bills, lost, &c. [Exp.]
s. 27. exchequer bills, lost, &c. is Exp.
c. 36. Continuing certain statutes, [Exp.]
c. 37. *West Indies* trade, [Rep. 45 *G.* 3. *c.* 57. *s.* 16.]
c. 40. Excise laws of manufactory of flint glass.
c. 41. Whale oil, &c. sold by auction, duty free, 44. *pl.* 1., 45. (II.) *pl.* 7.
c. 42. Chancery suitors money investing; building offices, &c. 165. *pl.* 58. 60—62. 64—70.
c. 43. Sugar export; permitting import into *Bermuda* and *Bahamas* of sugar and coffee in foreign ships.
s. 4. is Rep. by 39 *G.* 3. *c.* 63. *s.* 7. sugar, export bounty,
s. 10. is Rep. by 34 *G.* 3. *c.* 42. *s.* 7.
c. 44. Wages of manufacturers of silk mixed with other materials, 1371, 1372. *pl.* 29, 30. 37, 38. Buyers and receivers of silk purloined by persons employed in the manufacture thereof, 501, 502. *pl.* 8. 12, 13.
c. 45. Rogues and vagabonds, 1562—1564. *pl.* 26. 28. 35. Soldiers, &c. when deemed vagrants, 1562. *pl.* 32. 41—44.
c. 46. *Newfoundland*, courts, [Exp.] 520. *pl.* 2.

32 *Geo.* 3. A. D. 1792. (*continued.*)

c. 47. Hackney coaches and chairs, 341, 342. *pl.* 53. 56, 57. 71, 72.
s. 3. Rep. *virtually* by 53 *G.* 3. *c.* 159. *s.* 5., and see 48 *G.* 3. *c.* 87. *s.* 4., hiring hackney coaches to go off pavement after sunset.
c. 48. Holding *Middlesex* sessions during sitting of K. B. at *Westminster*, 1311. *pl.* 5. 8.
c. 49. Bark import.
s. 2. is Rep. by 43 *G.* 3. *c.* 68. *s.* 1., 49 *G.* 3. *c.* 98. *s.* 1., 59 *G.* 3. *c.* 52. *s.* 1., customs duties.
c. 50. Coast trade of *G. B.*, abolishing; *Isle of Man* bond.
c. 51. Traders letters containing agreements respecting merchandize notes or bills of exchange, exempted from the stamp duties on written agreements, 1398. Stats. *in force*, *pl.* 1., 1425. *pl.* 197—199.
s. 3. is Exp.
c. 52. Slave trade, [Rep. virtually 47 *G.* 3. (*Sess.* 1.) *c.* 36.] 1373 *pl.* 1.
c. 53. *Thames* police, [Rep. 42 *G.* 3. *c.* 76. *s.* 1.] 1253. *pl.* 1.
c. 54. Duties on paper imported into *G. B.*
c. 55. Reduction of national debt.
s. 2. is Rep. in part by 42 *G.* 3. *c.* 71. *ss.* 1. 3. reduction of national debt.
c. 56. Certificates of characters of servants, preventing counterfeiting, 510. *pl.* 5—14.
c. 57. Parish apprentices, regulating, 27. *pl.* 6., 28. *pl.* 15, 16. 18, 19. 36—42., 29. *pl.* 44—47. Appendix, No. XII.
c. 58. Proceedings in *quo warranto*, 151. *pl.* 29., 1314. *pl.* 7—11.
c. 59. Regulating alehouses, &c. and the manner of granting licences to keep; as well as of granting licences to sell wine to be drank in the retailer's house, 15. *pl.* 46., 16, 17. *pl.* 65—80.
c. 60. Functions of juries in cases of libel, 479. *pl.* 1—5.
c. 61. Newspaper editors, &c. indemnity, [Exp.] 497. *pl.* 5.
c. 62. Removing hackney coaches from *Old* and *New Bond-street*, 339. *pl.* 1.
c. 63. Relief to persons of episcopal communion in *Scot.*
c. 65. Trade to *Levant* seas.
c. 67. Payment and remittance, &c. of the wages of seamen and marines, who have served in navy, and reside in *Ire.*
So much of *ss.* 14—16. as directs abstracts of acts to be hung up in H. M.'s ships, is Rep. by 55 *G.* 3. *c.* 60. *s.* 1.

33 *Geo.* 3. A. D. 1793.

c. 1. To prevent circulation of notes and securities for money issued in name of any public authority in *France*, 78. *pl.* 36—45. arms, &c. export preventing.
last parts of *ss.* 2, 3. are Exp.
c. 2. Naval stores, export of, restrained, 335. *pl.* 13—15., 1483. *pl.* 41—44.
c. 3. Indemnity, wheat, &c. export, [Exp.]
c. 4. Aliens, [Rep. 42 *G.* 3. *c.* 92. *s.* 1. *comm. semb.*] 19. Stats. *Rep.*, &c. *pl.* 4.
c. 5. Imprisonment of debtors, 388—391. *pl.* 1, 2. 16. 18.
ss. 2—5 are Exp. in part, debtors.
c. 6. Marines, [Exp.]
c. 7. Land-tax, 4*s.* in the pound, [Exp.] 443. *pl.* 52.
c. 8. Militia men, families providing for, [Rep. 43 *G.* 3. *c.* 47. *s.* 1.]
ss. 11, 12. are Rep. by 42 *G.* 3. *c.* 90. *s.* 1. militia families.
c. 9. Mutiny, [Exp.]
c. 10. Trade with *United States*, [Exp.] 1558. *pl.* 1.
c. 11. Malt, &c. duty, [Exp.]
c. 12. Indemnity, offices, &c. [Exp.]
c. 13. Commencement of statutes, (see *s.* 17.) 1478, 1479. Statutes, *pl.* 9, 10.
(*April* 30.)
cc. 17, 18. Exchequer bills, 2,000,000*l.*, 2,000,000*l.*

33 *Geo.* 3. A. D. 1793. (*continued.*)

*c.*19. Militia, pay, &c. [Exp.]
*c.*22. Reduction of national debt.
*c.*23. Quantity of table beer brewed by common brewers.
*c.*26. Manning ships with aliens, [Exp.]
*c.*27. (*May* 7.) Traitorous correspondence, [Exp.] 1554. *pl.*22.
*c.*28. (*April* 30.) Annuities charged on consolidated fund; excise duties on *British* spirits; duties on amount of assessed taxes.
*c.*29. (*May* 8.) Exchequer bills, 5,000,000*l.* [Exp.]
*c.*30. (*April* 30.) Preventing forgeries and frauds in transfers of funds, 1480. *pl.*16—20.
*c.*31. (*May* 10.) *Liverpool* common council issuing notes, [Exp.].
*c.*32. (*May* 7.) Bank of *Eng.* advancing money on bills accepted by treasury, payable at bank of *Eng.* 48. *pl.*1., 49. *pl.*20, 21.
*ss.*1—5. are Exp.
*c.*33. (*April* 30.) Salt works at *Garston*, in *Lancashire.*
*c.*34. (*May* 10.) Prize goods, [Exp.]
(*May* 7.)
*c.*35. Poor, relief and employment of, 1260, 1261. *pl.*1. 36, 37., 1264. *pl.*89.
*c.*36. Officers of fencibles and other corps, regulated.
*c.*37. (*May* 10.) Prosecutions under 31 *G.*2. *c.*29., 84. *pl.*11.
(*June* 3.)
*c.*40. Continuing several statutes, [Exp.]
*c.*44. Form of oath of abjuration and declaration from catholic subjects in *Scot.*
(*June* 7.)
*c.*46. Vesting in H. M. forfeited estates in *Ire.*
*c.*47. *East India* annuities engrafted on 3 *per cent.* reduced annuities; increase of capital stock of *East India* company, 193—195. *pl.*23. 30. 48—55.
*s.*15. *semb.* is Rep. by 34 *G.*3. *c.*41. *s.*1., increasing *East India* company's bond debt.
*ss.*9—13. are Exp.
(*June* 3.)
*c.*48. Drawback of customs and excise duties on wines used by naval officers on board ships in actual service, and supplying such ships with tobacco, duty free.
*c.*49. Sail-cloth, 1331. *pl.*22, 23.
*c.*50. *West Indies*, and *Nova Scotia*, imports.
*c.*51. Exchequer bills, issuing, [Exp.]
*c.*52. (*June* 11.) *East India* company's exclusive possession and government of territorial acquisitions; dividends, and separate fund, 194. *pl.*23., 205—214. *pl.*253—259. 264. 282. 284—290. 298—313. 315—317. 320—324. 330—332. 335. 338—349. 351—362. 364—397., 225. *pl.*610.
*s.*5. is Rep. as to salaries and expences of board of control, and the funds on which they are charged, by 51 *G.*3. *c.*75. *s.*1., 53 *G.*3. *c.*155. *s.*90.
*s.*57. is Rep. in part by 53 *G.*3. *c.*155. *s.*82.
*s.*69. is Rep. in part by *id. s.*83.
*s.*77. is Rep. by 35 *G.*3. *c.*92. (or Exp.) and *semble*, superseded by 55 *G.*3. *c.*155. *s.*32.
*ss.*52. 83. 85. 87. 89. 92. 93. 103. are Rep. by 53 *G.*3. *c.*155. *s.*23.
*ss.*88. 90, 91. 94. *semble* Rep. *id. ibid.*
*s.*99. is Rep. *id. s.*26.
*s.*102. is Rep. in part, *id. s.*22.
*s.*111. as to the payments of 500,000*l.* *per ann.* by *East India* company, to the exchequer, and as to their other payments in reduction of national debt, is Rep. *id. s.*61. and the rest *semble* altered, *id. ss.*57—59.
*s.*112. *semb.* altered, *id. s.*60.
*ss.*111—122. *semb.* taken away, *id. s.*61.

33 *Geo.* 3. A. D. 1793. (*continued.*)

*s.*151. as to the governor general's appointment of justices at *Madras* and *Bombay*, is Rep. 47 *G.*3. (*Sess.*2.) *c.*68. *s.*6.
*ss.*1. 28. 71. 73—75. 127. 147, 148. *East Indies*, are Exp.
*c.*53. (*June* 3.) Pawnbrokers, [Exp.] 1235. Stats. *Rep. &c. pl.*2.
(*June* 21.)
*c.*54. Friendly societies, encouragement of, 305, 306. *pl.*1—3. 7—26. *s.*2. last part, is Exp.
*c.*55. Justices fining constables, overseers, &c. for neglect of duty; and masters for ill usage of apprentices, 427. *pl.*127—129.; warrants of distress granted by magistrates, execution of, 426. *pl.*104. 108.
(*June* 17.)
*c.*56. *Bahamas* sugar, &c. export, [Exp.]
*c.*57. Warehoused tobacco, regulation; *Spanish* tobacco, entry.
*c.*58. Southern whale fishery, [Rep. by general words of 35 *G.*3. *c.*92.] 287. *pl.*301.
*c.*59. Excise duties, [Exp.]
*c.*60. Mail, sending to *Spain* on board *Spanish* vessel.
*c.*61. Distilleries (*Scot.*), spirits import and export to and from *Scot.* and *Eng.* respectively, 497. *pl.*6.
Rep. in part by 39 & 40 *G.*3. *c.*73. *s.*1. distilleries, excise duty (*Scot.*)
*ss.*6, 7. are Rep. by 35 *G.*3. *c.*59. *s.*2. distilleries (*Scot.*)
*c.*62. Lottery, 500,000*l.* [Exp.]
*c.*63. Imports of goods, the produce of *Asia*, *Africa*, or *America*, into *Ire.*, and from *Ire.* into *G. B.*
*c.*64. Publication of notices of time and place of elections of M. P.s, 1219. *pl.*116, 117.
*c.*65. Corn export and import.
*c.*66. Navy, [Exp.]
*c.*67. Obstructing, destroying, or damaging vessels; obstructing seamen, keelmen, casters, and carpenters pursuing lawful occupations, 1368. *pl.*38—46.
*c.*68. Proceedings in courts of counties palatine, 154. *pl.*6, 7.; and in courts of great sessions, 1577. *pl.*239, 240.; and county courts in *Wa.*, 1575. *pl.*202.
*c.*69. Coals coastwise into *Scot.*, duties; spirits retailing; licences, duties.
*c.*70. Duties on imports, allowances thereof on damaged goods; vessels liable to be broken up may be sold by commissioners of customs for privateers.
*c.*71. Farming post-horse duties, [Exp.] 1471. *pl.*772.
*c.*72. Grant from consolidated fund; appropriating supplies, [Exp.]
*c.*73. Slave trade, [Rep. virtually 47 *G.*3. (*Sess.* 1.) *c.*36.] 1573. *pl.*1.
*c.*74. Creditors in *Scot.*; bankrupt; [continued to end of session after 25*th July*, 1821. (see 54 *G.*3. *c.*137. *s.*78.]
*ss.*1. 63—65. bankrupts (*Scot.*) are Exp.
*c.*76. *Newfoundland* courts, 520. *pl.*4—15.
*c.*78. Prince of *Wa.* enabled to make leases of duchy of *Cornwall* property, &c. 174. *pl.*4. (Local.)

34 *Geo.* 3. A. D. 1794.

*c.*1. (*Feb.* 20.) Annuities, 11,000,000*l.* raised by, [Exp.]
(*Feb.* 21.)
*c.*2. Spirits, duties.
*c.*3. Foreign spirits imported, duties.
*s.*5. foreign spirits, contracts, is Exp.
*c.*4. Foreign spirits and sugar, import duties [Rep. 59 *G.*3. *c.*52. *s.*1.]
*c.*5. Continuing certain statutes, [Exp.] 1558. *pl.*1.
*c.*6. Marines, [Exp.]
*c.*7. Malt, &c. duty, [Exp.]
*c.*8. Land-tax, [Exp.] 443. *pl.*52.
(*March* 1.)
*c.*9. Money of *English* subjects in hands of *French* subjects, [Exp.] 299. *pl.*3.

34 *Geo.* 3. A. D. 1794. (*continued.*)

c. 10. Gloves and mittens, retailed, stamp duties, [Exp.] 1398. *pl.* 10.
c. 11. Duties on registry of burials, births, marriages, and christenings, 1398. *pl.* 8.
c. 12. Indemnity, offices, &c. [Exp.]
c. 13. Mutiny, [Exp.]
(*March* 28.)
c. 14. Stamp duties on indentures of clerkships to solicitors and attornies, 1427, 1428. *pl.* 244—252. 254—258.
ss. 1. 9. 15—17. are Rep. by 44*G.* 3. *c.* 98. *s.* 1., 55*G.* 3. *c.* 184. *s.* 1. rates of duties.
s. 12. is Rep. by 44*G.* 3. *c.* 98. *s.* 1. and *Sch.* (C.)
s. 14. is Rep. by 35*G.* 3. *c.* 184. *s.* 7.
s. 12. is Rep. by 42*G.* 3. *c.* 99. *ss.* 5, 6.
c. 15. Bricks and tiles.
s. 10. bricks, &c. contracts, is Exp.
c. 16. Militia, augmenting, [Exp.]
c. 17. Conveyance of letters by penny post.
c. 18. Conveyance of letters between *G. B.* and *Jersey* and *Guernsey*, and within the latter islands.
c. 19. Bank of *Scot.*, increasing capital stock, [Exp.]
(*April* 4.)
c. 20. Paper and pasteboard duties.
s. 9. is Rep. by 46*G.* 3. *c.* 112. *s.* 2. paper, excise penalties,
c. 21. Granting annuities to pay certain navy and victualling bills; regular payment thereof provided for in future.
c. 22. Greenland fishery, [Exp.] 290. *pl.* 358.
c. 23. Copyrights in designs and prints of linens, &c. 484, 485. *pl.* 14, 15.
(*April* 17.)
c. 27. Glass duties.
cc. 28, 29. Exchequer bills, 2,000,000*l.*, 1,500,000*l.*
c. 30. Militia pay, &c. [Exp.]
c. 31. Volunteers, [Exp.]
c. 32. Stamps on bills of exchange, &c. 1398. *pl.* 13.
c. 33. Excise duties on distilleries and distillers' licences in *Scot.*, making perpetual and appropriating.
c. 34. Indemnity; carrying coastwise and export of pot and pearl ashes, [Exp.]
c. 35. Indemnity; governors of *West India* islands, [Exp.]
c. 36. Continuing several statutes, [Exp.]
(*May* 9.)
c. 40. Lottery 500,000*l.* [Exp.] 497. *pl.* 6.
c. 41. *East India* company's bond debt, continuing and increasing, 194. *pl.* 56.
c. 42. Granting to foreign ships put under H. M.'s protection, the privilege of prize ships; aliens in foreign colonies surrendered to H. M., to exercise occupations of merchants and factors, 21. *pl.* 45.
ss. 1—5. registering foreign ships under H. M.'s protection, are Exp.
c. 43. Subjects of *France* enlisting, [Exp.]
c. 44. Continuing certain statutes, [Exp.] 520. *pl.* 3.
c. 45. *Norfolk* island, criminal judicature, [Rep. 35*G.* 3. *c.* 18. *s.* 1.] 521. Stat. *Rep.*
c. 46. Taking special bail in actions pending in C. P. of county palatine of *Lancaster*, 157. *pl.* 27—32.
c. 47. Militia families, [Rep. 43*G.* 3. *c.* 47. *s.* 1.]
c. 48. National debt, reduction, [Exp.]
c. 49. Grant of 2,697,000*l.* from consolidated fund; supplies appropriating, [Exp.]
c. 50. Import of cambrics and *French* lawns; smuggling; fraudulent relanding tobacco shipped for exportation.
s. 3. are Rep. as to *French* cambrics, &c. import, by 37*G.* 3. *c.* 72. *s.* 1.
ss. 2. 4. are Exp.
c. 51. Slate, stone, and marble, customs on.

34 *Geo.* 3. A. D. 1794. (*continued.*)

(*May* 23.)
c. 54. Suspected persons detaining, [Exp.] 480. *pl.* 1.
c. 55. Tobacco imported into *Scot.*, saving to H. M. the New Subsid, on, 52.
c. 56. Delivering navy and victualling bills, [Exp.]
c. 57. Frauds by bankrupts, [Exp.] 60. *pl.* 58.
c. 58. Preventing removal of suits from inferior courts in county palatine of *Lancaster*, into the court of C. P. of that county, 157. *pl.* 33—35.
c. 59. Accounts public, 1. Stats. *in force*, *pl.* 1., 3. *pl.* 51.
c. 60. Continuing several statutes, [Exp.]
c. 61. (Local.) Observation of *Sunday* by bakers in *London*.
c. 62. Loan of 2,500,000*l.*
c. 64. Repairing highways, parts of which are to be repaired by two parishes, 360. *pl.* 94—101. Appendix, Nos. IV. XIII.
c. 65. *Thames* watermen, regulating, 1584. 1586. *pl.* 65—88.
(*June* 11.)
c. 68. Imports and exports must be in vessels manned with a master and three-fourths of crew *British* subjects.
c. 69. Insolvent debtors, [Exp.] 388. *pl.* 12.
c. 70. Ships of war and privateers taken as prize, exempted from paying duty, 1295. *pl.* 9.
c. 71. *French* islands in H. M.'s possession, supplying with coin, &c. [Exp.]
c. 72. Stamping single instead of double demy paper, for printing newspapers, 1398. Stats. *in force*, *pl.* 1., 1465. *pl.* 623. 630. 636.
s. 2. is Rep. by 39 & 40*G.* 3. *c.* 72. *s.* 19., 44*G.* 3. *c.* 98. *s.* 22.
c. 73. Commissioners in *Eng.* &c. to administer oaths and declarations required to be taken, &c. by voters at elections of members of parliament, 1233, 1234. *pl.* 419—425.
c. 74. Highways (*Eng.*), statute duty, 360, 361. *pl.* 102—105. 106—109.
s. 3. is Rep. by 44*G.* 3. *c.* 52. *s.* 1. statute duty.
c. 75. Crown land revenue, better management of; fee-farm and other unimproveable rents, sale of 175—177. *pl.* 33—35, 40. 43. 45, 46. 48—58. 60, 61. Appendix, No. XIV.
ss. 2—6. latter part, Exp.; *s.* 18. is local.
(*July* 7.)
c. 79. Preservation of *English* property in hands of *French* subjects, [Exp.] 299. *pl.* 3.
c. 80. Slave trade, [Exp.]
c. 81. *London* militia, [Rep. by 36*G.* 3. *c.* 92. *s.* 1.]
c. 82. Aliens, [Exp.] Stats. *Rep.* &c. *pl.* 4.
c. 83. Controverted elections of members of parliament, relating to the time of presenting and considering certain renewed petitions, 1230. *pl.* 355. 358, 359.
c. 84. Penitentiary, erecting, [Exp.] 1239. *pl.* 2.

35 *Geo.* 3. A. D. 1795.

(*Jan.* 21.)
c. 1. Malt duty, &c. [Exp.]
c. 2. Land-tax 4*s.* in the pound, [Exp.] 443. *pl.* 52.
c. 3. (*Feb.* 5.) Suspected persons, detaining, [Exp.] 480. *pl.* 1.
c. 4. (*Feb.* 13.) Corn export, import, [Exp.]
(*March* 5.)
c. 5. Raising men for navy in counties of *Eng.* [Exp.]
c. 6. Mutiny, [Exp.]
c. 7. Marines, [Exp.]
(*March* 16.)
c. 9. Navy, [Exp.]
c. 10. Additional duties of excise on foreign wine and sweets.
c. 11. Worts, &c. for spirits, duties; distillers prohibited from using wheat or wheat flour in making wash.
s. 8. distillers using wines, &c. for making worts, is Exp.
c. 12. Foreign spirits, additional excise on, made to cease 43*G.* 3. *c.* 69. *s.* 1.

35 Geo. 3. A. D. 1795. (*continued.*)

c. 13. Tea, coffee, and cocoa-nuts excise duties, made to cease 49 *G.* 3. *c.* 69. *s.* 1.

c. 14. Annuities 18,000,000*l.* [Exp.]

c. 16. Merchandize in neutrals; orders in council, [Rep. 42 *G.* 3. *c.* 80. *s.* 1. and Exp.]

c. 16. Militia, county of *Derby*, [Exp.]

c. 17. Land-tax commissioners' names, [Exp.] 443. *pl.* 53.

c. 18. Criminal judicature in *Norfolk* Island, 521, 522. *pl.* 2. 5—7.
s. 5. is Exp.

(*March* 27.)

c. 19. Raising men for navy in counties, &c. of *Eng.*

c. 20. Customs duties.

c. 21. Exchequer bills, 2,000,000*l.* [Exp.]

c. 22. Exchequer bills, 1,500,000*l.* [Exp.]

c. 23. National debt, reduction of, [Exp.]

(*April* 28.)

c. 24. Aliens, [Exp.] 19. Stats. *Exp. pl.* 4.

c. 25. Courts of judicature in *Newfoundland*, &c. [Exp.] 521. *pl.* 3.

c. 26. Trade with the *United States*, [Exp.] 1558. *pl.* 1.

c. 27. *London* militia, [Rep. by 36 *G.* 3. *c.* 92. *s.* 1.]

c. 28. Enabling seamen and marines to allot part of their pay for maintaining their wives and families.

c. 29. Raising men for navy in the counties of *Scot.* [Exp.]

c. 30. Stamp duties; repealing exception to their payment, 1398. Stats. *in force*, *pl.* 1., 1417. *pl.* 40.
ss. 1, 2. 5—7. are Rep. by 44 *G.* 3. *c.* 98. *s.* 1., 55 *G.* 3. *c.* 184. *s.* 1.
s. 4. is Rep. by 55 *G.* 3. *c.* 184. *s.* 7.]

c. 31. Boats; quarantine and customs laws; prizes; tobacco and snuff dealers, excise licences in *Edinburgh*.

c. 32. Annuities to pay off navy and victualling bills.
s. 7. navy and victualling bills assigned, is [Exp.]

c. 33. Militia pay, &c. [Exp.]

c. 34. Idle persons sent by magistrates to the navy, [Exp.]

c. 35. Militia, allowance to subalterns, [Exp.]

c. 36. Lottery 758,541*l.* 13*s.* 4*d.* [Exp.] 497. *pl.* 6.

c. 37. Loan of 2,500,000*l.* [Exp.]

c. 31. Making 26 *G.* 3. *c.* 89. perpetual.
ss. 1—3. continuing several statutes, are Exp.

c. 49. Hair powder duty, [Rep. by 41 *G.* 3. (*U.K.*) *c.* 69. *s.* 1.] 1398. *pl.* 17.

c. 50. Indemnity, offices, &c.

c. 53. Sending and receiving letters and newspapers free of postage; patterns and samples of goods transmitting by post.
ss. 7—8. are Rep. by 46 *G.* 3. *c.* 92. *s.* 5., postage, army, navy.

(*May* 5.)

c. 54. Mackrel fishery, encouragement of, [Exp.] 261. *pl.* 8.

c. 55. Receipts stamp duties, 1398. Stats. *in force*, *pl.* 1., 1431. *pl.* 312—315., 1475, 1476. *pl.* 834. 837. 840—850.
as to all duties is Rep. by 43 *G.* 3. *c.* 126. *s.* 1., stamps.
ss. 1. 3. 18—20. are Rep. by 44 *G.* 3. *c.* 98. *s.* 1., 55 *G.* 3. *c.* 184. *s.* 1.
s. 17. is Rep. by 55 *G.* 3. *c.* 184. *s.* 7.

c. 56. *British* fisheries; herrings, carrying coastwise, [Exp.] 270. *pl.* 22.

c. 57. Indemnity, governors of *West India* islands, [Exp.]

c. 58. Boats, &c. registering, [Exp.] 81. Stats. *Exp. pl.* 1.

c. 59. Distilleries (*Scot.*), duties on; and on export of spirits from *Eng.* to *Scot.*, and *Scot.* to *Eng.* respectively.

c. 60. Militia, county *Stafford*, [Exp.]

(*May* 19.)

c. 62. Opening letters at post-office for *United Provinces*, [Exp.]

c. 63. Sea insurances, stamp duties on, 1398. Stats. *in force*, *pl.* 1., 1438—1440. *pl.* 464—467. 469—483. Appendix, No. XV.
ss. 1. 3. are Rep. by 44 *G.* 3. *c.* 98. *s.* 1., 55 *G.* 3. *c.* 184. *s.* 1.
s. 5. as to not providing paper at public charge, by 39 & 40 *G.* 3. *c.* 72. *s.* 8., stamps on policies of insurance.
ss. 8. 10. are Rep. by 54 *G.* 3. *c.* 133. *s.* 1., stamps.
s. 9. is Rep. by 39 & 40 *G.* 3. *c.* 72. *s.* 10., stamps on policies of insurance.

35 Geo. 3. St. 2. A. D. 1795. (*continued.*)

c. 64. Army inn-keepers, [Exp.]

c. 65. Unnecessary delay in executing writs for election of M. P.s in *Scot.*, preventing, 1338. *pl.* 84—90.

c. 66. Annuities created in *Ireland* transferable, and dividends payable at bank of *England*.

c. 67. Punishments of bigamy, 1258. *pl.* 1. 3—5.

(*May* 22.)

c. 80. Merchandize in neutrals; orders in council, [Rep. 42 *G.* 3. *c.* 80. *s.* 1. and Exp.]

c. 81. Militia families, [Rep. 43 *G.* 3. *c.* 47. *s.* 1.]

(*June* 2.)

c. 83. Artillery; militia; navy, [Rep. 42 *G.* 3. *c.* 90. *s.* 1.]

(*June* 22.)

c. 88. Insolvent debtors, [Exp] 388. *pl.* 12.

c. 89. Duties on spirits; export and import thereof to and from *Eng.* and *Scot.* respectively.

c. 90. Slave trade, [Rep. virtually by 47 *G.* 3. *S.* 1. *c.* 36.] 1373. *pl.* 2.

c. 91. Hawkers and pedlars, [*semb.* Rep. 50 *G.* 3. *c.* 41. *s.* 1.] 345. *pl.* 3.
s. 1. is Rep. by 50 *G.* 3. *c.* 41. *s.* 1.

c. 92. Southern whale fishery, 287. *pl.* 300, 301. 304—306. 311. 312, 314—316. 318—325. 333. 335—355.
s. 20. in part as to *British* built southern whale fishery ships, is Rep. by 42 *G.* 3. *c.* 77.
s. 26. by *id. ibid.*
ss. 2—5. and *ss.* 36—38., southern whale fishery, premium. are Exp.

c. 93. Guaranteeing payment of dividends on loan of 4,600,000*l.* to emperor of *Germany*.

c. 94. Payment of wages, and pay of certain navy officers, more expeditious.

c. 95. Enabling boatswains, gunners, and carpenters in navy, to allot part of wages to maintain their wives and families.

c. 96. Relief of persons detained in gaol for want of bail, in certain revenue cases, 1325. *pl.* 11. 13.

c. 97. Duties on hides and skins tanned by new method.

c. 98. China ware, import by *East India* Company, [Exp.]

c. 99. Papists, enrolment of deeds, &c., [Exp.] 1203. *pl.* 7.

c. 100. Organzined silk, import, [Exp.] 349. Stats. *Exp. pl.* 4.

c. 101. Preventing removal of poor persons till they become actually chargeable, 1272—1274. *pl.* 194. 201. 214. 227, 228. 230, 231.

c. 102. Preventing use of defective weights and false balances, 1589. *pl.* 56. 59—62. 67—69.
s. 1. is Rep. by 37 *G.* 3. *c.* 143. *s.* 1.
s. 2. is Rep. as to authorising persons to search for false weights and measures, and imposing penalty, *id. ibid.*

(*June* 26.)

c. 109. Taxes on carriages, [Rep. *comm. semb.* 43 *G.* 3. *c.* 161. *s.* 84., and *id. Sch.* (D.) No. 4.], 1487. *pl.* 14.

c. 110. Sugar, export.
s. 1. is Rep. by 36 *G.* 3. *c.* 106. *s.* 1., *Bahamas* sugar, &c. import.

c. 111. Friendly societies, regulations, 119. *pl.* 19—21., 305. *pl.* 3.
s. 1. is Exp.

c. 112. Hair powder, wearing, [Exp.] 1368. *pl.* 17.

c. 113. Prevention of selling ale and liquors by persons not duly licenced, 17. *pl.* 88, 89. 91—106.
s. 1. is Rep. in part as to beer or ale sold in casks, holding not less than five gallons, or in bottles, not less than two dozen quart bottles, not to be drank in his house, orchard, &c., by 55 *G.* 3. *c.* 54. *s.* 13.

c. 114. Glass, securing duties on.

c. 115. Goods import from *India*, &c. in ships not of *British* built, and export therein, [Exp.] 193. *pl.* 17.

c. 116. Wash, coffee, &c. excise duties.

35 *Geo.* 3. A. D. 1795. (*continued.*)

c. 117. Import of rape seed and other seeds, used for extracting oil.

c. 118. Warehouse rent on wines in H. M.'s warehouses; duties on wines exported to *India* and *China* equalized; warehouses for coffee and cocoa-nuts imported, providing.

c. 119. Prohibiting making spirits from grain, [Exp.]

c. 120. Grant from consolidated fund; appropriating supplies, [Exp.]

c. 121. Navy prizes, [Exp.]

c. 122. Erecting burghs of barony; granting leases in towns, &c. on fishing coasts of *Scot.*

c. 123. Recovery of small debts (*Scot.*), [Exp.]

c. 124. Wool-combers exercising trades in any place in *G. B.*, 1608. *pl.* 101, 102.

c. 125. Expenditure of future heir apparent, regulated, 432, 433. *pl.* 105—115.

(*June* 27.)

c. 127. Exchequer bills, advancing to *St. Vincent's* traders, [Exp.]

c. 128. Annuities on 18,000,000*l.* increased, [Exp.]

c. 129. Expenditure of Prince of *Wales*'s revenues, [Exp.] 429. *pl.* 49.

s. 13. is Rep. by 43 *G.* 3. *c.* 26. *s.* 5., Prince of *Wales*'s revenue of duchy of *Cornwall.*

c. 130. Princess of *Wales*'s revenues, [Exp.] *id. pl.* 50.

36 *Geo.* 3. A. D. 1795.

(*Nov.* 23.)

c. 1. Malt, &c., duty, [Exp.]

c. 2. Land-tax 4*s.* in the pound, [Exp.] 443. *pl.* 54.

c. 3. Corn, &c., export, [Exp.]

c. 4. Silk, &c., import, [Exp.]

(*Dec.* 1.)

c. 5. Candles, &c., export, [Exp.]

c. 6. Starch, &c., making from wheat, &c. [Exp.]

(*Dec.* 18.)

c. 7. Preservation of king and government against treasonable and seditious practices, 1544. *pl.* 24. 29.

ss. 2—4. are Exp.

c. 8. Seditious meetings, [Exp.] 36. Stats. *Rep. &c. pl.* 6.

c. 9. Grain, free passage of within the kingdom, preventing obstructions to, 148. *pl.* 1—7.

c. 10. Relief of poor in incorporated hundreds, 1270. *pl.* 170, 171.

Rep. as to no assessments exceeding double the sums raised under incorporating acts, by 39 & 40 *G.* 3. *c.* 40. *s.* 1., and 52 *G.* 3. *c.* 73.

s. 1. last proviso, is Rep. by 39 & 40 *G.* 3. *c.* 40. *s.* 1., 52 *G.* 3. *c.* 73.

c. 12. (*Dec.* 19.) Raising 18,000,000*l.* by annuities, [Exp.]

(*Dec.* 24.)

c. 13. Tobacco and snuff, excise duties on.

ss. 1—3. tobacco and snuff, excise, are Exp.

c. 14. Assessed taxes, additional, [Rep. virtually 43 *G.* 3. *c.* 161. *s.* 84., and 48 *G.* 3. *c.* 55. *s.* 1.] 1487. *pl.* 13.

ss. 6—8. assessed taxes, are Exp.

cc. 15, 16. Horse duty, [Rep. 43 *G.* 3. *c.* 161. *s.* 84.] 1487. *pl.* 8. 16.

c. 17. Horse dealers' duty, [Rep. *id. ibid.*]

c. 18. Sugar, export of.

s. 2. is Rep. by 37 *G.* 3. *c.* 15. *s.* 12. sugar, export bounty.

c. 19. Salt carried coastwise, determining allowances for; duties on salt, reducing times of payment of.

c. 20. Prohibiting distillation from grain, &c., [Exp.]

c. 21. Wheat, &c., import.

c. 22. Bakers permitted to make certain kinds of bread, 90. *pl.* 93—97.

s. 2. is Rep. by 41 *G.* 3. (*U.K.*) *c.* 12. *s.* 2. bread.

ss. 2, 3. are Rep. by 38 *G.* 3. *c.* lv. *s.* 10. bread marking; and by 41 *G.* 3. (*G. B.*) *c.* 16. *s.* 12. bread.

c. 23. Occasional relief to poor in their own houses, 1260. *pl.* 32., 1264. *pl.* 88., 1270, 1271. *pl.* 172. 177—179. 182.

c. 24. Mutiny, [Exp.]

36 *Geo.* 3. (*continued.*) A.D. 1796.

(*March* 7.)

c. 26. Royal Assurance Company's charter enlarged.

c. 27. *London* Assurance Company's charter enlarged.

c. 28. Marines, [Exp.]

cc. 29—31. Exchequer bills 2,000,000*l.*, 1,500,000*l.*, 500,000*l.*

c. 32. Indemnity, governors of *West India* islands, [Exp.]

c. 36. Army, innkeepers, [Exp.]

c. 37. Continuing 33 *G.* 3. *c.* 76., [Exp.] 520. *pl.* 3.

(*March* 24.)

c. 39. Game in *Eng.* [Rep. 39 *G.* 3. *c.* 34. *s.* 1.] 309. *pl.* 16.

c. 40. Continuing several statutes, [Exp.]

c. 41. Militia pay, &c.

(*April* 26.)

c. 52. Stamp duties on legacies and shares of personal estates, 1398. Stats. *in force, pl.* 1., 1442. *pl.* 524—552. 554—556. 558—572.; table of value of annuities, 1448, 1458. *pl.* 586.

ss. 2, 3. are Rep. by 44 *G.* 3. *c.* 98. *s.* 1., 55 *G.* 3. *c.* 184. *s.* 1.

c. 53. Indemnity, rock salt export, [Exp.]

c. 54. Game in *Scot.*, [Rep. 39 *G.* 3. *c.* 34. *s.* 1.] 309. *pl.* 17., 316. *pl.* 142.

c. 55. Making *Scarborough*, in *Tobago*, a free port.

c. 56. Wheat, &c., import, [Exp.]

c. 57. Indemnity, offices, &c., [Exp.]

c. 58. Trade with *United States*, [Exp.] 1558. *pl.* 1.

c. 59. Trials of controverted elections or returns of M.P.s, 1226, 1227. *pl.* 281. 291.

c. 60. Making and vending metal buttons, regulating, 108, 109. *pl.* 16—37.

(*May* 14.)

c. 75. Justices of peace for *Middlesex* and *Surrey*; *Thames* police, [Rep. 42 *G.* 3. *c.* 76. *s.* 1., which is Rep. 51 *G.* 3. *c.* 119. *s.* 1., which is Rep. 54 *G.* 3. *c.* 37. *s.* 1., which is also Rep. 1 & 2 *G.* 4. *c.* 118. *s.* 1.] 1253. *pl.* 1.

c. 76. Indemnity; merchandize admitted in neutrals; orders in council, [Rep. 42 *G.* 3. *c.* 80. and Exp.]

c. 77. Mackarel fishery, [Exp.] 261. *pl.* 8.

c. 78. Duty on mahogany imported, charged by weight.

c. 79. Reducing duty on black lead import.

c. 80. Licences to retail gloves and mittens, repealing stamp duties on, 1398. *pl.* 10.

c. 81. Molasses, import, [Exp.]

c. 82. Landing goods in presence of proper officer; officers to convey wines to H. M.'s warehouse in 10 days after landing; owners of ships or boats licensed by admiralty, to give security to redeliver their licences in case such ships, &c. are lost, &c.

c. 83. Support of curates, [Rep. 57 *G.* 3. *c.* 99. *s.* 1.] 1388. *pl.* 23.

ss. 1, 2. are Rep. by 57 *G.* 3. *c.* 99. *s.* 1.

c. 84. Farming post horse duties, [Exp.] 1471. *pl.* 772.

c. 85. Mills, regulating, 513, 514. *pl.* 7—15.

c. 86. Butter, packing, weight, and sale of, 106, 107. *pl.* 12, 13. 15—30.

c. 87. Pawnbrokers, [Exp.] 1235. Stats. *Rep.* &c. *pl.* 2.

c. 89. Land-tax, [Exp.] 443. *pl.* 55.

c. 90. Relief of persons equitably and beneficially entitled to stock, *viz.* where trustees are absent, bankrupts, &c. 1480. *pl.* 21. 23, 24. 27—29.

c. 91. Million Bank dissolving. [Exp.]

c. 92. *London* militia consolidation act.

s. 31. is Rep. by 39 *G.* 3. *c.* 82. *s.* 66. *London* militia non-commissioned officers reduced.

s. 44. is Rep. by 39 *G.* 3. *c.* 82. *s.* 7. *London* militia, pay, &c.

s. 50. is Rep. by *id. s.* 9. *London* militia.

s. 38. *London* militia, drawing out, is Exp.

36 *Geo.* 3. A.D. 1796. (*continued.*)

(*May* 18.)

c. 104. Lottery, [Exp.] 497. *pl.* 6.

c. 105. Reducing national debt.

c. 106. *Bahamas* sugar, &c. import.

c. 107. Longitude and discoveries in navigation, [Exp.] 495. *pl.* 11.

c. 108. Continuing several statutes, [Exp.]

c. 109. Aliens, [Rep. *comm. semb.* 42 *G.* 3. *c.* 92. *s.* 1., and Exp.] 19. Stats. *Rep. pl.* 4.

c. 110. Lime and manure, permitting carrying coastwise without sufferance.

c. 111. Combinations of paper manufacturers, preventing, 1202. *pl.* 1—12.

c. 112. Register of ships retaken from the enemy, [Exp.] 1366. *pl.* 4.

c. 113. Arrow-root, linseed, and rape cakes import.

c. 114. Militia families, [Rep. 43 *G.* 3. *c.* 47. *s.* 1.]

c. 115. Raising men in counties in *Eng.* [Exp.]

c. 116. Allowances to subalterns, [Exp.]

c. 117. Lights in dairies, [Rep. 43 *G.* 3. *c.* 161. *s.* 84.] 1487. *pl.* 17.

c. 118. Retailing fish at *Billingsgate* allowed, 263, 264. *pl.* 83. 104—106.

(*May* 19.)

c. 122. Granting annuities to satisfy navy, victualling, and transport bills.

c. 123. Foreign wines, *British* sweets, and foreign wines sold by auction, additional duties on.

ss. 1. 3, 4. wine, Exp.

c. 124. Dog tax, [Rep. 43 *G.* 3. *c.* 161. *s.* 84.] 1487. *pl.* 18.

c. 125. Hats, collection of duty on, [Rep. 51 *G.* 3. *c.* 70. *s.* 1.] 344. *pl.* 11.

c. 126. Grant of consolidated fund of 3,500,000*l.*; appropriating supplies.

37 *Geo.* 3. A.D. 1796.

(*Nov.* 2.)

c. 1. Malt, &c. duty, [Exp.]

c. 2. Land-tax, 4*s.* in the pound, [Exp.] 443. *pl.* 56.

(*Nov.* 11.)

c. 3. Militia. [Rep. 42 *G.* 3. *c.* 90. *s.* 1.]

c. 4. Raising men in counties, [Exp.]

c. 5. Raising men in counties, &c. (*Scot.*) [Rep. 37 *G.* 3. *c.* 39. *s.* 1.]

c. 6. Provisional cavalry, [Rep. in part by 39 *G.* 3. *c.* 23.]

c. 7. Corn, &c. export, [Exp. Rep. in part by 37 *G.* 3. *c.* 83.]

c. 8. Silk import, [Exp.]

c. 9. (*Nov.* 12.) Delivering in exchequer navy, transport, and victualling bills; annuities granted to satisfy same, [Exp.]

(*Dec.* 23.)

c. 10. 18,000,000*l.* raised by annuities, [Exp.]

c. 11. Indemnity, offices, &c. [Exp.]

c. 12. Continuing act, [Exp.]

c. 14. Excise duties on auctions, bricks, cocoa nuts, spirits and tea.

(*Dec.* 28.)

c. 15. Coastwise duties of customs; applying loan.

s. 7. is Rep. in part by 38 *G.* 3. *c.* 42. *s.* 6. tea, customs duty.

c. 16. Stage coaches, additional duty, [Rep. 44 *G.* 3. *c.* 98. *s.* 1.] 1398. *pl.* 15.

c. 17. Distilleries in *Scot.* and export of *British* made spirits from *Eng.* to *Scot.* and *Scot.* to *Eng.*, additional duties on.

s. 5. distillers' licences in *Scot.* Exp.

c. 18. Conveyance of letters in *Eng.* and *Scot.* and to and from *G. B.* to *Portugal*, and *British American* colonies; applying part of post-office revenues to defray charge of new loan.

s. 2. is Rep. by 41 *G.* 3. (*U. K.*) *c.* 7. *s.* 1. postage rates.

c. 19. Stamp duties on deeds, 1398. Stats. *in force*, *pl.* 1., 1422. *pl.* 142, 143., 1424. *pl.* 167—174.

c. 20. Same as *c.* 9. [Exp.]

37 *Geo.* 3. A.D. 1796. (*continued.*)

c. 21. Trade to *Cape of Good Hope*, [Exp.]

(*Dec.* 30.)

c. 22. Militia, [Rep. 42 *G.* 3. *c.* 90. *s.* 1.]

c. 23. Provisional cavalry, [Exp. and Rep. in part 39 *G.* 3. *c.* 23.]

c. 24. Raising men in counties, [Exp.]

c. 25. Militia of *Tower Hamlets*, county of *Middlesex*, better ordering.

c. 26. More speedy payment of future navy, victualling, and transport bills.

c. 27. Isles of *Grenada* and *St. Vincent*, [Exp.]

c. 28. (*March* 3. 1797.) Declaring validity of notes of bank of *Eng.* for payment of sums under 5*l.* (see *c.* 32.) 51. *pl.* 76, 77.

c. 31. (*March* 7.) *East India* company increasing capital stock, 194, 195. *pl.* 30. 57—64. Separate fund, 211. *pl.* 359., 221. *pl.* 535.

s. 8. is *semb.* virtually Rep. by 53 *G.* 3. *c.* 155. *s.* 61.

s. 9. is Rep. in part, or *semble* entirely by 53 *G.* 3. *c.* 155. *s.* 63.

(*March* 10.)

c. 32. Negociation of bills and notes under 5*l.* in *Eng.*, [suspending 15 *G.* 3. *c.* 54., and 17 *G.* 3. *c.* 30., Expires 1*st May*, 1825, being 2 years after expiration of the restriction on bank cash payments by 59 *G.* 3. *c.* 49. *s.* 1.] 77. *pl.* 13. 17, 18. (see *c.* 28.)

s. 2. is Exp.

c. 33. Mutiny, [Exp.]

(*March* 24.)

c. 34. Marines, [Exp.]

c. 35. Appointing commissioners of land-tax, [Exp.] 443. *pl.* 57.

(*March* 27.)

c. 37. Trade with *United States*, [Exp.] 1558. *pl.* 1.

c. 38. Militia pay, &c. [Exp.]

c. 39. Raising men in counties, *Scot.* [Exp.]

c. 40. Banks issuing notes, (*Scot.*) [Exp.]

c. 41. (*April* 24.) Army innkeepers, [Exp.]

(*May* 3.)

c. 45. Restriction of cash payment by bank, [Con. till 1*st* May, 1823. 59 *G.* 3. *c.* 49. *s.* 1.] Arrest, 34. *pl.* 18. 21., 51, 52. *pl.* 78—89.

c. 46. Annuities created by *Irish* parliament transferable at bank of *Eng.*, and securing the proprietors thereof.

c. 48. *Tweed* river fisheries, (Local.)

(*May* 9.)

c. 53. Increase of pay and provisions to seamen and marines serving in navy; allotment of pay to maintenance of seamen's wives, children, or mothers, and may be half such increased pay.

c. 57. Annuities, [Exp.]

c. 59. (*May* 25.) Guaranteeing dividends on loan to emperor of *Germany*, (see 35 *G.* 3. *c.* 93.) Advances by bank of *Eng.* repaying; repaying excess of deposits on loans.

s. 4. loan to emperor of *Germany*, is Exp.

(*May* 23.)

c. 60. Attornies' articles, [Exp.] 1398. *pl.* 14.

c. 61. Promissory notes and bills of exchange under limited sum, negociating, [Exp.] 77. *pl.* 13. 18.

ss. 1. 3. are Exp.

c. 62. Banks of *Scot.* authorised to issue small notes, [Exp.]

c. 63. Aliens resident in any place surrendered to H. M., may act as merchants or factors, taking oath of allegiance, 20, 21. *pl.* 44—46., 1366. Stats. *Rep. pl.* 5.

ss. 1—4. 57. register of foreign ships, are Exp.

c. 65. County rate for *Middlesex*, making at quarter sessions, (Local.)

(*June* 6.)

c. 69. Assessed taxes, [Rep. 43 *G.* 3. *c.* 161. *s.* 84., and 48 *G.* 3. *c.* 55. *s.* 1. *comm. semb.*] 1487. *pl.* 13.

37 Geo. 3. A.D. 1797. (*continued.*)

c. 70. Seducing soldiers or sailors, 1350. *pl.* 8—11.
s. 4. is Exp.
c. 71. Intercourse with mutinous crews, [Exp.]
c. 72. Cambrics import, [Exp.]
c. 73. Desertion of seamen from *British West-India*-men, 1348. *pl.* 116—127. Appendix, No. XVI.
s. 12. is Exp.
c. 74. *East India* company volunteers, raising, [Exp.] 193. *pl.* 18.
c. 75. *Tower* hamlets militia.
c. 76. Sail-cloth, &c. export to *Ire.*, [Exp.] 1330.
c. 77. *San Josef*, in *Trinidad* declared a free port, [Rep. 45 *G.* 3. *c.* 17. *s.* 16.]
c. 78. Pilotage, [Rep. 52 *G.* 3. *c.* 39. *s.* 1.] 1243. *pl.* 3.
(*June* 19.)
c. 82. Discounts to contributors to loan, [Exp.]
c. 83. Export and import of corn.
c. 84. *Levant*, imports from, [Exp.]
c. 85. Weekly sums to prisoners in execution, 388, 389. *pl.* 1. 3—5.
s. 2. is Exp.
(*June* 22.)
c. 90. Stamp duties, 1398. Stats. *in force*, *pl.* 1. Solicitors and attornies certificates, 51. *pl.* 78., 52. *pl.* 80—89., 1428. *pl.* 262. 265, 266. 271, 272. 297. 305.; penalty of administering without proving will, &c. 243. *pl.* 42. Newspapers, 1463. *pl.* 623. 631—633.
s. 1. as to duties on licences to stipendiary curates, is Rep. by 38 *G.* 3. *c.* 56. *s.* 1., 39 & 40 *G.* 3. *c.* 72. *s.* 2.
ss. 1—4. 6. 19—22. 24, 25. are Rep. by 44 *G.* 3. *c.* 98. *s.* 1., 55 *G.* 3. *c.* 184. *s.* 1.
ss. 11—13. are Rep. by 44 *G.* 3. *c.* 98. *s.* 25. copyholds, admissions.
s. 15. is Rep. virtually by 55 *G.* 3. *c.* 184. *s.* 14.
s. 16. is Rep. by 38 *G.* 3. *c.* 24. *s.* 1. plate used for watch-cases, duty.
s. 27. is Rep. by 44 *G.* 3. *c.* 59. *s.* 5. attornies' certificates.
ss. 33, 34. 36. are Rep. by 55 *G.* 3. *c.* 185. *ss.* 9, 10.
ss. 14, 15. as to re-issuing notes, are Exp.
s. 29. is Exp.
c. 91. Continuing bank restriction act, 37 *G.* 3. *c.* 45. Arrests, 34. *pl.* 18. 21.
c. 92. Alien, [Rep. 42 *G.* 3. *c.* 92. *s.* 1. *comm. semb.* (Rep.)] 19. Stats. *Rep. pl.* 4.
c. 93. Indemnity, certificate of inrolments, [Exp.]
c. 94. Pilchard fishery, [Exp.] 284. *pl.* 250.
c. 95. Fish preservation in rivers in counties of *Southampton* and *Wilts*, 285. *pl.* 267. 271. (Local.)
(*July* 4.)
c. 97. Treaty with *United States*, [Exp.] 1558. *pl.* 1.
c. 98. Bread, flour, &c. within *London*, &c. regulations, 84. *pl.* 11. Appendix, No. XVII. (Local.)
s. 6. is Rep. by 38 *G.* 3. *c.* lv. *s.* 1. bread, *Saturdays'* account.
s. 9. is Rep. *id. s.* 4. bread, oath.
c. 99. Fisheries, *Newfoundland*, bounty; continuing several statutes, [Exp.]
(*July* 19.)
c. 102. Distilleries, duties additional, (*Scot.*)
s. 1. is Rep. by 39 & 40 *G.* 3. *c.* 73. *s.* 16., stills, duty, (*Scot.*)
c. 103. Militia, (*Scot.*) [*semb.* Rep. 42 *G.* 3. *c.* 91.]
c. 104. Slave trade, [Exp.] 1373. *pl.* 3.
c. 105. House, &c. duty, [Rep. 38 *G.* 3. *c.* 40. *s.* 1., 43 *G.* 3. *c.* 161. *s.* 84.] 1487. *pl.* 1.
c. 106. Horse tax, [Rep. 43 *G.* 3. *c.* 161. *s.* 84.] 1487. *pl.* 15.
c. 107. Servants tax, [Rep. 43 *G.* 3. *c.* 161. *s.* 84.] 1487. *pl.* 5.
c. 108. Clock and watch duty, [Rep. 38 *G.* 3. *c.* 40. *s.* 1.] 1487. *pl.* 19.

37 Geo. 3. A.D. 1797. (*continued.*)

c. 109. Navy, [Exp.]
c. 110. Customs duties, [*semb.* Rep. 59 *G.* 3. *c.* 52. *s.* 1.]
c. 111. Deeds, stamp duty additional, 1398. Stats. *in force*, *pl.* 1., 1417. *pl.* 41, 42.
ss. 1. 4. 6. 11, 12. are Rep. by 44 *G.* 3. *c.* 98. *s.* 1., 55 *G.* 3. *c.* 184. *s.* 1.
s. 5. is Rep. by 55 *G.* 3. *c.* 184. *s.* 7.
ss. 7—10. are Rep. by 44 *G.* 3. *c.* 98. *s.* 1., 55 *G.* 3. *c.* 184. *s.* 1.
c. 112. Insolvent debtors, [Exp.] 388. *pl.* 12.
c. 113. Lottery, 646,250*l.* [Exp.] 497. *pl.* 6.
c. 114. Exchequer bills, 3,500,000*l.* [Exp.]
c. 115. Reducing national debt.
c. 116. Militia, allowance to subalterns, [Exp.]
c. 117. Trade to *India* by ships of nations in amity.
c. 118. Slave vessels, height between decks, [Exp.] 1373. *pl.* 4.
c. 119. Negroes not to be chattels for payment of debts in H. M.'s *American* colonies, 23. *pl.* 6. 10.
c. 120. Continuing 37 *G.* 3. *c.* 32. and *c.* 61. [Exp.] 77. *pl.* 13.
c. 121. Southern whale fisheries, [Exp.] 287. *pl.* 304.
c. 122. Forging names of witnesses to instruments for transfer of funds at bank of *England*, or of bank, *South Sea*, or *East India* stock, or for receipt of dividends thereon, 297. *pl.* 24, 25.
c. 123. Unlawful oaths, preventing the administering or taking, 533, 534. *pl.* 92, 93. 95—100.
c. 124. Frauds by bankrupts, 60. *pl.* 58.
c. 125. Wheat, &c. export to *Guernsey*, &c. [Exp.]
c. 126. Copper current coin, or foreign gold or silver coin, counterfeiting, 137. *pl.* 44, 45.; against importing or uttering counterfeit foreign gold or silver coin, *id. pl.* 46—52. 139. *pl.* 94, 95.
c. 127. Notice of meeting of parliament, shortening time required for giving, 1234. *pl.* 426. 428.; meeting of parliament in case of demise of crown, 1219. *pl.* 108. 113—115.
c. 128. Assessing tax office to land-tax, 443. *pl.* 58.
(*July* 20.)
c. 134. Horse tax, [Rep. 43 *G.* 3. *c.* 161. *s.* 84.] 1487. *pl.* 8.
c. 135. Filing and signing accountant-general's certificate of legacies paid into bank of *Eng.* on account of legatee's absence, &c. 1398. Stats. *in force*, *pl.* 1., 1442. *pl.* 524., 1446. *pl.* 557.
c. 136. Commissioners of stamp duties re-stamping deeds, &c. stamped with stamps of different denominations, but equal value, 1398. Stats. *in force*, *pl.* 1., 1424. *pl.* 178, 179. 181., 1430, 1431. *pl.* 298. 310, 311.
s. 4. stamping deeds, &c. is Exp.
c. 137. Small notes issuing by banks in *Scot.* [Exp.]
c. 138. Voters at elections for preses and clerk, or adjustment of roll of freeholders in elections for M. P.s in *Scot.* 1338. *pl.* 91—93.
c. 139. Provisional cavalry.
c. 140. Regulating conditional pardons to persons sentenced by naval courts martial, and imprisonment under them, 1214, 1215. *pl.* 10, 11. 13—17.
c. 141. Deputy clerk of house of commons to send and receive letters, &c. postage free.
c. 142. Administration of justice in *Calcutta*, *Madras*, and *Bombay*; preventing loans by *British* subjects to native princes, 214, 215. *pl.* 398—427.
s. 20. is Rep. as to commencement of salaries of officers in *East Indies*, by 53 *G.* 3. *c.* 155. *s.* 89.
s. 30. *semble* superseded as to *Madras* and *Calcutta*, 39 & 40 *G.* 3. *c.* 79. *s.* 17.
c. 143. Weights and measures, 1589. *pl.* 56—58. 60. 63—66.

37 Geo. 3. A. D. 1797. (*continued.*)

c. 144. Grant of 2,000,000*l.* from consolidated fund; appropriating supplies; exchequer bills, &c. lost, &c.
s. 27. Exchequer bills, lost, &c. EXP.

38 Geo. 3. A. D. 1797.

(*Nov.* 30.)
c. 1. Restriction on cash payments by bank, [CON. till 1st *May* 1823, by 59 *G.* 3. *c.* 49. *s.* 1.] Arrest, 34. *pl.* 18. 21 51., *pl.* 78. 80—89.
c. 2. Small notes, banks issuing, (*Scot.*) [EXP.]
c. 3. Cambrics and *French* lawns, import. [EXP.]
c. 4. Malt, &c. duties, [EXP.]
c. 5. Land-tax, 444—453. *pl.* 1—3. 5—8. 12, 13. 15, 16. 18—27. 30—97. 100, 101. 103—120. 125—154.
ss. 6. 90. are REP. by 38 *G.* 3. *c.* 41. *s.* 2. land-tax.
ss. 12. 88. 89. 116. 120. 123. land-tax, summoning assessors; 127. 130. land-tax, (*Scot.*); and 140—156. land-tax account by treasury, deficiency, &c. *semble*, are EXP.
(*Dec.* 2.)
c. 6. Seducing H. M.'s forces, [EXP.] 1350. *pl.* 8.
c. 7. Continuing 37 *G.* 3. *c.* 32. *s.* 61. [EXP.] 77. *pl.* 13.
(*Dec.* 30.)
c. 8. Exchequer bills, 3,000,000*l.* raised by, [EXP.]
c. 9. Trade with cape of *Good Hope*, [EXP.]
c. 10. Wheat, &c. export and carrying coastwise, [EXP.]
c. 11. Distilleries, &c. duties, (*Scot.*) [EXP.]
c. 12. Militia, (*Scot.*) [EXP.]
c. 13. Adding 5th battalion of foreigners to 60th regiment serving in *America*.
c. 14. Indemnity, offices, &c. [EXP.]
c. 15. Marines, [EXP.]
c. 16. [REP. in part by 39 *G.* 3. *c.* 13. war contribution; 42 *G.* 3. *c.* 42. *s.* 1. income tax; and *s.* 6. war contributions.]
c. 17. (*Jan.* 12. 1798.) Militia, augmenting, [EXP.]
c. 18. (*Feb.* 20.) Militia, supplemental, calling out, [REP. 42 *G.* 3. *c.* 90. *s.* 1.]
c. 19. (*Feb.* 23.) Militia, supplemental, calling out, [EXP.]
c. 20. (*March* 9.) Exchequer bills, 3,000,000*l.* [EXP.]
c. 23. Mutiny, [EXP.]
c. 24. Duties repealed on gold and silver plate used in watch-cases.
s. 2. watch-cases, export, is EXP.
c. 25. Salt, import from *Portugal* in neutrals, [EXP.]
c. 26. Land-tax commissioners' names, [EXP.] 443. *pl.* 59.
(*April* 5.)
c. 27. Defence of realm, [EXP.]
c. 28. Lending money, &c. to *United Provinces*, [EXP.]
c. 29. Wheat, &c. export to *Guernsey*, &c. [EXP.]
c. 30. Sail cloth, &c. export to *Ireland*, [EXP.] 1330.
c. 31. Distilleries, (*Scotland*) [EXP.]
c. 32. Army, innkeepers, [EXP.]
c. 33. Packages of imported glass to be marked GLASS, &c.; copper, &c. removal; smuggling; quarantine, 1307. *pl.* 1.
ss. 1—5. are REP. by 39 & 40 *G.* 3. *c.* 80. *s.* 8. quarantine, and 45 *G.* 3. *c.* 10. *s.* 9.
c. 35. Continuing certain statutes, [EXP.]
c. 36. (*April* 21.) Detaining suspected persons, [EXP.] 480. *pl.* 1.
(*May* 7.)
c. 37. 17,000,000*l.* raised by annuities, [EXP.]
c. 38. Orders in council as to appeals from vice admiralty courts in *Bahamas* and *Bermudas*, confirmed; enlarging time of appeal in prize causes, 11, 12. ADMIRALTY, *pl.* 12. 16.
ss. 1, 2. are EXP. in part.
c. 39. *West Indies*, imports.
(*May* 10.)
c. 40. Houses, &c. tax, [REP. (except *s.* 1. and *s.* 41.) 43 *G.* 3. *c.* 161. *s.* 84.] 1486. *pl.* 20., 1487. *pl.* 1.

38 Geo. 3. A. D. 1798. (*continued.*)

c. 41. Servants, &c. tax, [REP. 43 *G.* 3. *c.* 161. *s.* 84.] 1486. *pl.* 21.
c. 42. Tea duty.
c. 43. Salt, additional duties.
c. 44. Militia, calling out, (*Scotland*), [EXP.]
c. 45. Traitorous correspondence, &c. with *Switzerland*, [EXP.] 299. *pl.* 3., 1544. *pl.* 22.
(*May* 26.)
c. 46. Manning navy, [EXP.] 290. *pl.* 357., 1345. *pl.* 58.
s. 1. suspending 13 *G.* 2. *c.* 17. seamen, is EXP.
c. 47. National debt, reducing, [EXP.]
c. 48. Land-tax commissioners' qualification, 444. *pl.* 1. 450. *pl.* 98, 99. 102.
(*June* 1.)
c. 50. Aliens, [REP. 42 *G.* 3. *c.* 92. *s.* 1. *comm. semb.* REP.] 19. STATS. *Rep. pl.* 4.
c. 51. Yeomanry cavalry, [EXP.]
c. 52. Trying issues on indictments, &c. arising within counties of cities and towns, in the county next adjoining, 1550, 1551. *pl.* 7—15. 18—20.
s. 33. is REP. by 47 *G.* 3. *S.* 2. *c.* 19. *s.* 2. rectifiers, allowance to.
(*June* 21.)
c. 53. Armorial bearings duty, [REP. 41 *G.* 3. (*U. K.*) *c.* 69. *s.* 1.] 1487. *pl.* 22.
c. 54. Excise duties; ale and beer licences, 17. *pl.* 88. 90. AUCTION, 45. *pl.* 10, 11.
s. 6. is REP. by 41 *G.* 3. (*U. K.*) *c.* 91. *s.* 5. forging excise certificates.
c. 55. Militia, [REP. 42 *G.* 3. *c.* 90. *s.* 1.]
c. 56. Stipendiary curates' licences, [EXP.] 1398. STATS. *in force*, *pl.* 1. 1417. *pl.* 39.
c. 57. Southern whale fishery, 287. *pl.* 304.
ss. 1—4. and *s.* 7. are EXP.
c. 58. *British* fisheries, [EXP.] 270. *pl.* 22.
ss. 1. 3, 4. are EXP.
c. 59. Coinage.
s. 2. against coining silver at mint, is REP. by 56 *G.* 3. *c.* 68. *s.* 3.
c. 60. Land-tax redemption, [REP. (except *s.* 1.) 42 *G.* 3. *c.* 116. *s.* 1.] 444. *pl.* 1.
c. 61. Sugar export, [EXP.]
c. 62. Bread, allowance in price of, for additional duty on salt, 91. *pl.* 98, 99.
c. 63. *Isle of Man* trade, revenue, &c. of, and smuggling in preventing; WOOL, 1608, 1609. *pl.* 179.
s. 10. is REP. by 41 *G.* 3. (*U. K.*) *c.* 54. *s.* 2. *Isle of Man*, import.
c. 64. Militia pay, &c. [EXP.]
c. 65. To prevent sheep infected with scab or mange, depasturing on forests, commons, &c. in *Eng.* 144. *pl.* 37—49.
c. 66. Militia volunteering to *Ireland*, [EXP.]
c. 67. Base coin, preventing export to *West Indies* and *America*, 140. *pl.* 111—113.
c. 68. Spices, payment of duties, [EXP.]
c. 69. Allowing gold wares to be manufactured at a lower standard, 324—326. *pl.* 33, 34. 55—60.
c. 70. Militia, allowances to subalterns, [EXP.]
c. 71. Copyrights in models and casts of busts, &c. [virtually superseded by 54 *G.* 3. *c.* 56. *s.* 1.] 487. *pl.* 41.
c. 72. Indemnity to governors of *West India* islands, [EXP.]
c. 73. Butter, packing, &c. 106. *pl.* 11., 107. *pl.* 14. 31—33.
c. 74. Miners of *Cornwall*, [REP. 42 *G.* 3. *c.* 72. *s.* 1.]
c. 75. 667,916*l.* 13*s.* 4*d.* raised by lottery, [EXP.] 497. *pl.* 6.
(*June* 28.)
c. 76. Trade, [EXP.]
REP. by 39 *G.* 3. *c.* 61. raw *Prussian* linen yarn, import duty.

38 *Geo.* 3. A. D. 1798. (*continued.*)

Sch. (A.) (B.) are in part Rep. by 41 *G.* 3. (*U. K.*) *c.* 28. *s.* 3. sugar import.

c. 77. Aliens, [Rep. 42 *G.* 3. *c.* 92. *s.* 1. *comm. semb.*] 19. Stats. *Rep. pl.* 4.

c. 78. Newspapers, printing and publication of, regulating, 522—524. *pl.* 1—31.

ss. 21, 22. 32. are Exp.

c. 79. Repairing to and remaining in *France*, [Exp.] 187. *pl.* 3.

c. 80. Houses, &c., tax; servants, &c. [Rep. 43 *G.* 3. *c.* 161. *s.* 84.] 1486. *pl.* 21.

c. 81. War contribution, [Rep. 42 *G.* 3. *c.* 42. *s.* 1.]

c. 82. Exchequer bills, raising 3,500,000*l.* by, [Exp.]

c. 83. Exchequer bills, raising 3,000,000*l.* by, [Exp.]

c. 84. Exchequer bills, customs duties, [Exp.]

c. 85. Stamps; duties chargeable on vellum, &c. extended to all materials, 1419. *pl.* 93, 94., 1436. *pl.* 411., 1438. *pl.* 449.

s. 1. is Rep. by 44 *G.* 3. *c.* 98. *s.* 25. copyholds, stamps.

s. 2. is Rep. by 41 *G.* 3. (*U. K.*) *c.* 69. *s.* 1.

c. 86. Customs offices, abolishing and regulating; applying fees received from vacant offices to augment superannuation fund.

s. 9. customs offices, is Exp.

c. 87. Administration of assets where executor to whom probate is granted is out of the realm, 243. *pl.* 43—50.

c. 88. Slave trade, [Exp.] 1373. *pl.* 5.

c. 89. Salt duties, management transferred to commissioners of excise; bounties on pilchards, &c. 284. *pl.* 250, 251.

s. 3. as to bounty on pilchards and scads, is Rep. by 43 *G.* 3. *c.* 69.

s. 104. is Rep. by 42 *G.* 3. *c.* 93. *s.* 20. pilchards, allowance of salt.

s. 138. is Rep. by 39 *G.* 3. *c.* 65. *s.* 13. salt duties.

s. 29. salt allowance, is Exp.

(*June* 29.)

c. 90. Loan of 1,000,000*l.*, appropriating supplies.

s. 20. exchequer bills lost, &c. is Exp.

c. 91. Loans or exchequer bills, 3,000,000*l.*, [Exp.]

c. 92. Distilleries, &c., duties in *Scot.*

ss. 2, 3. 10. 13. 15. 17. 19. distilleries (*Scot.*), are Exp.

c. 93. Tax carts, duty, [Rep. 43 *G.* 3. *c.* 161. *s.* 84.] 1487. *pl.* 23.

c. 94. Provisional cavalry, [Rep. in part by 39 *G.* 3. *c.* 23.]

39 *Geo.* 3. A. D. 1798.

(*Dec.* 17.)

c. 2. Malt, &c. duty, [Exp.]

c. 3. Pensions, sugar, malt, &c. duty, [Exp.]

c. 4. Mutiny, [Exp.]

c. 5. (*Dec.* 20.) Militia, volunteers to *Ire.* [Exp.]

(*Dec.* 22.)

c. 6. Land-tax redemption, [Rep. 42 *G.* 3. *c.* 116. *s.* 1.] 453. Stats. *Rep. pl.* 1.

c. 7. Raising 3,000,000*l.* by annuities, [Exp.]

(*Jan.* 4. 1799.)

c. 8. Armorial bearings, [Exp.]

c. 9. Restraining negotiation of bills and notes below certain sum, [Exp.] 77. *pl.* 13.

c. 10. Small notes, issuing, (*Scot.*) [Exp.]

c. 11. Further time for payment of loans in islands of *Grenada* and *St. Vincent*, [Exp.]

c. 12. Continuing several statutes, [Exp.]

(*Jan.* 9.)

c. 13. Income-tax, [Rep. 42 *G.* 3. *c.* 42. *s.* 1.]

c. 14. Supplementary militia, exemptions, [Exp.]

c. 15. Suspected persons, detaining, [Exp.] 480. *pl.* 1.

c. 16. Courts of judicature in *Newfoundland*, &c. [Exp.] 520. *pl.* 3.

c. 17. Indemnity, offices, &c. [Exp.]

39 *Geo.* 3. A. D. 1799. (*continued.*)

c. 18. (*March* 7.) Raising 3,000,000*l.* by exchequer bills, [Exp.]

(*March* 21.)

c. 19. Marines, [Exp.]

c. 20. Mutiny, [Exp.]

c. 21. Land-tax, redemption, [Rep. 42 *G.* 3. *c.* 116. *s.* 1.] 453. Stats. *Rep. pl.* 1.

c. 22. Income-tax, [Rep. 42 *G.* 3. *c.* 42. *s.* 2.]

c. 23. Provisional cavalry, [Exp.]

c. 24. Continuing 39 *G.* 3. *c.* 9. [Exp.] 77. *pl.* 13.

c. 25. Issuing small notes, (*Scot.*) [Exp.]

c. 26. Export to *Ire.* of *British* made sail cloth, [Exp.] 1330.

c. 27. Cambrics, &c. import, [Exp.]

c. 28. *British* and *Irish* linens, export bounties, [Exp.]

(*April* 10.)

c. 31. Distilleries (*Scot.*); continuing several acts, [Exp.]

c. 32. Ships sailing from *Newfoundland* and *Labrador*, without convoy, [Exp.]

(*April* 19.)

c. 33. Raising 1,500,000*l.* by exchequer bills, [Exp.]

c. 34. Partridges, killing in *Eng.* and *Scot.*, 316. *pl.* 142., 319. *pl.* 200, 201.

(*May* 10.)

c. 35. Volunteers ballots for militia, [Exp.]

c. 36. Army; innkeepers, [Exp.]

c. 37. Offences on high seas, law respecting, 1250, 1251. *pl.* 1. 8, 9.

c. 38. Continuing acts, [Exp.]

c. 39. Attorney's articles, [Exp.] 1398. *pl.* 14.

c. 40. Land-tax redemption (*Scot.*), [Rep. 42 *G.* 3. *c.* 116. *s.* 1.] 453. Stats. *Rep. pl.* 1.

c. 41. Raising 3,000,000*l.* by exchequer bills, [Exp.]

c. 42. Income tax, [Rep. by 42 *G.* 3. *c.* 42. *s.* 2.]

c. 43. (*May* 10.) Land-tax redemption, [Rep. by 42 *G.* 3. *c.* 116. *s.* 1.] 453. Stats. *Rep. pl.* 1.

(*May* 20.)

c. 44. Suspected persons, detaining, [Exp.] 480. *pl.* 1.

c. 45. Burning in the hand, 105. *pl.* 1.

c. 46. Lodgings of judges at county assizes.

(*June* 13.)

c. 47. Negociation of bills and notes, [Exp.] 77. *pl.* 13. Restraining in *Eng.*

c. 48. Small notes, issuing in *Scot.* [Exp.]

c. 49. Extending bail to be given in criminal informations in *Scot.*

c. 50. Debtors, imprisonment, 388. Stats. *in force*, *pl.* 1.

c. 51. Continuing several statutes, [Exp.]

c. 52. Penitentiaries, [Exp.] 1239. *pl.* 1.

c. 53. Creditors, payment of in *Scot.* [Exp.]

c. 54. Indemnity to tanners, [Rep. virtually by 48 *G.* 3. *c.* 60., or Exp.] 478. Stats. *Rep.* &c. *pl.* 16.

c. 55. Improvement of lands subject to thirlage in *Scot.*

c. 56. Amending laws relative to collieries in *Scot.*

s. 7. is Exp.

c. 57. Indemnity to governors of *West India* islands, [Exp.]

c. 59. Warehousing goods imported from *East Indies.*

s. 1. is Rep. by 39 & 40 *G.* 3. *c.* 38. *s.* 1. *East India* goods, import.

ss. 11, 12. warehoused goods remaining, are Exp.

(*June* 21.)

c. 60. Annuities, [Exp.]

c. 61. *Prussian* linen yarn import, [Exp.]

c. 62. Militia, *Scot.* [Exp.]

(*July* 1.)

c. 63. Sugar, import and export; coffee export.

s. 6. sugar, is Exp.

c. 64. Reducing national debt.

39 *Geo.* 3. A. D. 1799. (*continued.*)

c. 65. Pilchards export; salt duties, 266. *pl.* 129.
ss. 7, 8. are Rep. by 41 *G.* 3. (*U. K.*) *c.* 91. *s.* 11. salt for curing fish, bonds.
ss. 1. 3. are Exp.
s. 11. salt contracts, is Exp.
c. 66. Salaries of sheriff's deputes and substitutes of *Scot.* placing on civil list.
c. 67. Serjeant at law, degree of, taking in vacation, [Exp.] 410. Judges, Stats. *Exp.*
(*July* 12.)
c. 68. Loan of 3,000,000*l.* [Exp.]
cc. 69—71. Raising 3,500,000*l.*, 3,000,000*l.*, and 3,000,000*l.* by exchequer bills, [Exp.]
c. 72. Allowing stamp duties on useless probates, [Rep. by 42 *G.* 3. *c.* 42. *s.* 1. as to income tax] *s.* 16. 1473. *pl.* 801. Assessments on trustees, &c.
c. 73. Exemptions of certain legacies to public bodies from duty 1448. *pl.* 576—577.
s. 2. is Exp.
c. 74. Farming post-horse duties, Exp.] 1471. *pl.* 772.
c. 75. Making 14 *G.* 3. *c.* 42. perpetual, 139. *pl.* 101.
c. 76. Ship letters, conveyance; postage thereon.
c. 77. Duties on salt made in *Scot.* and imported from *Scot.* into *Eng.* and *Wa.*
c. 78. Distilleries and spirits (*Scot.*) duties.
s. 4. is Rep. by 39 & 40 *G.* 3. *c.* 73. *s.* 16. stills, duty, *Scot.*
ss. 2, 3. distilling licences, *Scot.* are Exp.
c. 79. Seditious societies and practices, suppressing, 36. Stats in *force*, *pl.* 1—3., 36, 37. *pl.* 5—24., 1279, 1280. *pl.* 1—6. 8—12. 15. 18—20. Appendix. No. XIX. Printing.
s. 7. as to commencement of salaries of offices in *East Indies* is Rep. by 53 *G.* 3. *c.* 155. *s.* 89.
s. 39. is Exp.
c. 80. Slave trade, [Exp. since 47 *G.* 3. *Scss.* 1. *c.* 36.] 1373. *pl.* 76.
c. 81. Workmen, combination, [Rep. by 39 & 40 *G.* 3. *c.* 106. *s.* 1.] 144. Stat. *Rep.*
c. 82. *London* militia.
c. 83. Transferring to commissioners of public accounts the duties now performed in offices of auditors of land-revenue, 1. *pl.* 1., 4. *pl.* 68. 80. Paymaster general's account.
c. 85. Protecting masters against embezzlements by their clerks or servants, 229. *pl.* 1, 2.
c. 86. Spirit retailing licences, duty on; justices for county at large to grant alehouse licences, where corporate justices are disqualified, 1619. *pl.* 45. (*d*).
c. 87. Corn import and export; provisions import duty free, [Exp.]
c. 88. *Edinburgh* county, separate district to regulate import and export of corn, [*Qu.* if Exp.?]
c. 82. *East India* company taking up ships, [Rep. by 58 *G.* 3. *c.* 83. *s.* 1.] 139. *pl.* 19.
c. 90. Militia, [Rep. by 42 *G.* 3. *c.* 90. *s.* 1.]
c. 91. Raising 703,541*l.* 13*s.* 4*d.* by lottery, [Exp.] 497. *pl.* 6.
c. 92. Stamp duties, 1418. *pl.* 54.
c. 93. Forfeiture of inheritances on attainder of treason after death of Pretender or his sons.
c. 94. Salary of master and worker of H. M.'s mint, 515. *pl.* 2., 516. *pl.* 4—9.
c. 93. Produce of foreign colony in *America*, imports.
c. 96. Mint erecting for emperor of *Russia*, [Exp.]
c. 97. Militia, pay, &c. [Exp.]
c. 98. *Spanish* wool import.
c. 99. Reducing *ad valorem* duties on imports from *Levant*.
ss. 1—2. are Rep. by 39 & 40 *G.* 3. *c.* 80. *s.* 8. quarantine, 45 *G.* 3. *c.* 10. *s.* 9.
c. 100. Fisheries, *British*, [Exp.] 270. *pl.* 22.

39 *Geo.* 3. A. D. 1799. (*continued.*)

c. 101. Continuing statutes relating to *Greenland* fisheries, &c. [Exp.]
c. 102. Fisheries, *Newfoundland*, [Exp.] 281. *pl.* 199.
c. 103. Allowance to subalterns, militia, [Exp.]
c. 104. 6th and 7th battalions of foreigners added to 60th regiment, to serve in *America* only.
c. 106. Militia forces, reduction, [Rep. by 42 *G.* 3. *c.* 90. *s.* 1.]
c. 107. Stamp duties; bills of exchange and promissory notes for small sums, 1430, 1431. *pl.* 298. 306. 318—320. 325.
ss. 1—3. are Rep. 44 *G.* 3. *c.* 98. *s.* 1., 55 *G.* 3. *c.* 184. *s.* 1.
s. 5. as to issuing notes, and *s.* 6. are Rep. by 55 *G.* 3. *c.* 184. *s.* 14.
s. 8. bills of exchange, suspending, is Exp.
ss. 9—10. *Scotch* banks issuing 5*s.* notes, are Exp.
s. 20. is Exp.
c. 108. Land-tax redemption, [Rep. 42 *G.* 3. *c.* 116. *s.* 1.] Stats. *Rep.* *pl.* 1.
c. 109. *East India* company's forces recruiting, 226. 227. *pl.* 615—634.
s. 17. is Rep. virtually by 50 *G.* 3. *c.* 87. *s.* 3.
c. 110. Judges in courts of *Eng.* and *Scot.* augmentation of salaries, 410. *pl.* 1—4. Annuities to judges of *Westminster Hall* on resigning their offices, 411. *pl.* 13—20.
s. 1. and *s.* 3. as to all augmentation of salaries except of master of rolls, are Rep. by 49 *G.* 3. *c.* 127. *s.* 1.
s. 12. is Rep. by 50 *G.* 3. *c.* 31. *s.* 1.
s. 2. in part, is Exp.
c. 111. Naval stores import, [Rep. by 42 *G.* 3. *c.* 7.]
c. 112. Import in neutrals, [Exp.]
c. 113. Enabling persons appointed judges to take on themselves degree of serjeant in vacation, 411. *pl.* 21—22.
c. 114. Grant of 3,229,000*l.* from consolidated fund; appropriating supplies. [Exp.]

39 & 40 *Geo.* 3. A. D. 1799.

(*Oct.* 12.)
c. 1. Militia, volunteers from, [Rep. by 42 *G.* 3. *c.* 90. *s.* 1.]
c. 2. Malt, &c. duty, [Exp.]
c. 3. Pension duty, [Exp.]
c. 4. Raising 2,500,000*l.* by exchequer bills, [Exp.]
c. 5. Merchants of *Lancaster*, &c. relief to, by 500,000*l.* issued in exchequer bills, [Exp.]
c. 6. Issuing exchequer bills on credit of customs duties, [Exp.]
c. 7. Low wines from wheat, &c. [Exp.]
c. 8. Distilling from sugar, [Exp.]
c. 9. Seducing H. M.'s forces, [Exp.]
c. 10. Land-tax redemption, [Exp.]
c. 11. Income tax, [Rep. 42 *G.* 3. *c.* 42. *s.* 1.]
c. 12. Plantation sugar, warehousing, [Exp.]
c. 13. Islands of *Grenada* and *St. Vincent*, [Exp.]
c. 14. Enabling H. M. to shorten the time for meeting of parliament, in cases of adjournment, 1234. *pl.* 427. 429, 430.
(*Feb.* 19. 1800.)
c. 15. Militia volunteers to *Ire.* [Exp.]
c. 16. Seducing H. M.'s forces, [Exp.]
c. 17. Continuing statutes, [Exp.] 520. *pl.* 3.
(*Feb.* 20.)
c. 18. Bread, [Exp.] 84. *pl.* 7.
c. 19. Indemnity offices, &c. [Exp.]
(*Feb.* 28.)
c. 20. Suspected persons, detaining, [Exp.] 480. *pl.* 1.
c. 21. Spirits, making, from meal, &c. in *Scot.* [Exp.]
(*March* 10.)
c. 22. Raising 20,500,000*l.* by annuities, [Exp.]
c. 23. *British* and foreign spirits and tea, additional duties.
s. 3. spirits excise, contracts, is Exp.
c. 24. Marines, [Exp.]

39 & 40 *Geo.* 3. A.D. 1800. (*continued.*)

(*March* 25.)
*c.*25. Wheat, using, in making starch, [EXP.]
*c.*26. Reducing national debt.
*c.*27. Mutiny, [EXP.]
*c.*28. (*March* 28.) Advance by bank of *Eng.* [EXP.]
(*April* 4.)
*c.*29. Wheat, import, bounty, [EXP.]
*c.*30. Land-tax redemption, [REP. 42 *G.*3. *c.*116. *s.*1.]
(*April* 24.)
*c.*31. Commissioners for executing pension duty, [EXP.]
*c.*32. Indemnity; volunteers; hair powder, [EXP.]
(*May* 1.)
*c.*33. Issuing 7,000,000*l.* in exchequer bills, on credit of supplies, [EXP.]
*c.*34. *American* goods, import, [EXP.]
*c.*35. Oats, import, bounty, [EXP.]
*c.*36. Courts of equity enabled to compel a transfer of stock in suits, without making the bank of *Eng.*, or *East India* Co., or *South Sea* Co., party thereto, 1480. *pl.*31—34.
*s.*3. is EXP.
(*May* 16.)
*c.*37. Militia pay, &c. [EXP.]
*c.*38. Innkeepers, quartering soldiers, [EXP.]
*c.*39. Army innkeepers, [EXP.]
*c.*40. Poor, assessments for relief of, in incorporated parishes, [EXP.] 1258. *pl.*6.
*c.*41. Leases by ecclesiastical persons and bodies, 477. *pl.*33—42.
*c.*42. Observing *Good Friday*. Bills and notes, 79. *pl.*46, 47.
(*May* 30.)
*c.*44. Militia, allowances to disembodied serjeants, &c. [EXP. in part.]
*c.*45. Continuing several statutes, [EXP.]
*c.*46. Small debts, continuing in *Scot.*
*c.*47. Hackney coach fares, 340. *pl.*22.; laws respecting hackney coaches and chairs, 341, 342. *pl.*53. 73—83.
*s.*11. REP. virtually by 48 *G.*3. *c.*87. *s.*11.
*c.*48. Sugar, export duty, [EXP.]
(*June* 20.)
*c.*49. Income duties, [REP. 42 *G.*3. *c.*42. *s.*1.]
*c.*50. Vagrants, [REP. 56 *G.*3. *c.*130. *s.*1., 57 *G.*3. *c.*90. *s.*5.] 309. *pl.*18.
*c.*51. Blubber boiled into oil, 293. *pl.*406, 407. Burr, paving, and road mending stones exempted from duty when sent coastwise.
*s.*17. is REP. by 46 *G.*3. *c.*137. *s.*2. bonds by owners of licensed vessels.
*s.*2. blubber import, is EXP.
*c.*52. Raising 826,250*l.* by lottery, [EXP.] 497. *pl.*6.
*c.*53. Rye import, [EXP.]
*c.*54. Public accountants charging with payment of interest; allowing interest to them; compelling payment of balances due, 4, 5. *pl.*81—98.
*c.*55. Salaries of Judges in *Scotland*, augmentation, [REP. 50 *G.*3. *c.*31. *s.*1.]
*c.*56. Relief of persons entitled to entailed estates, to be purchased with trust monies, 238. *pl.*5—7.
(*June* 30.)
*c.*58. Export and import of corn, and other provisions, [EXP.]
*c.*59. *East India* company's imports, duties on.
*c.*60. Cape wines, duties on, and shipment of, free of excise as stores consumed aboard merchant ships on their voyages.
*c.*61. Spirits, &c. duties, [EXP.]
*c.*62. Sugar used in brewing, [EXP.] 69. STATS. *Exp. pl.*1.
*c.*63. Kid skins imported, duties.
*c.*64. Linseed and rape cakes, imported, [EXP.]
*c.*65. Merchandize in neutrals; orders in council, [REP. 42 *G.*3. *c.*80. and EXP.]

39 & 40 *Geo.* 3. A.D. 1800. (*continued.*)

*c.*66. Horse hides using for boots and shoes, 478. *pl.*16. Hides and skins, damaging in flaying, &c. 350—351. *pl.*8, 9. 11, 12. 15—18. 20, 21. 23—26. 29. 32. 34.
*s.*3. in part as to duties imposed on 6 tanners, is REP. by 41 *G.*3. *s.*2. hides and skins.
*s.*4. as to the amount of the fines, is REP. by *id. s.*4.
*s.*8. is REP. by *id. s.*7.
*s.*14. is REP. in part by *id. s.*2.
*s.*18. is REP. in part by *id. s.*8.
*c.*67. (*July* 2.) [and 40 *G.*3. (*Ir.*) *c.*38.] Union of *G.B.* and *Ire.*, 399, 400. *pl.*1—19., 1234. *pl.*431., 408. *pl.*1—13. and *Addenda*.
*Art.*4. *ss.*4. 10. are EXP.
*Art.*7. as to the sum to be laid out for 20 years, after 1*st. Jan.* 1801. for local purposes in *Ire*, is EXP.
*Art.*4. as to the then parliament of *G. B.* becoming members of the first parliament of *U. K.*, with those summoned and returned for *Ire.*, and proviso as to persons holding offices, is EXP.
(*July* 9.)
*c.*68. Commissioners for executing grant duty on pensions, [EXP.]
*c.*69. Duty on perfumery, and licences for vending it, 1398. *pl.*12.
*s.*2. is EXP.
*c.*70. Waste paper, import, [EXP.]
*c.*71. Bread for the army, selling, though not baked 24 hours, [EXP.] 84. *pl.*8.
*c.*72. Stamp laws, 1398. STATS. *in force*, *pl.*1., 1417. *pl.*43, 44., 1423. *pl.*146., 1439, 1440. *pl.*464. 468., 1463. *pl.*636., 1465. *pl.*666.
*ss.*4, 5. 13. are REP. by 44 *G.*3. *c.*98. *s.*1., 55 *G.*3. *c.*184. *s.*1.
*ss.*9. 11. are REP. by 54 *G.*3. *c.*133. *s.*1.
*s.*19. is REP. by 44 *G.*3. *c.*98. *s.*22.
*ss.*12, 13. as to stamping certain deeds, are EXP.
*ss.*14—18. attornies stamps, are EXP.
*c.*73. Distilleries in *Scot.*; export from *Eng.* to *Scot.* of *British* spirits.
*c.*74. Regulating assize and price of bread, 84. *pl.*11., 89. *pl.*73, 74.
*c.*75. Militia, allowances to subalterns, [EXP.]
*c.*76. Indemnity to governors of *West India* islands, [EXP.]
*c.*77. Security of collieries and mines; colliers and miners regulating, 514, 515. *pl.*14—24.
(*July* 28.)
*c.*79. Government and administration of justice in *British* territories in *India*, 198. *pl.*120. 143. 153., 206. *pl.*283., 208. *pl.*314., 214. *pl.*398. 402. 409, 410. 414. 417—420., 215, 216. *pl.*428—445.
*s.*14. is EXP.
*c.*80. Quarantine, [REP. (except *s.*1. as to statutes repealed therein, and *s.*8.) 45 *G.*4. *c.*10. *s.*9.] 1307. *pl.*1. 3.
*c.*81. Hops, better collection of duty on; abuses in trade in, preventing.
*c.*82. Hops, import duties, [EXP.]
*c.*83. *French* wines, imports from *Guernsey*, *Jersey*, or *Alderney*, in bottles or flasks.
*c.*84. To make valid apprentices indentures wrong stamped; indemnity for penalties incurred thereby; allowing attested copies of deeds to be stamped after engrossing, writing, or printing them, 1424. *pl.*177.
*s.*1. is EXP.
*c.*85. Fisheries, *British*, 270. *pl.*22.
*s.*2. is REP. by 41 *G.*3. (*U. K.*) *c.*97. *s.*7. *Isle of Man*, fish-curers, bounty.
*s.*1. continuing clause, is EXP.
*c.*87. *Thames*, depredations on or near; bum-boats, 1531, STATS. *Rep. pl.*1.
*s.*5. is REP. by 42 *G.*3. *c.*76. *s.*25. *Thames* police justices' salaries.
*c.*88. Disposition of real and personal property of the sovereign, 433, 434. *pl.*116—127.; escheat, 236. *pl.*29, 30.

39 & 40 *Geo.* 3. A. D. 1800. (*continued.*)

s. 2. last part is Exp.
s. 3. 8. 11. are Exp.

c. 89. Embezzlement of naval, victualling, and ordnance stores, expressly Ext. to *Scot.* by *s.* 29. and to *Ire.* by 52 *G.* 3. *c.* 12. *s.* 1., 1483. 1485. *pl.* 47—82.

c. 90. Settling disputes of masters and workmen in cotton manufacture in *Eng*, 152—154. *pl.* 1. 28—33., 537. *pl.* 3.
ss. 1—6. are Rep. by 44 *G.* 3. *c.* 87. *s.* 1.

c. 91. Rice, export, [Exp.]

c. 92. Regulations in offices of House of Commons, [Rep. 52 *G.* 3. *c.* 11.] 1215. *pl.* 11.

c. 93. Regulating trials for high treason, and misprision thereof, 1545. *pl.* 52. 56.

c. 94. Custody of insane persons charged with offences, 375, 376. *pl.* 45. 49.
s. 1. in part, is Exp.

c. 95. Indemnity, printers, 1279. Stats. *Rep.* &c. *pl.* 2.

c. 96. Income tax, [Rep. 42 *G.* 3. *c.* 42. *s.* 1.]

c. 97. *London* company for manufacture of bread, &c. 84. *pl.* 9.

c. 98. Against directions in wills, &c. for accumulating profits of any property for more than 20 years, 238. *pl.* 8—12.

c. 99. Pawnbrokers, 1235. 1239. *pl.* 5—39.

c. 100. Natives of *United Provinces* serving H. M. as soldiers, or sailors.

c. 101. *Grenada* and *St. Vincent*, [Exp.]

c. 102. Exchequer bills, 3,500,000*l.* raised by.

c. 103. ——— 3,000,000*l.* raised by.

c. 104. ——— 3,000,000*l.* raised by.

c. 105. Practice regulating, and delays preventing in Common Pleas of the county of *Lancaster*, 157. *pl.* 36—40.
s. 5. is Exp.

c. 106. Combinations of workmen, 145, 146. *pl.* 10—34., Appendix, No. XX.
Sch. in part is Rep. by 41 *G.* 3. (*U. K.*) *c.* 38. workmen; form of conviction.
ss. 1. 6. 24. are Exp.

c. 107. As to *Swedish* herrings, import, 261. *pl.* 9.; bills and notes, [Exp.] 77. *pl.* 13.

c. 108. Indemnity to governor of *Surinam*, [Exp.]

c. 109. Grant of 5,200,000*l.* from consolidated fund; appropriating supplies; duplicates of exchequer bills, lost, &c.; making out. [Exp.]

41 *Geo.* 3. (*G. B.*) A. D. 1800.

(*Nov.* 24.)

c. 1. Rice, export, indemnity, [Exp.]

c. 2. Export of provisions, enabling H. M. to prohibit by order in council, 1619. *pl.* 8—15.

(*Dec.* 8.)

c. 3. Spirits distilling; starch-making; corn using, Exp.

c. 4. Hops, import, Exp.

c. 5. Continuing several statutes, [Exp.] 69. *pl.* 2. &c.

c. 6. Steeping malt.

c. 7. Malt, &c. duty, [Exp.]

c. 8. Pensions, duty, [Exp.]

c. 9. Poor, 1261, 1262. *pl.* 32. 42. 44, 45. 49.

(*Dec.* 15.)

c. 10. Wheat, &c. import, [Exp.]

c. 11. Herrings, &c. import, [Exp.] 281. *pl.* 200.

(*Dec.* 22.)

c. 12. Bread, poor, [Exp.] 1258. *pl.* 7.

c. 13. Buildings, purchasing, for accommodation of Houses of Parliament, [Exp.]

(*Dec.* 31.)

c. 14. Raising 3,500,000*l.* by exchequer bills, [Exp.]

c. 15. Population of *G. B.* taking an account of, [Exp.] 1276. *pl.* 1.

41 *Geo.* 3. A.D. 1800. (*continued.*)

c. 16. Bread, [Rep. 41 *G.* 3. (*U. K.*) *c.* 2. *s.* 1.]

c. 17. Bread, [Rep. 42 *G.* 3. *c.* 4.]

c. 18. *Swedish* herrings, import, [Exp.] 261. *pl.* 9.

c. 19. Import of wheat, &c. [Exp.]

c. 20. Continuing several statutes, [Exp.]

c. 21. *British* fisheries, [Exp.] 269. *pl.* 1.

c. 22. *West Indies*, public expenditure, [Exp. and Rep. 46 *G.* 3. *c.* 80. *s.* 1. which act is Exp.] 1. Stats. *Exp.*, &c. *pl.* 6.

c. 23. *Amsterdam* in *Curaçoa*, a free port, [Exp.]

c. 24. Aliens, [Rep. 42 *G.* 3. *c.* 92. *s.* 1. *comm. semb.* Rep.] 19. Stats. *Rep. pl.* 4.

c. 25. Allowing import of undressed hemp from any countries within exclusive trade of *East India* company, free of duty.

c. 26. Turnpike road acts continuing, [Exp.]

c. 27. Islands of *Grenada* and *St. Vincent*, [Exp.]

c. 28. Land tax redemption, [Rep. 42 *G.* 3. *c.* 16. *s.* 1.] 453. Stats. *Rep. pl.* 1.

c. 29. Seducing H. M.'s forces, [Exp.]

c. 30. Quarantine, [Exp.] 1307. *pl.* 1.

c. 31. Indemnity offices, [Exp.]

c. 32. Suspected persons, detaining, [Exp.] 480. *pl.* 1.

41 *Geo.* 3. (*U. K.*) A. D. 1801.

c. 1. (*Feb.* 9.) *G. B.* [Exp.] 84. *pl.* 10.

c. 2. (*Feb.* 24.) *G. B.* [Exp.] 84. *pl.* 10.

(*March* 12.)

c. 3. raising 28,000,000*l.* by annuities, [Exp.]

c. 4. Exchequer bills 3,000,000*l.* [Exp.]

(*March* 24.)

c. 6. Militia, (*Ire.*) [Rep. 49 *G.* 3. *c.* 120. *s.* 1.]

c. 7. Postage, foreign, [Rep. 42 *G.* 3. *c.* 101. *s.* 1.]

c. 8. Paper imported into *G. B.*, duties, [Rep. 59 *G.* 3. *c.* 52. *s.* 1.]

c. 9. Horses, &c. tax in *G. B.* [Rep. 43 *G.* 3. *c.* 161. *s.* 84.] 1437. *pl.* 24.

c. 10. Stamp duties on bills, notes, insurances, and certain deeds, *G. B.* 1398. Stats. *in force*, *pl.* 1., 1421. *pl.* 136., 1431. *pl.* 320., 1438—1440. *pl.* 450. 464, 465. 484., 1460. *pl.* 623. 633.
ss. 1. 3. 4. 9. 11, 12. are Rep. by 44 *G.* 3. *c.* 98. *s.* 1.; and by 55 *G.* 3. *c.* 184. *s.* 1.
s. 8. is Rep. by 55 *G.* 3. *c.* 184. *s.* 7.
s. 10. is Rep. by 44 *G.* 3. *c.* 98., 42 *G.* 3. *c.* 94. *s.* 7., newspapers, discount, and 55 *G.* 3. *c.* 184. *ss.* 9, 10.
s. 6. is Rep. virtually, 55 *G.* 3. *c.* 184. *s.* 14.
ss. 5. 14. are Exp.

c. 11. Mutiny, [Exp. except *ss.* 83. 85.] 1350. *pl.* 3—5.

c. 12. Bread, *G. B.*

c. 13. Flour from *America*, *G. B.* [Exp.]

c. 14. Rebellion, *Ire.* [Exp.]

c. 15. Suspected persons, detaining, (*Ire.*) [Exp.]

c. 16. Distilling from grain, (*Ire.*) [Exp.]

c. 17. Land tax on salaries, duties, (*Ire.*) [Rep. in part by 41 *G.* 3. *U. K.* *c.* 100.]

c. 18. Marines, [Exp.]

(*April* 2.)

c. 19. Continuing several statutes.
ss. 1—3. duties, &c. continuing, are Exp.

c. 20. Common fields, cultivating with potatoes, (*G. B.*) [Exp.]

c. 21. Removal of *East India* goods by land carriage to certain ports, in order to export to *West Indies*, (*G. B.*)

c. 22. Apprentice indentures wrong stamped, (*G. B.*) [Exp.] 27. *pl.* 2., 1398. *pl.* 16.

c. 23. Poor rates, collection of, (*Eng.*) 1268, 1269, *pl.* 133. 150, 151. 161—167.

c. 24. Riotously demolishing mills, indemnifying loser by, (*G. B.*) 513. *pl.* 6.

41 *Geo.* 3. (*U.K.*) A.D. 1801. (*continued.*)

*c.*25. Regulating office of master of the rolls in *Ire.*, augmenting its salary.

*c.*26. Suspected persons, detaining, (*G.B.*) [EXP.] 480. *pl.*1.

(*April* 30.)

*c.*27. 701,250*l.* raised by lottery, (*G.B.*) [EXP.] 497. *pl.*7.

*c.*28. Duties on imports and exports, (*G.B.*) [REP. 42 *G.*3. *c.*116. *s.*1.]

*c.*29. Distilleries, (*Scot.*) [EXP.]

*c.*30. Seditious meetings, (*G.B.*) [EXP. and REP. 45 *G.*3. *c.*10. *s.*9.] 36, STATS. *Rep.* &c. *pl.*6.

*c.*31. Shortening time of keeping in steep barley damaged by rain in last harvest, (*G.B.*) [EXP.]

*c.*32. Permanent services in *Ire.*, grant of money to defray the charge of.

*c.*33. Sugar, tea, &c. import duty, (*Ire.*) [REP. 44 *G.*3. *c.*26. *s.*1.]

*c.*34. Wheat, &c. impost, (*Ire.*) [EXP.]

*c.*35. Militia, innkeepers, (*Ire.*) [EXP.]

(*May* 21.)

*c.*36. Provisions, probibiting export and permitting import, (*Ire.*) [EXP.]

*c.*37. Rice and other grain import from *East Indies* into *Ire.* [EXP.]

*c.*38. Combinations of workmen; form of conviction, (*G.B.*) 145, 146. *pl.*10. 22.

*c.*39. Forging of bank notes, bills, and post bills, preventing, 52. *pl.*103., 297, 298. *pl.*30—34.

*s.*2. is EXP.

*c.*40. Horses of clergymen kept duty-free, [REP. 43 *G.*3. *c.*116. *s.*84.] 1388. *pl.*26., 1487. *pl.*25.

*c.*41. Hops, import, (*Ire.*) [EXP.]

*c.*42. Elephant oil sold by auction in *G.B.* exempted from auction duty, 44. *pl.*1., 45. (II.) *pl.*8.

*c.*43. Militia pay, &c. [EXP.]

(*June* 20.)

*c.*44. Plantation sugar, warehousing, (*G.B.*) [EXP.]

*c.*45. Duties, &c. in *Ire.*

*c.*46. Orders in council respecting bills of exchange drawn in *Russia*, &c. indemnity, [EXP.]

*c.*47. Stills, licences, (*Ire.*) [EXP.]

*c.*48. Sale of spirituous liquors, (*Ire.*) [REP. 45 *G.*3. *c.*50. *s.*1.]

*c.*49. Indemnity offices, &c. (*Ire.*) [EXP.]

*c.*50. (Local.) Building *Foundling Hospital* at *Dublin*, (*Ire.*)

*c.*51. Portugal wine, landing, warehousing, &c. [EXP.]

*c.*52. Declaring who are disabled from sitting and voting in the House of Commons of *U.K.* of *G.B.* and *Ire.*; what places of profit under crown of *Ire.* disable the holders from being such members of parliament, 1222—1224, *pl.*185. 216—222. 225—227.

*s.*7. proviso for 20 sitting members, is EXP.

*c.*53. Leather, (*G.B.*) 350, 351. *pl.*8—10. 13, 14. 19. 22. 27, 28. 33, 34.

*c.*54. *Isle of Man* trade, revenue, and manufactures of.

*c.*55. Militia, allowances to adjutants, [EXP.]

*c.*56. Militia, subalterns, [EXP.]

*c.*57. Forgery of notes, and bills of exchange of persons acting as bankers, 48. BANKER, *pl.*1—4.

*c.*58. Stamp duties, *Kerry* bonds, stamps, (*Ire.*) [EXP.]

(*June* 23.)

*c.*61. *Irish* rebellion. [EXP.]

*c.*62. *Irish* M.P.s occasionally resident in *Eng.*, exempt from certain taxes in *Eng.* [REP. 43 *G.*3. *c.*161. *s.*84.] 1487. *pl.*26.

*c.*63. Ineligibility of persons in holy orders to sit in house of commons, 1391. *pl.*81—85.

*c.*64. Debtors, imprisonment, *semb. Eng.* only, [EXP.] 388. *pl.*14.

(*June* 24.)

*c.*65. Reducing national debt.

41 *Geo.* 3. (*U.K.*) A.D. 1801. (*continued.*)

*c.*66. Indemnity for imprisonment of suspected persons in *G.B.* 383. *pl.*1.

*c.*67. Militia, (*Scotland.*)

*c.*68. Copper, export, import, [EXP.]

(*June* 27.)

*c.*69. Armorial bearings, &c. (*G.B.*) [REP. 43 *G.*3. *c.*161. *s.*84.] 1398. *pl.*17., 1487. *pl.*27.

*c.*70. Insolvent debtors, [EXP.] 388. *pl.*14.

*c.*71. Horse dealers, duty, (*G.B.*) [REP. 43 *G.*3. *c.*161. *s.*84.] 1487. *pl.*16.

*c.*72. Land-tax redemption, (*Eng.*) [REP. 42 *G.*3. *c.*116. *s.*1.] 453. STATS. *Rep. pl.*1.

*s.*2. is EXP.

*c.*73. Supply to farming society, *Ireland*, [EXP.]

*c.*74. Sugar export, warehousing, (*Ire.*) [EXP.]

*c.*75. Tea, export to *Ire.*

*c.*76. Granting letters of marque to vessels in service of boards of customs, excise and other public boards, (*G.B.*) 508. *pl.*3—5.

*c.*77. Fish from *Newfoundland*, &c. import, [EXP.] 281. *pl.*201.

*c.*78. Allowing special and high constables' charges of conveying offenders to gaol, (*Eng.*) 1287. *pl.*132. 136, 137.

*c.*79. Public notaries in *Eng.*, regulation, 528, 529. *pl.*1—18.

*s.*12. is EXP.

*c.*80. Indemnity for printer's name not printed on state papers, [EXP.] 1279. STATS. *Rep. pl.*2.

*c.*81. Grant from consolidated fund of 2,000,000*l.*, [EXP.]

*cc.*82, 83. Exchequer bills; 6,500,000*l.* and 3,000,000*l.* [EXP.]

*c.*84. Grant of 3,100,000*l.* from consolidated fund; appropriating supplies, [EXP.]

*c.*85. Fines imposed by justices out of session, better payment of in *Eng.*, 254. *pl.*26—32.

(*July* 2.)

*c.*86. Stamp duties on deeds, &c. (*G.B.*) 1398. STATS. *in force*, *pl.*1. On probates of wills, 1473. *pl.*802. Cards and dice, 1434. *pl.*378—386.

*ss.*1, 2. are REP. by 44 *G.*3. *c.*98. *s.*1., 55 *G.*3. *c.*184. *s.*1. stamps, duties.

*ss.*12, 13. are REP. by 44 *G.*3. *c.*55. *s.*1. sale of exciseable liquors, (*Scot.*)

*ss.*17—19. are REP. by 55 *G.*3. *c.*184. *s.*1. and *s.*55.

*ss.*14, 15. 21. stamps, indentures, are EXP.

*c.*87. Duties on cards imported into *G.B.*, except from *Ire.*

*c.*88. Accommodations of judges in assize towns in *Ire.*

*c.*89. Import of statues, &c. duty, (*G.B.*) [REP. 59 *G.*3. *c.*52. *s.*1.]

*c.*90. Recovery of debts due to H.M. in *U.K.*, 187. *pl.*38—40. Administration of justice in *U.K.* 166. *pl.*71, 72. 171. *pl.*72, 73. Statutes, evidence of, 1478. *pl.*8.

*c.*91. Controverted *Irish* elections, trial of. Qualifications of members. Auction, 44. *pl.*1. 45. (II.) *pl.*13.

*s.*3. is REP. by 43 *G.*3. *c.*129. *s.*5. coffee, imitation of.

*s.*6. excise seizures, warehousing, is REP.

*c.*92. Flour, &c. import, (*Ire.*) [EXP.]

*c.*93. Hops, import, (*Ire.*) [EXP.]

*c.*94. Landing plantation spirits, (*Ire.*), [EXP. but *QU.?*]

*c.*95. Trade between *Ire.* and *United States.*

*c.*96. Prize courts, regulating; decrees of commissioners of appeals, 12. *pl.*17—34.

*c.*97. Continuing several statutes, [EXP.] 270. *pl.*22.

*c.*98. Militia pay, &c. (*Ire.*), [EXP.]

*c.*99. Bringing fish into *U.K.*, [EXP.] 261. *pl.*10.

*c.*100. Repeals the tax on salaries, pensions, &c. in *Ire.*, of non-residents in *Ire.* for a certain time.

*c.*101. Trials of controverted elections in *Ire.*, 1224. *pl.*229. 233, 234., 400. *pl.*9.

41 G. 3. (*U.K.*) A.D. 1801. (*continued.*)

ss. 1—22. 24, 25. are Exp.

c. 102. Staying suits under 21 *H.* 8. *c.* 13. till 25*th March* 1802, [Exp.]

c. 103. Trade to *Malta*, [Exp.]

c. 104. Indemnity, insurrection, &c. (*Ire.*), [Exp.]

c. 105. Judges to whom petitions for certain bills are referred, authorised to examine witnesses on oath, 411. *pl.* 23, 24. 1593. *pl.* 7, 8.

c. 106. Foreigners protected from arrests for debts not contracted in the dominions of H. M., [Exp.] 299. *pl.* 4.

c. 107. Copyright of books in *G. B.* and *Ire.*, 485. *pl.* 2—6. Import of books, 486. *pl.* 16. *Trinity College, Dublin*, rights of printing, 485. *pl.* 7—9. Actions, &c. 486. *pl.* 18.

s. 1. and last part of *s.* 4. and *s.* 6. duration of copyright, are Rep. by 54 *G.* 3. *c.* 116. *ss.* 1, 4. 5.

c. 109. Consolidating the usual provisions of inclosure acts, and facilitating proofs thereon, (*Eng.*) 380—383. *pl.* 1—40. 42—46., Appendix, No. xxii.

42 Geo. 3. A. D. 1801.

(*Nov.* 21.)

c. 1. Malt, &c. duty, [Exp.]

c. 2. Pensions, duty, [Exp.]

c. 3. Salt for fisheries, indemnity, [Exp.] 269. *pl.* 1.

c. 4. Bread, (*Eng.*) [Exp.] *Addenda.*

(*Dec.* 11.)

c. 5. Continuing certain statutes, [Exp.]

c. 6. Mistake in lottery act rectified, [Exp.] 497. *pl.* 7.

c. 7. Naval stores, import from *Hamburgh*, &c. [Exp.]

c. 8. Granting annuities to satisfy exchequer bills.

c. 9. Exchequer bills, 5,000,000*l.* raised by.

c. 10. Captors of prizes landing prize goods, [Exp.]

c. 11. Restraints on correspondence by letter with foreign countries taken away.

c. 12. Militia, (*Eng.* and *Wa.*) [Rep. 42 *G.* 3. *c.* 90. *s.* 1.]

c. 13. Provisions, export, (*Ire.*) [Exp.]

(*Dec.* 15.)

c. 14. Starch making from rice or potatoes, &c. (*Ire.*) [Exp.]

c. 15. Spirits, distillation of from wheat in *Ire.*, preventing.

c. 16. Silk, import, *G. B.*, [Exp.] 349. Stats. *Exp.*, *pl.* 4.

(*Feb.* 24. 1802.)

c. 17. Exchequer bills, 2,100,000*l.* raised by, [Exp.]

c. 18. Southern whale fishery, premiums to ships employed in, 287. *pl.* 304. Enlarging its limits, 289. *pl.* 329.

ss. 1—3. southern whale fishery, premiums, are Exp.

c. 19. Fishmarket at *Westminster*; sale of eels may be made 28 days after vessel's arrival in *Nore*, 265, 266. *pl.* 142. 153.

(*March* 19.)

c. 20. Exports and imports.

c. 21. Exchequer bills, 1,000,000*l.* raised by, [Exp.]

c. 22. *Greenland* whale fisheries, 290. *pl.* 358. 366., 291, 292. *pl.* 370. 399.

ss. 1. 3. are Exp.

c. 23. Indemnity, offices, &c. [Exp.]

c. 24. Certain customs duties repealed, (*G. B.*)

(*March* 24.)

c. 25. Mutiny, [Exp.]

c. 26. Marines, [Exp.]

c. 27. Trade with *United States*, [Exp.] 1558. *pl.* 3.

c. 28. Transporting felons, &c. to temporary places of confinement in *Eng.* and *Scot.*

s. 2. is Rep. virtually by 56 *G.* 3. *c.* 27. *s.* 15. in consequence of the repeal of 26 *G.* 3. *S.* 2. *c.* 56.

ss. 1. 3. are Exp.

c. 29. *Fort Marlbro'* made subordinate to *Fort William*; *E. I.* Co. 217. *pl.* 450, 451.

c. 30. Spiritual persons, pluralities, [Exp.]

42 Geo. 3. A.D. 1802. (*continued.*)

c. 31. Duties, (*Ire.*) [Exp.]

(*April* 15.)

c. 33. 25,000,000*l.* raised by annuities, 1487. *pl.* 28.

c. 34. Houses, windows, &c., duties consolidated, (*G. B.*) [Rep. 43 *G.* 3. *c.* 161. *s.* 84.]

c. 35. Grain export between *G. B.* and *Ire.* [Exp.]

c. 36. Revenues, (*Ire.*) [Exp.]

(*April* 30.)

c. 37. Servants, carriages, horses, &c. duty consolidated, (*G. B.*) [Rep. 43 *G.* 3. *c.* 161. *s.* 84.] 1487. *pl.* 21.

c. 38. Beer and ale, spirits, &c. duties.

s. 30. is Rep. by 46 *G.* 3. *c.* 139. *s.* 1., corn, &c. making into malt, wetting, &c.

ss. 4, 5., beer allowances, are Exp.

c. 39. Isles of *Grenada* and *St. Vincent*, [Exp.]

c. 40. Bank restriction act continued, 51. *pl.* 78.

(*May* 4.)

c. 41. Exchequer bills, (*G. B.*) 2,000,000*l.* [Exp.]

c. 42. Income-tax repealing; arrears collecting; charging annuities charged on the income tax on the consolidated fund of *G. B.*

(*May* 7.)

c. 43. Exports and imports, tonnage of vessels, duties, (*G. B.*)

c. 44. *French* wines import into *G. B.* in flasks.

c. 45. Bank of *Ire.* restriction of cash payments (till 1st *June*, 1823, by 59 *G.* 3. *c.* 49. *s.* 1.)

c. 46. Register of poor children bound apprentice by overseers, (*Eng.*) 28. *pl.* 32., 29. *pl.* 43. 50—54., 31. *pl.* 92.

(*May* 10.)

c. 47. Plantation sugar, warehousing, &c. (*G. B.*) [Exp.]

(*May* 24.)

c. 49. Militia pay, &c. (*Eng.*) [Exp.]

c. 50. Mutiny, [Exp.]

c. 51. Marines, [Exp.]

c. 52. Stamps; post horse duty, farming (*G. B.*) [Exp.] 1471. *pl.* 772.

c. 53. Indemnity, offices, &c. (*Ire.*) [Exp.]

(*May* 28.)

c. 54. Raising 1,455,000*l.* by 3 lotteries, [Exp.] 497. *pl.* 7.

c. 55. Militia allowances to subalterns, (*Eng.*) [Exp.]

(*June* 3.)

c. 56. Medicines stamp duty, 1398, 1399. Stats. *in force*, *pl.* 1. Collection, (*G. B.*) 1458—1460. *pl.* 587—598. 600—606. 609—613. 616, 617. 619.

Schedule, and so much of *s.* 19. as relates to it, is Rep. by 43 *G.* 3. *c.* 73. *s.* 1., medicines.

s. 2. is Rep. by 44 *G.* 3. *c.* 98.

s. 7. is Rep. by *id. s.* 1.

s. 20. is Rep. by 55 *G.* 3. *c.* 184. *s.* 7.

s. 21. is Rep. by *id. s.* 8.

c. 57. Commissioners for reducing national debt; amending an *Irish* act of 37 *G.* 3. for vesting annual sum in commissioners for reducing national debt.

c. 58. Annuities, (*Ire.*)

c. 59. Sugar export, (*G. B.*) [Exp.]

c. 60. Sugar prize, warehousing, &c. (*Ire.*)

c. 61. *Irish* mariners, encouraging.

c. 62. Bribery oath, [Rep. in part, 43 *G.* 3. *c.* 74.] 1233. *pl.* 419—425. (*Eng.*)

c. 63. Members of both houses and other officers to frank and receive letters free of postage; votes and proceedings of parliament, and newspapers, sending free of postage; forging franks felony, 1620., *tit.* Forgery.

(*June* 22.)

c. 64. Militia, allowance to adjutants, &c. (*Eng.*) [Exp.]

c. 65. Militia, allowance to subalterns, (*Ire*) [Exp.]

42 Geo. 3. A. D. 1802. (*continued.*)

c. 66. Volunteers, (*G. B.*) [REP. in part, 44 *G.* 3. *c.* 54. *s.* 1.]
c. 67. Extending 13 *G.* 3. *c.* 32. to other field crops and orchards, (*Eng.*) 1549. *pl.* 21. 23.
c. 68. Yeomanry, (*Ire.*)
c. 69. Soldiers, mariners, militiamen, and fencibles exercising trades, 1260. *pl.* 18.
c. 70. Laying certain public accounts annually before parliament, 5. *pl.* 107—110.
c. 71. Reduction of national debt.
c. 72. Mines in *Cornwall* and *Devon.*
c. 73. Health and morals of apprentices employed in cotton and other mills and factories, 348. *pl.* 11, 12. 15. 19—27. 29. 31, 32., 1262. *pl.* 59.
s. 5. is EXP.
c. 74. Debts incurred for building poorhouses, (*Eng.*) 1260. *pl.* 32.
c. 75. Linen manufacture, better regulation, (*Ire.*)
s. 4. is REP. by 48 *G.* 3. *c.* 56. *s.* 11., flax and hemp-seed, (*Ire.*)
c. 76. *Middlesex* and *Surrey* justices of peace; *Thames* police, [REP. 51 *G.* 3. *c.* 119.] 1253. *pl.* 2.
c. 77. *British* built ships carrying on fisheries in *Pacific*, 287. *pl.* 304., 289. *pl.* 334. (*London*, &c.)
c. 78. Hackney coaches licensing, 1100., 339. *pl.* 1. 5. 12. 13, 14.
c. 79. *British* fisheries, [EXP.] 270. *pl.* 22.
c. 80. Admission of merchandize, in neutral bottoms, [EXP.]
c. 81. Secreting, embezzling, or destroying letters sent by post; against sending letters otherwise than by post.
c. 82. Preventing smuggling in *G. B.*
s. 6. is REP. by 47 *G.* 3. *S.* 2. *c.* 66. *s.* 33., run goods.
c. 83. Coffee, &c. duties, (*Ire.*) malsters' licenses, (*Ire.*)
c. 84. Trials of controverted elections or returns of M. P.s, expediting the proceedings in, 1226. *pl.* 281., 1231. *pl.* 365—373.
s. 9. is EXP.
c. 85. Public officers, punishing in *G. B.* for offences committed abroad; all persons authorized to commit to custody, shall have protection of 21 *J.* 1. *c.* 12., (*G. B.*) 534, 535. *pl.* 5. 7—12., 542. *pl.* 1. 3.
c. 86. Spiritual persons, [EXP.] 476. *pl.* 19.
c. 88. Mutiny act, [EXP.]
(*June* 26.)
c. 90. Militia in *Eng.*, regulating; and augmenting militia.
s. 158. is REP. by 44 *G.* 3. *c.* 56. *s.* 19., militia-men, fines for not providing.
c. 91 Establishing militia force in *Scot.*
c. 92. Aliens, [REP. 43 *G.* 3. *c.* 155. *s.* 1.] 19. STATS. *Rep.*, &c. *pl.* 4, 5.
c. 93. Auction duty exemptions, 44. *pl.* 1., 45. *pl.* 4., 46. *pl.* 2. 21—23. Excise duties, (*G. B.*)
c. 94. Excise duties on paper, &c. (*G. B.*)
s. 8. is EXP.
c. 95. Duties on oil, &c. (*G. B.*)
ss. 9, 10., import of *French* and *Dutch* colonial produce, EXP.
c. 96. Excise, restoration of goods seized by, [EXP.]
c. 97. *Clarke*'s hydrometer discontinuing in *Ire.*
c. 98. *Isle of Man*, trade, revenue, and manufactures, [EXP.] 1463. *pl.* 623. 633., 1473. *pl.* 803.
c. 99. Stamp duties, 1398, 1399., STATS. *in force*, *pl.* 1., 1440. *pl.* 485., 1447, 1448. *pl.* 573, 574. (*G. B.*)
ss. 5—7. are REP. by 44 *G.* 3. *c.* 98. *s.* 1., 55 *G.* 3. *c.* 184. *s.* 1., stamp duty discounts.
ss. 1. and 4. are EXP.
c. 100. Servants, &c. duty, [REP. 43 *G.* 3. *c.* 161. *s.* 84., and as to post horses, by 57 *G.* 3. *c.* 59. *s.* 8.] 1398. *pl.* 21. misprinted 18. (*G. B.*)
c. 101. Postage rates to and from *France* and *Holland*, to and from *London*; exempting from tonnage duty, vessels employed in conveying mails from *France* to U. K.
c. 102. Import from *Tortola.* [EXP.]

42 Geo. 3. A. D. 1802. (*continued.*)

c. 103. Import duties, (*Ire.*); policies of insurance and sea insurances, stamp duties on, repealed
c. 104. Lottery office keepers, (*Ire.*) [EXP.]
c. 105. Salary of chancellor of *Ire.*
c. 106. Regulating trials of controverted elections or returns of M. P.s for *Ire.*, 401. *pl.* 20, 21. 23, 24. 26—57. 59. 62.
c. 107. Stealing deer, preventing, 314, 315. *pl.* 111—113. 133—135. (*G. B.*)
c. 108. Army, innkeepers, (*Eng.*, &c.) [EXP.]
c. 109. Militia, (*Ire.*) [REP. 49 *G.* 3. *c.* 120. *s.* 1.]
cc. 110, 111. Exchequer bills, 5,000,000*l.* and 1,500,000*l.*
c. 112. Reducing national debt.
c. 114. Southern whale fishery, encouraging, [EXP.] 287. *pl.* 302., 290. *pl.* 350.
c. 115. Marines, [EXP.]
c. 116. Landtax, sale and redemption consolidation act, 453. *pl.* 1—23. 25—27. 30—34. 40—55. 57—87. 92—96. 106—128. 135—153. 157—238., APPENDIX, *No.* XXIII. Right of voting in elections for M. P.'s in respect of lands or tenements, the land-tax on which is redeemed, &c., 1219. *pl.* 124., 1221. *pl.* 160.
ss. 18, 19. 25, 26. in part, as to benefit of preference in redemption, are EXP.
ss. 40. in part as to option, is EXP.; *s.* 68. in part EXP.
ss. 122. as to contracts for redemption, 152. as to benefit of preference, 184. as to notices delivered before passing the act, are EXP.
(*June* 28.)
c. 117. Export, import, (*Ire.*) [REP. 44 *G.* 3. *c.* 26. *s.* 1.]
c. 118. Militia pay, (*Ire.*) Courts martial, while militia is embodied.
c. 119. Games and lotteries, illegal, suppressing, 499—500. *pl.* 28.—36.
c. 120. Grant of 4,500,000*l.* from consolidated fund; supplies appropriating, [EXP.]

43 Geo. 3. A. D. 1802.

(*Dec.* 17.)
c. 1. Small bills and notes negociating, *Eng.* [EXP.] 77. *pl.* 3.
c. 2. Militia, (*Ire.*) [EXP.]
c. 3. Malt, &c. duty, (*Eng.*) [EXP.]
c. 4. Pensions, duty, (*Eng.*) [EXP.]
c. 5. Raising 5,000,000*l.* by exchequer bills, on credit of supplies, (*G. B.*) [EXP.]
c. 6. Indemnity offices, &c, [EXP.]
(*Dec.* 29.)
c. 7. Payment of navy victualling, and transport bills issued in future,
c. 8. Baking trade, (*Dublin.*)
c. 9. Militia pay, &c. (*Ire.*) [EXP.]
c. 10. Militia, (*Eng.*)
c. 11. Sugar, export, (*G. B.*)
c. 12. Continuing several acts. EXP.
c. 13. Import of provisions, (*Ire.*)
c. 14. Meal, &c. export from *G. B.* to *Ire.*, and from *Ire.* to *G. B.*, [EXP.]
c. 15. Transportation of offenders, facilitating, 1541. *pl.* 21.
c. 16. Naval department, commission to inquire into, [EXP.] 141. *pl.* 10, 11.
c. 17. Sugar, export duty, *Ire.* [EXP.]
c. 18. (*Feb.* 28. 1803.) Bank of *Eng.* restriction act, (last CON. till 1*st May*, 1823, by 59 *G.* 3. *c.* 49. *s.* 1.) Arrest, 34. *pl.* 18. 22., 51. *pl.* 78.
(*March* 24.)
c. 19. Militia, (*G. B.*) training for 28 days.
c. 20. Mutiny, [EXP.]
c. 21. Stamp duties, (*Ire.*) [REP. 52 *G* 3. *c.* 126. *s.* 1.]
s. 32. is REP. in part by 46 *G.* 3. *c.* 64. *s.* 54. (*Ire.*) stamps.
s. 38. is REP. in part by 46 *G.* 3. *c.* 64. *s.* 2. stamps, (*Ire.*)
s. 39. is REP. by 45 *G.* 3. *c.* 51. *s.* 10. stamps, discount, (*Ire.*)

43 *Geo.* 3. A. D. 1803. (*continued.*)

ss. 124, 125. are REP. in part by 44 *G.* 3. *c.* 68. *s.* 6. stamps, bank notes, (*Ire.*)

s. 125. is REP. by 46 *G.* 3. *c.* 64. *s.* 11. bankers' drafts, &c. stamps, (*Ire.*)

s. 127. is REP. by 45 *G.* 3. *c.* 51. *s.* 13. stamps, (*Ire.*)

c. 22. Licences for selling hats, (*Ire.*) [REP. 51 *G.* 3. *c.* 60. *s.* 1.]

ss. 11. 13. 16. are REP. by 46 *G.* 3. *c.* 64. *s.* 42. stamps, hats, (*Ire.*)

c. 23. Game certificates, (*Ire.*) [REP. 52 *G.* 3. *c.* 126. *s.* 1.]

c. 24. Duties on imports and exports, (*Ire.*)

c. 25. Revenue officers voting in elections of members of parliament in *Ire.*, 403. *pl.* 63—66.

s. 3. resigning office, EXP.

c. 26. (Personal.) Annuity to Prince of *Wales;* duchy of *Cornwall* revenues.

s. 2. annuity to Prince of *Wales*, EXP.

c. 27. Marines, [EXP.]

(*March* 25.)

c. 28. Postage rates, (*Ire.*) [REP. in part by 45 *G* 3. *c.* 21. *s.* 1.]

c. 29. Continuing several statutes, [EXP.]

(*April* 7.)

c. 30. Papists relief, (*Eng.*) 1212. *pl.* 228., 1213. *pl.* 231.

c. 31. Surveyor general of woods, &c. [REP. 46 *G.* 3. *c.* 142. *s.* 1.] 1595. STATS. *Rep.* (*Eng.*)

c. 32. *Greenland* whale fishery, [EXP.] 290. *pl.* 358.

c. 33. Militia, (*Ire.*) [EXP.]

c. 34. Spiritual persons, residence, pluralities, [EXP.] 476. *pl.* 19.

(*April* 22.)

c. 36. Raising 4,000,000*l.* by exchequer bills, [EXP.]

c. 38. Militia officers, (*G. B.*) [EXP.]

c. 39. Distribution among *American* loyalists of money paid by *United States*, [EXP.] 1558. *pl.* 6.

(*May* 17.)

c. 40. *Grenada* and *St. Vincent*, payment of loans in, [EXP.]

c. 41. Army, innkeepers, (*Eng.*) [EXP.]

c. 42. Exports and imports warehousing, &c. (*G. B.*) [EXP.]

c. 43. Continuing several revenue acts for *Ire.*

c. 44. Bank of *Ire.*, restriction of cash payments, [CON. till 1*st June*, 1823, by 59 *G.* 3. *c.* 49. *s.* 1.]

c. 45. Election in town and county of town of *Nottingham*, 427. *pl.* 130, 131.

s. 2. EXP.

(*May* 27.)

c. 46. Poundage levying on executions, [CON. to end of session after 1*st Nov.* 1823, (57 *G.* 3. *c.* 101.) *Eng.* and *Ire.*] Arrests, 35. *pl.* 34—43., 152. *pl.* 24.

c. 47. Militia men's families in *Eng.*

c. 48. *East India* company defraying expences of volunteer corps.

c. 49. Silver bullion, export, [REP. 59 *G.* 3. *c.* 49. *ss.* 11, 12. *comm. semble*, (*G. B.*)]

c. 50. Militia of *G. B.* completing.

s. 1. EXP.

(*June* 11.)

c. 51. Land-tax redemption, (*G. B.*) 453. *pl.* 1., 455. *pl.* 28, 29., 466. *pl.* 154.

s. 3. EXP.

c. 52. Indemnity; gunpowder, &c. export, [EXP.]

c. 53. Process and arrests of courts in *Ire.*; trials at *nisi prius* in city and county of *Dublin;* process of court of exchequer as relates to defendants in personal actions.

c. 54. Parochial schools, and schoolmasters in *Scot.*

c. 55. Defence of realm, [EXP.] 187.

s. 10. is REP. by 44 *G.* 3. *c.* 95 *s.* 1., defence of realm.

43 *Geo.* 3. A. D. 1803. (*continued.*)

(*June* 24.)

c. 56. Regulating vessels as to number of passengers from *U.K.*, 230, 231. *pl.* 2—14. 17—26. 29.

s. 4. is REP. in part by 58 *G.* 3. *c.* 89.

s. 10. as to giving bond, is REP. by 57 *G.* 3. *c.* 10. *s.* 2.

c. 57. Trade, convoy, [EXP.]

c. 58. Preventing malicious shooting, and attempts to discharge loaded fire arms, stabbing, cutting, wounding, poisoning, and malicious usage of means to procure the miscarriage of women; and malicious setting fire to buildings; bastards destroying, (*Eng. and Ire.*) 249. *pl.* 85—90.

c. 59. Law of county bridges and works, (*Eng.*) 95. *pl.* 31. 33. 38. 40—44.

c. 60. Defects in issuing exchequer bills amended. [EXP.]

c. 61. Relief of soldiers, sailors, and marines, and the wives of soldiers, asking relief in *Eng.*, 1566. *pl.* 76—80.

c. 62. Seamen serving in militia of *G. B.* transferred to navy, [EXP.]

c. 63. Regulating manner of taking up ships by *East India* company, [*semble* EXP.] 193. *pl.* 19.

c. 64. For supply of seamen to H. M.'s ships, merchantmen may be manned by crews three-fourths foreigners, and one-fourth *British.*

c. 67. Raising 12,000,000*l.* by annuities.

c. 68. Repealing old and granting new duties of customs in *G. B.*

REP. entirely by 59 *G.* 3. *c.* 52. *s.* 1. except as to repealing part, and previously REP. in part by 45 *G.* 3. *c.* 88. cochineal dust, &c. import customs; *s.* 1. thread lace, customs duties; 47 *G.* 3. *S.* 2. *c.* 61. customs export duty; 48 *G.* 3. *c.* 57. corks duties, import.

Sched. REP. by 48 *G.* 3. *c.* 121. customs on coffee.

s. 22. import duties, is EXP.

s. 39. fish oil, *Newfoundland*, is EXP.

(*July* 4.)

c. 69. Repealing old and granting new excise duties in *G. B.* Auctions, 44. *pl.* 1. (I.) 45. (III.)

REP. in part by 45 *G.* 3. *c.* 94. excise, hops; 46 *G.* 3. *c.* 138. *s.* 1. *Irish* hops, countervailing excise duty; 48 *G.* 3. *c.* 120. *s.* 1. coffee imported, excise; 49 *G.* 3. *c.* 63. *s.* 1., glass duties, drawbacks.

Sched. (A) *tit.* "Spirits," by 46 *G.* 3. *c.* 102. *s.* 1. low wines (*Scot.*)

Sched. (C) *tit.* "Bounties on herrings exported," is REP. by 55 *G.* 3. *c.* 94. *s.* 5.

ss. 15, 16. are EXP.

c. 70. Low wines, (*Scot.*) [REP. in part by 47 *G.* 3. *S.* 2. *c.* 61., and by 48 *G.* 3. *c.* 26. *s.* 30., import and export duties,]

Sched. is REP. by 45 *G.* 3. *c.* 82. woollen goods, export to *E. I.*

c. 71. Militia field officers, &c. (*G. B.*) [EXP.]

c. 72. Militia allowances to subalterns, (*G. B.*) [EXP.]

c. 73. Medicines, stamp duties on, (*G. B.*) 1398, 1399. STATS. *in force*, *pl.* 1., 1458. *pl.* 587. 607. 614, 615. 618. 620, 621.

c. 74. Bribery oath, 1218. *pl.* 83. 85.

c. 75. Mortgage, leasing or sale of estates of lunatics in *Eng.* or *Ire.*, 376. *pl.* 51, 52. 54—58.

c. 76. Transferring to navy seamen now serving in militia of *Ire.*, [EXP.]

c. 11. Indemnity, offices, &c. *Ire.*, [EXP.]

c. 78. Import and export of provisions from *G. B.* to *Ire.*, and *Ire.* to *G. B.*, [EXP.]

c. 79. Vessels, wilfully casting away or destroying in *Ire.*, 1367. *pl.* 16, 17. 19, 20. Trying accessaries in felonies, 247. *pl.* 43. 50.

s. 4. is EXP.

c. 80. Roads and bridges in Highlands of *Scot.* [EXP. except *ss.* 4, 5. *See now* 59 *G.* 3. *c.* 135.]

43 *Geo.* 3. A.D. 1803. (*continued.*)

c. 81. (*July* 5.) War excise duties in *G. B.*
Rep. in part by 46 *G.* 3. *c.* 102. *s.* 1. low wines, (*Scot.*)
s. 13. is Rep. by 43 *G.* 3. *c.* 129. *s.* 1. tea export to *Ire.*

(*July* 6.)

c. 82. Defence of realm, [Rep. 46 *G.* 3. *c.* 51. *s.* 1.]
ss. 17. 35. are Rep. by 44 *G.* 3. *c.* 56. *s.* 19. militia men, fines for not providing.

c. 83. Defence of realm, [Rep. 46 *G.* 3. *c.* 51. *s.* 1.]

c. 84. (*July* 7.) Spiritual persons holding farms, (*Eng.*) Enforcing residence on benefices in *Eng.* [Rep. 57 *G.* 3. *c.* 99. *s.* 1.] 1388. *pl.* 24.
ss. 23. 45. residence of spiritual persons, are Exp.

(*July* 11.)

c. 85. Additional army in *Ire.*
Rep. in part by 44 *G.* 3. *c.* 74. *s.* 18. defence of realm, allowances, (*Ire.*)
Rep. by 46 *G.* 3. *c.* 63. *s.* 1. defence of realm, (*Ire.*)

c. 86. Combinations of workmen, &c. in *Ire.*

c. 87. Bills of exchange, (*Ire.*) [Rep. 45 *G.* 3. *c.* 41. *s.* 1.]

c. 88. Militia, pay, &c. (*Ire.*) [Exp.]

c. 89. Militia, families, (*Scot.*) [Rep. in part 49 *G.* 3. *c.* 90.]

c. 90. Southern whale fishery, enlarging limits of, 287—289. *pl.* 304. 330. 332.

c. 91. Raising 1,052,333*l.* 6*s.* 8*d.* by lotteries, [Exp.] 497. *pl.* 7.

(*July* 15.)

c. 92. Exports from, imports into *Ire.* [Rep. 44 *G.* 3. *c.* 26. *s.* 1.]

c. 93. Raising 5,000,000*l.* by exchequer bills, [Exp.]

c. 94. Militia, pay, &c. *G. B.* [Exp.]

(*July* 27.)

c. 95. Militia, allowances to adjutants, &c. (*Eng.*) [Exp.]

c. 96. Defence of realm; enabling H. M. to exercise ancient prerogative of requiring the military service of his subjects in case of invasion of realm, [Exp.; Rep. 46 *G.* 3. *c.* 90. *s.* 1.] 187.

c. 97. Collection of customs and excise revenues in *Ire.* preventing frauds in.
s. 2. *semble* Exp. since 54 *G.* 3. *c.* 82. *s.* 13.
s. 1. *semble* Exp. (*see* 54 *G.* 3. *c.* 82. *Sched.*)

c. 98. Malt, (*Ire.*) [Rep. 46 *G.* 3. *c.* 88. *s.* 113.]

c. 99. Consolidating provisions relating to duties under management of tax-office in *Eng.*, *Wa.*, and *Ber.*, 1487—1492. *pl.* 2—8. 11—22. 26—46. 49—80.
s. 28. virtually Rep. by 48 *G.* 3. *c.* 141. *No.* III. *Rule* 6., and *No.* IV. *Rule* 2.

c. 100. Militia of *G. B.*; additional army raising for defence of U. K.
s. 3. *semble*, Exp. since expiration of 43 *G.* 3. *c.* 82.

c. 101. Defence of realm; *London* militia, [Rep. 46 *G.* 3. *c.* 144. *s.* 1.]

c. 102. (Local). Inland navigation, (*Scot.*)

c. 103. *Portugal* wine landing and warehousing, [Exp.]

c. 104. *Grenada* and *St. Vincents*, [Exp.]

c. 105. Corn, &c.; export from *Eng.* to *Guernsey*, &c.

c. 106. Glebe-houses erecting, (*Ire.*)

c. 107. Bequeathing property to Queen *Anne's* bounty, 1311, 1312. *pl.* 1. 7. 26. 34.

c. 108. Devises, &c. of land to provide churches, chapels, houses for clergy, church-yards, and glebes, (*Eng.* and *Ire.*) 125. *pl.* 25, 26. 30—34.

c. 109. Mistake in *c.* 84. amended, (*Eng.*) [Rep. 57 *G.* 3. *c.* 99. *s.* 1.] 1388. *pl.* 25.

c. 110. Poor-houses expense of building, (*Eng.*), 1260. *pl.* 32. 1264. *pl.* 58. 60.

c. 111. Friendly societies, rectifying mistakes in rules, (*G. B.*) 305. *pl.* 4.

c. 112. Black-game killing in *New Forest*, 316. *pl.* 115, 116.

c. 113. Wilfully casting away or destroying vessels, 1367. *pl.* 18—25.; trial of accessaries in felonies, 364. *pl.* 14. 18., extending

43 *Geo.* 3. A.D. 1803. (*continued.*)

28 *H.* 8. *c.* 15. as to murders, to *accessaries* to murders; and to manslaughter, (*G. B. see s.* 7.), 247. *pl.* 43. 50.
s. 4. destroying ships, Exp.

c. 114. Treasury bills, (*Ire.*) [Exp.]

c. 115. Depredations on *Thames*, as relates to seizure of exciseable commodities, 1533. *pl.* 25—32.

(*July* 29.)

c. 116. Suspected persons, detaining, (*Ire.*) [Exp.]

c. 117. Rebellion, (*Ire.*) [Exp.]

c. 118. Longitude; discoveries in navigation, 495. *pl.* 13.

c. 119. Funds of chest at *Chatham* transferred to *Greenwich Hospital*; ameliorating condition of pensioners on those funds, 332, 333. *pl.* 40. 49. 55. 58—60.
s. 1. is Rep. as to *Greenwich* chest supervisors, by 55 *G.* 3. *c.* 1. *s.* 3., and as to the chest itself, *id. ibid.* and *s.* 4.
s. 2. is Rep. as to the purchaser's responsibility for investment of purchase money, 46 *G.* 3. *c.* 101. *s.* 4.
ss. 4—8. 11—21. are Exp.; and *quære* as to *s.* 22. *page* 332. *pl.* 49.

(*August* 11.)

c. 120. Defence of realm, [Exp.] 187.
s. 11. is Rep. by 44 *G.* 3. *c.* 54. *s.* 34. volunteers, 46 *G.* 3. *c.* 90. *s.* 1. defence of the realm.

c. 121. Volunteers billeting, &c. [Rep. in part by 44 *G.* 3. *c.* 54. *s.* 1.]

c. 122. Property-tax, (Exp. *April* 5, 1816, *G. B.*) [Rep. 48 *G.* 3. *c.* 26. *s.* 30. and by 45 *G.* 3. *c.* 49.]

c. 123. Militia exemptions, (*Eng.*) [Rep. 46 *G.* 3. *c.* 51.]

c. 124. Militia, (*Scot.*)

c. 125. Lieutenancy for *London* to execute 43 *G.* 3. *c.* 96. in that city, 187. [Exp.]

c. 126. Receipts, duties on, 1398—1399. Stats. *in force*, *pl.* 1. (*G. B.*) 1418. *pl.* 56.; 1475. *pl.* 834. 837. 842. 854.
ss. 2. 9. 13, 14. are Rep. by 44 *G.* 3. *c.* 98. *s.* 1., 55 *G.* 3. *c.* 184. *s.* 1.
s. 11. is Rep. by 55 *G.* 3. *c.* 184. *s.* 7.
ss. 7, 8. are Exp.

c. 127. Stamped vellum, &c., duties in *G. B.*, 1419. *pl.* 75. 95, 96., 1424. *pl.* 178. 180.
ss. 2, 3. are virtually Rep. by effect of 44 *G.* 3. *c.* 98., 55 *G.* 3. *c.* 184. *ss.* 1. 55.
s. 7. is virtually Rep. by 44 *G.* 3. *c.* 98. *s.* 1. and 55 *G.* 3. *c.* 184. *s.* 8.
s. 8. is virtually Rep. by 55 *G.* 3. *c.* 184. *s.* 7.
s. 9. is Exp.

c. 128. Customs, regulating collection in *G. B.*

c. 129. Tea export to *Ire.*; permits for removing coffee, &c. from warehouses; coffee duties securing.
s. 2. is Rep. by 46 *G.* 3. *c.* 87. *s.* 93. tea landing, (*Ire.*)

c. 130. Auctioneers, (*G. B.*) 44. *pl.* 1., 45. *pl.* 4., 46. *pl.* 26.
s. 3. is Exp.

c. 131. *Lignum quaisia* import duty.

c. 132. Warehousing certain imports without paying duty.

c. 133. *Tortola*, *Bahamas* imports and exports, [Exp.]

c. 134. Prize-goods, landing by captors in *G. B.*, [Exp.]

c. 135. Assignments under awards of commissioners acting under treaty with *United States*, [Exp.] 1558. *pl.* 6. 8.

c. 136. Suspending proceeding under certain woollen manufacture laws, (*Eng.*) [Exp.] 1598. *pl.* 64.

c. 137. *E. I.* Co., allowance to, for fitting out ships, [Exp.] 193. *pl.* 20.

c. 138. *Canadas*, jurisdiction; courts of justice in, 111. *pl.* 1., 112. *pl.* 24—29.

c. 139. Foreign bills and notes and copper money, forgery preventing, 79. *pl.* 48—51., 140. *pl.* 114—121.

c. 140. *Hab. corp. ad testif.* of prisoners, before courts martial, commissioners of bankrupt, &c. (*Eng.*) 338. *pl.* 21, 22.

c. 141. Justices of peace, 425. *pl.* 84., 426. *pl.* 93, 94.

43 *Geo.* 3. A.D. 1803. (*continued.*)

c. 142. Militia families, (*Ire.*) [Rep. 49 *G.* 3. *c.* 86. *s.* 1.]

c. 143. Justices of peace in *Ire.*, protecting; constables, &c. acting under their warrants, protecting, 425—426. *pl.* 84—92.

c. 144. Poor, (*Eng.*) [Exp.] 1258. *pl.* 8.

c. 145. Malt duties, securing; frauds in malt making in *Scot.*

cc. 146, 147. Raising 2,000,000*l.*, 1,500,000*l.* by exchequer bills, [Exp.]

c. 148. Raising 2,000,000*l.* by exchequer bills, on credit of supplies, [Exp.]

c. 150. Consolidating provisions relating to duties under management of tax-commissioners, and amending them as far as relates to *Scot.*

ss. 11. 28. are Rep. as to service of notice of assessment, by 45 *G.* 3. *c.* 95. *s.* 2.

s. 28. is partly Rep. by 45 *G.* 3. *c.* 95. *s.* 1.

s. 30. is partly Rep. by *id. ss.* 13, 14.

c. 151. Disputes between masters and weavers in cotton-manufacture, (*Scot.*)

c. 152. Pilots, (*Eng.*) [Rep. 48 *G.* 3. *c.* 104. *s.* 1., 52 *G.* 3. *c.* 39. *s.* 1.] 1243. *pl.* 1.

c. 153. Imports in neutral vessels, [Exp.]

(*August* 12.)

c. 154. Sugar from *Ire.*, countervailing duties and drawbacks; cod-fish, imports, &c. [Exp.] 281. *pl.* 201.

c. 155. Aliens regulation, [Exp. and Rep. 54 *G.* 3. *c.* 155. *s.* 1.] 19. Stats. *Rep.*, &c. *pl.* 5, 6.

c. 156. Treasury may contract for purchase of the duties of butlerage and prisage of wines from the grantees, and re-vesting the same in the crown.

c. 157. Punishment of persons going armed or disguised in defiance of customs or excise laws, &c., such offences triable in any county in *Eng.*

c. 158. Issuing 50,000*l.* for glebe-houses, (*Ire.*) [Exp. and Rep. in part by 47 *G.* 3. *S.* 2. *c.* 23. *s.* 1., 48 *G.* 3. *c.* 65. *s.* 6.]

c. 160. Navy, government of; prize money; salaries of judges of vice-admiralty courts in *Malta*, *Bermudas*, and *Bahamas*, [Rep. 45 *G.* 3. *c.* 72. *s.* 1. and Exp.] 1294. Prize, *pl.* 5.

c. 161. Assessed taxes: duties under management of tax-office repealed and new ones granted, (*G. B.*) 1492—1497. *pl.* 81—136. 138—147., 1498. *pl.* 157, 158., 1500—1502. *pl.* 161—166. 171—173. (*c*)

Assessed taxes, as to *duties* in the schedules, Rep. by 48 *G.* 3. *c.* 55. *s.* 2.

as to the *schedules* and rules therein, Rep. by 48 *G.* 3. *c.* 55. *s.* 5. and 52 *G.* 3. *c.* 93. *s.* 3.

ss. 1—4. are virtually Rep. by 48 *G.* 3. *c.* 55. *s.* 2. and *s.* 5. assessed taxes.

s. 29. is Rep. by 50 *G.* 3. *c.* 105. *s.* 4.

s. 79. as to allowances, is Rep. by 48 *G.* 3. *c.* 55. *s.* 7.

ss. 3. 85. *semble*, and 88. are Exp.

c. 162. Grants of 65,000,000*l.* from consolidated fund of *G. B.*, and 6,000,000*l.* *Irish* from that of *Ire.*; appropriating supplies, [Exp.]

44 *Geo.* 3. A. D. 1803.

(*Dec.* 15.)

c. 1. Bank of *Eng.* restriction acts, continuing, [Exp.] 51. *pl.* 78.

c. 2. Relief of curates in *Eng.* [Exp.] 1388. *pl.* 27.

c. 3. Regulating bonds of *East India* company, and interest and duty thereon, 196. *pl.* 68—69.

ss. 1, 2. are Exp.

c. 4. Continuing acts, 77. [Exp.] *pl.* 13. &c.

c. 5. Sugar export from *G. B.*

c. 6. Bills of exchange, (*Ire.*) [Rep. 45 *G.* 3. *c.* 141. *s.* 1.]

c. 7. Indemnity, offices, &c. [Exp.]

c. 8. Suspected persons, detaining, (*Ire.*) [Exp.]

44 *Geo.* 3. A.D. 1803. (*continued.*)

c. 9. Rebellion, (*Ire.*) [Exp.]

c. 10. Sugar export, (*Ire.*) [Exp.]

c. 11. Using oats in distillation, (*Ire.*) [Rep. in part by 44 *G.* 3. *c.* 89. *s.* 2.]

c. 12. Continuing act, [Exp.]

c. 13. Desertion of seamen under colour of civil or criminal process, 1348, 1349. *pl.* 128—134.

s. 6. is Exp.

c. 14. Wine, *Portuguese* and *Spanish*, landing, &c. [Exp.]

c. 15. Raising 5,000,000*l.* by exchequer bills, [Exp.]

c. 16. Malt duties, [Exp.]

c. 17. Pension, &c. duties, [Exp.]

c. 18. (*Dec.* 20.) Volunteers and yeomanry in *G. B.* [Rep. in part, by 44 *G.* 3. *c.* 54. *s.* 1.]

(*March* 9. 1804.)

c. 19. Mutiny, [Exp.]

c. 20. Marines, [Exp.]

c. 21. Bank of *Ire.* restriction of cash payments, [Con. till 1*st June*, 1823, by 59 *G.* 3. *c.* 49. *s.* 1.]

c. 22. Indemnity, seed corn export to *Portugal*, [Exp.]

c. 23. *Greenland* whale fishery, [Exp.]

c. 24. Export; import; taxes, &c. (*Ire.*) [Exp. in part.]

(*March* 23.)

c. 26. Imports and exports; duties inland; excise duties, &c. (*Ire.*)

Schedule F. is Rep. by 44 *G.* 3. *c.* 67. *s.* 17. spirituous liquors, licences.

c. 27. Countervailing duties between *G. B.* and *Ire.* and *Ire.* and *G. B.* [Exp.]

c. 28. Malt duty, (*Ire.*) [Exp.]

Rep. in part by 44 *G.* 3. *c.* 89. *s.* 1. malt import from *Ire.*

c. 29. Hides, &c., import of in foreign ships into *U. K.* [Exp.]

c. 30. Imports in neutrals into *G. B.* [Exp.]

c. 31. Exchequer bills, 2,000,000*l.* raised by, [Exp.]

(*May* 3.)

c. 32. *Irish* militia volunteering to serve in *G. B.*

c. 33. Militia forces in *Ire.* augmentation, [Exp.]

c. 34. Militia men, families, &c. (*Ire.*) [Rep. 49 *G.* 3. *c.* 86. *s.* 1.]

c. 35. Rape seed, &c. import, [Exp.]

c. 36. Plantation sugar, warehousing, (*G. B.*) [Exp.]

c. 37. Agents retaining and paying property tax on public annuities, (*G. B.*) [*semb.* Exp.]

c. 38. Army, innkeepers, [Exp.]

c. 39. Militia pay, &c. (*G. B.*)

c. 40. Militia, allowances to serjeant majors, *Eng.*, [Exp.]

c. 41. Militia, pay, &c. (*Ire.*) [Exp.]

c. 42. Linen manufacture, regulating, (*Ire.*)

s. 11. is Exp.

c. 43. Ages of persons to be admitted into deacons' or priests' orders, (*Eng.* and *Ire.*) 1390. *pl.* 86—88.

c. 44. Number of passengers on board ships to *Newfoundland*, 230. *pl.* 2.

c. 45. Raising 8,000,000*l.* by exchequer bills, (*G. B.*) [Exp.]

c. 46. Raising 1,500,000*l.* by exchequer bills, (*G. B.*) [Exp.]

(*May* 16.)

c. 47. Annuities, raising 4,500,000*l.* by.

c. 48. Annuities, raising for *Ire.* 1,250,000*l.* by.

c. 49. War excise duties on wine imported into *G. B.* [Exp.]

c. 50. Militia, (*G. B.*) [Exp.]

c. 51. Militia, allowances to subalterns, (*G. B.*) [Exp.]

c. 52. Composition for statute duty, (*Eng.*) 360, 361. *pl.* 102. 104—105.

c. 53. (*May* 18. Import and coastwise duties, (*G. B.*)

(*June* 5.)

c. 54. Consolidation of laws relating to yeomanry and volunteers in *G. B.*

44 *Geo.* 3. A. D. 1804. (*continued.*)

*c.*55. Sale of exciseable liquors, licences for, (*Scot.*)
*ss.*2—4. ale licences (*Scot.*), are Exp.
(*June* 29.)
*c.*56. Defence of the realm; additional force; gradual reduction of militia, [Rep. 46 *G.*3. *c.*51. *s.*1.]
*c.*57. No duty payable on export of linen of *U. K.*
*c.*58. Public accounts of *Ire.*, laying annually before parliament.
*c.*59. Solicitors &c. entering certificates, (*G. B.*) 1399. Stats. *in force*, *pl.*4.
*ss.*1, 2. attorneys' certificates, indemnity for not entering, are Exp.
*c.*60. Election of members of parliament for *Aylesbury*, (Local.)
*c.*64. Woollen manufacture, (*Eng.*) [Exp.] 1598. *pl.*64.
*c.*65. (*July* 3.) Grain, &c. export and import prices, (*U. K.*) [Exp.]
(*July* 10.)
*c.*66. Defence of realm, (*Scot.*) [Rep. 46 *G.*3. *c.*51. *s.*1.]
*c.*67. Import duties, (*Ire.*) [Exp.]
*c.*68. Stamps, (*Ire.*) [Rep. 46 *G* 3. *c.*64. *s.*1.]
*c.*69. Linen manufacture regulating, (*Ire.*)
*c.*70. Mint, export of machinery to *Denmark*, [Exp.] 515. *pl.*3.
*c.*71. Against bringing into *U. K.*, or uttering any counterfeit dollars or tokens, 1539. *pl.*1.
*c.*72. *East India* prize goods, sale of in *Liverpool*, [Exp.] 193. *pl.*21.
*c.*73. Issuing exchequer bills for 2,000,000*l.* on credit of supplies [Exp.]
(*July* 14.)
*c.*74. Defence of realm, (*Ire.*) [Rep. 46 *G.*3. *c.*63. *s.*1.]
*c.*75. Enlisting foreigners as soldiers, &c.
*c.*77. Rendering valid certain marriages, (*Eng.*) 510. *pl.*33—35.
(*July* 20.)
*c.*80. Grant of 60,000*l.* *per ann.* to support of H. M.'s household; civil list revenues, preventing arrears of accumulating, [Exp.] 429. *pl.*51., 431, 432. *pl.*72. 98.
*c.*81. Loan of 2,500,000*l.* [Exp.]
*c.*82. Property tax acts, accountant general of chancery complying with, (*Eng.*) [*semb.* Exp.]
*c.*83. Commissioners for executing pension duty, &c. (*G. B.*) [Exp.]
*c.*84. Board of ordnance, adjutant, quarter-master, and barrack-masters general, &c. sending, &c. letters free of postage.
*c.*85. Oak-bark, import duty, (*G. B.*) [Rep. 59 *G.*3. *c.*52. *s.*1.]
*c.*86. *Isle of Man*, fisheries, [Exp.] 270. *pl.*22.
*c.*87. Disputes between masters and workmen in cotton manufacture in *Eng.*, 152, 153. *pl.* 9—28. Appendix, No. XXIV.
*c.*88. Hackney coaches employed as stage coaches, (*Eng.*) 342. *pl.* 85, 86.
*c.*89. Malt, import; spirits, distillation, (*Ire.*)
*c.*90. Peace, preserving, (*Ire.*) [Exp.]
*c.*91. Bills of exchange, (*Ire.*) [Rep. 45*G.*3. *c.*41. *s.*1.]
c.92. Preventing offenders escaping from one part of U. K. to the other, and from one county to the other, 424, 425. *pl.* 66—76.
*c.*93. Lottery, [Exp.] 497. *pl.* 7.
(*July* 28.)
*c.*94. Volunteer and yeomanry officers, accounts for monies received by, (*G. B.*) [Exp.]
*c.*95. Purchase of lands, &c. for public service, [Exp.] 187.
*c.*96. Defence of realm; *London* militia, [Rep. 46*G.*3. *c.*144. *s.*1.]
*c.*97. Treasury bills, (*Ire.*) [Exp.]
*c.*98. Stamp duties, (*G. B.*) 1399—1401. *pl.*3, 4. 8. 10—11. 13. 15. 20. *Sch.* (A.) *and* (B.), 1400, 1401. *Sch.* (C.), 1416., *pl.*23., 1417. *pl.*45, 46., 1419. *pl.*97., 1421, 1422. *pl.*132., 149. 178. 182, 183., 1435. *pl.* 389., 1442. *pl.* 513. 521. Size of newspapers, 1463. *pl.*637. 1475. *pl.* 824. 826. Words painted on stage coaches, 1477. *pl.*856, 857. Exemptions from duty, 1512.
Rep. in part by 46 *G.*3. *c.*148. *s.*31. stamps on lottery licences.
Sch. (A.) *and* (B.) *tit.* "Licence," and "Hats," are Rep. by 51 *G.*3. *c.*70. *s.*1.
Sch. (A.) as to duties on game certificates, is Rep. by 48 *G.*3. *c.*55. *s.*3.
Sch. (A.) is Rep. as to pawnbrokers' licences, by 55*G.*3. *c.*184. *s.*1.; as to beer licences granted by justices, by 48 *G.*3. *c.*143. *s.*1.
Sch. (A.) is Rep. altogether, except as to licences for selling beer, hats, medicines, pawnbrokers, letting horses, stages, newspapers, almanacks, &c. by 48 *G.*3. *c.*149. *s.*1.
*s.*1. *Sch.* (C.) is Rep. by 55*G.*3. *c.*185. *s.*9.
all the duties on advertisements, almanacks, newspapers, pamphlets, and gold and silver plate, stage coaches and their licences, are Rep. by 55 *G.*3. *c.*185. *s.*1.
*s.*20. is Rep. virtually by 55*G.*3. *c.*184. *s.*14.
*s.*26. is Rep. virtually by 55*G.*3. *c.*184. *ss.*1. 55.
Sch. (B.) is Rep. as to per centage duties on insurances, by 55*G.*3. *c.*184. *s.*1.; as to medicines, by 52*G.*3. *c.*150. *s.*1.
Sch. (A.) is Rep. by 48*G.*3. *c.*55. *s.*3., game certificates.
Sch. (A.) is Rep. by 48*G.*3. *c.*143. beer and ale licences; and by 48*G.*3. *c.*149. *s.*1. stamps.
*ss.*3—5. 7. 12. 16. 21. are Exp.
*c.*99. Annuities, granting additional, [Exp.]
*c.*100. (Local.) Warehousing goods in *London* docks.
*c.*101. Salt, &c. export from *Bahamas* in *United States* vessels.
*c.*102. *Habeas corpora ad testificandum*, issuing in certain cases in *Eng.* and *Ire.*, 338. *pl.*23—25.
*c.*103. Sale of spiritnous liquors, (*Ire.*) [Rep. in part by 45 *G.*3. *c.*50. *s.*1.]
*c.*104. Spirits, warehousing, duty, export to *G. B.* [Exp.] (*Ire.*)
*c.*105. Revenue, collecting, and frauds in, (*Ire.*)
*c.*106. Commissioners of enquiry into fees and abuses in offices, and into the mode of receiving, &c. public money in *Ire.*
(*July* 30.)
*c.*108. Insolvent debtors, relief, [Exp.] 388. *pl.*15.
*c.*109. To regulate the import and export of corn; bounties and duties thereon.
*s.*2. is Rep. by 45*G.*3. *c.*86. *s.*1. corn export, import.

45 *Geo.* 3. A. D. 1805.

(*Feb.* 7.)
*c.*1. Malt, &c. duty, (*G. B.* [Exp.]
*c.*2. Pensions, &c. duty, (*G. B.*) [Exp.]
*c.*3. Insolvent debtors, *Eng.* and *Ire.* [Exp.] 388. *pl.* 15.
(*Feb.* 22.)
*c.*4. Suspected persons, detaining, (*Ire.*) [Exp.]
*c.*5. Commissioners of assessed taxes in inns of court, *Whitehall*, *St. James's*, and *St. Clement Danes*, 1487, 1488. *pl.* 2. 9—10.
*s.*3. is Exp.
*c.*6. Indemnity, offices, &c. [Exp.]
*c.*7. Raising 3,000,000*l.* by exchequer bills, [Rep.]
(*March* 1.)
*c.*8. Additional annuities on certain stock, (*G. B.*)
*c.*9. *Greenland* whalers, completing crews, [Exp.] 290. *pl.*358.
(*March* 12.)
*c.*10. Quarantine, *G. B.*, *Guernsey*, &c. *semb. Ire.* also, 1307. *pl.*3—6., *pl.*13—23. 25—29. 31. 33. 37—59.
*s.*25. indemnity, quarantine, is Exp.
*c.*11. Rates of postage in *G. B.*
*c.*12. Annuities, raising 22,500,000*l.* by.

45 *Geo.* 3. A.D. 1805. (*continued.*)

(*March* 18.)

*c.*13. Horse tax; consolidating, *G. B.* 1487. *pl.*30.

Rep. as to all duties granted by, or contained in the schedules, by 48 *G.*3. *c.*55. *s.*2.

Rep. as to all schedules and rules therein 48 *G.* 3. *c.* 55. *s.*2., and 52 *G.*3. *c.*93. *s.*3.

*ss.*1—5. *semble* Exp. since repeal of the *duties* by 48 *G.*3. *c.*55. *s.*2., and of the *schedules* by 52 *G.*3. *c.*93. *s.*3.

*c.*14. Salt duties, *G. B.* (additional.)

*s.*3. is Rep. by 49 *G.*3. *c.* 81. *s.*6., salt, assessed taxes.

*c.*15. Property tax, additional duties on in *G. B.* [Exp. on 5th *April* 1816.]

*c.*16. Mutiny, [Exp.]

*c.*17. (*March* 22.) Marines, [Exp.]

(*March* 25.)

*c.*18. Imports and exports, duties, bounties, &c. (*Ire.*)

*c.*19. Excise and taxes inland, (*Ire.*) [Exp.]

*s.*9. is Rep., and as to 3*s.* duty on houses, by 46 *G.*3. *c.*36., and *schedule* as to carriages, dogs, fire-hearths, horses, male servants, and windows, by 56 *G.*3. *c.* 57. *s.*1.

*c.*20. Stamp duties, granting in *Ire.*

Rep. by 46 *G.*3. *c.*64. *s.*1. stamps, (*Ire.*)

*c.*21. Postage in *Ire.*, duties.

*c.*22. Malt and spirits, duties, (*Ire.*) [Exp.]

*c.*23. Sugar, &c. export, (*Ire.*) [Exp.]

*c.*24. Sugar, export, (*G. B.*) [Exp.]

*c.*25. Bills and notes, (*Eng.*) [Exp.] 77. *pl.*13.

*c.*26. Imports and exports to and from *G. B.* and *Ire.* [Exp.]

*c.*27. 6,000,000*l.* in exchequer bills, issuing by treasury on credit of supplies, [Exp.]

(*April* 5.)

*c.*28. Stamp duties on legacies, (*G. B.*) 1398, 1399. Stats. *in force*, *pl.*1., 1448. *pl.*578—585.

*ss.*1. 6. are Rep. by 48 *G.*3. *c.*149. *s.*1.

*s.*8. is Rep. virtually by 55 *G.*3. *c.*184. *s.*7.

ss. 2. 13. are Exp.

*c.*29. Duties on goods carried coastwise, (*G. B.*)

*c.*30. Auction, 44. *pl.* 1. (I.) Additional excise duties, (*G. B.*)

Sch. (A.) is Rep. by 48 *G.*3. *c.*120. *s.*1. coffee, import, excise.

Sch. (B.) is Rep. by 49 *G.*3. *c.*63. *s.*1. glass duties, drawbacks.

(*April* 10.)

*c.*31. Militia in *G. B.*, volunteering into line and marines.

*c.*32. Foreign ships, and alien merchants.

*c.*33. Licences for imports and exports to *Spain* in neutral vessels, [Exp.]

*c.*34. Imports from *America*, [Exp.]

*c.*35. Treaty with *United States*, [Exp.] 1358. *pl.* 2.

*c.*36. Enabling commander-in-chief at *Bengal*, being governor-general also, to be member of council of *Fort William*, 205. *pl.*253., 207. *pl.* 291—293.

*c.*37. Army, innkeepers, [Exp.]

(*April* 11.)

*c.*38. Militia in *Ire.*, volunteering into line and marines.

*c.*39. Permit necessary for spirits exceeding one gallon, (*Ire.*)

(*May* 17.)

*c.*40. Annuities, raising 1,500,000*l.* for *Ire.* by.

*c.*41. Promissory notes and bills of exchange, restraining negotiation of, in *Ire.*

*c.*42. Counterfeiting tokens issued by bank of *Ire.*, prevented, and their circulation promoted.

*c.*43. Post roads; conveying letters, (*Ire.*)

*s.*17. is Rep. in part by 46 *G.*3. *c.*134. *s.*12.

*s.*20. is Rep. by 46 *G.*3. *c.*134. *s.*10.

*s.*32. is Rep. by *id. s.*12.

*s.*38. is Rep. by *id. s.*11. post-roads, (*Ire.*)

*s.*14. is Exp.

45 *Geo.* 3. A.D. 1805. (*continued.*)

(*June* 5.)

*c.*44. Slate brought coastwise within *G. B.*, exemption from duty.

*c.*45. Additional excise duties on wine imported into *G. B.* drawbacks thereof to commissioned officers for wines consumed on board H. M.'s ships.

*c.*46. Naval department, irregularities, commissioners inquiring into, [Exp.] 141. *pl.*10. 11.

*c.*47. Military departments, examining into business of, 444. *pl.*66., 1. Stats. *Exp. pl.*61., 141. *pl.*12, 13.

*c.*48. Commissioners for executing acts for granting pension duty, &c. (*G. B.*) [Exp.]

*c.*49. Property tax, (*G. B.*) [Rep. 46 *G.*3. *c.*65.]

*c.*50. Regulating sale by retail of exciseable liquors, and discouraging immoderate use of spirits in *Ire.*

*s.*8. is Rep. by 49 *G.*3. *c.*99. *s.*18., sale of spirituous liquors, (*Ire.*)

*s.*13. is Rep. by 47 *G.*3. *S.*2. *c.*12. *s.*12. stamps, distributors, (*Ire.*)

(*June* 27.)

*c.*51. Stamps, (*Ire.*) [Rep. 46 *G.*3. *c.*64. *s.*1.]

*c.*52. Excise licences, [Rep. by 47 *G.*3. *S.*2. *c.*12. *s.*12.]

*c.*53. Malt, duties and making, (*Ire.*)

*s.*5. is Rep. by 48 *G.*3. *c.*79. *s.*2. malt, (*Ire.*)

*c.*54. Poor, contracts for maintenance and employment of, 1270, 1271. *pl.*172. 183—186.

*c.*55. Commissioners of public accounts, (*G. B.*) 1—3.

*s.*1. is Rep. by 46 *G.*3. *c.*141. *s.*12. public accounts.

*c.*56. Post-horse duty, farming, (*G. B.*) [Exp.] 1471. *pl.*772.

*c.*57. Imports and exports, *West Indies.*

*c.*58. Paymaster-general's office, regulating.

*ss.*6. 8, 9. are Rep. by 48 *G.*3. *c.*49. *ss.*1. 2. paymaster-general.

*s.*21. is Rep. in part by 48 *G.*3. *c.*128. *s.*1.

*ss.*10, 11. are Exp.

*c.*59. Registering freeholds under 20*l.* yearly value, in *Ire.* 403. *pl.* 67—69. 70—79. Appendix, No. XXV.

*s.*2. is Rep. by 57 *G.*3. *c.*131. *s.*24.

*s.*12. is Exp.

(*June* 27.)

*c.*60. Militia, allowances to subalterns, &c. (*G. B.*)

*c.*61. Militia, *Eng.*, adjutants, &c. allowances.

*c.*62. Militia, pay, &c. (*G. B.*)

*c.*63. Militia, pay, &c. (*Ire.*)

*c.*64. Fish bringing into *U. K.*, [Exp.] 261. *pl.*10.

*c.*65. Commissioners of enquiry into offices in *Ire.*, [Exp.]

*c.*66. Bark, illegal carrying away in *G. B.*, preventing; trees, &c. destroying, 1547. *pl.*23. 28, 29. 34.

*c.*67. *Spanish* red wine, imported into *G. B.*, duty.

*c.*68. Continuing several statutes.

*c.*69. Barracks, [Rep. 57 *G.*3. *c.*9. *comm. semb.*] 67. Stats. *Rep.*, &c. *pl.*1., 68. *pl.*14. 16, 17.

*c.*70. Military expenditure, mistakes in name of commissioner to enquire into, [Exp.] 142. *pl.*14.

*c.*71. Assessed taxes, (*Eng.*) 1489. *pl.*25., 1491. *pl.*67., 1496. *pl.*137.

*c.*72. Prizes, [Exp.; partly Rep. 54 *G.*3. *c.*93. *s.*1.] 1294. *pl.*6., 1349. *pl.*135.

*c.*73. Granting annuities, in lieu of, or paying off others.

*c.*74. Lottery, [Exp.] 497. *pl.*7.

(*July* 2.)

*c.*75. Appointment to offices in chancery made valid, 166. *pl.*73, 74.

*c.*76. Civil list in *Ire.*

*c.*77. Land-tax redemption, 453. *pl.*1., 461. *pl.*97., 466. *pl.*154., 472. *pl.*239, 240.

*s.*4. papists' enrolment of deeds, &c. is Exp.

*c.*78. Indemnity; advances for naval services.

*c.*79. Rebellion, (*Ire.*) [Exp.]

*c.*80. *Irish* loyalists, indemnifying, [Exp.]

45 *Geo.* 3. A.D. 1805. (*continued.*)

*c.*81. Seamen employed in coasting trade, regulating, (*G. B.*)
*c.*82. Woollen goods of manufacture of *G. B.*, exported to *E. I.*
*c.*83. Woollen manufacture, (*G. B.*) [Exp.] 1598. *pl.*64.
*c.*84. Queen *Anne's* bounty, *Eng.*, 1311, 1312. *pl.*1. 8, 9. 13, 14.
(*July* 10.)
*c.*86. Corn, export and import of.
*c.*87. Warehousing in different ports in *G. B.*, allowed on giving security for payment of duties.
*c.*88. Cochineal and granilla imported into *G. B.*, duties.
*c.*89. Forgery of bank notes, bills of exchange, and other securities, (*G. B.*) 297. *pl.*27—34.
*c.*90. Retaining militia officers on full pay, [Exp.]
*c.*91. Additional commissioners of public accounts of *G. B.*, 1—3. *pl.*1.
Stats. *in force*, *pl.*1. 5. 7. 14, 15. 17. 58. 60.
*s.*1. virtually Rep. by 46 *G.*3. *c.*141. *s.*2.
*c.*92. Offenders escaping, 425. *pl.*77—81.
*ss.*5, 6. are Rep. by 54 *G.*3. *c.*186. *s.*1.
*s.*7. is Exp.
*c.*93. Sugar export from *G. B.*
*c.*94. *British* hops, excise countervailing duty, [Rep. in part by 46 *G.*3. *c.*138. *s.*1.]
*c.*95. Assessors and subcollectors of taxes in *Scot.*; notices to persons assessed to the taxes.
*s.*3. Rep. virtually by 52 *G.*3. *c.*95. *s.*7.
*c.*96. Whale fishery, southern, premiums to, [Exp.] 287. *pl.*304.
*c.*97. Quarantine, indemnity, [Exp.]
*c.*98. Linens exported from *G. B.* to *West Indies*, drawbacks on.
*c.*99. Trade; revenue; smuggling; *Isle of Man*, 1607, 1608. *pl.*179.
*c.*100. Distilling spirits in *Eng.* for export to *Scot.*, and *vice versa*; duties thereon; time of making entry and granting licences to distil spirits, (*Scot.*)
*c.*101. Advowsons, holding by colleges, 13. *pl.*10.
*c.*102. Pilchard fishery, [Exp.] 284. *pl.*250.
*c.*103. Straw platting, hats and bonnets imported into *G. B.*, customs duties.
*c.*104. Spirits, (*Ire.*) [Exp.]
*c.*105. Assessed Taxes, (*Ire.*) [Rep. 47 *G.*3. (*St.*1.) *c.*21.]
*s.*15. is Rep. by 46 *G.*3. *c.*120. *s.*6. export, import, (*Ire.*) affidavit of value of goods.
Rep. by 47 *G.*3. *S.*1. *c.*21. *s.*1. taxes, (*Ire.*)
*c.*106. Paper made, &c. in *Ire.*, duties on.
*ss.*1—5. are Rep. by 47 *G.*3. *S.*1. *c.*38. *s.*1. paper hangings, (*Ire.*)
*c.*107. Customs, duty on import of *Spanish* red wine, (*Ire.*) Quarantine, [Exp.] 1307. *pl.*1.
*c.*108. Revenues, security of in *Ire.*
*c.*109. Military survey of *Ire.* [Exp.]
*c.*110. Property-tax, exemption of dividend, [Exp.]
*c.*111. Hospitals in *Ire.*
*ss.*13, 14. are Rep. by 58 *G.*3. *c.*47. *s.*4.
*c.*117. Judge *Fox*, continuing proceedings against, [Exp.] 1215. *pl.*11.
*c.*118. Raising 8,000,000*l.* by exchequer bills, for service of *G. B.*, [Exp.]
*c.*119. Raising 2,500,000*l.* by exchequer bills, [Exp.]
*c.*120. Raising 1,500,000*l.* by exchequer bills, (*G. B.*) [Exp.]
(*July* 12.)
*c.*121. Smuggling goods, prevention of.
*s.*15. is Rep. by 47 *G.*3. *S.*2. *c.*66. *s.*29. run goods, (*Ire.*)
*c.*122. Foreign plate-glass imported into *G. B.*, duty.
*c.*123. Annuity to Duke of *Athol*; *Isle of Man*, 501. *pl.*2. (Personal.)
*c.*124. Members of Parliament; arrest, 1216, 1217. *pl.* 41. 50. 56—60. M. P.s bankrupts; against delays in appearances in actions against M. P.s, 166. *pl.* 138—140.
*s.*2. is Exp.

45 *G.*3. A.D. 1805. (*continued.*)

*c.*126. Indemnity to witnesses against Lord *Melville*, 383. *pl.*2.
*c.*127. Vesting *Townleian* collection of ancient sculpture in trustees of *British Museum*.
*c.*128. Coals bringing to *London*, &c. by inland navigation. See 46 *G.*3. *c.*104.
*c.*129. Grant of 4,000,000*l.* from consolidated fund of *G. B.*; appropriating supplies, [Exp.]

46 *G.*3. A.D. 1806.

*c.*1. (*Feb.* 7.) Auditor of exchequer, appointing trustee of that office.
*c.*2. (*Feb.* 12.) Malt, &c. duty in *G. B.*, [Exp.]
*s.*14. is Rep. by 46 *G.*3. *c.*139. *s.*9. malt, penalty of forcing in cistern.
(*Feb.* 28.)
*c.*3. Pensions, &c. duty in *Eng.*, [Exp.]
*c.*6. Raising 5,000,000*l.* by exchequer bills (*G. B.*) [Exp.]
(*March* 22.)
*c.*7. Indemnity offices, &c. [Exp.]
*c.*8. Marines, [Exp.]
*c.*9. *Greenland* whalers, manning, [Exp.] 293. *pl.*408, 409.
*c.*10. Sugar, export, [Exp.]
*c.*11. Corn, &c. export.
*c.*12. Continuing several statutes relating to duties in *Ire.*
*c.*14. Sugar, export from *Ire.*; price of, [Exp.]
*c.*15. Mutiny, [Exp.]
*c.*16. Treaty with *United States*, [Exp.] 1558. *pl.*2.
*c.*17. *American* wool, import, [Exp.]
*c.*18. Woollen manufacture (*Eng.*) [Exp.] 1598. *pl.*64.
*c.*19. Militia, pay, &c. [Exp.]
*c.*20. Militia; allowances to adjutants, &c. in *Eng.* [Exp.]
*c.*21. Militia; allowances to subalterns (*G. B.*) [Exp.]
*c.*22. Militia, pay, &c. (*Ire.*), [Exp.]
*c.*23. Foreigners enlisting in H. M.'s service, indemnity.
*c.*24. Creditors, payment of, (*Scot.*), [Exp.]
(*March* 31.)
*c.*25. Raising 10,500,000*l.* by exchequer bills (*G. B.*), [Exp.]
*c.*26. Raising 1,500,000*l.* by exchequer bills (*G. B.*), [Exp.]
*c.*27. Landing spirits before paying excise, [Exp.]
*c.*28. Felons, transportation to prisons, &c. in *Eng.* and *Scot.*, [Exp.]
*c.*29. (*April* 2.) Continuing several statutes, [Exp.]
(*April* 21.)
*c.*30. Trade to and from *Cape of Good Hope*, [Exp.]
*c.*31. *Irish* militia volunteering to *G. B.*, [Exp.]
*c.*32. Treasury bills (*Ire.*), [Exp.]
*c.*33. Raising 20,000,000*l.* by annuities.
*c.*34. Fisheries, *British*, encouraging, [Exp.] 270. *pl.*22.
(*May* 5.)
*c.*35. Bank notes and post bills of bank of *Ire.*, repealing exemption from stamp-duties.
*c.*36. House-tax (*Ire.*)
*c.*37. Witnesses refusing to answer, 1593. *pl.*6.
*c.*38. Tea, import into *G. B.*, duties; additional excise duty thereon.
*c.*39. Tobacco and snuff, additional duties, [*semb.* Exp.]
*c.*41. Exchequer bills, raising 3,000,000*l.* by, [Exp.]
*c.*42. Customs, export, import, &c. (*G. B.*), [Rep. 47 *G.*3. *S.*2. *c.*61.]
*c.*43. Stamp-duties; appraisers, 1399. Stats. *in force*, *pl.*1., 1426. *pl.*213—223.
*ss.*1, 2. are Rep. by 48 *G.*3. *c.*149. *s.*1.
*s.*7. is virtually Rep. by 55 *G.*3. *c.*184. *s.*7.
*s.*8. is virtually Rep. by *id. s.*8.
*s.*9. is Rep. by *id. s.*9.
*ss.*12, 13. are virtually Rep. by 48 *G.*3. *c.*149. *s.*1., 55 *G.*3. *cc.*184, 185.
*s.*13. is Exp.
*c.*44. Wine duties carried to consolidated fund, [Exp.]

46 *Geo.* 3. A. D. 1806. (*continued.*)

c. 45. Treasurer of ordnance, office regulated.
s. 11. is Exp.
(*May* 23.)
c. 46. Treasury bills (*Ire.*), raising 500,000*l.* by, [Exp.]
c. 47. Raising 2,000,000*l.* *Irish* by annuities, [Exp.]
c. 48. Mutiny, [Exp.]
c. 49. Encreasing salaries of judges of admiralty in *Scot.*
s. 1. as to the *Edinburgh* commissary court judges, is Rep. by 55 *G.* 3. *c.* 97. *s.* 1.
c. 51. Defence of realm; additional force, raising, [Exp.]
c. 52. Slave-trade, preventing, 1373; 1374. *pl.* 2—11. 16. 18—23.
ss. 10—12. are virtually Rep. by 47 *G.* 3. (*Sess.* 1.) *c.* 36. *ss.* 1. 4.
s. 9. as to what is a foreign vessel within the act, is Exp.
c. 53. Indemnity, *West Indies*, export, &c. [Exp.]
c. 54. Trial of offences committed in distant parts on sea, 1250. *pl.* 1. 10.
(*June* 9.)
c. 55. Payment of interest on debentures (*Ire.*)
c. 56. Spirits (*Ire.*), [Exp.]
c. 57. Malt duties, collecting; maltsters (*Ire.*)
c. 58. Revenues in *Ire.*, collection, &c.
c. 59. Packing butter in *Ire.*, [Rep. 52 *G.* 3. *c.* 134. *s.* 1.]
c. 60. *Boulter*'s bequest towards maintenance of *Irish* clergy.
c. 61. Public officers sending and receiving letters free of postage.
(*June* 13.)
c. 62. Iron, sugar, tea, exports and imports to and from *Ire.*
c. 63. Additional force, raising in *Ire.*, [Exp.]
c. 64. Stamp-duties (*Ire.*), [Rep. 52 *G.* 3. *c.* 126. *s.* 1.]
Rep. in part by 48 *G.* 3. *c.* 41. *s.* 5. stamps on deeds.
s. 21. is Rep. by 48 *G.* 3. *c.* 41. *s.* 12. deeds, registering, (*Ire.*)
s. 34. is Rep. by 47 *G.* 3. *S.* 2. *c.* 14. *s.* 20. civil bill process (*Ire.*)
s. 40. is Rep. by *id. s.* 6. hatmakers' oath.
Sch. (A) No. 6. is Rep. by 46 *G.* 3. *c.* 148. *s.* 31. stamps on lottery licences (*Ire.*)
c. 65. Property-tax, [Exp. *April* 5. 1816.]
s. 100. property-tax, is Exp.
c. 66. Mutiny, [Exp.]
(*June* 20.)
c. 67. Duties on malt and spirits made in *Ire.*
c. 69. Making better provision for soldiers, 123. *pl.* 11—22.
ss. 1, 2, &c. as to *Kilmainham* hospital (*Ire.*), are Rep. by 47 *G.* 3. (*Sess.* 2.) *c.* 5. *s.* 1.
c. 70. Licences for sale of spirits by retail (*Ire.*), [Rep. 47 *G.* 3. *S.* 2. *c.* 12. *s.* 1.]
c. 71. Encouragement of finding and working mines and minerals within *Ire.*
c. 72. *Tortola*, import and export.
c. 73. Rates of postage to and from *Gibraltar* and *Malta.*
c. 74. *Prussian* yarn, import in foreign as in *British* ships.
c. 75. Receiver-general of excise duties, regulation of office of.
c. 76. Receiver general of stamp duties in *Eng.*; regulating office of, 1399. Stats. *in force*, *pl.* 1., 1418. *pl.* 57—66.
s. 10. is Exp.
c. 77. Longitude, &c. [Exp.] 499. *pl.* 14.
c. 78. Assessed taxes, [Rep. 48 *G.* 3. *c.* 55. *s.* 2.] 1487. *pl.* 31.
Rep. as to all the duties in the schedules by 48 *G.* 3. *c.* 55. *s.* 2.
c. 79. (Personal.) Revesting prisage and butlerage of wines in crown.
c. 80. Examination of public expenditure in *West Indies*, [Exp.]
(*July* 12.)
c. 81. Thread lace manufacture in *G. B.*, 437. *pl.* 1—29.
s. 1. virtually Rep. by 59 *G.* 3. *c.* 52, *s.* 1.
s. 2. 4. 8. are Exp.

46 *Geo.* 3. A. D. 1806. (*continued.*)

c. 82. Abolishing fees received by customs officers in *London*; regulating their attendance.
c. 83. Office of receiver general of post-office regulated.
c. 84. Allowances out of assessed taxes for children, [Rep. 56 *G.* 3. *c.* 66. *s.* 11.] 1487. *pl.* 32.
c. 85. *East India* company taking up ships, [*semb.* Exp. 193. *pl.* 19.]
c. 87. Duties on exports and imports to and from *Ire.*
c. 88. Spirits distilled in *Ire.*, regulating the collection of duties on, and warehousing for exportation.
s. 19. is Rep. by 48 *G.* 3. *c.* 81. *s.* 12. spirits, selling wash, (*Ire.*)
s. 47. is Rep. in part by 47 *G.* 3. *S.* 2. *c.* 17. *s.* 8. spirits; charge on stills.
by 48 *G.* 3. *c.* 81. *s.* 9. spirits, calculating on decrease of wash.
s. 48. is Rep. by 47 *G.* 3. *S.* 2. *c.* 17. *s.* 9. spirits, singlings.
s. 49. is Rep. by 49 *G.* 3. *c.* 99. *s.* 27. spirits, charge on stills.
s. 52. is Rep. by 48 *G.* 3. *c.* 81. *s.* 1. spirits, allowance for accidents, (*Ire.*)
s. 57. is Rep. by *id. s.* 8. spirits; sugar wash distillery.
ss. 90—92. are Rep. by 47 *G.* 3. *S.* 2. *c.* 17. *s.* 11. spirits; penalties on parishes, *Ire.*
(*July* 16.)
c. 90. Defence of realm, *Eng.* [Exp. *comm. semb.*] 187.
c. 91. Militia; suspending ballot, *Eng.*
s. 6. is Rep. by 47 *G.* 3. *S.* 2. *c.* 71. *s.* 1. militia, ballot.
c. 92. Conveyance of letters by post.
c. 93. Exchequer bills, 6,000,000*l.* [Exp.]
c. 94. Purchasing of duties of butlerage and prisage in *Ire.* [Exp.]
c. 95. Relief of poor; management of hospitals, &c. in *Ire.*
s. 6. as to commissioners of imprest accounts, is Rep. by 52 *G.* 3. *c.* 52. *s.* 1.
c. 96. Roads, public, [Exp.]
c. 97. To permit free interchange of every species of grain between *G. B.* and *Ire.*
c. 98. Quarantine, *G. B.* 1307. *pl.* 7—12. 30. 32—34. 48. 332, 333. *pl.* 40. 76—80. [*Qu.* as to *Ire.*]
c. 99. Oil of vitriol made in *G. B.* bounty on export.
c. 100. *Greenwich* hospital, allowances to old, &c. officers in navy; increase of pensions to disabled seamen, &c.
s. 2. 4. are Exp.
c. 101. Funds of chest at *Greenwich*, improving, 335. *pl.* 55. 61.
ss. 1. 3. 5—9. are Exp. virtually since dissolution of *Greenwich* chest by 55 *G.* 3. *c.* 1. *s.* 3. &c.
c. 102. Distillation; spirits, and malt duties, *Scot.*
s. 8. distillers' licences, *Scot.* is Exp.
c. 103. Import of fish from *Newfoundland*, [Exp.] 281. *pl.* 201.
c. 104. (Local.) Bringing 50,000 tons of coals to *London*, by inland navigation. *See* 45 *G.* 3. *c.* 26.
c. 106. Revenues of customs and excise in *Ire.*
c. 107. Names of commissioners for executing certain acts, [Exp.] 444. *pl.* 61.
(*July* 21.)
c. 108. Insolvent debtors, [Exp.] 388. *pl.* 15.
c. 109. Refined sugar and sugar candy, export from *G. B.*
c. 110. Silk manufactures of *G. B.*, export bounty.
c. 111. Neutral ships, imports and exports by, [Exp.]
c. 112. Prosecution for excise penalties; counterfeiting stamps on wrappers of paper; punishing persons guilty of perjury.
s. 2. is Rep. by 47 *G.* 3. *S.* 2. *c.* 30. *s.* 12. paper, excise.
c. 113. *French* wines, import from *Ire.* into *G. B.* in flasks, [Exp.]
c. 114. Linen, export from *G. B.* to *West Indies*, drawback.
c. 115. Raisins, &c. export from *G. B.* duty free.
c. 116. Exports from *Gibraltar* and *Malta*, to *North American* colonies.

46 *Geo.* 3. A. D. 1806. (*continued.*)

c. 117. Naval timber, import from *North American* colonies.
c. 119. Slave trade, [Exp.] 1373. *pl.* 7.
c. 120. Imports and exports; revenues of customs and excise collecting, *Ire.*
c. 121. Arms, &c. import from *Ire.* permitted, 358. *pl.* 4.
c. 122. Schools, *Ire.*, [Exp.]
c. 123. Crown property, disposal of (*Ire.*)
s. 3. is Rep. in part by 47 *G.* 3. *S.* 1. *c.* 16. sale of crown rents, &c. (*Ire.*)
c. 124. Volunteers from militia, (*Ire.*)
ss. 2, 3. are Rep. in part by 48 *G.* 3. *c.* 64. *s.* 1. militia (*Ire.*)
c. 125. Yeomanry and volunteer corps; rank of officers in.
c. 126. Militia, innkeepers, [Exp.]
c. 127. Allotment of wages by seamen, &c. to the support of their families.
c. 128. Masters in chancery, providing for, on retirement; increasing salaries, 165. *pl.* 55—57.
s. 3. is Exp.
(*July* 22.)
c. 129. Increase of salaries of accountant general's clerks; appointing additional clerks, 165, 166. *pl.* 58, 59. 63. 68—70.
c. 133. Land-tax, sale and redemption; small livings and charities exonerating from land-tax, 453. *pl.* 155. and Stats. *in force*, *pl.* 1., 456. *pl.* 35, 36., 466. *pl.* 154.
ss. 2—6. (453. *pl.* 155.) are Exp.
c. 134. Conveyance of letters by post, in *Ire.*
c. 135. Bankrupts, 60. *pl.* 58., 64—66. *pl.* 113—117.
s. 3. is Rep. in part by 49 *G.* 3. *c.* 121. *s.* 1. bankrupts.
c. 136. Stage coach passengers, [Rep. 50 *G.* 3. *c.* 48. *s.* 1.] 1396. Stats. *Rep.*
c. 137. Warehousing.
c. 138. Glass duties, drawbacks, [Rep. 49 *G.* 3. *c.* 63. *s.* 1.]
c. 139. Malt, &c. excise duty, *G. B.* [Exp.]
c. 140. Militia of *Eng.* and *Scot.* pay.
c. 141. Public accounts; regular audit, 1—3. Stats. *in force*, *pl.* 1. 5—9. 12. 16. 30. 35. 37—39. 41—43. 45. 53—58. 60.
c. 142. Office of surveyor general of woods and forests regulated, 1597, *pl.* 40—56.
ss. 2, 3. are Rep. by 47 *G.* 3. *S.* 2. *c.* 46. *Windsor* forest.
c. 144. *London* militia; defence of realm.
c. 148. Lottery, [Exp.] 497. *pl.* 7.
c. 149. Grant of 35,000,000*l.* from consolidated fund of *G. B.* and further appropriation of supplies, [Exp.]
(*July* 26.)
c. 150. Receiver-general of customs of *G. B.* regulating office.
c. 151. Enabling H. M. to grant new leases on former rents for benefit of charities, or augmenting ecclesiastical corporations, 175. *pl.* 33. 36.
c. 152. Tanners, &c. indemnity, 478. *pl.* 16.
c. 153. Preservation of public harbours of *U. K.*, 1276. *pl.* 10—12.
c. 156. Forfeited estates, (*Scot.*)
cc. 157, 158. *Grenada* and *St. Vincent*, payment of loans in.

47 *Geo.* 3. *Sess.* 1. A. D. 1807.

c. 1. (*Jan.* 6.) Committees on controverted elections of members of parliament, 1226. *pl.* 281., 1228, *pl.* 323.
c. 2. (*Jan.* 16.) 10,500,000*l.* raised by exchequer bills.
(*Jan.* 22.)
c. 3. Malt, &c. duty, (*G. B.*) [Exp.]
c. 4. Pensions, &c. duty, (*Eng.*); sugar, malt, &c duty, (*G. B.*) [Exp.]
(*Feb.* 19.)
c. 5. Indemnity, offices, &c. [Exp.]
c. 6. Militia volunteering from *Ire.* into *G. B.* [Exp.]
c. 7. Interchange of grain between *G. B.* and *Ire.* shall be of grain the produce of those countries only.
c. 8. Importation of arms, &c. into *Ire.*, prohibiting, [Con. till 1st *Aug.* 1821. Exp.] 23. Stats. *Rep.* &c. *pl.* 5.

47 *Geo.* 3. *Sess.* 1. A. D. 1807. (*continued.*)

c. 9. *Canada*, annual export of worsted yarn to, 1607. 1608. *pl.* 179.
c. 10. 1,000,000*l.* raised by treasury bills for *Ire.*
c. 11. Trade to *Cape of Good Hope*, [Exp.]
c. 12. Abolishing and regulating offices in customs, in *Ire.*
c. 13. Barrack-master general's accounts, examination of by commissioners, 67. Stats. *in force*, *pl.* 1—8., 68. *pl.* 12., Appendix, No. XXVI.
c. 14. Trial of controverted elections, &c. of members of parliament, (*Ire.*)
c. 15. Seducing H. M.'s forces, 1350. *pl.* 8. [Exp.]
(*March* 17.)
c. 16. Sale of crown rents and lands in *Ire.*
c. 17. Auctions duties in *Ire.* [Rep. 54 *G.* 3. *c.* 82. *ss.* 2, 3.]
s. 19. is Rep. by 48 *G.* 3. *c.* 63. *s.* 3. auction duty, colonial goods.
s. 20. is Rep. by 48 *G.* 3. *c.* 63. *s.* 1. auction duty.
s. 21. is Rep. by 48 *G.* 3. *c.* 63. *s.* 2. sale of distresses.
c. 18. Inland duties of excise and taxes in *Ire.*, and drawbacks thereon, [Rep. 56 *G.* 3. *c.* 57. *s.* 1.]
Rep. in part by 47 *G.* 3. *S.* 2. *c.* 14. *s.* 2. licences on spirit retailers, duty, (*Ire.*)
Sched. A. is Rep. by 48 *G.* 3. *c.* 42. *s.* 1. Taxes, (*Ire.*); and by 48 *G.* 3. *c.* 63. *s.* 3., auction duty, (*Ire.*)
Sched. A. is Rep. as to auction duties and exemptions by 54 *G.* 3. *c.* 82. *s.* 2.
Sched. A. is Rep. as to houses under 10*l.* annual value by 54 *G.* 3. *c.* 132.
c. 19. Sugar export from *Ire.*; warehousing sugar in *Ire.*
c. 20. Drawbacks suspended on spirits made in *G. B.* or *Ire.*, and exported from either country to the other, [Exp.]
c. 21. Assessed taxes, (*Ire.*) [Rep. (except the repeal effected by *s.* 1.) by 56 *G.* 3. *c.* 57. *s.* 1.]
c. 22. Sugar, bounties on export.
c. 23. South sea trade, 1385, 1386. *pl.* 1. 17.
c. 24. Fish from *Newfoundland*, &c. import, 291. *pl.* 201.
c. 25. *Turkey* tobacco, import into *G. B.* in small packages.
c. 26. *German* yarn import in foreign ships.
c. 27. Excise duties on brandy in *G. B.* [Exp.]
c. 28. Raising 14,200,000*l.* by annuities.
(*March* 23.)
c. 29. Sugar export from *G. B.* and *Ire.*
c. 30. Salt exported from *Bahamas.*
c. 31. Manufactured tobacco, import into *Ire.*
c. 32. Mutiny and desertion; Soldiers killing game, 319. *pl.* 202. [Exp.]
c. 33. Marines regulation, [Exp.]
c. 34. Continuing 46 *G.* 3. *c.* 104. (*Eng.*)
(*March* 25.)
c. 35. Securing payment of duties on licences granted to dealers in exciseable commodities in *Ire.*
ss. 3, 4. are Rep. by 48 *G.* 3. *c.* 41. *s.* 3. excise duty received by collectors.
s. 12. is Rep. by 47 *G.* 3. *S.* 2. *c.* 11. *s.* 5., brewers' bonds as to using corn.
c. 36. Abolition of slave-trade, 1374—1376. *pl.* 24—41.
s. 6. is Exp.
c. 37. Depredations on *Thames* by boatmen, 1253. *pl.* 2., 1531. *pl.* 1.
c. 38. (*April* 9.) Duties on paper made in *Ire.*
(*April* 25.)
c. 40. Malt, spirits, duties, (*Ire.*) [Exp.]
c. 41. Continuing several acts.
c. 42. Continues 5 *G.* 3. *c.* 15. *ss.* 11—22. *Ir.*, 13 & 14 *G.* 3. *c.* 20. *Ir.*, 25 *G.* 3. *c.* 54. *s.* 3. *Ir.*, 36 *G.* 3. *c.* 51. *Ir.*; and is itself Con. till 25th *April* 1828; lighting, cleansing, &c. towns in *Ire.*

47 Geo. 3. Sess. 1. A. D. 1807. (continued.)

c. 43. Servants wages, (*Ire.*)
c. 44. Poor, relief of, management of infirmaries, &c. in *Ire.*
c. 46. Raising 1,500,000*l.* by annuities for service of *Ire.*
c. 47. *Sicilian* prize money, [Exp.] 1294. Prize, *pl.* 8..
c. 48. Sugar and rice warehousing, &c. [Rep. 47 *G.* 3. *c.* 52. *s.* 2. as to coffee and cocoanuts.]
c. 49. Export of fullers' earth, fulling and pipe clay permitted to any place in H. M.'s possession, 1603. *pl.* 110., 1605. *pl* 136., 1607, 1608. *pl.* 179.
c. 50. Stamp duties in *Ire.* [Rep. 52 *G.* 3. *c.* 126. *s.* 1.]
s. 11. is Rep. in part by 48 *G.* 3. *c.* 41. *s.* 5. stamps on deeds, (*Ire.*)
Sch. A. and B. *tit.* "Licence and Hats," as to hats, is Rep. by 51 *G.* 3. *c.* 60. *s.* 1.
s. 13. is Rep. in part by 47 *G.* 3. *S.* 2. c. 14. *s.* 14., stamps, renewal of leases, (*Ire.*)
s. 15. and *Sched.* are Rep. by 48 *G.* 3. *c.* 41. *s.* 9., stamp duty on conveyances, (*Ire.*)
s. 17. is Rep. by 47 *G.* 3. *S.* 2. *c.* 14. *s.* 15.; return of writs, (*Ire.*)
s. 18. is Rep. by 47 *G.* 3. *S.* 2. *c.* 14. *s.* 16., bills of exchange; acceptances, (*Ire.*)
s. 19. is Rep. in part by 47 *G.* 3. *S.* 2. *c.* 14. *s.* 17., admissions into corporations, (*Ire.*)
s. 42. is Rep. in part by 47 *G.* 3. *S.* 2, *c.* 14. *s.* 18.; admissions into corporations, (*Ire.*)
Sched. A. is Rep. by 47 *G.* 3. *S.* 2. *c.* 14. *s.* 2., stamps, (*Ire.*)
c. 51. Abolishing fees of customs officers in *London*, regulating their attendance; superannuation fund.
c. 52. Chaplains, exemption from residence, [Exp. and provision adopted 57 *G.* 3. *c.* 99. *s.* 15.] 1392. *pl.* 10.
c. 53. Oak bark, regulating, &c. [Exp.] 478. *pl.* 16.
c. 54. Militia, innkeepers.
c 55. Charging, loan.
s. 6. is Rep. by 48 *G.* 3. *c.* 92., charging loan on certain duties.
c. 56. Regulating office of treasurer of navy.

47 Geo. 3. Sess. 2. A. D. 1807.

c. 1. (*July* 7.) Continuing several acts for granting duties, &c. on imports and exports to and from *Ire.*
(*July* 17.)
c. 2. Treaty with *United States*, executing, [Exp.] 1558. *pl.* 2.
c. 3. Indemnity orders in council, trade with *United States*, [Exp.]
c. 5. Commissioners of *Kilmainham* hospital empowered to make regulations for paying pensions to soldiers on that establishment. 123. *pl.* 11—13.
cc. 6, 7. Exchequer bills, 300,000*l.* and 1,500,000*l.* [Exp.]
c. 8. Concerning common recoveries suffered in copyhold or customary courts by attorney, 147. *pl.* 13, 14.
(*July* 25)
c. 9. Lottery, [Exp.] 497. *pl.* 7.
c. 10. Salt beef and pork, export of from *Ire.*
c. 11. Assessed taxes, excise licences, &c.
c. 12. Retailing spirits and other licenses in *Ire.*
Aug. 1.
c. 13. Insurrection act; preserving public peace in *Ire.* [Rep. 50 *G.* 3. *c.* 78. and Exp.]
c. 14. Excise and stamp duties, *Ire.* [Rep. 48 *G.* 3. *c.* 41. *s.* 4. permits duty, and wholly by 52 *G.* 3. *c.* 126. *s.* 1.]
Sched. A. *tit.* "Hat," as to hats, is Rep. by 51 *G.* 3 *c.* 60. *s.* 1.
c. 15. Securing duty on gold and silver plate wrought in *Ire.*
c. 16. Imports and exports, (*Ire.*)
c. 17. Collecting duties on spirits distilled in *Ire.*
s. 6. is Rep. by 49 *G.* 3. *c.* 99. *s.* 27., spirits, charge on stills.
s. 12. is Rep. by 49 *G.* 3. *c.* 99, *s.* 1., spirits, penalty, *Ire.*

47 Geo. 3. Sess. 2. A. D. 1807. (continued.)

c. 18. Decrease, &c. of part of the countervailing duties on *British* refined sugar imported into *Ire.*
c. 19. Regulating trade of rectified spirits in *Ire.*
c. 20. Enabling H. M. to appoint *Irish* chancellor of exchequer a commissioner of treasury in *Eng.* without salary, 539. *pl.* 37.
c. 21. Annuities, (*Ire.*) continuing *Irish* act 13 & 14 *G.* 3. *c.* 7.
c. 22. Fisheries, improving, (*Ire.*) [Exp.]
c. 23. Issuing 50,000*l.* for glebe houses, *Ire.* [Rep. in part by 48 *G.* 3. *c.* 65. *s.* 6.]
c. 24. Disposition of the sovereign's real and personal property; of escheats, 236. *pl.* 29, 30.
c. 25. Compassionate list; half pay, &c. to officers' widows, [Rep. 48 *G.* 3. *c.* 5.]
c. 26. Militia, pay, &c. (*Ire.*) [Exp.]
c. 27. Import of naval stores.
c. 28. Exchequer bills, issuing, 6,000,000*l.* [Exp.]
c. 29. Militia, pay, &c. [Exp.]
c. 30. Excise laws, amending; seizures, restoring in some cases.
c. 31. Militia, adjutants, &c. allowances, (*Eng.*)
c. 32. Militia, allowances to subalterns, (*G. B.*)
c. 33. Accounts, public, [Continuing 45 *G.* 3. *c.* 47. Exp.] 1 Stats. *Exp. pl.* 7.]
c. 34. *Amsterdam* in *Curaçoa* made a free port.
c. 35. Indemnity, offices, &c. [Exp.]
Aug. 8.
c. 36. Authorising sales of some of the articles in *British Museum.*
c. 37. Malt Duties, [Exp.]
c. 38. Imports of enumerated articles to *British American* colonies, from *United States*, and exports from former to latter, [Exp.] 1558. *pl.* 4, 5.
c. 39. Charging public accountants with interest on balances; accounts public, 1. *pl.* 1., 5. *pl.* 99—106.
c. 40. Practice of courts of equity where members of parliament are defendants, 1216. *pl.* 40., 1217. *pl.* 54, 55.
c. 41. *East India* company enabled to raise money on bonds, instead of increasing their capital stock, 194. *pl.* 31. (*S.* 1. placed by mistake for *S.* 2.) 196. *pl.* 65.
s. 2. is repealed by 51 *G.* 3. *c.* 64. *s.* 2.; bond debt of *East India* company discharged.
c. 42. Police in *Middlesex* and *Surrey*, near metropolis, [Rep. 51 *G.* 3. *c.* 119. *s.* 1. (which is also Rep. 1598. *pl.* 64.)] 1253. *pl.* 3.
c. 43. Woollen manufactures, (*Eng.*) [Exp.]
c. 44. Transferring to H. M. the possessions, &c. of *Sierra Leone* company, 1369. Stats. *in force*, *pl.* 1, 2., 1534. *pl.* 5.
c. 47. Calicoes and cottons of manufacture of *G. B.* or *Ire.* respectively, countervailing duties on imports.
c. 48. Continuing several acts for collection, &c. of revenues of customs and excise in *Ire.*
c. 49. Linen, export from *G. B.* to *West Indies.*
c. 50. Erecting public infirmaries, &c. in *Ire.*
s. 2. [Exp.]
c. 51. *British* fisheries, encouraging, 270. *pl.* 22.
c. 52. Duty on coffee and cocoa nuts exported from the warehouse where secured.
c. 53. Postmaster-general authorized to open foreign letters, [Exp.]
(*Aug.* 13.)
c. 54. Against improper persons having arms in *Ire.* [Continued till end of session next after 15*th July* 1822, by 1 *G.* 4. *c.* 47.]
s. 5. as to justices demanding list of arms more than once, is Rep. by 50 *G.* 3. *c.* 109. *s.* 4.
s. 8. and *s.* 12. as to search for arms, are Rep. by 50 *G.* 3. *c.* 109. *s.* 3.
c. 55. Militia in *Ire.* volunteering into regulars, [Exp.]
c. 56. Militia, (*Ire.*) increasing, [Exp.]
c. 57. Militia in *G. B.* volunteering into regulars, [Exp.]

47 *Geo.* 3. *Sess.* 2, A. D. 1807. (*continued.*)

c. 58. Salt, export from *Ire.*
c. 59. Receiver-general of post office in *Ire.*, regulating office of.
c. 61. Exports from *G. B.* to *Ire.*, duties.
c. 62. Spirits, drawbacks, [EXP.]
c. 63. Silks, drawbacks and duties, [REP. 59 *G.* 3. *c.* 52. *s.* 1.]
c. 64. Callicoes and cottons exported to *Malta*; bounty.
c. 65. Sales of *West India* produce by *West India* Dock Co., for payment of duties and charges exempted from auction duty, 44. *pl.* 1., 45. (II.) *pl.* 16.
c. 66. Smuggling, preventing, 81. *pl.* 1., 82. *pl.* 8—10.
c. 67. *Swedish* herrings, import, [EXP.] 261. *pl.* 9.
c. 68. Government of fort *St. George* and *Bombay*. Public banks regulated, 205. *pl.* 253., 213. *pl.* 385., 217. *pl.* 454—461. Periods at which civil servants of *East India* Co. may be employed in their service abroad, 209. *pl.* 320.

(*Aug.* 14.)

c. 71. Militia in *G. B.*, completing and increasing. [*Qu.* if not EXP.]
ss. 34, 35. militia ballot, are EXP.
c. 72. Treasury bills for service of *Ire.*, [EXP.]
c. 73. Loan for service of *G. B.* [EXP.]
c. 74. Securing payment of debts of traders, 66. *pl.* 131—133.
c. 75. Curates, [REP. 48 *G.* 3. *c.* 5.] 1388. *pl.* 23. 28.
c. 76. Grant from consolidated fund. Appropriation of supplies, [EXP.]

48 *Geo.* 3. A. D. 1808.

(*Feb.* 27.)

c. 1. Regulating the issuing, and paying off of exchequer bills.
c. 2. Malt, making regulations of excise. Pension, &c. duty.
s. 15. is REP. by 48 *G.* 3. *c.* 74. *s.* 20., malt, removing, penalty.
ss. 1—6. malt duty, are EXP.
c. 3. Advances by bank, 500,000*l.* [EXP.]
c. 4. Authorizing advance for public service, of unclaimed dividends, &c.
c. 5. Curates of church of *Eng.*, support, [EXP. since 36 *G.* 3. *c.* 83., is REP. by 57 *G.* 3. *c.* 99.]
c. 6. Treaty with *United States*, [EXP.] 1558. *pl.* 2.
c. 7. Exchequer bills, [EXP.]

(*March* 11.)

c. 8. Office of treasurer of navy, regulating.
c. 9. Abolishing office of surveyor of subsidies and petty customs in *London*.
c. 10. Distillation, *Scot.*
c. 11. Import of goods from *Portuguese America*, in *Portuguese* ships.

(*March* 21.)

c. 12. Raw sugar of *British* plantations, export.
c. 14. Marines, [EXP.]
c. 15. Mutiny, [EXP.]
c. 16. Export of sugar from *G. B.* [EXP.]
c. 17. Export from and warehousing sugar in *Ire.*; warehousing spirits of *British* sugar-plantations, [EXP.]
c. 18. Spices, duties, [EXP.]
c. 19. Naval stores, import, [EXP.]
c. 20. Whale and *Newfoundland* fisheries, [EXP.] 290. *pl.* 366.
c. 21. Investing the 600,000*l.* paid by *United States* under the treaty, in exchequer bills, [EXP.] 1558. *pl.* 7.
c. 22. Export and import, *G. B.*, [EXP.]
c. 23. Hemp and flax; linen manufacture, (*G. B.*) [EXP.]
c. 24. Import of hides, &c. in foreign ships, (*G. B.*) [EXP.]
c. 25. Payment of creditors in *Scot.* [EXP.]
c. 26. Customs duties on exports from *G. B.* [EXP.]

(*March* 28.)

c. 27. Import of corn and provisions to *Ire.* [EXP.]

(*April* 14.)

c. 28. Exports from *Ire.*, customs duties, [EXP.]

48 *Geo.* 3. A. D. 1808. (*continued.*)

c. 29. Cotton wool, jesuits bark, export, (*Ire.*) [EXP.]
c. 30. Trade of *Ire.* to and from *East Indies*.
c. 31. Silver bank of *Ire.* tokens, counterfeiting, prevented.
s. 4. is EXP.
c. 32. Warehousing goods imported into *Ire.* before duty paid.
c. 33. Jesuits bark, export, [EXP.]
c. 34. Colonial cotton wool, export, [EXP.]
c. 35. Duty thereon, [EXP.]
c. 36. Malt, excise duty, [EXP.]
c. 37. Imports in neutrals, rendering valid, [EXP.]
c. 38. Annuities, granting, to satisfy exchequer bills.
c. 39. Army, innkeepers, [EXP.]
c. 40. Indemnity, offices, &c. [EXP.]

(*May* 27.)

c. 41. Stamp duties, (*Ire.*) [REP. 52 *G.* 3. *c.* 126. *s.* 1.]
c. 42. Assessed taxes, (*Ire.*) [REP. 56 *G.* 3. *c.* 57. *s.* 1.]
Sched. *tit.* "Dogs," as to exemptions from duty thereon, where party not liable to assessment for windows or firehearths, is REP. by 54 *G.* 3. *c.* 120. *s.* 13.
REP. as to the duty on carriages built for sale, or sold by auction or commission, by 55 *G.* 3. *c.* 61. *s.* 1.
ss. 5. 7. are REP. in part by 49 *G.* 3. *c.* 75. *s.* 1., taxes, (*Ire.*)
c. 43. Spirits, export, [EXP.]
c. 44. Bond for due landing wool exported to *Ireland*, 1607, 1608. *pl.* 179.
c. 45. Militia, pay, &c. (*Ire.*) [EXP.]
c. 46. Militia, (*G. B.*) [EXP.]
c. 47. Quieting possessions in *Ire.*, by limiting the right of the crown to sue, 1313, 1314. *pl.* 2—4. 6. 8—10. 14. Relief of incumbents in respect of arrears to crown during predecessor's incumbency.
c. 49. Paymaster-general's accounts, auditing, [EXP.]
s. 10. is EXP.
c. 50. Suspending grant of offices in reversion, [EXP.] 537. *pl.* 4.
c. 51. Militia, allowance to subalterns, (*G. B.*), [EXP.]
c. 52. Militia, allowances to adjutants, &c. (*Eng.*), [EXP.]
c. 53. Exchequer bills, (*G. B.*). 3,000,000*l.* [EXP.]
c. 54. Exchequer bills, (*G. B.*), 1,500,000*l.* [EXP.]

(*June* 1.)

c. 55. Assessed taxes, 1497, 1498. *pl.* 148—150. 152—154. 156, 157. Schedules, Exemptions, Duties, Cases, &c. 1498—1515.
s. 10. is EXP.
c. 56. Abolishing fees received by officers of customs in *Ire.*; regulating their attendance, and that of some officers of excise.
c. 57. [REP. 59 *G.* 3. *c.* 52. *s.* 1., and see table (A.) Inwards; "Corks."]
c. 58. Proceedings on certain indictments and informations in *K. B.*, (*s.* 1.) 35. *pl.* 41—43. Authorizing execution of warrants for offences committed in *Eng.*, (*s.* 2.) 424. *pl.* 60. 62. Bail bonds assigning to H. M. by officers taking bail at H. M.'s suit, (*s.* 3.) 48. *pl.* 20, 21.
c. 60. Tanner not to be shoemaker, currier, leather cutter, &c. 478, 479. *pl.* 16. 32.
c. 61. (*June* 3.) Inquiry into military expenditure, [EXP.]

(*June* 18.)

c. 62. Revenues of customs and excise in *Ire.*, collection.
c. 63. Auction duties in *Ire.*, securing, [REP. 54 *G.* 3. *c.* 82. *s.* 3.]
c. 64. *Irish* militia volunteering into regulars.
c. 65. Glebe houses and lands, (*Ire.*); *Boulter's* charity.
c. 66. Residence of spiritual persons on benefices in *Ire.*
s. 5. is EXP. in part.
c. 67. Copper imported into *G. B.*, duty.
c. 68. Pilchards, export, bounty, 285. *pl.* 265, 266.
c. 69. Sugar and coffee, export from plantations to *Europe*, &c. Corn, import to plantations from *Europe*.

48 *Geo.* 3. A. D. 1808. (*continued.*)

c. 70. *British* ships captured by enemy, and afterwards property of *British* subjects, are not entitled to privilege of *British* ships, 1368. *pl.* 47, 48.

c. 71. Orders in council on prize and warehoused goods.

c. 73. Land revenue of crown in *Eng.*, and of duchy of *Lancaster*, 175—179. *pl.* 33. 37—39. 41, 42. 44. 58, 59. 62, 63. 66—70. 72, 73. 75. 77—85. 89, 90. APPENDIX No. XXVII.

s. 31. is EXP.

c. 74. Malt, duties on, (*G. B.*)

c. 75. Interment of dead bodies cast ashore, 105. BURIAL, *pl.* 1—15.

c. 76. Raising 10,500,000*l.* by annuities.

(*June* 23.)

c. 78. Malt and spirits made in *Ire.*, duties and drawbacks, [EXP.]

c. 79. Malt duties; maltsters regulating, (*Ire.*)

s. 5. is REP. in part by 49 *G.* 3. *c.* 57. *s.* 2. beer, (*Ire.*)

c. 80. Imports and exports, (*Ire.*) [EXP.]

c. 81. Spirits distilled in *Ire.*, collecting duty.

c. 82. Permits for conveyance of exciseable goods in *Ire.*

c. 83. Raising 750,000*l.* by annuities for service of *Ire.*

c. 84. Smuggling; bonds to customs cancelling.

c. 85. Trade with *United States*, [EXP.] 1559. *pl.* 9.

c. 86. *British* fisheries, [EXP.] 270. *pl.* 22.

c. 87. Hackney coaches, 342—344. *pl.* 87—89. 91, 92. 94, 95. 97—101. 106.

s. 4. Hackney-coach evening back-fares beyond carriageway pavements, is REP. by 55 *G.* 3. *c.* 159. *s.* 5.

s. 8. is REP. in part by *id. s.* 12.

c. 88. Restraining negotiation of bills and notes in *Eng.* under 20*s.*, 77, 78. *pl.* 19—32.

c. 89. Barrack office accounts, investigating, 67, 68. *pl.* 9—11.

c. 90. Commissioners for public accounts, and for affairs of barracks, to send and receive letters free of postage.

s. 1. is REP. in part as to barrack commissioners by 57 *G.* 3. *c.* 9. *ss.* 7, 8.

c. 91. Inquiry into public expenditure in *West Indies*, [EXP.]

c. 92. Repeals 47 *G.* 3. *S.* 1. *c.* 55. *s.* 6.

c. 93. Shooting at hares; gamekeepers, (*Eng.*) 319. *pl.* 205—205.

c. 94. Shooting hares, (*Scot.*)

c. 96. Lunatics, paupers or criminals, (*Eng.*) 376—379. *pl.* 59—61. 64, 65. 68—85. 88, 89. 91—94., APPENDIX No. XXVIII.

c. 97. Advance of 6,000,000*l.* by bank on exchequer bills, [EXP.]

c. 98. Farming post-horse duties, (*G. B.*) [REP. 57 *G.* 3. *c.* 59. *s.* 8.] 1398. *pl.* 20. (misprinted 17.)

c. 99. Prize goods, warehousing; prize spirits, reducing to proper strength for home consumption.

c. 100. Prize money to foreign forces serving with *British*, [EXP.] 1294. *pl.* 8.

c. 102. Pensions and offices duty in *Eng.*; land-tax, 444. *pl.* 60.

c. 103. Bank of *Ire.*

(*June* 25.)

c. 104. Pilotage, [REP. 52 *G.* 3. *c.* 39. *s.* 1.] 1243. *pl.* 2. 4.

c. 105. Trade from *Cape of Good Hope*, [EXP.]

c. 106. Inconvenience of expiration of acts, before passing acts to continue them, prevented, 1479. STATUTES, *pl.* 11, 12.

c. 107. Militia; defence of realm, (*Eng.*) [EXP.]

c. 108. Offices in pleas side of exchequer, (*Ire.*)

s. 1. serjeant at arms fees, (*Ire.*) is EXP.

c. 109. Trade with *Portuguese America*, (*G. B.*)

c. 110. *British* white herring fisheries, 273—280. *pl.* 76, 77, 80, 81. 86, 87. 89. 91, 92. 94—97. 100. 102, 103. 105—119. 122. 124. 126, 127. 130. 137, 138. 141, 142. 145—148. 150—153. 157—163. 165—168. 184.

s. 1. is REP. by 1 & 2 *G.* 4. *c.* 79. *s.* 1.

s. 3. is REP. in part by 55 *G.* 3. *c.* 94. *s.* 6.

s. 6. *semble* REP. by *id. s.* 3.

ss. 8, 9. are REP. by 1 & 2 *G.* 4. *c.* 79. *s.* 2.

48 *Geo.* 3. A. D. 1808. (*continued.*)

ss. 32. 34. are REP. in part by 55 *G.* 3. *c.* 94. *s.* 17.

s. 32. is REP. in part by 35 *G.* 3. *c.* 94. *s.* 21.

s. 40. is REP. in part by 55 *G.* 3. *c.* 94. *s.* 34.

ss. 30. 61. are EXP.

(*June* 30.)

c. 111. Establishing local militia force.

c. 112. Treasury bills for service of *Ire.*

c. 113. Court houses, gaols, &c. selling, (*Ire.*)

c. 114. Exchequer bills, [EXP.]

c. 115. Countervailing duties on spirits imported into *Ire.* from *Scot.*, and *vice versa*.

c. 116. Postage of letters to and from *Madeira*, and *Portuguese America*.

c. 117. Duties of excise on silks painted and stained.

c. 118. Distillation from corn, prohibited, [EXP.]

c. 119. To regulate the charging the duty on spirits imported.

c. 120. Coffee imported into *G. B.*, excise duties; warehousing coffee and cocoa.

c. 121. Customs duty on coffee taken out of warehouse in *G. B.* for home consumption.

c. 122. Vesting barracks, &c. in commissioners for affairs of barracks, [REP. 57 *G.* 3. *c.* 9. *comm. semb.*] 67. STATS. *Rep. pl.* 2., 68. *pl.* 13—20.

c. 123. Discharge of debtors in execution for small debts, 391. *pl.* 20, 21.

c. 124. Southern whale fishery, premiums, [EXP.] 287. *pl.* 304. 310. 317.

c. 125. Rice, grain, &c. imports from *United States* to *West Indies*; and to *British* provinces in *North America*, for export to *West Indies*.

c. 126. Removing warehoused goods from *London*, to outports, for for exportation; licences granting; goods export in small vessels, &c. [EXP.]

c. 127. Rendering certain marriages valid, 510. *pl.* 33—35.

ss. 1—3. are EXP.

c. 128. Secretary at war, examination of accounts by.

c. 129. Preventing privately stealing from the person, and clergy allowed, 249. *pl.* 91, 92.

c. 130. Depredations, &c. on merchants, by boatmen, &c. within Cinque Ports jurisdiction; salvage, 1615—1617. *pl.* 86. 109. 111.

s. 25. is EXP.

c. 131. Suspending actions relating to woollen manufacture, (*Eng.*) [EXP.] 1598. *pl.* 64.

c. 132. Navy prizes, [EXP. but REP. in part 54 *G.* 3. *c.* 93. *s.* 1.] 1294. *pl.* 6.

c. 133. Commissioners for executing acts, times for first meeting enlarged, [EXP.] 142. *pl.* 15.

c. 134. Marking bags and pockets of hops, 365, 366. *pl.* 10. 13, 14. 23.

c. 136. Indemnity to officers, &c. *Tower* Hamlets militia, [EXP.]

c. 138. Regulating powers of commission of teinds in augmenting, &c. the stipends of *Scotch* clergy.

ss. 4—6. are EXP.

c. 139. Lotteries, [EXP.] 497. *pl.* 7.

(*July* 2.)

c. 141. Assessed taxes, assessment and collection of, 1515. 1519—1521. *pl.* 254—258.

No. III. *Rule* 9. *ss.* 7—11. 14. and throughout as to property-tax, are EXP.

c. 142. Life annuities, granting by commissioners for reduction of national debt.

c. 143. Licences to retail ale, beer, and other exciseable liquors, 18, 19. *pl.* 107—119., 1398. STATS. *in force*, *pl.* 1.

s. 9. is EXP.

48 *Geo.* 3. A.D. 1808. (*continued.*)

c. 144. Protection of oyster fisheries and brood in *Eng.*, 283, 284. *pl.* 235—237. 241. 248, 249.

c. 145. Granting annuities to *Scotch* judges on resignation.

c. 147. Sale of *Danish* prize, [Exp.] 1294. *pl.* 7.

c. 148. Grant from consolidated fund of *G. B.*, appropriating supplies, [Exp.]

c. 149. Stamps, penalties, remitting, 1398—1400. Stats. *in force*, *pl.* 1, 2. 4. 7. 10. 13, 14. 18., 1419. *pl.* 89. 98., 1425. *pl.* 195, 196., 1428. *pl.* 253., 1430, 1431. *pl.* 298. 303. 320—322. 324., 1432. *pl.* 335, 336. 338—340. 343., 1435, 1436. *pl.* 390—397. 412—416., 1445. *pl.* 553., 1473. *pl.* 799. 804—806. Stamps on probates in *Scot.*, 1475. *pl.* 824. 827—831.
Rep. as to duties in *s.* 2. and *Sched.* Parts I—III. in part by 50 *G.* 3. *c.* 35. *s.* 2., and wholly, 55 *G.* 3. *c.* 184. *s.* 1.
s. 3. is Rep. virtually by 55 *G.* 3. *c.* 184. *ss.* 1. 3.
s. 8. is Rep. by 48 *G.* 3. *c.* 149. *s.* 8., and 55 *G.* 3. *c.* 184. *s.* 8.
s. 9. is Rep. by 48 *G.* 3. *c.* 149. *s.* 7., 55 *G.* 3. *c.* 184. *s.* 7.
s. 13. is virtually Rep. by 55 *G.* 3. *c.* 184. *s.* 14.
s. 15. is Rep. by *id. s.* 21.
ss. 4—6. 13. as to re-issuing certain notes, are Exp.
ss. 29. 43. 45. 49. are Exp.

(*July* 4.)

c. 150. Local militia, (*Scot.*)
s. 58. is Rep. by 49 *G.* 3. *c.* 48. *s.* 13. militia, bounties on parishes.

c. 151. Administration of justice in *Scot.*; appeals to house of lords, 142. *pl.* 16.
s. 3. is Rep. by 53 *G.* 3. *c.* 64. *s.* 16.
s. 5. is Rep. by 50 *G.* 3. *c.* 112. *s.* 29., 53 *G.* 3. *c.* 64. *ss.* 2. 6.
s. 22. is Exp.

c. 152. Duties on wash from sugar, [*semb.* Exp.]

49 *Geo.* 3. A.D. 1809.

(*Feb.* 22.)

c. 1. Malt, &c. duty, in *G. B.*, and on pensions, &c. in *Eng.*; malt, regulations for making, [Exp.]

c. 2. Exchequer bills, 10,500,000*l.* (*G. B.*) [Exp.]

c. 3. Exchequer bills, 1,500,000*l.* (*G. B.*) [Exp.]

(*March* 13.)

c. 4. Militia of *G. B.* volunteering into regulars, [Exp.]

c. 5. Militia in *Ire.* volunteering into regulars, [Exp.]

c. 6. Relief of prisoners in custody for nonpayment of money, pursuant to orders of courts of equity, 388. *pl.* 1., 391. *pl.* 19.

c. 7. Prohibiting distillation from grain in *U. K.*

c. 8. *British* or *Irish* spirits, import into *G. B.* or *Ire.* respectively, [Exp.]

c. 9. Flax-seed, imported into *Ire.* from *G. B.*
ss. 1—4. 6—8. flax-seed import bounties, (*Ire.*)

(*March* 20.)

c. 10. Sugar, bounties on export, [Exp.]

c. 11. *Id.* [Exp.]

c. 12. Mutiny, [Exp.]

c. 13. Forgery of bank of *Ire.* notes, bills of exchange, and post bills.

c. 14. Child murder, (*Scot.*)

c. 15. Indemnity, attornies, &c. [Exp.]

(*March* 24.)

c. 16. Import of rum, duty free, from *Bermuda* into *Lower Canada.*

c. 17. Trade with *Cape of Good Hope*, [Con. till *5th July*, 1825. *See* 1 *G.* 4. *c.* 11.]

c. 18. Cochineal and indigo import; wool export from *British American* plantations.

c. 19. Marines, [Exp.]

c. 20. Continuing several statutes, [Exp.]

c. 21. Annuities, settling interest on.

49 *Geo.* 3. A.D. 1809. (*continued.*)

c. 22. *Falmouth, Jamaica*; imports and exports to and from. (*March* 30.)

c. 23. Corn, &c. import, [Exp.]

c. 24. Spent wash re-distilled in *G. B.*, charged with duty.

c. 25. Import of tobacco into *G. B.*, [Exp.]

c. 26. Fish, import from H. M.'s *North American* colonies, [Exp.] 281. *pl.* 201.

c. 27. Courts of judicature in *Newfoundland*, re-annexing part of *Labrador*, and the islands lying on that coast to government of *Newfoundland*, 520, 521. *pl.* 3—16., *Canada*, 111. *pl.* 3, 4.
s. 10. is Exp.

c. 28. Clerks of H. M.'s coroner and attorney in K. B., admitting as attornies, 41. *pl.* 22., 43. *pl.* 55.

(*April* 28.)

c. 29. Flax-seed, encouragement of sowing in *Ire.*, [Exp.]

c. 30. Sugar, export from, and warehousing in *Ire.* [Exp.]

c. 31. Corn, &c. import, *Ire.* [Exp.]

c. 32. Pension duties, (*Eng.*)

c. 33. Excise duty on spirits made from sugar in *Ire.*, during prohibition of distillation from grain, [*semb.* Exp.]

c. 34. Ships taken as prize, registering at *Malta.*

c. 35. Paying pensions to widows of navy officers.

c. 36. Infirmaries or hospitals establishing, (*Ire.*)

c. 37. Army, innkeepers, [Exp.]

c. 38. Creditors, payment of in *Scot.* [Exp.]

(*May* 12.)

c. 40. Local militia.

c. 41. Ships, (amending 48 *G.* 3. *c.* 70.) 1368. *pl.* 49.

c. 42. Public records of *Scot.*, regulating.

c. 43. Average price of brown sugar, ascertaining, [Exp.]

c. 44. Goods brought in as prize or droits, and restored to be sold or transferred in this kingdom, without paying home consumption duty.

c. 45. Allowances on navy compassionate list; half-pay to officers of royal marines.

c. 46. Principal officers of customs in *British America* and *West Indies* authorised to examine witnesses on oath.

c. 47. Export from *Europe* to *British North American* colonies, [Rep. 51 *G.* 3. *c.* 97. *s.* 1.] 23. *pl.* 28.

(*May* 20.)

c. 48. Local militia, (*Scot.*)

c. 49. *Nova Scotia* and *New Brunswick* exports, [Exp.]

c. 50. Discount of stamp duties on newspapers, [Rep. 55 *G.* 3. *c.* 185. *ss.* 9, 10.] 1398, 1399. Stats. *in force*, *pl.* 1., 1463. *pl.* 623. 633.

c. 51. Commissioners of inquiry into abuses in public offices, and mode of recovering, &c. public money in *Ire.*

c. 52. Exchequer bills, raising 6,000,000*l.* by.

(*May* 27.)

c. 53. Completing militia of *G. B.*
s. 1. militia, raising men; *s.* 2. volunteers; *s.* 14. substitutes bounty; *s.* 15. volunteers; *s.* 24. fines, are Exp.

c. 54. Insolvent debtors, (*Ire.*) [Exp.]

c. 55. Commissioners' names, executing land-tax, &c. acts, 142, *pl.* 17., 444. *pl.* 61.

(*June* 3.)

c. 56. Militia of *Ire.*, completing, [Exp.]

c. 57. Beer in *Ire.*, quality of; malt duties collection, *Ire.*
s. 13. is Rep. by 58 *G.* 3. *c.* 78. *s.* 14., using drugs in brewing.

c. 58. Friendly societies, (*Ire.*)

c. 59. Trade with *United States* carried on in their ships, 1559, *pl.* 1, 2.

c. 60. Imports from *Europe* or *Africa*, [Exp.]

c. 61. Sugar and coffee, duty on import.

49 *Geo.* 3. A. D. 1809. (*continued.*)

c. 62. Smuggling, &c. preventing; coals, &c. duties securing; salt, pepper, and wine from *Guernsey* or *Jersey* to *Sark* in small packages.

c. 63. Materials used in making spread window glass and crown glass, duties on.

c. 64. Annuities granting by commissioners for reducing national debt.

c. 65. Justices of peace to have jurisdiction in customs prosecutions for penalties, 428. *pl.* 132—138. Customs seizures to be brought to customs warehouse in *London* within 48 hours after seizure, 1533, 1534. *pl.* 25. 33—37.

c. 66. Holidays, abolition of; chief office of excise, extending time for keeping open.

c. 67. Land-tax redemption; exonerating small livings from land-tax, 453. *pl.* 155.

c. 68. Bastardy, indemnifying parishes for, 68. *pl.* 5., 69. *pl.* 11—17.
s. 8. is Exp.

c. 69. Indemnity, printers, [Exp.] 1279. Stats. *Rep.* &c. *pl.* 1.

c. 71. Raising 14,500,000*l.* by annuities.

(*June* 10.)

c. 73. Spirits duties; and on licences to sell spirituous liquors in *Ire.* in no less quantities than 2 gallons.

c. 74. Imports and exports from *Ire.*, duties; continuing certain statutes.

c. 75. Collecting assessed taxes in *Ire.* [Rep. 56 *G.* 3. *c.* 57. *s.* 1.]
s. 10. is Rep. by 54 *G.* 3. *c.* 82. *s.* 3. notice of sale of carriages by auction.
s. 12. is Rep. by 52 *G.* 3. *c.* 97. *s.* 16., double duty on carriages of sale of which no notice given.

c. 76. Lord Lieutenant and council of *Ire.*, power of prohibiting export, &c. of gunpowder and naval stores, 1483. *pl.* 45, 46.

c. 77. Paper made in *Ire.*, duties.

c. 78. Raising 1,250,000*l.* by annuities and treasury bills for *Ire.*

c. 79. Raising 500,000*l.* by treasury bills for *Ire.*

c. 80. Allowing dealers to roast their own coffee on certain conditions.
s. 4. roasting coffee, Exp.

c. 81. Excise laws; seizure of utensils, &c.

c. 82. Local militia, (*G. B.*)

c. 83. Recognizances, (*Ire.*) [Rep. 57 *G.* 3, *c.* 56, *s.* 1.]

c. 84. *Irish* road acts, amending.
ss. 14. 23. 33. are Exp.

c. 85. Militia of *Ire.*, clothing, &c. [Exp.]

c. 86. Militia in *Ire.*, provision for families of.

c. 87. Militia, and local militia, [Exp.]

c. 88. Militia in *G. B.*, allowances to subalterns, [Exp.]

c. 89. Militia in *G. B.*, allowances to adjutants, &c. [Exp.]

c. 90. Militiamen in *Scot.*, wives, &c. relief.
ss. 40—44. militia, (*Scot.*) Exp.

c. 91. Judges impowered to try civil causes in their own counties in *Eng.*, 420. *pl.* 47.

c. 92. Charging loans on war duties.

c. 93. Exchequer bills, 6,000,000*l.*, [Exp.]

c. 94. Lotteries, 6,000,000*l.* [Exp.] 497. *pl.* 7.

c. 95. Board of audit of public accounts, 1, 2, 3. *pl.* 1. 7. 14, 15. 17.

c. 96. Superannuation to officers of excise.

c. 98. Customs duties in *G. B.*; schedule of duties; butlerage and prisage of wines abolished, 1593. *pl.* 33.
s. 15. home consumption, warehoused goods, Exp.
s. 16. *East India* goods, private use, &c. [Exp.]
s. 19. *East India* goods. Exp.
s. 22. warehoused goods, Exp.
s. 33. prisage, Exp.
s. 34. butlerage and prisage, Exp.
s. 45. customs, Exp.
s. 48. revenue, Exp.

49 *Geo.* 3. A. D. 1809. (*continued.*)

(*June* 15.)

c. 99. Spirits distilled in *Ire.*, collections of duties on; sale thereof by retail, regulating.
s. 4. spirits penalties, (*Ire.*) Exp.
s. 29. distillers' allowance, (*Ire.*) Exp.

c. 100. Auction duties in *Ire.*, securing collection of, [Rep. 54 *G.* 3. *c.* 82. *s.* 3.]

c. 101. Fees payable by persons charged with offences at assizes, &c. in *Ire.*

c. 102. Bogs in *Ire.*, commissioners for inquiring into. [Exp.]

c. 103. Churches, glebe houses, (*Ire.*)
s. 7. is Exp.

c. 104. Life annuities, with benefit of survivorship, granting, (*Ire.*)

c. 105. Spirits, import, [Exp.]

c. 106. Further time for taking goods out of warehouse, and paying duties thereon, (*G. B.*)

c. 107. Recovery of penalties incurred in *British American* colonies 24. *pl.* 36—38.

c. 108. Payments of wages and prize-money to seamen.
ss. 1—5., and part of *s.* 6. 10. 17. as to seamen's wills, &c. &c. are Rep. by 55 *G.* 3. *c.* 60. *s.* 1.

c. 109. Woollen manufacture, (*G. B.*) 1608. *pl.* 183—188.

c. 110. Rectifying mistake in 49 *G.* 3. *c.* 32.

c. 111. Military expenditure, inquiring into, [Exp.]

c. 112. Defence of realm, 187. [Exp.]

c. 113. Regulating office of agent-general for volunteers and local militia, (*Eng.*)

c. 114. Exchequer bills, (*G. B.*) 3,000,000*l.* [Exp.]

(*June* 19.)

c. 115. Insolvent debtors, (*Eng.*) [Exp.] 388. *pl.* 15.

c. 116. Customs and excise revenues, (*Ire.*)

c. 117. Lowering duty on coffee of H. M.'s *African* dominions.

c. 118. Preventing corruption at elections for M. P.s, 1218, 1219. *pl.* 83. 96—100.

c. 119. Administration of justice, (*Scot.*) [Exp.] 142. *pl.* 16.

c. 120. Militia, (*Ire.*) consolidation act.

(*June* 20.)

c. 121. Bankrupts, (*Eng.*) 60. *pl.* 58., 61. *pl.* 65. 70., 63. *pl.* 93., 65, 66. *pl.* 115. 118—130.

c. 122. Wrecks; salvage, 1611—1614. *pl.* 46—71. 80—84.

c. 123. *Greenwich* and *Chelsea Hospitals*, [Exp. but Rep. in part by 54 *G.* 3. *c.* 93. *s.* 1.] 1294. *pl.* 6.

c. 124. Poor, removal, 1272—1274. *pl.* 194. 229. 232—234. Workhouses, regulations, 1264. *pl.* 90., 1260. *pl.* 32.

c. 125. Friendly societies, 305—307. *pl.* 1. 5. 31—34.

c. 126. Sale and brokerage of offices, further prevention, 537, 538. *pl.* 7. 12—23. 25—28.
s. 12. as to offices of six clerks of *Irish* chancery, is Rep. by 53 *G.* 3. *c.* 129. *s.* 1.

c. 127. Judges' salaries augmenting, (*Eng.* and *Wa.*) 410. *pl.* 4—12.

c. 128. Grant from consolidated fund of *G. B.*; appropriating supplies. [Exp.]

(*June* 21.)

c. 129. Enlisting of local militiamen must be into their own county, &c. militia, (*G. B.*)

50 *Geo* 3. A. D. 1810.

(*Feb* 20.)

c. 1. Malt, &c. duties (*G. B.*), and pensions, &c. duties, (*Eng.*) [Exp.]

(*March* 12.)

c. 2. 10,500,000*l.* raised by exchequer bills, (*G. B.*) [Exp.]

c. 3. *Id.*, [Exp.]

c. 4. Indemnity, offices, &c. [Exp.]

c. 5. Distillation from corn in *G. B.*, prohibiting, [Exp.]

50 *Geo.* 3. A. D. 1810. (*continued.*)

c. 7. (*March* 21.) Mutiny, [EXP.]

(*March* 24.)

c. 9. Raw sugar, export bounty.

c. 10. Running goods; frauds on customs.

c. 11. *Greenland* whale fisheries, encouraging, [EXP.] 290. *pl.* 366.

c. 12. Naval stores, import from *British North American* colonies.

c. 13. *Bahamas* and *West Indies*, exports, &c. [*semb.* EXP.]

c. 14. Marines, [EXP.]

(*April* 6.)

c. 15. Spirits, distillation from corn in *Ire.*, [EXP.]

c. 16. Corn, &c., import, (*Ire.*) [EXP.]

c. 17. Sugar, export from *Ire.* [EXP.]

c. 18. Sugar, export, (*G. B.*) [EXP.]

c. 19. Corn, import, (*G. B.*) [EXP.]

c. 20. Superintendants of quarantine and assistants, 1307—1309. *pl.* 3. 35.

c. 21. Import and export to and from *West Indies*.

c. 23. Granting annuities to satisfy exchequer bills.

(*April* 18.)

c. 24. Militia, completing, (*G. B.*)

c. 25. Local militia, (*G. B.*)

c. 26. Foreign plain linen, export, (*G. B.*) [REP. 59 *G.* 3. *c.* 52. *s.* 1.]

c. 27. Silk manufacture, (*Ire.*) [CON. to 25*th March*, 1831.] 1372. *pl.* 47.

(*May* 18.)

c. 28. Innkeepers, soldiers quartering on.

c. 29. *Irish* road acts.

s. 4. is EXP.

c. 30. Fees to coroners in *Ire.* on inquests, [REP. 1 *G.* 4. *c.* 28. *s.* 1.]

c. 31. Judges salaries in *Scot.* and *Ire.* augmented.

s. 4. is EXP.

(*May* 24.)

c. 32. Stage coach passengers, (*Ire.*)

c. 33. Enabling tenants in tail and for life, to grant land for endowing schools in *Ire.*

c. 34. *British* and *Irish* malt, export from one part of U. K. to the other.

35. Fire insurances, in *West Indies*, &c., 1437. *pl.* 427, 428. Stamp duties, 1398, 1399. STATS. *in force*, *pl.* 1., 1417. *pl.* 47., 1419. *pl.* 99., 1422, 1423. *pl.* 150, 151, 152. (*a*), 1435, 1436. *pl.* 390. 406., 1477. *pl.* 855.

s. 2. is REP. as to stamp duty, and *s.* 4. is REP. by 55 *G.* 3. *c.* 184. *ss.* 1. 3.

s. 7. is REP. by 55 *G.* 3. *c.* 184. *s.* 8.

s. 6. is REP. by 55 *G.* 3. *c.* 184. *s.* 7. forging stamps.

ss. 2. 9, 10. are REP. by 55 *G.* 3. *c.* 184. *ss.* 1. 55., rates, &c. of duties.

ss. 5. 18. are EXP.

c. 36. Exchequer bills, exchanging for stock.

(*June* 2.)

c. 38. Warehousing goods in *Ire.*

c. 39. Foreign plain linen, repaying export duty on, [EXP.]

c. 40. Oil of vitriol, export, &c.

c. 41. Hawkers and pedlars, duties placed under hackney coach commissioners, 346—348. *pl.* 6—41.

ss. 2. 30. are EXP. in part.

c. 42. Consolidating customs for Isle of *Man*, and placing them under *English* commissioners of customs.

c. 43. Roads and bridges in *Scot.*, repairing.

c. 44. Superannuation to excise officers in *Scot.*

c. 45. Raising 12,000,000*l.* by annuities.

(*June* 9.)

c. 46. Consumption of malt liquor in *Ire.*

c. 47. Insolvent debtors, (*Ire.* [REP. 53 *G.* 3. *c.* 138. *s.* 1.]

50 *Geo.* 3. A. D. 1810. (*continued.*)

c. 48. Stage coach, outside passengers, 1396, 1397. *pl.* 1—25.

s. 27. is EXP.

c. 49. Allowing the accounts of churchwardens and overseers by justices of peace, 1268. *pl.* 133. 139—145.

c. 50. Poor, 1271. *pl.* 187. Regulations of workhouses, 1260. *pl.* 32., 1264, 1265. *pl.* 91—94.

c. 51. Women delivered of bastards, punishment, 69. *pl.* 19—21.

c. 52. Repeals so much of 8 & 9 *W.* 3. *c.* 30. *s.* 2. as requires poor persons receiving alms to wear badges, 1272. *pl.* 188.

c. 53. Export of malt from one part of *U. K.* to another.

c. 54. *British* fisheries, encouraging, [EXP.] 270. *pl.* 22.

c. 55. *Italian* silk, import prohibited; increasing officers' shares of seizures of foreign silks and leather gloves.

c. 56. Pensions, &c. duties.

c. 57. Flax and cotton manufacture in *G. B.*, [EXP.]

c. 58. Land-tax, sale and redemption, 461. *pl.* 100., 466. *pl.* 154., 472. *pl.* 241.

s. 1., 453. *pl.* 155., is EXP.

c. 59. Embezzlement of public officers, 230. *pl.* 3—5.

c. 60. Foreign salt, export to *Newfoundland*.

c. 61. Sugar and coffee, import.

c. 62. Smuggling in *Isle of Man*, preventing.

c. 63. Mint, export of to *Brazils*, [EXP.] 515. *pl.* 3.

c. 64. Removal of goods from warehousing port for exportation.

c. 65. Uniting offices of surveyor-generals of land revenues of crown, and of H. M.'s woods, &c., 177—180. *pl.* 70, 71. 92—102. 104—112.

c. 66. Judge advocate general, franking.

c. 67. Black game, preserving in *Somerset* and *Devon*, 316. *pl.* 155, 156.

c. 68. Raising 1,400,000*l.* by annuities for service of *Ire.*

c. 69. Exchequer bills (*G. B.*) 6,000,000*l.* [EXP.]

c. 70. Exchequer bills (*G. B.*) 6,000,000*l.* [EXP.]

c. 71. Appropriating stamp-duties to defraying charges of loan, &c., [REP. 55 *G.* 3. *c.* 184. *s.* 1. *comm. semb.*] 1398, 1399. STATS. *Rep. &c. pl.* 19., STATS. *in force*, *pl.* 1.

c. 72. *Howth* harbour, *Dublin*, improving.

s. 8. is EXP.

c. 73. Bakers, laws respecting, 84. *pl.* 11., 89. *pl.* 75—77., 90. *pl.* 90—92.

(*June* 15.)

c. 74. Rates of postage on letters sent within *Ire.*

c. 75. Window-tax (*Ire.*)

c. 76. Stamp-duties (*Ire.*), [REP. 52 *G.* 3. *c.* 126. *s.* 1.]

c. 77. Wood imported into *G. B.*, duties [REP. 59 *G.* 3. *c.* 52. *s.* 1.]

c. 78. Insurrection (*Ire.*)

c. 79. Spirits from sugar distillation, licences (*Scot.*)

c. 80. Fish, import, [EXP.] 281. *pl.* 201., 466. *pl.* 154.

c. 81. Inquiry into public offices and expenditure in *Ire.* [EXP.]

c. 82. Sale of flax and hemp seed in *Ire.*

c. 83. Woollen manufacture, indemnity respecting, 1598. *pl.* 31. 37.

c. 84. Parochial stipends, encreasing, (*Scot.*)

c. 85. Taking securities in offices, 539. *pl.* 38—41. 44, 45.

s. 3. as to registry in *Middlesex*, is REP. by 52 *G.* 3. *c.* 66. *s.* 4.

ss. 5, 6, 7. as to registry of memorial, are REP. by 52 *G.* 3. *c.* 66. *s.* 4.

c. 86. Hiring ships by *East India* company, [REP. 58 *G.* 3. *c.* 83. *s.* 1.] 193. *pl.* 19.

c. 87. *East India* company raising and quartering soldiers; courts martial, 226. *pl.* 635—643. APPENDIX. No. XXIX.

c. 88. Grants of offices, [EXP.] 537. *pl.* 5.

c. 89. Militia pay, &c.; allowances to subalterns (*Ire.*), [EXP.]

c. 90. Militia and local militia pay, &c. (*G. B.*), [EXP.]

c. 91. Allowances to adjutants, &c. of militia (*Eng.*), [EXP.]

c. 92. Allowances to militia subalterns (*G. B.*)

50 *Geo.* 3. A.D. 1810. (*continued.*)

c. 94. Lotteries, [Exp.] 497. *pl.* 7.
c. 95. Light-houses (*Ire.*), [Rep. 52 *G.* 3. *c.* 115. *s.* 1.]
(*June* 20.)
c. 96. Innkeepers; quartering soldiers, [Exp.]
c. 97. Imports and exports (*Ire.*)
c. 98. Raising 216,000*l.* by treasury-bills (*Ire.*)
c. 99. Malt, making; stills of less than 44 gallons in possession of braziers; distilleries, (*Ire.*)
c. 100. Townland fines for stills in *Ire.*
c. 101. Purchase of prisage and butlerage in *Ire.*
c. 102. Unlawful oaths, (*Ire.*); protection of magistrates and witnesses in criminal cases.
c. 103. Prisons, (*Ire.*)
s. 42. is Rep. as to so much as requires the minister of the parish to be appointed local inspector, by 1 & 2 *G.* 4. *c.* 57. *s.* 16.
s. 63. is Rep. as to amount of food of prisoners *per* day, by 1 & 2 *G.* 4. *c.* 57. *s.* 5.
s. 91. *ss.* 93, 94. are Exp.
c. 104. Taxes, assessed, *G. B.*, 1505. *Sch.* Nos. III. IV., V., *Sch.*, Nos. I. & II. 1506, 1507. *pl.* 186—191., 1520. *pl.* 253. (*a*).
c. 105. Surcharges of assessed taxes, 1515. *pl.* 244., 1519, 1520. *pl.* 247—283.
Rules 22—25. and as to property tax, are Exp.
s. 5. as to property tax duplicates, *s.* 6. are Exp.
c. 106. Mode of assessing lands, &c. to property tax, [*semb.* Exp.]
c. 107. Assignments for clothing H. M.'s forces.
c. 108. Fisheries; protection of persons employed in, (*G. B.*) 263—265. *pl.* 83. 109—112. 114, 115. 117—122. 126—128.
s. 2. last part, is Exp.
c. 109. Arms in *Ire.*; improper persons having.
c. 111. Pensions on *Scotch* civil list, limiting, 1388. *pl.* 1—4.
s. 2. as to *English* civil list, is Rep. by 1 *G.* 4. *c.* 1. *s.* 9.
c. 112. Abridging forms of extracting decrees, and regulating proceedings of court of session.
s. 16. as to salaries of assistant clerks of session for extracting decrees, is Rep. by 1 & 2 *G.* 4. *c.* 38. *s.* 17.
s. 17. as to 6 assistants preparing abridged forms of extracts, is Rep. by *id. ibid.*
s. 25. is Rep. by *id. ibid.*
ss. 49, 50. are Rep. by *id. s.* 14.
ss. 4. 15. are Exp.
c. 113. Raising 300,000*l.* by exchequer bills, *G. B.* [Exp.]
c. 114. 1,500,000*l.* of exchequer bills to be advanced for relief of *East India* company, [Exp.]
c. 115. Grants from consolidated fund; appropriating supplies, [Exp.]
(*June* 21.)
c. 117. Accounts of increase and diminution of public salaries, &c. to be annually laid before parliament, 1353, 1354. *pl.* 1—2. 4—16.; to regulate and controul the payment of salaries charged on civil list, 431, 432. *pl.* 72. 83—84.
s. 9. as to charges on civil list, is Rep. by 56 *G.* 3. *c.* 46. *s.* 6.
c. 118. Registrarships of admiralty, and prize courts, regulating, 540. *pl.* 55—60.

51 *Geo.* 3. A.D. 1811.

c. 1. (*Feb.* 5.) Administration of royal authority, and care of H. M. during his illness; resumption thereof by him, 429. *pl.* 52., [Exp.]
(*March* 8.)
c. 2. Malt duties, (*G. B.*); pension, &c. duties, *Eng.*; issue of exchequer bills, [Exp.]
c. 3. Exchequer bills, *G. B.*, 10,500,000*l.*, [Exp.]
c. 4. Exchequer bills, 1,500,000*l.*, [Exp.]
c. 5. Treasury bills for service of *Ire.* 1,000,000*l.*, [Exp.]

51 *Geo.* 3. A.D. 1811. (*continued.*)

(*March* 22.)
c. 6. Taking account of population of *G. B.* [Exp.] 1276. *pl.* 1.
c. 7. Silk manufacture, 1371, 1372. *pl.* 29—34. 43, 44.
c. 8. Mutiny, [Exp.]
c. 9. Marines, [Exp.]
(*March* 25.)
c. 12. Sugar, export from *Ire.*
c. 13. Sugar, export from *G. B.*
c. 14. Linens, export from *G. B.*
c. 15. (*April* 2.) Exchequer bills, issuing for 6,000,000*l.*
(*April* 4.)
c. 16. Annuities to discharge certain exchequer bills.
c. 17. Regular militia, completing; indemnity for acts done therein.
c. 18. Indemnity, offices, [Exp.]
c. 19. Military expenditure; public works, [Exp.] 1. Stats. *Exp. pl.* 7., 142. *pl.* 18.
c. 20. (*April* 11.) Allowing militia to enlist annually into regulars; provisions for its gradual reduction.
c. 21. (*May* 6.) Pensions to persons who have served the crown in foreign courts, 1353, 1354. *pl.* 1. 17.
(*May* 14.)
c. 22. Annuities for service of *Ire.* 2,500,000*l.*
c. 23. Slave trade abolition, 1374—1376. *pl.* 24. 42—45. 48—50.
s. 5. is Exp.
c. 24. Repeals 19 *G.* 3. *c.* 48. *s.* 3. as to ships entered inwards or outwards, from or to any port in *Ire.*
c. 25. Payment of creditors in *Scot.*, [Exp.]
(*May* 21.)
c. 26. Annuities, raising 4,981,300*l.* by.
c. 27. Malt, sugar, &c. duties, *G. B.*
c. 28. Innkeepers quartering soldiers, *Eng.*, *Wa.*, and *Ber.* [Exp.]
c. 29. (Local.) Continuing 45 *G.* 3. *c.* 128. and 50 *G.* 3. *c.* 110.
(*May* 25.)
c. 30. Volunteers from militia of *Ire.*, accepting services.
c. 31. Coffee, duty on, import into *G. B.*
c. 32. Securing exciseable goods on board vessels at *Bristol.*
c. 33. Weaving blue stripes in *British* calicoes.
c. 34. Premiums to ships employed in southern whale fisheries, 287. *pl.* 304.
ss. 1—4 and *ss.* 7, 8. are Exp.
c. 35. Securing repayment of advances to bank of *Ire.*
c. 36. (Local.) Execution of justice in cinque ports, 1253. *pl.* 1.
(*May* 31.)
c. 37. Marriage of lunatics prevented, 373. *pl.* 10—11.
c. 38. Embezzlement by clerks and servants, (*Ire.*)
c. 39. Clergy allowed to stealers of cloth from bleaching grounds, (*Ire.*)
c. 40. Stage coach passengers, (*Ire.*)
s. 4. is Exp.
c. 41. Clergy allowed to stealers of cloth in bleaching grounds, (*G. B.*) 81. *pl.* 1—2.
c. 42. Distillation from sugar.
c. 43. Duties on wood; drawbacks on woods used in mines of *Devon* and *Cornwall.*
c. 44. Duties on linen imported, [Exp.]
c. 45. Ships rooms in *Newfoundland*; surrogate courts; coast of *Labrador*, 521. *pl.* 4. 17.
c. 46. Officers of customs to act for the superintendant of quarantine, 1307—1309. *pl.* 3. 36.
c. 47. Treaty of commerce with *Portugal.*
c. 48. Spirits, *West India*, import into *Canada*, from *Nova Scotia*, &c.
c. 49. Annuities, raising 1,200,000*l.* by.
c. 50. Sheep, export from *Eng.* to *Isle of Man*, 1607—1608. *pl.* 179.
c. 51. Abolishing duties of prisage and butlerage of wines in *Ire.*
c. 52. Customs, *Isle of Man*, (*G. B.*)

51 *Geo.* 3. A. D. 1811. (*continued.*)

c. 53. Exchequer bills, 6,000,000*l.*, (*G. B.*) [Exp.]
c. 54. Exchequer bills, 1,500,000*l.* (*G. B.*) [Exp.]
(*June* 10.)
c. 55. Superannuation fund in customs transferred to consolidated customs.
c. 56. Tobacco made in *Ire.*, duties of excise.
c. 57. Salt beef and pork export from *Ire.*
c. 58. Chocolate export to *Ire.* from *G. B.*
c. 59. Excise duties on spirit wash, &c.
c. 60. Repealing stamps on hats, and on licences to hat manufacturers and venders in *Ire.*
c. 61. Charging loan on war duties, semb. [Exp.]
c. 62. Imports of spirits, &c. from *West India* colonies, into *Nova Scotia*, &c.
c. 63. Punishment of persons in *Ire.* liable to transportation by confinement and hard labour.
c. 64. *East India* company raising money on bond, 194. *pl.* 31., 196. *pl.* 66, 67.
c. 65. (Commencing 1st *March* 1811. *see s.* 5.) Penalties on printers and publishers of books, &c. without printer's name thereon, 1279. Printing, Stats. *in force*, *pl.* 1. 7. 13, 14. 16.
c. 66. Port of *Dublin*, light houses, (*Ire.*)
ss. 1—3. and *s.* 7. are Rep. by 52 *G.* 3. *c.* 115. *s.* 1., *Irish* light-house duties.
(*June* 15.)
c. 67. Duties payable on import of hides in the hair, [Rep. 59 *G.* 3. *c.* 52. *s.* 1.]
c. 68. Verdigris imported, additional duty, [Rep. 59 *G.* 3. *c.* 52. *s.* 1.]
c. 69. Duty on materials of flint and phial glass.
c. 70. Hat duty repealed in *G. B.*, 345. *pl.* 21, 22.
ss. 2—4. Exp.
c. 71. Abolition and regulation of offices in customs.
c. 72. Assessed taxes in *G. B.* and *Ire.*, exemptions from, 1514, 1515. *pl.* 236—243.
c. 73. Depositing gunpowder on entering *Medway*, *Portsmouth*, or *Hamoaze*, [Rep. 54 *G.* 3. *c.* 159. *s.* 1.] 1276. *tit.* Ports, Stats. *Rep. pl.* 3.
c. 74. Authorizing sale of prize goods warehoused after a certain period.
c. 75. Salaries, &c. payment in office of commissioners for *Indian* affairs, 205. *pl.* 260. 263., 1355. *pl.* 2.; *East India* company restoring to the service military officers removed by court martial, 193. *pl.* 19., 209. *pl.* 333.
s. 2. salaries of board of control, is Rep. by 53 *G.* 3. *c.* 155. *s.* 90.
s. 6. is Rep. by 58 *G.* 3. *c.* 83. *s.* 1., taking up ships by *East India* company.
c. 76. Farming post-horse duties in *G. B.* [Rep. 57 *G.* 3. *c.* 59. *s.* 8.] 1398. *pl.* 20. (misprinted for 17.)
c. 77. Election of members of parliament in *Ire.*, 403. *pl.* 67. 69. 72. 80—85.
s. 4. as to the 2d and *semble* as to the 1st oath thereon, is Rep. by 57 *G.* 3. *c.* 131. *s.* 1.
c. 78. Militia of *Ire.*, providing for wives, &c. of sergeants, 28. *pl.* 32., 29. *pl.* 56—58.
c. 79. Pauper or criminal lunatics in *Eng.*, 376—379. *pl.* 59. 95—101.
c. 80. Apprentices' indentures signed by churchwardens only, valid, 29. *pl.* 56—58.
c. 81. Continuing 44 *G.* 3. *c.* 106., [Exp.]
c. 82. Salt duty regulations.
c. 83. Drawback on coals used in mines, &c. in *Devonshire.*
c. 84. Coal and corn meters in *London* may vote at elections for members of parliament, 1222, 1223. *pl.* 185. 204.
c. 85. Exchequer bills 6,000,000*l.*, [Exp.]

51 *Geo.* 3. A. D. 1811. (*continued.*)

(*June* 26.)
c. 86. Exports and imports to and from *Ire.*
c. 87. Colouring for porter, [Rep. 56 *G.* 3. *c.* 58. *s.* 1.] 69. Stats. *Exp. pl.* 2
c. 88. Treasury bills for *Ire.* 2,000,000*l.* [Exp.]
c. 89. Salary of lord lieutenant of *Ire.* increased.
c. 90. Militia (*Ire.*) pay and clothing; allowances to subalterns.
c. 91. Crown lands, rents, &c. discharging arrears of, in *Ire.*, [Con. till 25th *March* 1821.] 174. *pl.* 8.
c. 92. Tolls on stage coaches carrying above three persons outside, (*Ire.*)
c. 93. *Norwegian* timber imported into *G. B.*, duties.
c. 95. Auction duties, regulations, 44. *pl.* 1., 46. *pl.* 18. Dealers roasting their own coffee. Watermark of the year on paper intended for export.
c. 96. Commissioners of customs may restore seizures made by virtue of any act relating to customs.
c. 97. Trade between *Europe* south of *Cape Finisterre* and *British North American* colonies, (*G. B.*) 23. *pl.* 28.
c. 98. Indemnifying omission to give and register memorials of securities, (*G. B.*) 539. *pl.* 38.
c. 99. Registering property purchased or sold under land tax acts in right of which a vote for election of members of parliament may be claimed, (*Eng.*) 1219—1221. *pl.* 124. 161.
c. 100. Sentences, executing within counties of cities and towns corporate in (*Eng.*), 1550, 1551. *pl.* 7. 16. 21.
c. 101. *British* white herring fishery, regulating, 273, 274. *pl.* 76. 78. 101.
c. 103. Officers retiring on half pay, &c. 1384, 1385. *pl.* 69—72.
c. 104. Payment to *Chelsea* hospital of unclaimed and forfeited shares of army prize money.
c. 105. Bequests to naval asylums.
c. 106. Enabling wives and children of soldiers embarked for foreign service to return home, [Rep. 58 *G.* 3. *c.* 92. *s.* 1.] Addenda, Soldier, *pl.* 6.
c. 107. Militia, pay, &c. (*G. B.*) [Exp.]
c. 108. Militia, allowances to adjutants, &c. (*Eng.*) [Exp.]
c. 109. Militia, allowances to subalterns in *G. B.* [Exp.]
c. 110. Bank of *England* tokens, counterfeiting, import of such counterfeits, preventing, [virtually Rep. by 57 *G.* 3. *c.* 113.] 1539. Stats. *Rep. pl.* 1. (*misprinted* 57 *G.* 3.)
c. 111. Spirits from sugar, *Maidstone* geneva.
c. 112. Loan of 3,000,000*l.* for service of *G. B.* [Exp.]
c. 113. Lotteries, [Exp.] 497. *pl.* 7.
c. 114. Miners of *Cornwall* and *Devon* liable to serve in any part of the *U. K.*
c. 115. Churches and yards, parsonages and glebes, providing (*semb. Eng.* only) 125. *pl.* 25. 27. 29.
c. 117. Grant from consolidated fund of *G. B.* Appropriating supplies, [Exp.]
(*July* 1.)
c. 118. Interchange of *British* and *Irish* militias, permitting.
c. 119. Police in *Middlesex* and *Surrey*, in and near *London*, [Rep. 54 *G.* 3. *c.* 37. *s.* 1.] 1253. *pl.* 3.
c. 120. Deer stealing, 314. *pl.* 111. 113.
(*July* 2.)
c. 121. Spirits import and export, &c.
c. 122. Bogs, commission of inquiry as to, (*Ire.*)
c. 123. Insolvent debtors relief in *Ire.* [Exp.]
c. 124. Arrests, [Con. to the end of the session next after 1st *Nov.* 1823, 57 *G.* 3. *c.* 101.] 34. *pl.* 18. 19, 23., 35. *pl.* 29—32.
(*June* 9.)
c. 125. Insolvent debtors relief in *Eng.*, [Exp.] 388. *pl.* 15.
c. 126. Expences of hustings and poll clerks in the city of *Westminster*, [Exp.]

51 Geo.3. A.D. 1811. (*continued.*)

(*July* 24.)

*c.*127. Preventing current gold coin from passing at greater value than its current value, 140. *pl.*122, 123. Depreciation of Bank of *Eng.* notes prevented, 52. *pl.*104, 105. Staying proceedings in distresses on tender of bank of *Eng.* notes, 52. *pl.*107, 108.

*s.*4. as to punishment in *Scot.* is REP. by 52 *G.*3. *c.*50. *s.*10.

*s.*5. is REP. by 52 *G.*3. *c.*50. *s.*1.

*s.*6. is EXP.

*c.*128. *British* and *Irish* militias interchange.

52 Geo.3. A.D. 1812.

Feb. 4.

*c.*1. Malt, &c., duties in *G. B.*; pensions, &c., duty in *Eng.* [EXP.]

*c.*2. Sugar of conquered *West Indian* colonies, duties for waste.

Feb. 7.

*c.*3. Distillation of spirits, (*G. B.*)

*c.*4. Exchequer bills, 10,500,000*l.* for *G. B.* [EXP.]

*c.*5. Exchequer bills, 1,500,000*l.* for *G. B.* [EXP.]

Feb. 11.

*c.*6. Support of H.M's household during H.M's illness, [EXP.] 429. *pl.*53.

*c.*7. Grant for assumption of royal authority by Prince Regent, [EXP.] 429. *pl.*54.

*c.*8. Care of H.M.'s household and property; enabling the Queen to meet her increased expences, [EXP.] 429. *pl.*55.

Feb. 28.

*c.*9. Coals, &c., duties; measurement of ships in coal trade.

*c.*10. Advances to *East India* Company.

*c.*11. Regulating offices of house of commons, 537. *pl.*3. 540. *pl.*61—75.

*c.*12. Embezzlement of naval ordnance and victualling stores in *Ire.* 1485. *pl.*84, 85.

*c.*13. Insolvent debtors in *Eng.*, [EXP.] 388. *pl.*15.

March 5.

*c.*14. Annuities in discharge of 14,000,000*l.* in exchequer bills, [EXP.]

*c.*15. Sugar, export, *G. B.*

March 20.

*c.*16. Frames breaking, &c., [REP. 54 *G.*3. *c.*42.] 298. *pl.*1.

*c.*17. Watch and ward, (*Eng.*) [CON. till 20th *June* 1824. (*see* 1 *G.*4. *c.*24. *s.*4.] 1579, 1580. *pl.*8—17. 19—25. 27—48.

*s.*9. as to justices appointing rotation of watch and ward, is REP. by 1 *G.*4. *c.*24. *s.*1.

*ss.*39—41. are EXP.

*c.*18. Import of oak bark, lowering duty on.

*c.*19. Lotteries, [EXP.] 497. *pl.*7.

*c.*20. Imports of tobacco into *G. B.*; imports and exports from *Nova Scotia*, &c. and ports in *West Indies.*

*c.*21. Oaths by members of parliament before deputies of Lord Steward, [EXP.] 1215. *pl.*13.

*c.*22. Mutiny, [EXP.]

*c.*23. Marines, [EXP.]

March 25.

*c.*24. Granting 6,789,625*l.* by way of annuities.

*c.*25. Sugar, export from *Ire.*

*c.*26. Indemnity, offices, &c., [EXP.]

April 20.

*c.*27. Enabling wives, &c. of soldiers embarking from *Ire.* for foreign service to return home, [REP. 58 *G.*3. *c.*29. *s.*1.] *tit.* SOLDIERS, *pl.*7. *Addenda.*

*c.*28. Militia, families providing for, (*Ire.*)

*c.*29. Militia, (*Ire.*)

*c.*30. Warehousing corn spirits in *Ire.* for exportation; putting them under the management of commissioners of inland excise and taxes, (*Ire.*)

52 Geo.3. A.D. 1812. (*continued.*)

*c.*31. Repealing 39 *El. c.*17., against wandering persons pretending to be soldiers and mariners, VAGRANT, *Addenda.*

*c.*32. Relief on infant suitors in courts of equity entitled to any public stocks, 1480. *pl.*22. 26.

*c.*33. Naval stores, import.

*c.*34. Relief of debtors, 388. *pl.*1., 390. *pl.*7.

*c.*35. Intercourse between *Jamaica* and *St. Domingo* prohibited.

*c.*36. Mahogany, *Honduras*, reducing duties; additional on all other mahogany.

*c.*38. Local militia, (*Eng.*)

*c.*39. Repeals (*s.*1.) all acts relating to pilotage; but see saving for particular jurisdictions, *s.*32. and for local acts *s.*66. Pilotage, 1243. 1249. *pl.*1—12. 14—81. APPENDIX, No. XXX.

*s.*83. [EXP.]

*c.*40. Grants of offices, temporary provision for, [EXP.]

*c.*41. Inquiry into military departments, 1. STAT. *Exp. pl.*7., 142. *pl.*18. [EXP.]

*c.*42. Bounties on pilchards, [EXP.] 285. *pl.*250.

*c.*43. Innkeepers, &c., quartering soldiers, [EXP.]

*c.*44. Penitentiary, 1239. *pl.*1—3.

*ss.*7—48. virtually REP. by 56 *G.*3. *c.*63. *s.*1.

*s.*47. is REP. by 53 *G.*3. *c.*162.

(*May* 5.)

*c.*45. Suspending export of corn spirits from *Ire.*, [EXP.]

*c.*46. Exciseable liquors, duties, bounties, &c., (*Ire.*)

*c.*47. Distillation from spirits prohibited, (*Ire.*)

*c.*48. Collecting duties on spirits distilled in *Ire.* in stills under 100 gallons contents.

*c.*50. Continuing and amending 51 *G.*3. *c.*127., 50. *pl.*104. 106, 107., 53. *pl.*109. 111., 141. *pl.*122, 123. 125—127. 129.

*c.*51. Audit of military accounts of *Ire.*

*ss.*36, 37. are EXP.

*c.*52. Audit of public accounts of *Ire.*

*c.*53. Sale by auction of coffee of *British* plantations.

*ss.*2, 3. are EXP.

*c.*54. Glass made in *G. B.*, duties.

*c.*55. Certain imports to *Canada* from *United States*, preventing worsted yarn export from *London* to *Canada*, 1607, 1608. *pl.*179.

*c.*56. Offices, pensions, &c., duty.

(*May* 20.)

*c.*58. Excise duties on tobacco in *Ire.*

*c.*59. Drawback on export of plate for private use of persons resident abroad.

*c.*60. Superannuation allowances in customs, (*Scot.*)

(*June* 9.)

*c.*61. Excise duties on sugar spirits (*Ire.*) during prohibition of distillation from corn there, [*semb.* EXP.]

*c.*62. Coadjutors to archbishops and bishops in *Ire.*

*c.*63. Embezzlement of securities deposited with agents for security or other special purpose, 230. *pl.*6—14.

*c.*64. Obtaining bonds and securities by false pretences, 122. *pl.*8.

*c.*65. Using sugar in brewing beer, [EXP.] 69. STATS. *Exp. pl.*3.

*c.*66. Taking securities on grant of offices, [EXP.] 122. *pl.*8. 539, 540. *pl.*38. 40. 42. 43. 45—54.

*s.*16. is EXP.

(*June* 20.)

*c.*68. Local Militia, (*Scot.*)

*c.*69. Imports and exports from *Ire.*, duties, &c.

*c.*70. Raising 1,500,000*l.* by annuities and treasury bills for service of *Ire.*

(*June* 27.)

*c.*73. Annual amount of assessments to poor in *Eng.*, 1270. *pl.*170, 171.

*c.*74. Commission of inquiry into state of bogs in *Ire.*

52 Geo. 3. A. D. 1812. (*continued.*)

(*July* 1.)

c. 76. Revenue of customs and port duties in *Ire.*

c. 77. Drawback on flint, phial, and crown glass; countervailing duty on its export to *Ire.*

c. 78. Commissioners of appeal in revenue causes in *Ire.*, providing for.

c. 79. *Bermudas* exports and imports.

c. 80. Land-tax redemption, &c.; enrolling deeds, [Exp.] 466. *pl.* 154.

c. 81. Superannuation to officers of excise.

c. 82. Transferring *Scotch* excise superannuation funds to consolidated fund; paying future allowances thereout; providing for certain superannuated officers in *Eng.* and *Scot.*

c. 83. Militia, allowances to adjutants, &c. [Exp.]

c. 84. Militia, allowances to subalterns, (*G. B.*) [Exp.]

c. 85. Annuities, 22,500,000*l.* raised by.

c. 86. Exchequer bills, 22,500,000*l.*, [Exp.]

c. 87. Stamp duties, *Ire.*; management of duties on playing cards and dice transferred from excise to stamp commissioners.

c. 88. Postage, additional rates in *G. B.*

c. 89. Copper, import.

c. 90. Treasury bills for service of *Ire.* 500,000*l.* [Exp.]

c. 91. Preservation of peace in *Ire.*, [Exp.]

c. 92. Fees, &c. received in offices in *Ire.*, inquiring into.

c. 93. Assessed taxes, 1497. *pl.* 149. 151. 155, 156. 158. (*a*), 159.; *Schedules, Exemptions, Rules, &c.*, 1502—1529.

so much of 52 *G.* 3. *c.* 93. *Sched.* (L.) as imposes a duty on any person aiding, &c. in taking or killing game, woodcocks, &c., is Rep. *by* 54 *G.* 3. *c.* 141. *s.* 1. (which see.)

s. 11. is Exp.

c. 94. Excise duties in *G. B.*, on glass, hides, tobacco, and snuff.

c. 95. Assessed taxes, *Scot.*

ss. 1. 3. 12. 15. 21. (since repeal of 46 *G.* 3. *c.* 65.), 23. Property tax, *Scot.* [Exp.]

c. 96. Providing for charge of loan.

c. 97. Revenue of inland excise and taxes, (*Ire.*)

c. 98. Sugar, &c. export, and corn import, to and from H. M.'s colonies.

c. 99. Imports and exports to and from *Bahamas.*

c. 100. Permitting exports from H. M.'s islands in *West Indies* to any other of those islands, and to and from any *British* colonies in *America* and the said islands.

c. 101. Summary remedy in abuses of trusts created for charitable purposes, [*semble* Rep. 59 *G.* 3. *c.* 91., &c.] 120. *pl.* 60. 62., 121. *pl.* 63, 64. 66, 67.

c. 102. Registering charitable gifts, 119. *pl.* 22—38. Appendix, *No.* XXXI.

c. 103. Southern whale fishery vessels, manning, [Rep. 53 *G.* 3. *c.* 111.] 287. *pl.* 303.

c. 104. Unlawful oaths, 533—534. *pl.* 92. 94—100.

s. 3. indemnity from penalties of taking unlawful oaths, on taking oath of allegiance, Exp.

c. 105. Secretary at war enforcing returns as to fines, &c. due under statutes for defence of realm, or militia, in order to due application thereof, (*G. B.*)

c. 106. Spirits, import to *Newfoundland.*

c. 107. Oxygenated muriatic acid for bleaching thread and cotton twist, drawback on salt used for.

c. 108. Hawkers and pedlars, 346. *pl.* 4, 5., 348. *pl.* 41.

c. 109. *Chelsea* hospital pensions, when commuted for money, 123. *pl.* 23—25.

c. 110. County bridges and works, (*Eng.*) 95. *pl.* 31. 38., 96. *pl.* 45—47.

ss. 3, 4. are Exp.

c. 111. Militia and local militia pay, &c. (*G. B.*) [Exp.]

c. 112. Militia and local militia pay, &c. *Ire.* [Exp.]

c. 113. Treasury bills for service of *Ire.*, (1,216,666*l.* 13*s.* 4*d. Irish.*) [Exp.]

52 Geo. 3. A. D. 1812. (*continued.*)

c. 114. Exchequer bills, [Exp.]

c. 115. Port of *Dublin*; light-houses duties, (*Ire.*)

(*July* 13.)

c. 116. Local militia of *Eng.*

c. 117. Duties, [Rep. 59 *G.* 3. *c.* 52. *s.* 1.]

c. 118. Distillation and import of, and duties on, spirits, U.K.

c. 119. Import from *Levant*, &c. in foreign ships.

c. 120. Soldiers' wives, &c. returning home, [Rep. 58 *G.* 3. *c* 92. *s.* 1.] *tit.* Soldiers, *pl.* 6. *Addenda.*

c. 121. Transfer to *E. I.*, of debts originally contracted there, by *E. I.* Co. payable in *Eng.*, 196. *pl.* 70, 71.

c. 122. Raising men for *E. I.* service.

c. 123. Duchy of *Cornwall*, leases, &c.

c. 125. Lotteries, [Exp.] 497. *pl.* 7.

c. 126. Stamp duties in *Ire.*, [Rep. 55 *G.* 3. *c.* 81. *s.* 1.]

c. 127. Starch, &c., prohibiting to be made from wheat, &c. [Exp.]

c. 128. Duties on malt, securing.

c. 129. Annuities granting by commissioners for reducing national debt.

c. 130. Destroying property of H. M.'s subjects, 1328. *pl.* 46—50.

c. 131. Augmentations to stipends of clergy in *Scot.* excepted from property tax.

c. 132. Unclaimed shares of army prize-money, payment to *Chelsea* hospital; accounts of pensions paid to widows of officers of the army, making up.

c. 133. Taking *census* in *Ire.*, [Exp.]

c. 134. Butter trade, regulation in *Ire.* [Exp.]

ss. 14. 31. in part are Rep. by 53 *G.* 3. *c.* 46. *s.* 2.

s. 32. is Exp.

c. 135. Advance to *E. I.* Co. for discharging part of *Indian* debt.

(*July* 20.)

c. 137. Time for payment of loan extended.

s. 2. is Rep. by 53 *G.* 3. *c.* 19.

c. 138. Bank of *Eng.* notes and tokens counterfeiting, fraudulent imitation, &c. preventing, 51. *pl.* 74, 75.

ss. 1—4. as to Bank of *Eng.* are virtually Rep. by the effect of 57 *G.* 3. *c.* 113.

(*July* 22.)

c. 139. Making stone-bottles in *G. B.*, duties.

c. 140. Exports from *G. B.* to *Isle of Man.*

c. 141. Boats licensing and purchase by commissioners of customs, 82, 83. *pl.* 13—23.

ss. 7—9. in part are Exp.

c. 142. Removal of goods from one bonding warehouse to another in the same port.

(*July* 23.)

c. 143. Consolidating provisions inflicting penalty of death for act done in breach of or resistance to revenue laws in *G. B.*, 1322—1323. *pl.* 31—43.

c. 144. Suspending and vacating seats of M. P.s who become bankrupts, &c., 66. *pl.* 134. 141—143.

c. 145. Exemptions from toll of certain carriages of husbandry; regulating tolls in other cases, 1557—1558. *pl.* 102—104. 106—108. 113.

s. 1. in part, as to tolls on carriages carrying manure, is Rep. by 53 *G.* 3. *c.* 82. *s.* 2.

s. 6. in part, as to breadth of fellies of waggon wheels, is Rep. by *id. s.* 1.

ss. 4, 5. are Exp.

c. 146. Marriages, births, &c., registers in *Eng.*, 1319—1320. *pl.* 2—20., Appendix, No. XXXII.

ss. 13. 19. are Exp.

(*July* 28.)

c. 147. Taxes assessed, allowances of for children, *G. B.* [Rep. 56 *G.* 3 *c.* 66. *s.* 11.] 1487. *pl.* 32.

52 Geo. 3. A. D. 1812. (continued.)

c. 148. Keeper of H. M.'s privy purse, authorized to sell funds standing in his name in Bank books, 454. *pl.* 130—138.

c. 149. Coffee, separation of damaged from sound; sending out without permit, (*G. B.*)

c. 150. Stamp duties, on medicines and licences to sell them, and *Schedule*, (*G. B.*) 1458—1462. *pl.* 587. 593. 608. 622.

c. 151. Half pay, &c. of officers retiring from service; like pensions to foreign as to *British* officers wounded.

c. 152. Agent general for volunteers and local militia, [Rep. 54 *G.* 3. *c.* 151. *s.* 10.]

c. 153. *British* herring fishery vessels, size and manning, 273, 274. *pl.* 76. 79. 101.

c. 154. Grant from consolidated fund of *G. B.*; appropriating supplies, [Exp.]

(*Dec.* 29.)

c. 155. Religious worship and assemblies, and preachers therein, 526, 527. *pl.* 26—44.

c. 156. Aiding prisoners of war to escape, 1293. *pl.* 1—5.

c. 157. Issue of other than bank of *Eng.* or *Ire.* tokens prevented, 1539, 1540. *pl.* 1—3. 14—25.
s. 2. is Rep. by 53 *G.* 3. *c.* 19. circulation of bank tokens.

c. 158. Extending 36 *G.* 3. *c.* 90. and 50 *G.* 3. *c.* 32. to all transferable stocks and funds, 1480. *pl.* 22, 23. 25.

c. 159. Charging foreign liquors and tobacco derelict, &c. coming into *G. B.* with duties payable on import thereof, 1610. *pl.* 37—45.

c. 160. Parochial relief to prisoners in gaols not being county gaols, (*Eng.*) 1291. *pl.* 208—216.

c. 161. Crown leases; treasury appropriating lands to ecclesiastical purposes, (*Eng.*) 125. *pl.* 25. 28., 177—181. *pl.* 62—65. 87. 103—113. 131. Appendix, No. XXXIII.

c. 162. Disturbed counties in *Eng.*, preserving peace in, 1315. *pl.* 4.

c. 163. Insolvent debtors in *Ire.*, relief of, [Exp.]

c. 164. Loan 3,000,000*l.* [Exp.]

(*Dec.* 30.)

c. 165. Insolvent debtors in *Eng.*, relief, [Exp.]

53 Geo. 3. A. D. 1812.

(*Dec.* 16.)

c. 1. Sugar, using in brewing beer in *G. B.*, [Exp.] 69. Stats. *Exp.* &c. *pl.* 3.

c. 2. Starch making, [Exp. and Rep. 53 *G.* 3. *c.* 23.]

(*Dec.* 22.)

c. 3. Intercourse between *Jamaica* and *St. Domingo.*

c. 5. Continuing 52 *G.* 3. *c.* 50., 52. *pl.* 104., 140. *pl.* 122.

c. 6. Insolvent debtors' relief, (*Eng.*) [Exp.] 388. *pl.* 15.

c. 7. Spirits, distillation, duties, &c.

c. 8. *Spanish* red wine import and export duties, (*G. B.*)

c. 9. Malt duties.

c. 10. Rice imported into *G. B.*; duties.

c. 11. Chocolate exported, drawback.

c. 12. Indemnity for imports into *West Indies.*

c. 13. Assistant secretary to postmaster general, franking.

c. 14. Power of commissioners for care of H. M.'s property, [Exp.] 429. *pl.* 52. 55.

c. 15. Malt, &c. duties, (*G. B.*); pension, &c. duty, (*Eng.*) [Exp.]

c. 16. Exchequer bills, 10,500,000*l.* [Exp.]

(*March* 23. 1813.)

c. 17. Mutiny, [Exp.]

c. 18. Coals used in engines in mines of *Devon* and *Cornwall*, drawback.

c. 19. Tokens (amending 52 *G.* 3. *c.* 157.), 1532. *pl.* 3. 5, 6.
s. 2. is Rep. by 53 *G.* 3. *c.* 114. *s.* 1.
s. 3. is Exp.

c. 20. Miners enlisting into regulars (*Eng.*)

53 Geo. 3. A. D. 1813. (continued.)

c. 21. Subsistence of poor persons confined for debts, &c. sued for by order of commissioners of customs or excise, 1291. *pl.* 217, 218.

c. 22. Salt, sale of duty-free on seizure by excise, and reward to seizing officer.

c. 23. Repealing *c.* 2. as to prohibiting the making starch from wheat, &c. (*G. B.*)
ss. 2, 3. are Exp.

c. 24. Vice chancellor, appointing, 166. *ss.* 75—86.

c. 25. Marines, [Exp.]

(*April* 1.)

c. 26. Exchequer bills, (*G. B.*) 5,000,000*l.* [Exp.]

c. 27. *id ibid.* 1,500,000*l.* [Exp.]

c. 28. Local militia, (*Eng.*)

c. 29. Local militia, (*Scot.*)

c. 30. Export of manufacture of refuse silk, bounty.

c. 31. Sugar export from *G. B.*

c. 32. Sugar export from *Ire.*

(*April* 15.)

c. 33. Additional customs duties on exports from *G. B.* [Rep. 59 *G.* 3. *c.* 52. *s.* 1.]

c. 34. Additional excise duties in *G. B.* on tobacco and *French* wines.

c. 35. Redemption of national debt.

c. 36. Regulating vessels carrying passengers to H. M.'s foreign settlements, 230—232. *pl.* 2. 15. 27, 28.

c. 37. Import of spirits, &c. from *West Indies* into *Canadas*, *ad valorem* duty.

c. 38. Corn, &c. export to *Newfoundland*, *Labrador*, *&c.*

c. 39. Transporting felons to temporary confinement in *Eng.* and *Scot.*, [Exp.] 1540. Stats. *Exp. pl.* 3.

c. 40. Provisions as to justices of peace fixing prices of work, repealed (*G. B.*), 435. *pl.* 3. 5.

(*May* 1.)

c. 41. Annuities to satisfy exchequer bills; loan by debentures.

c. 42. Exchequer bills, 6,000,000*l.* [Exp.]

c. 43. Innkeepers quartering soldiers, [Exp.]

(*May* 21.)

c. 44. Allowing drawback of duty on wine consumed by officers of marines on board H. M.'s ships.

c. 45. Export of brass, &c. from *Eng.*

c. 46. Butter trade, regulating, (*Ire.*)
ss. 4, 5. are Exp.

c. 47. Bonds to customs from mates of merchant ships, aged 18, are valid.

c. 48. Militia, (*Ire.*) raising, &c.

c. 49. Splitting votes for members of parliament, 1222. *pl.* 179. 181, 182.

c. 50. *Bermudas* imports and exports.

c. 51. Widows of military officers relieved from payment of stamp duties on receipt of pensions in *Ire.*

c. 52. Sugar spirits, distillation and warehousing in *Ire.*

c. 53. Loan of 3,000,000*l.* by debentures; and amending *c.* 41.

c. 54. Sale and brokerage of offices, 538. *pl.* 12. 19.

(*June* 3.)

c. 55. Imports, &c. exports, duties, &c. (*Ire.*)

c. 56. Excise duties on malt in *Ire.*

c. 57. Excise duties on tobacco in *Ire.*

c. 58. Postage of letters, (*Ire.*)

c. 59. Assessed taxes, (*Ire.*) [Rep. 55 *G.* 3. *c.* 61. *s.* 1. and virtually by 56 *G.* 3. *c.* 57. *s.* 1.]

c. 60. Duties on hides dressed, and parchment made in *Ire.*

c. 61. Loan of 2,000,000*l.* for service of *Ire.*

c. 62. Entry for home consumption of sugar of *Martinique*, at lower duty than on other foreign sugars, (*G. B.*)

c. 63. *United States*, prizes, [Exp. and Rep. in part by 54 *G.* 3. *c.* 93. *s.* 1.] 1294. *pl.* 6.

c. 64. Court of session, regulation, (*Scot.*)

53 Geo. 3. A. D. 1813.

c. 65. Payment of creditors, (*Scot.*) [EXP.]
c. 66. Clearing up doubts as to sites of parish churches in *Ire.*
c. 67. Imports and exports to and from *West Indies*, &c. [EXP.]
c. 68. Carriages with more than two wheels carrying the mail in *Scot.* not exempted from toll.

(*June* 22.)

c. 69. 27,000,000*l.* raised by annuities.
c. 70. Sellers of glass, &c. to charge the additional duties imposed on those articles ordered before, but not delivered till after *5th July*, 1812. [EXP.]
c. 71. Controverted elections and returns of M. P.s, trials of, 1226. *pl.* 281., 1228. *pl.* 322., 1230—1232. *pl.* 353–356. 374—390.
c. 72. Office of justice of peace in *Manchester* and *Salford*: Constables thereof taking recognizances, 1253. *pl.* 2—12.
c. 73. Excise duties and drawbacks laid on tobacco in *Ire.* payable in *British* currency.
c. 74. Collecting duty on malt made in *Ire.*

(*July* 2.)

c. 75. Cotton trade, regulation of, in *Ire.*
c. 76. Supervisors on roads made and repaired by presentment, (*Ire.*)
c. 77. Presentment by grand juries of bridges, and tolls thereon.
c. 78. Improper persons having arms in *Ire.*
c. 79. Militia, pay, &c. allowances to subalterns, (*Ire.*) [EXP.]
c. 80. Loan for *Ire.* by treasury bills.
c. 81. Militia, enlisting into regulars.
c. 82. Exemptions from turnpike tolls, 1557—1558. *pl.* 102. 105. 109, 110. 114.
c. 83. Allowance to innkeepers for diet furnished to soldiers on march.
c. 84. *Cape* wine, import duties.
c. 85. Maintenance of seamen shipwrecked, &c. 1620. *tit.* SEAMEN.
c. 86. H. M. not prevented by 50 *G.* 3. *c.* 117. from granting naval pensions, &c. 1353. *pl.* 1. 3.
c. 87. Wreck and salvages, 1611. *pl.* 46., 1613, 1614. *pl.* 72, 73. 75—79.
c. 88. Declaration in lieu of oath in books of persons dealing in exciseable articles.
c. 89. Conveying writs for election of M. P.s, 1234. *pl.* 432—439.
c. 90. Allowances to militia, *Eng.*, [EXP.]
c. 91. Militia, allowances to subalterns, (*G. B.*) [EXP.]
c. 92. Archbishops, &c. in *Ire.* demising mensal lands.
c. 93. Lotteries, [EXP.] 497. *pl.* 7.

(*July* 6.)

c. 94. Corn spirits made in *Ire.*, duties.
c. 95. Charge of addition to funded debt of *G. B.* provided for.
c. 96. Militia and local militia, pay, &c. (*G. B.*) [EXP.]

(*July* 7.)

c. 97. Glass makers, disposal of muriate of potash by: excise-duty thereon.
c. 98. For more correctly ascertaining the value of goods exported duty-free.
c. 99. Punishment of offences of soldiers detached in places beyond seas out of H. M.'s dominions.
c. 100. Accounts of paymaster general, accepting foreign bills by, payable at bank of *Eng.*
ss. 1, 2. are EXP.

(*July* 10.)

c. 102. Insolvent debtors' relief, (*Eng.*) [EXP.] 388. *pl.* 16.
c. 103. Transfer of excise licenses by the commissioners to representatives of deceased traders, or their successors, in the same houses.
c. 104. *c.* 62. is repeated for *Ire.*
c. 105. Exports and imports, duties, drawbacks, bounties, &c. (*G. B.*)
c. 106. Extending 45 *G.* 3. *c.* 42. to bank of *Ire.*, tokens.

53 Geo. 3. A. D. 1813. (*continued.*)

c. 107. Commissioners for regulation of endowed schools in *Ire.*
c. 108. Stamps; exemptions, 1417. *pl.* 48. Penalties, 1421. *pl.* 125—127. Spoiled stamps, 1423. *pl.* 152–159. Stamps duties on conveyances, mortgages, &c. 1424, 1425. *pl.* 178. 184., 1431. *pl.* 320., 1435, 1436. *pl.* 398—403. 417. Inventory of goods of deceased in *Scot.*, 1475. *pl.* 832. Duties on stage coaches, (*G. B.*) 1477. *pl.* 858, 859.
ss. 1—3. Stamp duties on re-issuable promissory notes, are REP. virtually by 55 *G.* 3. *c.* 184. *ss.* 14, 15.
c. 109. Glass duties, (*G. B.*)
c. 110. Spirits, export to *Isle of Man* from *G. B.* and *Ire.*
c. 111. Manning ships in southern whale fishery, [CON. till 31*st Dec.* 1823. by 59 *G.* 3. *c.* 113.] 287, 288. *pl.* 304. 313.
c. 112. Commencing prosecutions under slave-trade abolition acts, 1375. *pl.* 36.
c. 113. Relief for poor prisoners in *K. B.*, *Fleet* and *Marshalsea*, 1291, 1292. *pl.* 219—234.
c. 114. Banks of *Eng.* and *Ire.* tokens, exclusive circulation, 1539, 1540. *pl.* 1. 3. 5, 6. 24, 25.
s. 2. is REP. by 54 *G.* 3. *c.* 4. *s.* 1.
s. 7. is EXP.
c. 115. Fire arms, proper making in *Eng.*; proving barrels at *Birmingham*, 255—257. *pl.* 1—5. 7—9. 13. 15—17. 21. 23, 24.
c. 116. Price and assize of bread sold out of *London* and weekly bills, 84. *pl.* 11., 89. *pl.* 78—88., 90. *pl.* 90., APPENDIX, No. XXXIV.
c. 117. Floating timber, in *Scot.*; preventing damage to bridges.
c. 118. Exchequer bills, (*G. B.*) [EXP.] 5,670,700*l.*
c. 119. Exchequer bills, 1,000,000*l.* (*G. B.*) [EXP.]
c. 120. Treasury of *Ire.* to issue to commissioners for reducing national debt one *per cent.* on treasury bills outstanding in every year.

(*July* 12.)

c. 123. Land-tax, redemption and sale, (*G. B.*) 453. *pl.* 155, 156. 161., and STATS. *in force*, *pl.* 1., 454—456. *pl.* 1. 24. 37—39. 458. *pl.* 56., 461. *pl.* 98, 99., 464. *pl.* 129, 130., 466. *pl.* 154, 155., 472—474. *pl.* 242—270.
ss. 5—7. and *s.* 45. are EXP.
c. 124. Salt duty free for curing conger, polock, beam, ray, and scate.
c. 125. Silk stuffs ornamented with embroidery, &c.; ribbons of silk mixed with cotton, &c. export, bounty.
c. 126. Embezzlement of public stores, [REP. 55 *G.* 3. *c.* 127. *s.* 1.] 1481. STATS. *Rep. pl.* 3.
c. 127. Ecclesiastical courts in *Eng.*, regulation, 168. *pl.* 32—34.; church rates and tithes recovery, 1537, 1538. *pl.* 38. 41. 57—61. 63—67., APP. No. XXXV.
c. 128. Relief of papists holding offices in *Ire.* under 33 *G.* 3. *c.* 21. *Ir.*, from penalties of 25 *Car.* 9. *c.* 2.
c. 129. Six clerks offices exempted from 49 *G.* 3. *c.* 126. (*Ir.*), 538. *pl.* 12. 24.
c. 130. Continuing 44 *G.* 3. *c.* 106. (*Ire.*) [EXP.]
c. 131. Building court houses, (*Ire.*)
c. 132. *Tower Hamlets* militia, service extending to all parts of U. K.
c. 135. 45 *G.* 3. *c.* 128. and 50 *G.* 3. *c.* 110. continued.
c. 136. Grants from consolidated fund, &c.; appropriating supplies, [EXP.]

(*July* 13.)

c. 137. Spirits, wine, ale, &c. regulating licences for retailing, (*Ire.*)
c. 138. Insolvent debtors, (*Ire.*) [EXP.]
c. 139. Exempting bankers and others from certain penalties in (*Eng.*) 52 *G.* 3. *c.* 138. *s.* 5. Forging bank of *Eng.* notes, preventing, 48. STAT. *Exp.*
c. 140. Boatmen supplying vessels with pilots within cinque ports 1243, 1244. *pl.* 1. 12., 1249, 1250. *pl.* 84—98.

53 Geo. 3. A. D. 1813. (*continued.*)

c. 141. Life annuities, granting, 25. *pl.* 10. 14. 5. and 15. 16. 7. and 17. 8. and 18. 19. APPENDIX, No. XXXVI.
(*July* 14.)
c. 142. Land-tax, 444. 447. *pl.* 1. 4. 14. 17. 28, 29., 451. *pl.* 122—124.
c. 144. Inland navigation, (*Ire.*)
(*July* 20.)
c. 145. Spirits distillation, regulating, (*Ire.*)
c. 146. Post roads, (*Ire.*)
s. 5. is EXP.
c. 147. Spirits, securing in *G. B.*
c. 148. Spirits, illicit distilling in *Ire.*
c. 149. Stipendiary curates support, [REP. 57 *G.* 3. *c.* 99. *s.* 1.] 1388. *pl.* 29.
c. 150. Military expenditure in *Spain* and *Portugal*, 6. *pl.* 119, 120.; accounts public, audit office, 1. *pl.* 11., 2. *pl.* 35, 36.
c. 151. Registrar of admiralty courts [as to commencement, *see s.* 13.] 12, 13. *pl.* 35—47.
s. 1. is EXP.
c. 152. Expences of hustings and poll clerks in *Westminster*, [EXP.]
c. 153. Judges of *Westminster-hall*, additional annuities on resignation, 411. *pl.* 13. 15. 19.
c. 154. *Kilmainham* hospital, paying and commuting pensions.
(*July* 21.)
c. 155. Continuing possession of *India* to *East India* company; government and administration of justice therein, and trade to places within the company's charter, regulated, 193, 194., *pl.* 23. 30., 197., *pl.* 106., 199. *pl.* 143, 144., 205—213. *pl.* 253, 254. 260. 262. 268—270. 277. 278. 280. 300. 317—320. 334. 336, 337. 350. 363. 366, 367. 369, 370. 374. 386. 395., 217—223. *pl.* 462. 468. 476—509. 572., 226. *pl.* 643, 644., 1353. *pl.* 2.
ss. 30, 31. are EXP.
c. 156. Providing for payment of annuities, 6,000,000*l.* granted for *Ire.*
c. 159. Limiting responsibility of ship owners in certain cases to value of ship and freight for the voyage, 1368, 1369. *pl.* 50—66.
c. 160. Relieving impugners of the Trinity from penalties, (*G. B.*) 527. *pl.* 45. [*see* 57 *G.* 3. *c.* 70. *Ir.*, 81. BLASPHEMY, *pl.* 1, 2.]
(*July* 22.)
c. 161. Loan for *G. B.* applying part to *Ire.*
c. 162. Felons within clergy may be sent to Penitentiary to hard labour, 249. *pl.* 93, 94.

54 Geo. 3. A. D. 1813.

c. 1. (*Nov.* 24.) Militia, volunteering services to regulars, [EXP.]
(*Nov.* 26.)
c. 2. Malt, &c. duty, (*G. B.*); pensions, &c. duty, (*Eng.*)
c. 3. Annuities, 22,000,000*l.*
c. 4. Tokens, issuing, 1539, 1540. *pl.* 1. 3—6. 24, 25.
s. 7. is EXP.
(*Dec.* 6.)
c. 5. Indemnity, offices, &c.; clerks, &c. indentures, stamping, filing, &c. [EXP.]
c. 6. Staying proceedings under 43 *G.* 3. *c.* 84. [EXP.] 1388. *pl.* 50.
c. 7. Sugar from *Ire.* export, drawbacks, &c. [EXP.]
c. 8. Providing for charge of addition to public debt of *G. B.*
c. 9. Licences for distilling spirits from corn, in *Scot.*
c. 10. Interchange of *British* and *Irish* militias.
c. 11. Extending 46 *G.* 3. *c.* 69. to sergeants of militia.
c. 12. 60th regiment enlarged to 10 battalions, by enlisting foreigners to serve abroad only.

54 Geo. 3. A. D. 1813. (*continued.*)

c. 13. To give effect to pecuniary engagements with *Russia* and *Prussia*.
c. 14. Property vested in the accountant-general, for time being as such, to vest in his successor, 162, 163. *pl.* 15. 22, 23.
c. 15. Recovery of debts in *New South Wales*, 522. *pl.* 8—12.
c. 16. Disability to sit in house of commons, (*Ire.*) 1222. *pl.* 185., 1224. *pl.* 223, 224.
c. 17. *London* militia, services accepting out of *U. K.* [EXP.]
(*Dec.* 10.)
c. 18. Exchequer bills, 10,500,000*l.* raised by, [EXP.]
c. 19. Local militia, services out of country accepting, [EXP.]
c. 20. Accepting services of militia and miners out of *U. K.* [EXP.]
c. 21. Equalizing duty on *Scotch* salt brought into *Eng.*
c. 22. Watch and ward, (*Eng.*) 1579. *pl.* 8.
c. 23. Insolvent debtors, (*Eng.*) [EXP.] 388. *pl.* 16.
c. 24. Sugar, export bounties, (*G. B.*) [*comm. semb.* EXP.]
c. 25. Mutiny, [EXP.]
c. 26. Madder, import into *G. B.*, duties, [*semb.* REP. 59 *G.* 3. *c.* 52., *s.* 1.]
(*Dec.* 14.)
c. 27. Mistake in *c.* 26. rectified.
c. 28. Insolvent debtors, (*Eng.*) [EXP.] 388. *pl.* 15.
c. 29. Brandy, import, for exportation duty, (*G. B.*) [EXP.]
c. 30. Transportation of felons, and their removal to temporary places of confinement, in *Eng.* and *Scot.*, [EXP.] 1540. STATS. *Rep. pl.* 3.
c. 31. Marines, [EXP.]
(*Dec.* 17.)
c. 32. Illicit distillation of spirits, (*Ire.*)
c. 33. Executing of law, and preserving peace in *Ire.* [EXP.]
c. 34. Trade to and from places within limits of *East India* company's charter regulated, 218. *pl.* 469. 472, 473.
s. 4. is EXP.
c. 35. Imports from *East Indies* in ships not of *British* built, [EXP.] 193. *pl.* 17.
c. 36. Customs duties on *East India* imports, 211. *pl.* 364.
c. 37. Police in *Middlesex*, and *Surrey*, in and near *London*, REP. 1 & 2 *G.* 4. *c.* 118.] 1253. *pl.* 4.
c. 38. *London* militia, enlisting certain number into regulars; annual enlistment; and completing the same, [EXP.]
(*Dec.* 20.)
c. 39. Exchequer bills, (*G. B.*) 5,000,000*l.*
c. 40. *French* wine, export, drawback.
c. 41. Spirits import into *G. B.* and *Ire.* respectively, [EXP.]
c. 42. Frame breaking, [REP. (except as to repeal of 52 *G.* 3. *c.* 16.) by 57 *G.* 3. *c.* 126. *s.* 1.] 298, 299. *pl.* 1. 22.
(*April* 19. 1814.)
c. 44. Spiritual persons, staying proceedings against, (*Eng.*) [EXP.] 1388. *pl.* 30.
c. 46. Altering period, during which writs of assistance shall be in force.
c. 47. Coffee, separating damaged from sound, [*semb.* EXP.]
c. 48. Making 50 *G.* 3. *c.* 21. perpetual.
c. 49. Continuing 53 *G.* 3. *c.* 67. to nine months after conclusion of war with *United States*, [*semb.* EXP.]
(*May* 4.)
c. 50. Duties of customs, [*semb.* REP. 59 *G.* 3. *c.* 52. *s.* 1.]
c. 51. Continuing 7 *G.* 2. *c.* 18. till 9 months after conclusion of the war, [*semb.* EXP.]
c. 52. Continuing 52 *G.* 3. *c.* 50. during continuance of restrictions on cash payments by banks of *Eng.* and *Ire.*, *viz.* till 1*st May* and 1*st June*, 1823, 52. *pl.* 104., 140. *pl.* 122.
c. 53. Exchequer bills, 6,000,000*l.*, [EXP.]
(*May* 18.)
c. 54. Staying proceedings against spiritual persons, [EXP.] 1388. *pl.* 31.

54 Geo. 3. A. D. 1814. (*continued.*)

c. 55. Innkeepers, quartering soldiers, [Exp.]
c. 56. Copyrights in sculpture casts, &c. 487, 488. *pl.* 1—47.
(*May* 27.)
c. 57. Sugar export, bounties, drawbacks, &c.; sugar, coffee, &c. of *Martinique*, &c. import.
c. 58. Continuing 43 *G.* 3. *c.* 57. during war with *United States*, [*semb.* Exp.]
c. 59. Ships condemned as slave ships, registered as *British* built, 1396. *pl.* 67, 68.
c. 60. Cordage, preventing embezzlement of, 1485. *pl.* 86, 87.
c. 61. Granting offices in colonies, 538, 539. *pl.* 29. 31. 34—36.
c. 62. Surgeons and apothecaries of infirmaries, &c. in *Ire.*
c. 64. War duties on imports, [Rep. 59 *G.* 3. *c.* 52. *s.* 1.]
c. 65. *French* goods, import duties.
c. 66. Teak and ship timber, from *East Indies* duty free; repeals 19 *G.* 2. *c.* 27. *s.* 4. as to foreign made sails.
c. 67. *Vivâ voce* verdicts allowing in *Scot.*; appeals to circuit courts of justiciary in civil cases.
(*June* 17.)
c. 68. Ecclesiastical courts, regulation, 168. *pl.* 32—34. Church rates and tithes, recovery, (*Ire.*) 1537, 1538. *pl.* 57—67.
c. 69. Export of corn from *U. K.*, without duty or bounty.
c. 70. Selling crown lands intermixed with other lands, 177. *pl.* 62. 74. 76. 91.
c. 71. *Maidstone* geneva, continuing manufacture, [*semb.* Exp.]
c. 72. Trade between *United Provinces* and their colonies, now in H. M.'s possession, [Rep. 56 *G.* 3. *c.* 91. *s.* 10.]
c. 73. Additional excise duties in *G. B.* continued.
c. 74. Lotteries, [Exp.] 497. *pl.* 7.
(*June* 20.)
c. 75. Raising 1,716,666*l.* 13*s.* 4*d.* *Irish*, by treasury bills for service of *Ire.*, [Exp.]
(*June* 28.)
c. 76. Raising 24,000,000*l.* by annuities.
c. 77. *Cape* wines, repealing duties.
c. 78. Removal, lodging, &c. of wool, within 10 miles of sea, 1607. *pl.* 178.
(*July* 1.)
c. 79. Exchequer bills, (*G. B.*) 6,000,000*l.* [Exp.]
c. 80. Exchequer bills, (*G. B.*) 1,500,000*l.* [Exp.]
c. 81. Imports and exports to and from *Ire.*, duties on.
c. 82. Auction duties, (*Ire.*)
s. 3. is Exp.
c. 83. Regulation of receipts and issues of treasury; due application of public money in *Ire.*
s. 15. is Exp.
c. 84. *Michaelmas* quarter sessions in *Eng.*, regulating the holding, 1311. *pl.* 9, 10.
(*July* 14.)
c. 85. 3,000,000*l.* raised for *Ire.* by annuities.
c. 86. Army prize money, unclaimed shares paying to *Chelsea* hospital.
c. 87. Glass made in *Ire.*, excise duties, drawbacks, &c.
c. 88. Collection of duties on spirits distilled in *Ire.*
c. 89. Charge of further addition to public funded debt of *G. B.*
c. 90. 43 *G.* 3. *c.* 59. extended to purchase of buildings, and to bridges, &c. repaired by hundreds, &c. 95. *pl.* 31, 32. 39.
c. 91. Overseers of poor, appointing, 1259. *pl.* 1, 2.
c. 92. Stamp duties on probates, letters of administration, and receipts for property obtained by legacy, or intestacy in *Ire.*
(*July* 18.)
c. 93. Navy prize money, payment regulated, transmission of accounts and payment of balances to *Greenwich* hospital, 1294—1302. *pl.* 6. 10—17. 19. 55. 62—105., 1349. *pl.* 135.
s. 7. as to extending prize money regulations to seizures under revenue laws, is Rep. by 55 *G.* 3. *c.* 60. *s.* 1.

54 Geo. 3. A. D. 1814. (*continued.*)

s. 45. receiving prize money, is Rep. by 58 *G.* 3. *c.* 68. *s.* 1.
s. 72. is Exp.
c. 94. Resigned judges of court of session, annuities to, (*Scot.*)
c. 95. Additional annuities to judges in *Ire.*, on their resignation.
c. 96. Apprentices, 27. *pl.* 6—9.
c. 97. Glass made in and imported into *G. B.*, duties; frauds on exportation.
c. 98. Public expenditure in *France*, accounts examining, [Exp.]
c. 99. Continuing 44 *G.* 3. *c.* 1., 51. *pl.* 78.
c. 100. Sugar, export from *Ire.*; produce of *Martinique*, &c. imported into *Ire.*, under same duties as from *British* plantations.
c. 101. Child stealing, prevention, 124. *pl.* 1—3.
c. 102. *British* white herring fishery, 273. *pl.* 76.
c. 103. *East India* goods, import regulations, 223, 224. *pl.* 573—575.
c. 104. Military roads and bridges, (*Scot.*) [Rep. 59 *G.* 3. *c.* 135. *s.* 1.]
(*July* 23.)
c. 105. Duties and taxes levied under authority of government of *East Indies*, 223, 224. *pl.* 573—575.
c. 106. Allowance of drawbacks of duties on paper to H. M.'s printer, on bibles and prayer books.
c. 107. Indentures of parish apprentices, and certificates of settlement of poor persons, rendered valid, 28. *pl.* 32., 30. *pl.* 59—62.
c. 108. Burying in woollen abolished, 1598. *pl.* 59.
ss. 2, 3. are Exp.
c. 109. Highways amendment, &c. (*Eng.*) 352. *pl.* 4., 357. *pl.* 47—49., 360, 361. *pl.* 102. 110—115.
c. 110. Embezzlement of property belonging to *Greenwich* hospital, 331. *pl.* 34. 36. 38, 39.; Appendix, No. XXXVII. Out-pensioners residing in *Ire.*, 322. *pl.* 40. 50—54.
c. 111. Import, making, removing, &c. arms, gunpowder, (*Ire.*) [Exp.]
c. 112. Fever hospitals, encouragement, (*Ire.*)
c. 114. Insolvent debtors, (*Ire.*) [Exp.]
c. 115. Burning land; destroying vermin, (*Ire.*)
(*August* 23.)
c. 116. Recovery of small sums due for wages in *Ire.*
c. 117. Grant of glebe land for site of new churches, (*Ire.*)
c. 118. Stamp duties, (*Ire.*) [Rep. 55 *G.* 3. *c.* 81. *s.* 1.]
c. 119. Postage of letters and packets in *Ire.*
c. 120. Revenues of customs and excise, (*Ire.*)
s. 14 is Rep. by 51 *G.* 3. *c.* 54. *s.* 44., actions for loss of dogs not sustained, if owner has not paid duty.
c. 121. *French* wine duties, (*G. B.*)
c. 122. Method of declaring value; imports and exports to and from *G. B.* altered.
c. 123. Abuses in trade of hops, (*G. B.*) 365. *pl.* 10—12.
c. 124. Tobacco and snuff, import to *Plymouth.*
c. 125. Naval stores from *North America.*
c. 126. Altering and extending 8 *G.* 1. *c.* 17., shipwrecked seamen in *Portugal*, 1609. *pl.* 15.
c. 127. Export to foreign parts from *Scot.* and *Ire.*, of linen cloth without stamps.
(*August* 25.)
c. 129. Exports from and imports into *Ire.*, duties, &c. [last Con. till 1*st June*, 1823, by 59 *G.* 3. *c.* 99. *s.* 1.]
c. 130. Continuing bank of *Ire.* restriction on cash payments, [Last Con. till 1*st June*, 1823, by 59 *G.* 3. *c.* 99. *s.* 1.]
c. 131. Additional superintending magistrates of police and constables in counties in *Ire.*, where disturbances exist.
c. 132. [Exp. since repeal of 47 *G.* 3. *S.* 1. *c.* 18. by 56 *G.* 3. *c.* 57. *s.* 1.]
c. 133. Policies of insurance, (*G. B.*) 1398. Stats. *in force*, *pl.* 1. 1440, 1441. *pl.* 486—499.
c. 134. Maintenance of *Asiatic* seamen in this country, 227. *pl.* 659—661.

54 Geo. 3. A. D. 1814. (*continued.*)

s. 1. imports and exports to and from places within *East India* Co.'s limits, in ships not *British* built, Exp.

c. 135. Stage coach passengers, (*Ire.*)

c. 136. Northern light houses, [Con. to end of session next after *25th July*, 1821, (*see s.* 78.)]

c. 137. Bankruptcy in *Scot.*

(*August* 27.)

c. 139. Mistake in *c.* 76. *s.* 8. rectified.

c. 140. Amending *Irish* acts for granting annuities.

c. 141. Duties in respect of killing game, &c. 1512. *pl.* 217. (*a*).

c. 142. Tea export to *British* colonies, duty free.

c. 143. Repairing harbours in *Isle of Man*, duties.

c. 144. Stamp duties on sea insurances made in *London*, 1441, 1442. *pl.* 500—512.; stamp office certificates taking out by attornies and others in *Eng.*, altering time for, 1128. *pl.* 263—264.

c. 145. Corruption of blood, 151. *pl.* 1, 2.

c. 146. Punishment of high treason altered, 1546. *pl.* 75—77.

c. 147. Hackney coaches and chariots licensing, 342—344. *pl.* 87. 93. 102. 104—106.

ss. 1—13. hackney coach tickets, are Rep. by *55 G.* 3. *c.* 159. *s.* 1.,

(*August* 28.)

c. 149. Silk handkerchiefs sold by *East India* company for home consumption, excise duty on, [Rep. *55 G.* 3. *c.* 93.] 193. *pl.* 22.

c. 149. Reciprocal trade in spirits between *G. B.* and *Ire.* regulating.

c. 150. Town-lands, fines on for illicit distillation in *Ire.*

c. 151. Agent general for volunteers and local militia, regulating office, [Rep. *57 G.* 3. *c.* 41. *s.* 1.]

c. 152. Gunpowder making, &c. (*G. B.*) 336. *pl.* 36.

c. 153. Payment of drawback on paper allowed to universities in *Scot.*, regulated.

(*August* 29.)

c. 155. Aliens arriving or resident here, regulations, 19. Stats. *Rep.* &c. *pl.* 6, 7. [Rep. *55 G.* 3. *c.* 54. *s.* 1. which is Exp.]

c. 156. Copyrights of books, delivering to public libraries, 485. 486. *pl.* 2—5. 10—15. 19—21., 541. *pl.* 76.

c. 157. Office of works, regulations, 1608. *pl.* 1—8.

c. 158. Seducing H. M.'s forces, [Exp.] 1350. *pl.* 8.

c. 159. Ports and harbours in *U. K.*, 1276—1279. *pl.* 2. 13—40.

c. 167. Applying certain sums for public service; supplies appropriating, [Exp.]

(*August* 30.)

c. 168. Attestation of instruments of appointment and revocation made in exercise of certain powers in deeds, wills, &c. 239. Evidence, *pl.* 5—10.

c. 169. Regulating postage of ship letters and of letters in *G. B.*

c. 170. Repeals (*s.* 1.) provisoes in all local acts varying the general law of settlement of the poor since 1 *G.* 1., and enacts other provisions in lieu thereof, 1268. *pl.* 133., 1270. *pl.* 168, 169., 1274, 1275. *pl.* 236—245. 265, 266. Bastardy, 68. *pl.* 5., 69. *pl.* 18.

c. 171. Treasury enabled to restore seizures, and to remit or mitigate fines incurred by breach of customs, excise, or navigation laws of *G. B.*

c. 172. Distillers' wash, spirits, and licences, duties on, (*Scot.*)

c. 173. Land-tax redemption and sale, 453. *pl.* 1., 461. *pl.* 88—91., 464. *pl.* 131, 132., 466. *pl.* 154., 472—475. *pl.* 242. 270—279.

s. 11. and *s.* 18. are Exp.

c. 174. Farming post-horse duties, [Rep. *57 G.* 3. *c.* 59. *s.* 8.] 1398. *pl.* 18.

c. 175. Spiritual persons holding farms; residence, &c. [Exp.] 1388. *pl.* 32.

54 Geo. 3. A. D. 1814. (*continued.*)

c. 176. Local militia, pay, &c, (*G. B.*) [Exp.]

c. 177. Militia, pay, &c., allowances to subalterns, (*Ire.*) [Exp.]

c. 178. Subjecting yeomanry to military discipline, (*Ire.*)

c. 179. Militia, (*Ire.*)

c. 180. Preserving and restoring peace in *Ire.*; proclaiming counties, &c. to be in state of disturbance, [Exp.]

c. 181. Redress for assaults in *Ire.*

c. 182. Continuing (as to *s.* 2.) trade to *Cape of Good Hope*, till *5th July* 1825. (see 1 *G.* 4. *c.* 11.); trade to *Malta*, prize goods imported into *G. B.*

s. 1. is Exp.

c. 183. Countervailing duty of excise on bleaching powder imported from *Ire.*, [Rep. *55 G.* 3. *c.* 66. *s.* 34.]

c. 184. Colonial expenditure accounts, examining, 6. *pl.* 122, 123. 125—132., 7. *pl.* 135. 139—142.

c. 185. Export from *G. B.* of *British* made cordage, bounty.

c. 186. Apprehending, &c. offenders escaping from one part of *U. K.* to another, 425. *pl.* 77. 82, 83.

c. 187. *Thames*, depredations on, [Rep. 1 & 2 *G.* 4. *c.* 118.] 1531. Stats. *Rep. pl.* 1, 2.

c. 188. 3,000,000*l.* raised by exchequer bills, (*G. B.*) [Exp.]

c. 189. Militia, pay, &c.; allowances to subalterns, adjutants, &c. in *G. B.*) [Exp.]

c. 190. (*July* 23.) Appointing commissioners of duty on pensions and offices in *Eng.*, and of land-tax in *G. B.*, 444. *pl.* 60.

55 Geo. 3. A. D. 1814.

c. 1. (*Nov.* 26.) Consolidation of *Greenwich* chest with *Greenwich* hospital, 333. *pl.* 55, 56. 63—73.

ss. 11. 13. are Exp.

(*Dec.* 1.)

c. 3. Malt, &c. duties, (*G. B.*); pensions, &c. duties, (*Eng.*) [Exp.]

c. 4. Exchequer bills, (*G. B.*) 12,500,000*l.* [Exp.]

c. 5. Exchequer bills, (*G. B.*) 8,000,000*l.* [Exp.]

c. 6. Small notes and bills, restraining negociation, (*Eng.*) [Exp.]

c. 7. Countervailing excise duties and drawbacks on glass in *Ire.*

c. 8. Imports in neutrals into *U. K.* [Exp.]

c. 9. Same into *British West Indies* and continent of *South America*, [Exp.]

c. 10. *East India* goods, duties on; giving bond for the duties when imported by private traders.

c. 11. Continuing 45 *G.* 3. *c.* 32. [Exp.]

c. 12. Distillation illicit, fines; spirits, warehousing; spirits distilled, hides and skins tanned in *Ire*, duties.

c. 13. Amending 54 *G.* 3. *c.* 131.; *Irish* police act.

s. 6. is Exp.

c. 14. Wood, import and export (*Ire.*), duties and drawbacks.

(*March* 23. 1815.)

c. 15. Support of H. M.'s household during his illness, [Exp.] 429. *pl.* 53.

c. 16. Loan by bank of *Eng.*, 3,000,000*l.*

c. 17. Indemnity, offices, clerks, &c. indentures, [Exp.]

c. 19. Excise duties on licences for retailing spirits, and dealing in exciseable commodities in *Ire.*

c. 20. Mutiny, [Exp.]

c. 21. Marines, [Exp.]

c. 22. Tobacco, customs on export.

c. 23. Citrat of lime, duties on import into *G. B.* [Rep. 59 *G.* 3. *c.* 52. *s.* 1.]

c. 24. Exports from *Ire.*, duties.

c. 25. Manufacture of brown linens in *Ire.*, regulating.

c. 26. Corn, import, regulating.

c. 27. Continuing additional excise duties in *G. B.* [*semb.* Exp.]

c. 28. Continuing bank of *Eng.* restriction act, 51. *pl.* 78. [last Con. by 59 *G.* 3 *c.* 49. *s.* 1. till *May* 1. 1823.]

55 Geo. 3. A.D. 1815. (*continued.*)

c. 29. Trade between *Malta* and *U. K.*, and H. M.'s colonies in *America*.

c. 30. Excise duties additional on sweets, tobacco, snuff, and excise licences, *G. B.* (see *c.* 63.) Duty on auctioneers' licences, 45. (III.) [CON. to 5th *July* 1822. (see 59 *G.* 3. *c.* 32, *s.* 1.)]

(*May* 2.)

c. 31. Sugar, export and import; import of coffee, sugar, and other articles from *Martinique*, &c.

c. 32. Sugar imported from *East Indies*, duties, [*semb.* REP. 59 *G.* 3. *c.* 52. *s.* 1.; and see Tab. B. Inwards "Sugar."]

c. 33. War duties of customs, [*semb.* REP. 59 *G.* 3, *c.* 52. *s*, 1.]

c. 34. 49 *G.* 3. *c.* 25. continued.

c. 35. Additional excise duty on tobacco in *Ire.*

c. 36. Tobacco imported into *Ire.*, customs duty.

c. 37. Sugar, export and import to and from *Ire.*; sugar, &c. import from *Martinique*, &c. into *Ire.*, regulated.

c. 38. Bleaching powder made in *Ire.* and brought into *Scotland*, may be brought into *Eng.*

c. 39. Whale fisheries, *Greenland*, [EXP.] 290. *pl.* 366., 293. *pl.* 408.

c. 40. Treasury bills for 2,323,750*l.* *Irish*, for service of *Ire.* [EXP.]

c. 41. Bank of *Ire.* restriction act, [last CON. till *June* 1. 1823. by 59 *G.* 3. *c.* 99. *s.* 1.]

c. 42. Trial by jury in civil causes in *Scot.* [CON. till end of session after *May* 2. 1822.]

s. 6. is REP. by 59 *G.* 3. *c.* 35. *ss.* 16, 17.

ss. 42—44. are REP by *id. s.* 55.

s. 45. is EXP.

c. 43. False weights and measures, preventing use of, 1589. *pl.* 56—69.

c. 44. Relief of captors of prizes as to landing prize goods in *Ire.* [EXP.]

c. 45. Premiums of ships employed in Southern whale fishery, [EXP.] 287. *pl.* 304.

c. 46. Care of lunatics, being paupers or criminals, in *Eng.*, 376. *pl.* 59. 62, 63. 66, 67. 86, 87. 90. 102—106.

(*May* 12.)

c. 47. Returns of expence and maintenance of poor in *Eng.*, 1259. *pl.* 9.; and relative to highways, 353. *pl.* 18. [EXP.]

c. 48. Clergy officiating in gaols in *Eng.* and *Wa.*, 1289. *pl.* 166. 170—174.

s. 2. REP. in part, as to amount of salaries, by 58 *G.* 3. *c.* 32. *s.* 1., 1289. *pl.* 171.

c. 49. Returns of persons committed, tried, and convicted, for crimes and misdemeanors, (*Eng.* and *Wa.*) 537. *pl.* 43—46. APPENDIX, No. XXXVIII.

c. 50. Gaol fees abolished in *Eng.*, 1292, 1293. *pl.* 235—241. 246—250.

s. 15. is EXP.

c. 51. County rates, 157—161, *pl.* 1. 17. 28. 31—41. 43. 45. 47—49. 51. 57., 181. *pl.* 132—141.

s. 15. *semb.* REP. by 57 *G.* 3. *c.* 94. *s.* 3.

c. 52. Copper duties, import into *G. B.* [REP. 59 *G.* 3. *c.* 52. *s.* 1.]

c. 53. Property tax continued for one year, *G. B.* [EXP. on 5*th April*, 1816.]

c. 54. Aliens, regulated, [EXP.] 19. STATS. *Rep. &c. pl.* 7.

c. 55. Purchase and surrender of crown leases; estates of crown, exempt from auction duties on sales, 44. *pl.* 1. 45. *pl.* 17.

c. 56. Funds of *Greenwich* chest, transferred to *Greenwich* hospital, 332. *pl.* 40. 44., 333. *pl.* 74—75.

c. 57. Exclusive privilege of *South Sea* company abolished, and the company indemnified, 1387—1388. *pl.* 36—53.

s. 5. REP. as to duties on bullion or foreign coin of gold and silver, by 56 *G.* 3. *c.* 77. *s.* 1.

s. 15. is EXP.

c. 58. Annuities, 18,000,000*l.*

c. 59. Fire arms, using before proved, &c. 255—257. *pl.* 1. 4. 6. 10—12 14. 15. 18—27.

55 Geo. 3. A. D. 1815. (*continued.*)

(*May* 25.)

c. 60. Execution of letters of attorney, and wills of petty officers seamen, and marines in H. M.'s navy.

c. 61. Assessed taxes in *Ire.* [REP. (except *s.* 1.) 56 *G.* 3. *c.* 57. *s.* 1. *s.* 5. is REP. by 55 *G.* 3. *c.* 140. *s.* 2.

c. 62. Increased excise; malt duties in *Ire.*

c. 63. Duty given by *c.* 30. on *British* wine or sweets, [REP.]

c. 64. Granting gratuities by the *East India* company, *Addenda, tit.* EAST INDIA COMPANY.

c. 65. Militia of *G. B.*

c. 66. Salt, duty-free for making oxygenated muriatic acid, or oxy-muriate of lime for bleaching linen and cotton; excise duties on glauber salts, and on bleaching powder imported from *Ire.*; foreign brimstone, drawback on.

(*June* 7.)

c. 67. Assessed taxes, *Ire.* [REP. 56 *G.* 3. *c.* 57. *s.* 1.]

c. 68. Notice of appeal against turning a public way; stopping up unnecessary roads, 352. *pl.* 4., 354. *pl.* 23. 359—360., *pl.* 89—93.

c. 69. Madhouses in *Scot.*

c. 70. Arrangement of judicial and other records of court of session in *Scot.*

s. 6. is EXP.

c. 71. Hawkers and pedlars in *Scot.*

c. 72. (Local.) County court for election of M. P.s for *Glamorgan*, shall be held at *Bridgend*.

c. 73. Lotteries, [EXP.] 497. *pl.* 7.

c. 72. Annuities to discharge exchequer bills.

c. 75. Longitude; discoveries in navigation, [EXP.] 495. *pl.* 14.

(*June* 14.)

c. 76. Accepting services of local militia, in or out of their counties, [EXP.]

c. 77. Embodying *British*, and *Irish* militia, [EXP.]

c. 78. Stamp duties, *Ire.* [REP. 56 *G.* 3. *c.* 56. *s.* 1.]

c. 79. Stamp duties *Ire.* [REP. *id. ibid.*]

c. 80. Collection and management of stamp duties on pamphlets, almanacks, and newspapers, *Ire.*

c. 81. Collection and management of stamp duties in *Ire.* [REP. 56 *G.* 3. *c.* 56. *s.* 1.]

c. 82. Duties, drawbacks, and bounties on certain exports from *Ire.* and securing customs duties in *Ire.*

c. 83. Payment of customs duties on foreign goods imported into *G. B.* from *Ire.*, or into *Ire.* from *G. B.*, and of drawbacks on export of goods, the produce of *G. B.* or *Ire.*, imported into either country from the other.

c. 84. Fixing limits of *Calcutta*, *Madras*, and *Bombay*; administering to effects of persons dying intestate in *East Indies*, 216. *pl.* 446—449.; to enable the governor in council of each presidency to remove persons not being *British* subjects, 220. *pl.* 510—512.; to provide for the judges in *East Indies*, 214. *pl.* 403.

c. 85. Allowing foreigners to serve H. M. as officers and soldiers.

c. 86. Naval stores from *British North American* colonies.

c. 87. Pilotage of foreign vessels in port of *London*, payment of, 1250. *pl.* 99—103.

c. 88. Assaults in *Ire.*

c. 89. Court and sessions houses, building, &c. in *Ire.*

c. 90. Limitation of actions against canal companies and others in *Ire.*

s. 2. is EXP.

c. 91. For payment of costs to prosecutors and witnesses, in cases of felony in *Ire.*

c. 92. Contracts for building or repairing prisons in *Ire.*

c. 93. Repealing duties on, and permission to enter for home consumption silk handkerchiefs imported by *East India* company.

55 Geo. 3. A. D. 1815. (*continued.*)

c. 94. *British* white herring fishery, 273. *pl.* 76. 82—83. 88. 90—92. 94. 98—99. 104. 120—121. 125. 125. 128—129. 131—136. 139. 143—144. 149. 154. 164. 169—171. 173—178. 180—185.

s. 8. is REP. by 1 & 2 *G.* 4. *c.* 79. *s.* 2.

s. 28. as to *Ire.* and *Isle of Man*, is REP. by *id. s.* 8.

c. 95. Import of vegetable extract from oak bark, &c. for tanning leather.

ss. 2, 3. duties on vegetable extract of oak bark, are REP. by 59 *G.* 3. *c.* 52. *s.* 1.

s. 4. is EXP.

c. 97. Fixed salary to judges of commissary court, in lieu of their present salary, and of certain fees and payments.

c. 98. *Downpatrick* election, [EXP. and Local.]

(*June* 22.)

c. 99. Excise duties on malt made in *Ire.*

c. 100. Stamp duties on bills, notes, receipts, and game certificates in *Ire.*

s. 12. as to proviso for stamped receipts for assessed taxes in *Ire*, is REP. by 58 *G.* 3. *c.* 54. *s.* 50.

c. 101. Stamp duties, collection on matters whereon licences may be granted in *Ire.*

c. 102. Duties on leather dressed in oil in *G. B.* or imported from *Ire.* repealed.

c. 103. Postage of ship letters to and from *Ire.*

c. 104. Issuing licences to retail or make spirits, or exciseable commodities in *Ire*, and securing the duties of excise payable by the person licensed.

c. 105. Excise duties on hides and skins tanned in *Ire.*

c. 106. Excise duties on paper printed, &c. in *G. B.* for hangings, &c.

c. 108. Mutiny, [EXP.]

c. 109. Place of imprisonment for *Clackmannanshire* shall be the gaol of the royal burgh, or of the county of *Stirling*.

c. 110. Duties on sweets or made wines in *Ire.* charging.

c. 111. Duties on spirits made in *Ire*, collecting and securing.

(*June* 28.)

c. 112. Duties on paper made in *Ire.* collecting and securing.

c. 113. Glass, drawbacks, and countervailing duties.

c. 114. Increasing salary of master of rolls in *Ire*, and settling annuity on him, on resignation of his office; regulating the disposal of the office of six-clerks in chancery in *Ire.*

c. 115. To carry into effect a convention between H. M. the king of the *Netherlands*, and emperor of *Russia*.

c. 116. Regulations for registry of ships built in *India*, 227—228. *pl.* 662—671.

c. 117. Import in neutrals, [EXP.]

c. 118. Clearance of vessels, and delivery of coast bonds at creeks or harbours in *G. B.*; exempting certain vessels from being licensed by commissioners of customs, (U. K.); customs officers may seize vessels, carts, or cattle, removing spirits without excise permit; against overloading keels, and carriages used in conveying coals for export, or to be carried coastwise.

c. 119. Enabling trustees of turnpike roads to abate tolls, and allow of carrying overweights in certain cases, 1558. *pl.* 115—118.

c. 120. Census of population of *Ire.* taking.

c. 121. Military roads and bridges, (*Scot.*) [REP. 59 *G.* 3. *c.* 135. *s.* 1.]

c. 124. Raising 36,000,000*l.* by way of annuities.

(*June* 29.)

c. 125. Relief of out-pensioners of *Chelsea*, 122—123. *pl.* 1, 2.

c. 126. Allowance to foreign officers equivalent to half pay of *British* officers under like circumstances.

c. 127. Extending acts relating to H. M.'s naval, &c. stores to all other public stores, 1485. *pl.* 88, 89.

55 Geo. 3. A. D. 1815. (*continued.*)

c. 128. To enable H. M. to acquire ground necessary for signal or telegraph stations, 1369, 1370. *pl.* 1—13.

(*July* 4.)

c. 129. Tobacco, drawbacks and countervailing duties; tonnage of ships exporting wine when duties are drawn back.

c. 130. Payment of money to H. M.'s forces serving abroad, regulating.

s. 4. is EXP.

c. 131. Discontinuing deductions from half pay; accounts of paymaster general, regulating.

c. 132. Continuing 54 *G.* 3. *c.* 149.

c. 133. Further powers to commissioners of *Chelsea Hospital*, 123. *pl.* 27—30. Commuting *Kilmainham* pension for money, 123. *pl.* 23. 26. *Greenwich Hospital*, 33. *pl.* 55. 62.

c. 134. Rate of pre-emption by the crown of ore in which there is lead, 514. *pl.* 1—3.

c. 135. Conditions of admitting to entry blubber and train oil of *Newfoundland*.

c. 136. Relief of out-pensioners of *Kilmainham Hospital*.

c. 137. Embezzling property by the poor in workhouses, 1270, 1271. *pl.* 172. 180, 181. 185—186., 1275, 1276. *pl.* 265. 268. 272.

(*July* 6.)

c. 139. Excise duty additional in *Ire.* on spirits made from corn.

c. 140. Assessed taxes, (*Ire.*)

c. 141. Amending *c.* 57., 1386, 1387. *pl.* 36. 48, 49.

c. 142. Auction duties on sheep wool, growth of *U. K. pl.* 1. and (I.)

c. 143. Building and repairing county bridges, (*Eng.*) 95. *pl.* 31. 34. 48, 49.

c. 145. Increasing allowance to post-office in *Ire.* for packets to *G. B.*

c. 146. Regulating trade with any *French* colony which may come into H. M.'s hands or remain neutral.

c. 147. Exchanging parsonages or glebes; purchasing glebes, (*Eng.*) 73, 74. 75., *pl.* 57—66. 68—81.

s. 20. as to certain forms, is REP. by 1 *G.* 4. *c.* 6. *s.* 2.

c. 148. Exchequer bills, *G. B.* 4,500,000*l.* [EXP.]

c. 149. Exchequer bills, *G. B.* 1,500,000*l.* [EXP.]

c. 150. Commissioners of land-tax, [EXP. *comm. semb.*] 444. *pl.* 62.

(*July* 11.)

c. 151. Fines for illegal distillation of spirits, (*Ire.*)

c. 153. Rates of postage of letters to and from *G. B.*, *Cape of Good Hope*, *Mauritius*, and *East Indies*; postage of ship letters, and letters in *G. B.*

c. 154. Quartering soldiers, innkeepers, [EXP.]

c. 155. 4th part of duties in *Scot.* on distillers' wash, &c. [*semb.* EXP.]

c. 156. Transportation, 1541. *pl.* 4.

ss. 2—19. are EXP.

c. 157. Examination of witnesses in courts of equity in *Ire.*; empowering courts of law and equity in *Ire.* to grant commissions for taking affidavits in all parts of *G. B.*, 1593, 1594. *pl.* 9—17.

c. 158. Constables in *Ire.*; additional sums for secure conveyance of prisoners, (*Ire.*)

c. 159. Hackney coaches, 342, 343. *pl.* 87. 90. Licensing additional number of hackney chariots, 344, 345. *pl.* 103. 105. 108—117. Carriages drawn by one horse, licensing, 345. *pl.* 107.

c. 160. Prize money, [*semb.* EXP. (except as to matters arsing out of captures, &c. made in the war; see *s.* 76.)]

c. 161. Regulating assessment and collection of assessed taxes in *Scot.* [EXP. as to property tax.]

c. 162. *Epsom* salt, excise duties and drawbacks on.

55 Geo. 3. A. D. 1815. (*continued.*)

c. 163. Commissioners of customs revoking licences to open boats to go to foreign parts, [*Qu.* Exp.?] 83. *pl.* 24—27.

c. 164. Exonerating foreign spirits imported during suspension of spirit intercourse between *G. B.* and *Ire.*, from additional duties thereon. [*Qu.* Exp.?]

c. 165. Militia, miners, &c. disembodied, pay, &c.; allowances to subalterns, &c. (*G. B.*)

c. 166. Local militia, pay, &c. (*G. B.*)

c. 167. Militia pay, &c.; allowances to subalterns, (*Ire.*)

c. 168. Militias of *G B.* and *Ire.*, amending the laws relating to.

c. 169. Providing for charge of addition to public funded debt of *G. B.*

c. 170. Regulating office of agent general for volunteers and local militia, [Rep. 57 *G.* 3. *c.* 41. *s.* 1.]

c. 171. Seducing H. M.'s forces by sea and land, [Exp.] 1350. *pl.* 8.

c. 172. Support of captured slaves during period of adjudication, 1374, 1375. *pl.* 24. 30. 31. Enlisting slaves; bounty for slaves taken as prize, 1376. *pl.* 51—58.

c. 173. Convoys of trade of *U. K.* during wars with *France*, [Exp.]

c. 174. Cinders or coke carried coastwise not liable to duty if made from pit-coal which paid duty.

c. 175. Continuing 45 *G.* 3. *c.* 128. and 50 *G.* 3. *c.* 110. Coals bringing to *London* by inland navigation.

c. 176. Tiles, making, duty-free, to serve for draining.

c. 177. Preventing frauds in manufacture of sweets.

c. 178. Flax and cotton menufacture in *G. B.* [Exp.] 501. *pl.* 1.

c. 179. Salt duty-free for curing fish in bulk or barrels; repealing allowance of salt duty-free for north seas and *Iceland* fisheries.

c. 180. Continues 46 *G.* 3. *c.* 110.

c. 181. Duty on seeds imported, except oil seeds, [Rep. 59 *G.* 3. *c.* 52. *s.* 1. Tab. A. Inwards, *tit.* "Seed."]

c. 183. Repealing bounties in *Ire.* on export of certain calicoes and cottons.

c. 184. Stamp duties on deeds, law proceedings, and other written or printed instruments; fire insurances, legacies, and successions to personal estate on intestacies in *G. B.*, 1398—1400. Stats. *in force*, *pl.* 1, 2. 5. 9. 13. 16., 1419. *pl.* 100—102., 1401. *pl.* 21. Schedule of duties, 1401—1415. Regulations, &c. 1425. *pl.* 195., 1430—1432. *pl.* 298. 303. 322—335. 337, 338. 340, 341. 343., 1458, 1465. *pl.* 390. 404, 405., 1438. *pl.* 451—455., 1458—1460. *pl.* 587. 609., 1477. *pl.* 860—861.

ss. 4. 6. are Exp.

c. 185. Stamp duties on advertisements, almanacks, newspapers, gold and silver plate, 1466. *pl.* 683. Stage coaches, and licences for keeping them in *G. B.*, 342. *pl.* 84., 1398—1400. *id.* Duties, *pl.* 1, 2. 6. 9. 12. 16, 17., 1401. *pl.* 21., 1421. *pl.* 133., 1426. *pl.* 212., 1463. *pl.* 623. 633—635., 1465. *pl.* 670., 1473—1475. *pl.* 799. 807—823. Schedule, 1415, 1416.

c. 187. Grants from consolidated fund of *G. B.* and *Ire.*; applying monies, and appropriating supplies, [Exp.]

c. 192. Disposition of copyhold estates by will, 147, 148. *pl.* 15—18.

c. 193. Enabling H. M. to regulate the trade with *United States*, [*semb.* Exp.]

(*July* 12.)

c. 194. Regulating practice of apothecaries throughout *Eng.* and *Wa.*, 25, 26. *pl.* 4—33. Appendix, No. XXXIX.

c. 196. Exchequer bills, 6,000,000*l.* for *G. B.* [Exp.]

56 Geo. 3. A. D. 1816.

(*Feb.* 26.)

c. 1. Reviving duties on glass made in *G. B.*

c. 2. Cochineal and indigo, free import.

56 Geo. 3. A.D. 1816. (*continued.*)

(*March* 4.)

c. 3. Malt, &c. duties, (*G. B.*); pensions, &c. (*Eng.*), [Exp.]

c. 4. Exchequer bills (*G. B.*), raising 11,000,000*l.* by, [Exp.]

c. 5. Conditional pardons to persons under sentences of naval courts martial, and regulating imprisonment under them, 1214. *pl.* 10. 12. 18., 1215. *pl.* 19, 20.

(*March* 22.)

c. 6. Spiritual persons holding farms, residence, &c. (*Eng.*), [Exp.] 1388. *pl.* 32.

c. 7. Advances by bank of *Eng.* [Exp.]

c. 8. Trade to and from *Cape of Good Hope*, [Exp.]

c. 9. Duties on foreign packets entering the ports of *G. B.*

c. 10. Mutiny, [Exp.]

c. 11. Marines, [Exp.]

(*April* 11.)

c. 14. Advances by the bank of *Eng.* towards supply for 1816, [Exp.]

c. 15. Convention of commerce between H. M. and the *United States*, [Rep. 59 *G.* 3. *c.* 54. *s.* 1.] 1559. *pl.* 10.

c. 16. Receivers of crown rents, regulating offices, 181, 182. *pl.* 142—159., Appendix, No. XL.

c. 17. Excise duties in *G. B.*

c. 18. Duty on lead exported from *G. B.*, [Exp.]

c. 19. Double refined sugar exported, additional duty.

c. 20. Execution of several acts relating to revenues under management of commissioners of customs, &c. and of excise, &c. in *Ire.*

c. 21. [Con. to *May* 1. 1825., being 2 years after expiration of restriction on payments in cash by bank of *Eng.*] Small notes and bills, negociation of, restrained in *Eng.*, 77. *pl.* 13.

c. 22. *Napoleon Bonaparte*, detaining in custody, [Exp.] 1396.

c. 23. Intercourse with *St. Helena* during *Bonaparte*'s detention, [Exp.] 1396.

(*April* 30.)

c. 25. Butter, import duties [*semb.* Rep. 59 *G.* 3. *c.* 52. *s.* 1.]

c. 26. Cheese, duties on importation.

c. 27. Transportation of offenders, [Exp. *May* 1. 1821.] 1542, 1543. *pl.* 23—40.

s. 2. is Exp.

(*May* 21.)

c. 28. Exchequer bills (8,000,000*l.*), [Exp.]

c. 29. War duties of customs, [*semb.* Rep. 59 *G.* 3. *c.* 52. *c.* 1.] Charging loans.

c. 30. Indemnifying commissioners of excise in *Scot.* for acts done respecting distilleries in *Scot.*

c. 31. Transferring contracts and securities made with and to the commissioners for transports to the commissioners of navy and victualling.

c. 32. Innkeepers, quartering soldiers, [Exp.]

c. 33. Indemnity, offices, [Exp.]

c. 34. Duty on ready made corks imported into *G. B.*, [Rep. 59 *G.* 3. *c.* 52. *s.* 1.; and see table (A) inwards "Corks."]

c. 35. Collection of tonnage-duty on ships inwards; lords of treasury regulating hours of officers' attendance in port of *London*; permitting ships to lade with coals before delivery of fitters' certificates.

c. 36. Repeals 3 *Ed.* 4. *c.* 4., 1 *R.* 3. *c.* 12.

c. 37. Import of prunes, produce of *Germany*, permitted.

c. 38. Ballot for local militia, suspending.

c. 39. Reducing number of days of exercise of yeomanry, &c. cavalry.

c. 40. Bank of *Eng.* restrictions on cash payments continued, (lastly by 59 *G.* 3. *c.* 49. *s.* 1. till *May* 1. 1823.) 51. *pl.* 78.

c. 41. Treasury bills for service of *Ire.* (2,470,000*l. Irish*), [Exp.]

c. 42. Treasury bills for service of *Ire.* (1,700,000*l. British*), [Exp.]

56 *Geo.* 3. A.D. 1816. (*continued.*)

(*May* 31.)

c. 43. Allowances of duties payable on malt and beer.

c. 44. Excise duties; allowances and drawbacks on hard soap made in *G. B.* and imported from *Ire.*

c. 45. Local militia pay, *&c.* (*G. B.*), [Exp.]

(*June* 20.)

c. 46. Civil list, regulation, 171. *pl.* 65., 1354. *pl.* 11.

s. 13. laying excesses of civil list annually before parliament, is Rep. by 59 *G.* 3. *c.* 22. *s.* 10.

Schedule is virtually Rep. by 1 *G.* 4. *c.* 1. *Schedule.*

c. 47. Treasury bills, *Ire.* (1,200,000*l. Irish.*) [Exp.]

c. 48. Bank of *Ire.* restrictions, [Con. till *June* 1. 1823. by 59 *G.* 3. *c.* 99. *s.* 1.]

c. 49. Assessing, collecting, &c. county rates, 157. *pl.* 1., 159. *pl.* 29., 161. *pl.* 58—62.

s. 5. is Rep. by 57 *G.* 3. *c.* 94. *s.* 1.

c. 50. Sale of farming stock taken in execution, 240, 241, *pl.* 19—30.

c. 51. Convention between H.M. and *United States*, [Rep. 59 *G.* 3. *c.* 54. *s.* 1.] 1559. *pl.* 10.

c. 52. Spiritual persons exchanging parsonages or glebes (*Eng.*), 73. *pl.* 57., 74. *pl.* 67. 77.

c. 53. Commissioners for reducing national debt; granting annuities.

c. 54. Exchequer bills (*G. B.*) 13,000,000*l.*, [Exp.]

c. 55. Inland navigation (*Ire.*)

c. 56. Stamp-duties (*Ire.*)

s. 1. as to giving bond, is Rep. by 1 *G.* 4. *c.* 7. *s.* 1.

c. 57. Assessed taxes (*Ire.*), [Rep. (except *s.* 1.) 58 *G.* 3. *c.* 54. *s.* 1.]

c 58. Colouring for porter, 69. Stats. *Rep. &c. pl.* 2., 70, 71. *pl.* 33—37.

s. 5. is Exp.

c. 59. Malt made in *Ire.*, excise duty on reduced, with drawbacks, &c.

c. 60. Transferring dividends, lottery-prizes, &c. unclaimed for at least 10 years, to commissioners for reduction of national debt, 1480, 1481. *pl.* 35—42.

c. 61. Lotteries, [Exp.] 497. *pl.* 7.

(*June* 22.)

c. 63. *Milbank* penitentiary for convicts regulated, 1239, 1240. *pl.* 4—11. 15—39.

s. 7. is Rep. by 59 *G.* 3. *c.* 136. *s.* 4.

s. 22. is Rep. by *id. s.* 5.

s. 29. is Rep. by *id. s.* 6.

ss. 35, 36. are Rep. by *id. ss* 7, 8.

s. 40. is Rep. by *id. s.* 9.

s. 43. is Rep. by *id. s.* 10.

s. 51. is Exp.

c. 64. Militia (*G. B.*)

c. 65. Continuing property-tax acts as to arrears thereof unpaid (*G. B.*)

c. 66. Assessed taxes, allowance of in respect of children repealed (*G. B.*); husbandry horses, 1509, 1510. *pl.* 198. 200, 201. 205—208.

s. 6. exemption of mules, &c. carrying ore, &c. from tax is virtually Rep. by 59 *G.* 3. *c.* 13. *s.* 6.

s. 7. breeding-mares exemption, is virtually Rep. by 59 *G.* 3. *c.* 13. *s.* 6.

ss. 1—10. and *s.* 12. husbandry horse reduced duty, *semb.* Exp. *April* 5. 1821.

s. 12. hackney-coach assessment for current year, *semb.* Exp.

c. 67. Soldiers, marines, and seamen exercising trades, 1270. *pl.* 18—22.

c. 68. New silver coinage; currency of gold and silver coin regulated, 140. *pl.* 122. 124—126. 128., 140, 141. *pl.* 138—142.

ss. 5, 6. calling in old silver coin, are Exp.

c. 69. Madder, customs duties (*G. B.*), [Rep. 59 *G.* 3. *c.* 52. *s.* 1.]

56 *Geo.* 3. A.D. 1816. (*continued.*)

c. 70. National debt of *Ire.*, redemption.

c. 71. Crown, quit, and composition rents, &c., discharging arrears of (*Ire.*), [Con. till *Mar.* 25. 1821.] 174. *pl.* 8.

c. 72. Billeting and subjecting yeomanry, &c. to discipline in *Ire.*

c. 73. Evidence necessary to conviction of offenders stealing property from mines, 515. *pl.* 25, 26.

(*June* 24.)

c. 75. Duties on cole and rape seed imported into *U. K.* [*semb.* Rep. 59 *G.* 3. *c.* 52. *s.* 1.]

c. 76. Refined sugar, bounties on export.

c. 77. Certain duties imposed by 55 *G.* 3. *c.* 57. repealed, 1386—1387. *pl.* 36. 41—43.

c. 78. Duties on paper in *Ire.*, collection.

(*June* 25.)

c. 79. Duties of customs on certain imports into *G. B.*, [Rep. 59 *G.* 3. *c.* 52. *s.* 1.]

c. 80. Granting certificates of stores or goods sold at foreign stations, 1486. *pl.* 90, 91.

c. 81. Period of delivering in accounts by oil of vitriol manufacturers, altered.

c. 82. Judicial acts of surrogates of vice admiralty courts made valid during vacancies of judges' offices thereof, 11. Admiralty, *pl.* 1. and *pl.* 9.

c. 83. Conveying passengers to and from *Newfoundland* and *Labrador*, regulating, 237, 238. *pl.* 31—42.

c. 85. Seizures by revenue officers in *Ire.*; import into *Ire.* of *American* staves, and of old plate and books from *G. B.*

(*June* 26.)

c. 86. Regulations concerning aliens, [Con. till 26*th June*, 1822. *See* 58 *G.* 3. *c.* 96. and 1 *G.* 4. *c.* 105.] 21, 22. *pl.* 47—70. Appendix, No. XLI.

c. 87. Proceedings of grand juries in *Ire.* on bills of indictment.

c. 88. Recovery of tenements from absconding, overholding and defaulting tenants; protecting tenant from undue distress, (*Ire.*)

c. 89. Charge of certain additions to public debt of *Ire.*, providing for, [Exp.]

c. 90. Militia pay, allowances, &c. (*G. B.*), [Exp.]

c. 91. Trade of *Demerara*, *Berbice* and *Essequibo*, regulated.

c. 92. Exporting mint machinery to *United States*, [Exp.] 515. *pl.* 3.

c. 93. Enabling customs officers in *G. B.* to take entries of ships and goods arriving from and bound to *Ire.*

c. 94. Makers of oxygenated muriatic acid, or oxymuriate of lime, for bleaching linen and cotton, may take rock salt duty-free.

c. 96. Advance of 3,000,000*l.* by bank of *Eng.* for service of 1816.

c. 97. Advancing for public service a proportion of certain balances from time to time remaining in bank of *Eng.*

(*July* 1.)

c. 98. Consolidating all public revenues of *G. B.* and *Ire.*, and for applying the same to the general service of *U. K.*; powers of treasury, 1323, 1324. *pl.* 44—58. 60—68. Accounts, public, 5, 6. *pl.* 110, 111. and 113.

s. 12. latter part, is Rep. by 57 *G.* 3. *c.* 48. *s.* 1.

s. 7. is Exp.

c. 99. Vesting *Elgin* collection of marbles in trustees of *British* museum.

c. 100. Securing liberty of subject; issuing *habeas corpus* in vacation, 388—389. *pl.* 26—32.

c. 101. Officers of navy drawing for half-pay; payments making, transferring duty of.

c. 102. Insolvent debtors, (*Eng.*) [Exp.] 388. *pl.* 16.

c. 103. Excise duties on paper, &c. securing, (*G. B.*)

c. 104. Smuggling; licensing luggers employed in *North Sea* fishery; exporters of exciseable goods on drawback shall give notice of drawback.

56 Geo. 3. A. D. 1816. (continued.)

c. 105. Trade in spirits between *G. B.* and *Ire.* reciprocally.
c. 106. Duties on wash, spirits and distillers' licenses; distillery regulations, (*Scot.*)
c. 107. Stamp duties on inventories recorded in commissary courts in *Scot.*, 1398, 1399. *pl.* 1., 1475. *pl.* 833.
c. 108. Excise drawbacks and countervailing duties on beer and malt repealed; drawbacks on plate glass, altering.
c. 109. 46 *G.* 3. *c.* 110. continued.
c. 110. Regulating trades of tanners and curriers, (*G. B.*) 351—352. *pl.* 37. 40.
c. 111. Spirits and spirit retail licences, regulating, (*Ire.*)
c. 112. Fines for illicit distillation, (*Ire.*)
c. 113 Duties on licences to retail ale, &c. and spirits, in *G. B.*, 19. *pl.* 120—125.
s. 6. is Exp.
c. 114. Regulating conveyance of passengers from *U. K.* to *United States* in *British* vessels, 230. *pl.* 2., 231. *pl.* 16.
c. 116. Compensations for abolition of gaol fees, 1292, 1293. *pl.* 235. 242—245. 251, 252.
c. 117. Removing offenders becoming insane during confinement to lunatic asylum, 375. *pl*, 45. 50.
c. 118. Oil and blubber, import from *British North American* colonies.
c. 119. Mutiny; transportation, [Exp.] 1543. *pl.* 42, 43.
c. 120. For procuring annual returns of persons committed, tried, and convicted for criminal offences in *Ire.*, 537. *pl.* 43——45. 47.
c. 121. Militia, pay, clothing, allowances to subalterns, &c. (*Ire.*)
c. 122. Securing for a limited time the profits of the office of clerk of pleas of *Irish* exchequer, [Con. till end of 1821 session, 59 *G.* 3. *c.* 93. Exp.]
c. 123. Spiritual persons holding farms, residence, (*Eng.*) [Exp.] 1388. *pl.* 32.
c. 124. Coals to *London* by inland navigation; continuing 45 *G.* 3. *c.* 128. and 50 *G.* 3. *c.* 110.
c. 125. Damaging buildings and engines used in mines or works used in conveying and shipping coals, 515. *pl.* 27—31.
c. 126. Insolvent debtors, (*Ire.*) [Exp.]
c. 127. Small coals, export from *G. B.*, reduced duty.
c. 129. Repeals (*s.* 1.) certain provisoes in local poor acts passed since 1 *G.* 1., 1261. *pl.* 23, 24. Chaining sane poor in workhouses unlawful, 1275, *pl.* 265. 267.
c. 130. Going armed in the night to kill game, [Rep. (except *s.* 1. *comm. semb.*) 57 *G.* 3. *c.* 90. *s.* 4.] 309. *pl.* 19.
c. 131. Continuing 52 *G.* 3. *c.* 17., watch and ward, 1579. *pl.* 8.
c. 133. Defraying annual charge of any loan of this session.
c. 134. Drawback of duty on coals consumed in mines in *Devon* and *Cornwall*.

(*July* 2.)

c. 137. Delivery of goods to bankrupt without having knowledge of his bankruptcy, 58. *pl.* 8., 59. *pl.* 39, 40.
c. 138. Abolishing pillory, except for perjury, or subornation thereof, 1243. Pillory.
c. 139. Binding of parish apprentices regulated, 28. *pl.* 32. 29., *pl.* 48, 49., 31, 32. *pl.* 93—109.
c. 140. Establishing the use of *Sikes*'s instead of *Clarke*'s hydrometer in ascertaining strength of spirits, [Rep. 58 *G.* 3. *c.* 58. *s.* 1.]
c. 141. Ecclesiastical corporate bodies alienating lands for enlarging burying grounds, 125, 126. *pl.* 35—40.
c. 142. Grants from consolidated fund of *G. B.*, &c. &c. Appropriating supplies.

57 Geo. 3. A. D. 1817.

(*Feb.* 24.)

c. 1. Trade to and from *Cape of Good Hope*; trade of *Mauritius*.
s. 1. is Exp.
c. 2. Exchequer bills, 24,000,000*l.* [Exp.]

57 Geo. 3. A. D. 1817. (continued.)

(*March* 4.)

c. 3. Securing suspected persons; *habeas corpus* act, suspending, [Rep. 58 *G.* 3. *c.* 1.] 480. *pl.* 1.
c. 4. Extending privileges of trade of *Malta* to port of *Gibraltar*.
c. 5. Malt, &c. duties, (*G. B.*) Pensions, &c. duties, (*Eng.*) Contributions of Prince Regent, pensioners and officers, [Exp.]

(*March* 17.)

c. 6. Preservation of the sovereign's person; treason, 1544. *pl.* 23.
ss. 2—4. are Exp.
c. 7. Seducing H. M's forces in *U. K.* 1350. *pl.* 8. [Exp.]
c. 8. Continuing 52 *G.* 3. *c.* 149.
c. 9. Vesting estates occupied for barrack service in comptroller of barrack department, 68. *pl.* 15—27.
c. 10. Vessels carrying passengers from *U. K.* to *British North American* colonies, regulated 233. *pl.* 43—52.
c. 11. Progress of business in K. B. in *Westminster* hall, facilitated, 48. *pl.* 22, 23.

(*March* 21.)

c. 12. Mutiny, [Exp.]
c. 13. Marines, [Exp.]
c. 14. Indemnity, offices; clerks' indentures, &c. [Exp.]
c. 15. Continuing 40 *G.* 3. *c.* 110.

(*March* 29.)

c. 16. Exchequer bills, 18,000,000*l.* [Exp.]
c. 17. Taking away pre-emption of naval stores from navy commismissioners, [Con. during peace.] 1481. Stats. *Rep. pl.* 2.
c. 18. Hearing equity suits in exchequer in *Eng.* 172. *pl.* 74—77.

(*March* 31.)

c. 19. Seditious meetings, preventing, (*G. B.*) 36. Stats. *in force*, *pl.* 1. 4., 37, 38. *pl.* 17. 24—39. Appx. No. XLII.
ss. 1—22. (*see s.* 22.) 40. are Exp.
c. 20. Regulations as to pay of naval officers.

(*April* 29.)

c. 21. Continues 47 *G.* 3. *St.* 2. *c.* 54., 50 *G.* 3. *c.* 109. Arms (*Ire.*)
c. 22. Amending police acts in *Ire.*
c. 23. Continues 7 *G.* 2. *c.* 18. Free import of cochineal and indigo.

(*May* 23.)

c. 25. Assessed taxes, exemptions of dwelling houses used only for trade or lodging goods, 1501. *pl.* 167—170. Of cheese, &c. rooms, 1500. *pl.* 160.
s. 3. is Exp.
c. 26. Grant of annuities by commissioners for reducing national debt.
c. 27. Buck wheat imported, duties, [Rep. 59 *G.* 3. *c.* 52. *s.* 1.]
c. 28. *Bermudas* imports and exports.
c. 29. *Newfoundland*, imports and exports of *European* goods.
c. 30. Navy victualling and transport bills, interests and periods of payment.
c. 31. Lotteries, 497. *pl.* 7. [Exp.]

(*June* 16.)

c. 32. Stone bottles, excise duties on.
c. 33. Reducing allowance of spirits, and tobacco for use of seamen on board ships making short voyages.
c. 34. Issue of exchequer bills, &c. for carrying on public works and fisheries in *U. K.* and employment of poor in *G. B.*

(*June* 20.)

c. 35. Mutiny, [Exp.]
c. 36. Trade from places within *East India* company's limits with *Malta* and *Gibraltar*, 224. *pl.* 576—588.
c. 37. Exemptions from turnpike tolls, 1558. *pl.* 111, 112.
c. 38. Continuing 52 *G.* 3. *c.* 17. watch and ward, 1579. *pl.* 8.
c. 39. Charity and friendly societies, 1480. *pl.* 22. 30.
c. 40. Rewarding customs officers for preventing illicit distillation in *Scot.*
c. 41. Transferring duties of agent general for volunteers, &c. to offices of paymaster general and secretary at war.

57 Geo. 3. A. D. 1817. (*continued.*)

(*June* 27.)

c. 42. Export of salt from *Bahamas*.

c. 43. Bounties on sugar refined otherwise than by claying.

c. 44. Billeting yeomanry when assembled for suppressing riots; officers on half-pay allowed to serve therein; exempting members of the corps from serving as constables.

c. 45. Offices held during pleasure shall continue to be so held on demise of *G.* 3., [Exp.] 557. *pl.* 6.

c. 46. Preventing issue of copper or mixed metal tokens, 1539, 1540, *pl.* 1. 6—24. Exception in favour of *Sheffield* penny tokens (till 25th *March* 1823.)

ss. 6—8. Exp.

c. 48. For adjusting accounts of consolidated fund of *U. K.* 1323, 1324. *pl.* 45. 56. 59. 69, 70. Making good occasional deficiences therein; application of monies by commissioners for reducing national debt; accounts, public, laying before parliament, 6. *pl.* 112.

c. 49. Excise laws of salt and rock salt, 1331. *pl.* 9—10.

ss. 46—48. are Exp.

c. 50. Preserving public peace in *Ire.* [Exp.]

c. 51. Celebration of marriages in *Newfoundland*, regulated, 510. *pl.* 38.

c. 52. Extending remedies in 11 *G.* 2. *c.* 19. *s.* 16., to tenants in arrear for *half* instead of a *whole* year's rent, 439. *pl.* 16., 441. *pl.* 46.

c. 53. Punishment of murders and manslaughters in foreign parts, 365. *pl.* 38. 40. 43.

(*June* 30.)

c. 55. Suspending *habeas corpus*; detaining suspected persons, [Rep. 38 *G.* 3. *c.* 1.] 480. *pl.* 1.

c. 56. Forfeited recognizances, (*Ire.*)

ss. 36, 37. are Exp.

c. 57. Suspending training, and regulating *quotas* of militia.

c. 58. Exports to *United States*, [Rep. 59 *G.* 3. *c.* 54. *s.* 1.] 1559. Stats. *Rep. pl.* 11.

c. 59. Farming and recovery of post-horse duties, 1398, 1399. Stats. *in force*, *pl.* 1., 1466. *pl.* 684., 1469—1471. *pl.* 748—766. 768., 1472, 1473. *pl.* 790. 792—798.

c. 60. Exchequer offices in *Eng.*, regulated, 172. *pl.* 78—80.

(*July* 7.)

c. 61. Offices of wardens, chief justices, and justices in eyre north and south of *Trent*, abolished.

c. 62. Offices abolishing in *Ire.*

c. 63. Offices of clerks of signet and privy seal regulated, 541. *pl.* 77—82.

s. 3. is Exp.

c. 64. Abolishing certain offices, and regulating others in *Scot.*

c. 65. Recompensing services of persons in high and efficient civil offices, 541. *pl.* 83—92.

c. 66. Salary of 2000*l.* to vice-president of board of trade; enabling him to send and receive letters postage free, 542. *pl.* 93, 94.

c. 67. Offices in mints in *Eng.* and *Scot.*, regulating and abolishing, 516. *pl.* 10—14.

c. 68. Sheriffs in *Ire.*

c. 69. *Irish* fisheries, [Exp.]

c. 70. Relieving impugners of *Trinity* from penalties in *Ire.*, 524. *pl.* 1., 527. *pl.* 46.

c. 71. Prisons, (*Ire.*)

c. 72. Reciprocal trade in spirits between *G. B.* and *Ire.*

c. 73. Woollen or bay yarn, export from *Ire.* by licence obtained there.

c. 74. Imports and exports, *Jamaica* and *Barbadoes*.

c. 75. Whipping female offenders, [Rep. 1 *G.* 4. *c.* 57. *s.* 1.] 1594. Stats. *Rep. &c. pl.* 2.

57 Geo. 3. A. D. 1817. (*continued.*)

c. 76. Drawback on paper to *Scotch* universities.

c. 77. Army prize-money, payment, suspending pensions for frauds.

c. 78. Innkeepers quartering soldiers, [Exp.]

c. 79. Transfer from certain stocks in *G. B.* to others in *Ire.*

(*July* 10.)

c. 80. Exchequer bills, 9,000.000*l.* [Exp.]

c. 81. Treasury bills, (*Ire.*) [Exp.]

c. 82. Annuities, (*Ire.*) [Exp.]

c. 83. Charge of additions to public debt of *Ire.*

c. 84. Offices of H. M.'s exchequer in *Eng.* and *Ire.* regulated.

c. 85. Import of corn; entering for home consumption corn, &c. warehoused for exportation; indemnity, [Exp.]

c. 86. Foreign cambrick, &c. imported into *Ire.*, same duties as in *G. B.*

c. 87. Preventing smuggling.

c. 88. Fullers' earth and pipe-clay, carrying coastwise, (*G. B.*) 1602, 1603. *pl.* 102. 108., 1608. *pl.* 180.

c. 89. Oranges and lemons, import from *Azores*, into *British North American* colonies.

c. 90. Preventing persons going armed by night for destruction of game, 319. *pl.* 206—209.

c. 91. Fees of clerks of peace in *Eng.* and *Wa.*, settled by quarter sessions, 132, 133. *pl.* 11—13.

c. 92. Oaths administering to military and naval officers, 534. *pl.* 101—103.

c. 93. Regulating costs of distresses levied for payment of small rents, 441. *pl.* 53—60.

c. 94. County rates assessment, 157. *pl.* 1., 160. *pl.* 42. 46. 48.

s. 95. Exempting territories within *East India* company's charter, from certain navigation laws, 224. *pl.* 589—593.

c. 96. Coals, &c. removed coastwise within *Wa.*, duties.

c. 97. Land revenues of crown, 182, 183. *pl.* 160—172. Appendix, No. XLIII.

c. 99. Consolidation of laws relating to spiritual persons holding farms; enforcing residence of spiritual persons on their benefices; stipendiary curates' support, in *Eng.*, 1390—1396. *pl.* 89—173.

ss. 36. 78. 88. are Exp.

c. 100. [*s.* 26. is Con. to 10th *July* 1822, except as to persons under legal disability.] Exonerating small livings and charitable institutions from land-tax, 453. *pl.* 155. 158—161. Land-tax redemption, 453. Stats. *in force*, *pl.* 1., 462. *pl.* 100—105., 133, 134., 466. *pl.* 154—157., 472. *pl.* 242, 243., 475. *pl.* 280—286.

s. 2—5. 8. are Exp.

(*June* 11.)

c. 101. Continuing 51 *G.* 3. *c.* 124. to the end of session after 1st *Nov.* 1823. Arrests.

c. 102. Militia, pay allowances, &c. (*G. B.*) [Exp.]

c. 103. Militia, pay &c. allowances, (*Ire.*) [Exp.]

c. 104. Reducing number of sergeants, corporals, and drummers in militia of *Ire.*

c. 105. Banks for savings, (*Ire.*)

c. 106. Lunatic asylums in *Ire.*

c. 107. Roads and public works (*Ire.*) [Rep. 58 *G.* 3. *c.* 67. *s.* 1.]

c. 108. Tolls, levying at fairs, ports, &c. in *Ire.*, regulating.

c. 109. Alnage abolished, (*Ire.*) 46. Stat. *in force*.

c. 110. Duties on spirits distilled in *Ire.*; collecting, &c.

c. 111. Duties on sweets, suspending, (*G. B.*) [*semb.* Exp.]

c. 112. Application of money wanted for services in victualling department.

c. 113. Preventing further circulation of bank of *Eng.* dollars and tokens, [virtually Rep. 57 *G.* 3. *c.* 113.] 1539, 1540. Stats. *Rep.*, *pl.* 1. 26, 27.

c. 114. Continuing 45 *G.* 3. *c.* 128. and 50 *G.* 3. *c.* 110., coals to *London*, &c. by inland navigation.

57 Geo. 3. A. D. 1817. (*continued.*)

c. 115. Payment of wages in money to labourers in steel, 184. *pl.* 3. 5., 501. *pl.* 8.

c. 116. Removal of warehoused goods for export; hours of shipping goods in port of *London*; customs officers authorized to allow removal of goods from one bonding warehouse to another in the same port.

c. 117. Extents in aid issuing regulated, (*semb. G. B.*) 244. *pl.* 24—30.

c. 118. Executors of deceased licensed navy agents, empowered to receive prize, &c. monies on orders given to the deceased agents.

c. 119. *British* and *Irish* stone blacking bottles exempted from the excise duties, in *c.* 32.

c. 120. *East India* company, extraordinary allowances to owners of ships in company's service, 228. *pl.* 672.

c. 121. Payments to treasurer of navy under heads of "Old stores and imprests." [Rep. 1 & 2 *G.* 4. *c.* 74. *s.* 1.]

c. 122. Payment of colliers' wages in *money*, *pl.* 42—44., 501. *pl.* 8.

c. 123. Spirits, excise duties (*Eng.*); shipment of rum, (*G. B.*)
s. 11. is Rep. by 1 *G.* 4. *c.* 76. restraining sale of other than *British* spirits.

c. 124. Amending *c.* 34.

c. 125. Driving hackney coach or chariot under same licence, 344. *pl.* 118—121.

c. 126. Frame breaking, [Exp. 1st *Aug.* 1820.] 298. *pl.* 1.

c. 127. Settling shares of prize and bounty money, and admiralty droits belonging to *Greenwich* hospital; securing to it unclaimed shares of vessels derelict and seizures for breach of revenue, &c. laws, 333, 334. *pl.* 81. 86. Personating seamen, 1349. *pl.* 135.

c. 128. Exemption from house tax, (*Scot.*)

(*June* 12.)

c. 130. Savings banks establishment, (*Eng.*) 54. *pl.* 1—5. 7, 8. 10—24. 26, 27. 29. 31.
ss. 11, 12. are Rep. as to the proviso by 1 *G.* 4. *c.* 83. *s.* 1.

c. 131. Elections of M. P.s (*Ire.*) [Rep. 60 *G.* 3. and 1 *G.* 4. *c.* 11. *s.* 1.] 404. *pl.* 86.

c. 132. Applying monies for service of 1817, appropriating supplies, [Exp.]

58 Geo. 3. A. D. 1818.

c. 1. (*Jan.* 31.) Repealing 57 *G.* 3. *c.* 3. *and c.* 55. 480. *pl.* 1.

c. 2. (*Feb.* 18.) Roads and public works in *Ire.* [Exp.]

(*Feb.* 23.)

c. 3. Malt duties, &c. (*G. B.*) pensions, &c. duties, (*Eng.*) [Exp.]

c. 4. Exchequer bills, 30,000,000*l.* [Exp.]

(*March.* 27.)

c. 5. Indemnity, offices, &c., clerks indentures, &c. filing, [Exp.]

c. 6. Indemnity for imprisoning persons suspected of treason, &c. 383. *pl.* 3.

c. 7. Imports and exports in foreign bottoms to and from *West Indies.*

c. 8. *Kilmainham* hospital; suspending or taking pensions for frauds; indemnity for advising.

c. 9. Duties on madder imported into *G. B.* [Rep. 59 *G.* 3. *c.* 52. *s.* 1.]

c. 10. Rectifying mistake in 55 *G.* 3. *c.* 108. indemnity, [Exp.]

c. 11. Mutiny, [Exp.]

(*March* 19.)

c. 13. *Aqua vitæ*, duties on licences for retailing in *Scot.*

c. 14. Circulation of bank of *Eng.* dollars and tokens, [Exp.] 1540. *pl.* 28.

c. 15. Oath by masters, &c. of *Greenland* fishery vessels, [Exp.] 291. *pl.* 371.

58 Geo. 3. A. D. 1818. (*continued.*)

(*May* 8.)

c. 16. [*Semb.* Rep. 1 & 2 *G.* 4. *c.* 110. as to reduced duties on husbandry horses,] 1509. *pl.* 198. 200. 202.; on 4-wheel carriages, 1505. *pl.* 183, 184.

c. 17. Duties on certain 4-wheel carriages, (*G. B.*)
s. 4. is Exp.

c. 18. Corks import into *Ire.*, duties. [Rep. 59 *G.* 3. *c.* 52. *s.* 1. and see *table* (A.) Inwards, "Corks."]

c. 19. Imports into ports appointed by H. M. within *Nova Scotia* and *New Brunswick.*

c. 20. Longitude, and north-west passage, discovery, 495—496. *pl.* 1—13.

c. 21. Glass duties, (*G. B.*); smalts, making prohibited within a mile of glass houses, &c.

c. 22. Innkeepers quartering soldiers, [Exp.]

c. 23. Raising 3,000,000*l.* by transfer of certain 3 *per cents* into other annuities at 3½ *per cents*; paying off exchequer bills.

(*May* 23.)

c. 26. Reciprocal trade in spirits between *G. B.* and *Ire.*

c. 27. Imports into *West Indies* and *South America.*

c. 28. Ascertaining strength of spirits by *Sikes's* hydrometer.

c. 29. Payment for fees for pardons under great seal, 1215. *pl.* 21, 22.

c. 30. Preventing frivolous actions of assault and slander, 172. *pl.* 8—10.

c. 31. Court houses, &c. building, *Ire.*

c. 32. Salaries of chaplains in houses of correction, 1289. *pl.* 166. 174.

c. 33. Broken plate glass allowance; exempting manufacturers of drop pinchers only from taking out glass-makers' licences.

c. 34. Bounties on export of refined sugar; reducing size of its packages for export.

(*May* 28.)

c. 36. Treaty with *Spain* for preventing slave-trade, 1377, 1378. *pl.* 74—88.

c. 37. Continuing bank of *Eng.* restriction, (last Con. by 59 *G.* 3. *c.* 49. *s.* 1. till 1*st May* 1823), [Exp.] 51. *pl.* 78.

c. 38. Relief of sea-faring men, subjects of *U. K.* in foreign parts, 1251, 1252. *pl.* 11. 30., 1342. *pl.* 6., 1347. *pl.* 107—109.

c. 39. Amending 56 *G.* 3. *c.* 88., landlord and tenant, *Ire.*

c. 40. Yeomanry corps, (*Ire.*)

c. 41. Paper duties, collecting in (*Ire.*); drawback on paper used in *Trinity College* press.

c. 43. Salmon, &c. preservation of, in rivers of *Eng.*, 286. *pl.* 283. 298.

(*May* 30.)

c. 45. Building additional churches in populous parishes, 126. *pl.* 42—57. 59. 61., 127. *pl.* 65. 68—70. 74—85., 128. *pl.* 86. 90, 91. 94. 96—101., 129. *pl.* 102—118., 130. *pl.* 119—122. 126. 129.—133., 131. *pl.* 134. 140—143. 145—151., 132. *pl.* 155, 156. 163—165.
s. 60. is Rep. by 59 *G.* 2. *c.* 134, *s.* 24.
s. 86. is Exp.

c. 46. Relief of persons entitled to entailed estates to be purchased with trust monies in *Ire.*

c. 47. Fever hospitals; preventing infection, (*Ire.*)

c. 48. Savings bank, *Eng.*, 54. *pl.* 6., 55. *pl.* 30., 56. *pl.* 32—38.
ss. 3—12. *comm. semb.* are Rep. by 1 *G.* 4. *c.* 83. *s.* 1. Appendix, No. XLIV.

c. 49. Abolition of slave trade, 1377. *pl.* 59—62.

c. 50. Wash, spirits, and distillers' licences duties, *Scot.*; distillation from corn for home consumption in *Scot.*

c. 51. Bank of *Eng.*, or licensed bankers' notes may be accepted as wages of workmen, 504. *pl.* 43—49. Wool, &c. 1600. *pl.* 52, 53.; application of forfeitures.

c. 52. Watch and ward, 52 *G.* 3. *c.* 17., continued 1579. *pl.* 8.

c. 54. Assessed taxes, (*Ire.*)

58 Geo. 3. A.D. 1818. (*continued.*)

(*June* 1.)

c. 55. Madder, import duties, *G. B.*, [Rep. 59 *G.* 3. *c.* 52. *s.* 1.]

c. 56. Silk mercers of *G. B.*, bounty on export.

c. 57. Amends 55 *G.* 3. *c.* 19., (*Ire.*)

c. 58. Militia pay allowances, &c., *G. B.*, [Exp.]

c. 59. Militia, (*Ire.*) pay, &c. allowances to subalterns, [Exp.]

c. 60. Bank of *Ire.* restrictions on cash payments continued till 1*st June* 1823, by 59 *G.* 3. *c.* 99. *s.* 1.

c. 62. Coals, to *London*, &c. by inland navigation, continuing 45 *G.* 3. *c.* 128., and 50 *G.* 3. *c.* 110.

(*June* 3.)

c. 63. Import of tobacco.

c. 64. Navy prize money, 1295—1302. *pl.* 10. 18. 56—61.; *Schedules*, *pl.* 105. (*ss.* 8, 9.) *Greenwich* hospital, payment of out-pensioners, Addenda, tit. Greenwich Hospital.

ss. 10, 11. payment of prize money to *Russian* seamen.

c. 65. Excise duties on verjuice, vinegar, or acetous acid.

c. 66. Authority of commissioners for reducing national debt.

c. 67. Roads and public works in *Ire.*, [Rep. (except *s.* 1.) 59 *G.* 3. *c.* 84. *s.* 39.]

c. 68. Stealing privily from the person made clergyable, but transportable, 249. *pl.* 91, 92.

c. 69. Parish vestries regulations, 1566, 1567. *pl.* 1—11.

c. 70. Repealing parts of several acts which allow rewards on convictions for highway robbery and other offences; facilitating means of prosecuting persons charged therewith, 247—250. *pl.* 52. 57. 65. 67. 95—103.; disorderly houses, 188. *pl.* 4.

(*June* 5.)

c. 73. Regimental debts, regulating payment and distribution of effects of officers and soldiers dying in service, and receipts of sums due to soldiers.

c. 74. Regulation of pensions of *Chelsea* and *Kilmainham*, 122, 123. *pl.* 1. 7—10.

c. 75. Against buying or selling game, 314. *pl.* 104—107.

c. 76. Arresting foreigners smuggling within one league of H. M.'s dominions; officers' rewards; entry of tea imported.

c. 77. Duty on rock-salt delivered for feeding cattle, 1331, 1332. *pl.* 11—16.

c. 78. Malt duties; brewers, (*Ire.*)

c. 79. Auctions, duties, (*Ire.*)

s. 9. is Exp.

c. 80. Amends 57 *G.* 3. *c.* 79.

c. 81. Executors under 21 years old, 243. *pl.* 43. 49. 50. Celebration of marriage in *facie ecclesiæ*, 508, 509. *pl.* 11. 24.

c. 82. Frauds in sale of grain in *Ire.*, preventing

c. 83. Consolidating the laws relating to the hiring of ships by *East India* company, 228, 229. *pl.* 673—688.

c. 84. Validity of marriages in *India*, 510. *pl.* 39—41.

c. 85. To execute a convention with *Portugal* to prevent slave trade, 1378. *pl.* 89—100.

ss. 10, 11. jurisdiction of prize courts, &c. are Rep. by 59 *G.* 3. *c.* 17. *s.* 1.

as to oaths in *s.* 4. is Rep. by *id. s.* 4

c. 86. Exchequer bills (11,600,000*l.*) [Exp.]

c. 87. Treasury bills in *Ire.* 800,000*l.* *British*, [Exp.]

c. 88. Amending 57 *G.* 3. *c.* 34. extending powers of the commis-missioners in *Ire.*

c. 89. Attendance of magistrates on board passage vessels repealed, 230, 231. *pl.* 2—7.

c. 90. Care of H. M. *G.* 3.; queen's council, [Exp.] 429. *pl.* 52.

(*June* 10.)

c. 91. (Continued to end of the session after 1*st August*, 1823.) Commissioners to inquire concerning charities in *Eng.* for education of poor, 119. *pl.* 39., 120. *pl.* 41—43. 45. 47, 48. 50—55. 59.

ss. 14, 15. are Exp.

c. 92. Consolidating laws for enabling soldiers' wives and families to return home, Addenda, *tit.* Soldiers, *pl.* 73—83.

c. 93. Relief to *bona fide* holders of negotiable securities without notice of usurious consideration, 1561. *pl.* 10, 11.

c. 94. Fisheries (*Ire.*), [Exp.]

c. 95. Election of county coroners regulated (*Eng.* and *Wa.*), 149, 150. *pl.* 27—30.

c. 96. Aliens, [Exp.] 21. *pl.* 47.

c. 97. Aliens, preventing from being naturalized or becoming denizens, [Con. till 25*th March*, 1822, 1 *G.* 4. *c.* 18. *s.* 1.]

c. 98. Slave trade abolition, 1374. *pl.* 24., 1376. *pl.* 46.

c. 101. Appropriation of supplies, [Exp.]

59 Geo. 3. A.D. 1819.

(*Feb.* 12.)

c. 1. Care of H. M.'s person during his illness, [Exp.] 429. *pl.* 56.

c. 2. Poll-clerks and hustings for city of *Westminster*, [Exp.]

c. 3. (*Feb.* 18.) Malt, &c. duties, (*G. B.*); pensions, &c. duties, (*Eng.*) [Exp.]

(*March* 23.)

c. 4. Exchequer bills, (20,000,000*l.*) [Exp.]

c. 5. Tonnage of vessels propelled by steam, ascertaining, 1369. *pl.* 70, 71.

c. 6. Distribution of rewards to army, marines, and navy officers for apprehending smugglers.

c. 7. Cutlery trade, (*Eng.*) 184, 185. *pl* 6—24., Appendix, No. XLV.

c. 8. Continuing 58 *G.* 3. *c.* 97. [Exp]

c. 9. Mutiny, [Exp.]

c. 10. Marines, [Exp.]

c. 11. Indemnity, offices, &c. [Exp.]

(*March* 31.)

c. 12. Select vestries, 1265—1268. *pl.* 97—132.; guardians of poor, 1260. *pl.* 32., 1264. *pl.* 77.

c. 13. Assessed taxes on husbandry horses, 1508—1510. *pl.* 195—198. 200. 203, 204. 208.; mares kept for breeding exempted, 1510. *pl.* 215. [*semb.* superseded, 1 & 2 *G.* 4. *c.* 110.]

c. 14. Wool, export from *British* plantations in *America*.

c. 15. Imports to *Ire.*, from within *East India* Co.'s charter.

c. 16. To execute slave trade treaty with *Netherlands*, 1379. *pl.* 109—122.

c. 17. Like convention with *Portugal*, 1378, 1379. *pl.* 89. 101—108.

s. 11. is Exp.

c. 18. Export of salt from *Bahamas* in *America*, ships carrying in ballast, made perpetual.

c. 19. Making growing produce of consolidated fund of *U K.*, arising in *G. B.*, available for public service, [Exp.]

c. 20. Treasury enabled to issue exchequer bills, on credit of supplies for the year.

(*April* 6.)

c. 22. Regulating H. M.'s household, and care of his person; pensions to attendants of Queen *Charlotte*, 434. *pl.* 139, 140.

s. 10. is Rep. virtually by 1 *G.* 4. *c.* 1. *s.* 7.

ss. 1—4. 6—8. and *s.* 9. are Exp. since 1 *G.* 4. *c.* 1. Sched. First Class.

c. 23. Continuing bank of *Eng.* restriction till end of session, [Exp. (see *c.* 49.)] 52. *pl.* 90—92.

(*April* 8.)

c. 24. Restraining bank of *Ire.* from making payments in gold coin, under notices given by them, [Con. to 1*st June* 1823, by 59 *G.* 3. *c.* 99. *s.* 1.]

c. 25. H. M. shall fix the rate and disposal of freight money for conveyance of specie and jewels on board H. M.'s ships, 305. *pl.* 1, 2.

59 *Geo.* 3. A. D. 1819. (*continued.*)

c. 26. Innkeepers quartering soldiers, [EXP.]
(*May* 19.)
c. 27. Felonies on board vessels employed on canals, navigable rivers and inland navigation, facilitating trials of, 250. *pl.* 104, 105.
c. 28. Empowering magistrates to divide court of quarter sessions, (*semb. Eng.*) 1311. *pl.* 15—18.
c. 29. Alkali imports, [*Qu.* REP. 59 *G.* 3. *c.* 52. *s.* 1.?]
c. 31. Liquidating *British* and other claims on *France*, [*s.* 1. EXPIRES *July* 5. 1822.] 299, 300. *pl.* 1—19.
c. 32. Excise duties in *G. B.*, on tobacco, snuff, and excise licences granted by 55 *G.* 3. *c.* 30. [CON. till *July* 5. 1822. AUCTION, 44. *pl.* 1., 45. (III.) and (IV.)
c. 33. Customs duties on imports into *G. B.* from *East Indies*, granted by 54 *G.* 3. *c.* 36., and 55 *G.* 3. *c.* 10. [CON. to *July* 1. 1821.]
c. 34. Grant of life annuities by commissioners of national debt; and for promoting the beneficial purposes of the *Waterloo* fund.
c. 35. Trial by jury in civil causes in *Scot.*
(*June* 14.)
c. 36. Making and sale of bread out of *London*, and the weekly bills, 91—93. *pl.* 100—126.
s. 10. is REP. in part, and *s.* 11. is REP by 1 & 2 *G.* 4. *c.* 50. *s.* 1.
c. 37. Qualification of M.P.s of united parliament, 1224. *pl.* 230, 231., 400. *pl.* 9.
c. 38. Enabling H.M. to make regulations for taking, &c. fish in *Newfoundland*, *Labrador*, &c. according to treaty with *United States*, 283. *pl.* 230—234., 1490, 1491. *pl.* 47, 48.
c. 39. More frequent payment of revenues into exchequer, STAMPS, 1398, 1399., STATS. *in force*, *pl.* 1., 1418. *pl.* 57. 67.
c. 40. Securing *certain* spiritual persons in possession of benefices, 75. *pl.* 82—85.
c. 41. Preventing contagious diseases, (*Ire.*)
(*June* 21.)
c. 42. Raising 12,000,000*l.* by annuities, [EXP.]
c. 44. Trial of murders, &c. committed in *Honduras*, 365. *pl.* 39. 41—43.
s. 4. is EXP.
(*June* 22.)
c. 45. Court of session, (*Scot.*)
c. 46. Abolishing appeals and wagers of battel, 27. *pl.* 1, 2.
c. 47. *Barnstaple* election; witnesses, indemnity, [EXP.] 1215. *pl.* 14.
(*July* 2.)
c. 49. Bank of *Eng.* restriction, [CON. till *May* 1. 1823.] 51. *pl.* 78. (*s.* 13., 138. *pl.* 83.); gradual resumption of cash payments, 51. *pl.* 93—98. Export of gold and silver allowed, 141. *pl.* 143—146.
c. 50. Renting tenements. Settlement of poor, 1272, 1273. *pl.* 194. 215.
c. 51. Compounding for assessed taxes, *G. B.* (see *c.* 118. *U. K.*), 1521. *pl.* 259. 261—281.
c. 52. Repeals the duties of customs chargeable in *G. B.* and grants other duties in lieu thereof.
c. 53. Additional excise duties on tea, coffee, cocoa nuts, tobacco, snuff, pepper, malt, and *British* spirits; fish, blubber, &c. *British* caught, import duty free, 266. *pl.* 130., 282, 283. *pl.* 221, 222.
c. 54. To execute a convention of commerce between H. M. and the *United States*, and a treaty with *Portugal*, 1559. STATS. *Rep. &c. pl.* 11., STATS. *in force*, *pl.* 3—12.
s. 11. is EXP.
c. 55. *Bermudas*, imports and exports.
c. 56. Payment of navy prize orders, regulations.
c. 57. Excise laws as to salt and rock salt; delivering salt for manure, feeding cattle, &c., 1332. *pl.* 17—23.

59 *Geo.* 3. A. D. 1819. (*continued.*)

c. 58. Facilitating recovery of wages of merchant seamen, [CON. till *July* 1. 1826. (see *s.* 7.)] 1349. *pl.* 137—141.
c. 59. Extending 55 *G.* 3. *c.* 60. *s.* 18. for payment of wages due to deceased seamen and marines to wages due to intestate bastards.
c. 60. Archbishops, and bishop of *London*, ordaining clergy for the colonies, 1390. *pl.* 72. 76—80.
c. 61. Gaols, building (*Scot.*)
c. 62. Protection of banks for savings in *Scot.*
c. 64. Facilitating proceedings against warden of *Fleet* in vacation, 1281, 1282. *pl.* 39. 51.
c. 65. Lotteries, [EXP.] 497. *pl.* 7.
c. 66. Regulation of cotton mills and factories, and preservation of those employed therein, 348, 349. *pl.* 11. 13. 17. 20. 28. 30.
c. 67. Colonial accounts, examination, 6. *pl.* 122.
(*July* 3.)
c. 69. Foreign enlistment, 293, 294. *pl.* 1—13.
c. 70. To repeal *Scotch* acts regarding duelling.
(*July* 6.)
c. 71. Loan from commissioners for reducing national debt.
c. 72. Additional excise duty on tobacco in *Ire.*
c. 73. Certificate goods carried to *Ire.*; gunpowder, prohibiting export.
c. 74. Tobacco, import from *East Indies* and elsewhere, permitted; confining its export from *G. B.*, and its import into *Ire.*, to vessels of 70 tons or more.
c. 75. Reciprocal trade in spirits between *G. B.* and *Ire.*
c. 76. Further regulating advances by bank of *Eng.* for public service and purchase by them of government securities, 53. *pl.* 112—117.
c. 77. Bounties on pilchards exported, [CON. till 24*th June*, 1826.] 285. *pl.* 261.
c. 78. Transferring duty of supervisor of receiver-general's receipts and payments to comptroller-general of customs in *Eng.*
c. 79. Coals, &c. to *London*, &c. by inland navigation; continuing 45 *G.* 3. *c.* 128., 50 *G.* 3. *c.* 110.
c. 80. Common recoveries suffered by attorney in courts of ancient *demesne*, 1318. *pl.* 28, 29. Mortgaging estates of lunatics, 376. *pl.* 53.
c. 81. Commissioners to inquire concerning charities for education of the poor; EXT. to other charities in *Eng.* and *Wa.*, [CON. till end of the session, after 1*st Aug.* 1823.] 119. *pl.* 39., 120. *pl.* 40—42. 44. 46, 47. 55—59.
s. 13. is EXP.
(*July* 7.)
c. 83. Customs duties and drawbacks on imports and exports to and from *Ire.*, in lieu of former like duties.
c. 84. Amending roads and public works in *Ire.*, by grand jury presentments for investigating the latter, and securing a true account of all monies levied therein.
s. 36. is EXP.
c. 85. Amending 58 *G.* 3. *c.* 69. parish vestries, (*Eng.*) 1566, 1567. *pl.* 1. 12—14.
(*July* 12.)
c. 87. Excise duties in *Ire.* on malt.
c. 88. New annnal excise duties on malt, tobacco, and snuff in *G. B.*
c. 89. Suspending part of duty on sweets.
c. 90. Preventing frauds in duties on soap; preserving books called '*specimens*;' more speedy payment of excise duties on printed calicoes.
c. 91. Facilitating applicatlons to courts of equity regarding management of funds of charities, 119. *pl.* 39., 120. *pl.* 49, 50. 61, 62., 121. *pl.* 63—65.
c. 92. Justices of peace in *Ire.*, authority enlarged, 437. *pl.* 127.

59 Geo. 3. A. D. 1819. (*continued.*)

c. 93. Continuing 56 *G.* 3. *c.* 122. to the end of the session of 1821. [*semb.* Exp.]

c. 94. Disposition of real and personal property of the sovereign *viz.* escheats, &c., 236. *pl.* 29—32.

c. 95. Separations of towns corporate from parishes as to maintenance of poor, 1260. *pl.* 25, 26.

c. 96. Trials of felonies committed on stage coaches, waggons, and other such carriages, 250. *pl.* 106, 107.; and on the borders of counties, *id. pl.* 108.

c. 97. Extends 46 *G.* 3. *c.* 54. to trial of offences in *Africa* against the slave-trade laws, 1374. *pl.* 24., 1376. *pl.* 47.

c. 98. Limiting continuance of operation of acts imposing townland fines for illicit distillation in *Ire.*, and for preventing the latter.

c. 99. Bank of *Ire.* restrictions on payments in cash; [Con. to 1*st June* 1823.] gradual resumption of cash payments by.

c. 100. Amending 50 *G.* 3. *c.* 103., prisons in *Ire.*

c. 101. Transportation of offenders, [Con. to the end of the session next after 24*th March*, 1823, by 1 & 2 *G.* 4. *c.* 6.] 1542, 1543. *pl.* 23, 41.

c. 102. Regulating appointment of gamekeepers in *Wa.*, 319, 320. *pl.* 210—216.

c. 103. Laying accounts before parliament, 290. *pl.* 366., 292. *pl.* 393.

c. 104. Laws of excise with regard to crown, flint, and phial glass; altering laws relating to flint glass.

c. 105. Spirits, and licences to retail same, duties; exemption of leather and glass of carriages brought for private use from *Ire.* to *G. B.*, or *G. B.* to *Ire.* from countervailing duty.

c. 106. Duties on certain excise licences, and on spirits distilled in *Ire.*

c. 107. Regulating grant of permits and certificates for conveyance, &c. of certain goods in *Ire.*

c. 108. Post-office and conveyance of letters in *Ire.*

c. 109. *Irish* fisheries, encouragement.

ss. 1. 11. as to the bounty on herrings, is Rep. by 1 *G.* 4. *c.* 82. *ss.* 1. 9.

c. 110. Dues payable to *Levant* company.

c. 111. Postage of letters; postage to and from *Cape of Good Hope*, *Ceylon*, *Mauritius*, and *East Indies*.

c. 112. Additional bounty on export of silks of *G. B.* till *July* 5, 1821.

c. 113. Premiums on Southern whale fishery, [Con. as to *s.* 2. till *Nov.* 30 1823., as to *s.* 3. till *Dec.* 30. 1821., as to *s.* 4. till *Dec.* 30. 1825.] 287. *pl.* 304., 290. *pl.* 349.

c. 114. Staying proceedings against any governor, &c. for imposing duties in *New South Wales*, [certain duties Con. till *Jan.* 1. 1821; to *Jan.* 1. 1822, by 1 *G.* 4. *c.* 62.] Duty on spirits, to be levied by governor, 522. *pl.* 13—16.

ss. 1, 2. are Exp.

c. 115. New duties and drawbacks of excise on sheets of plate glass.

c. 116. Militia, pay, &c. allowances, *G. B.* [Exp.]

c. 117. Militia, pay, &c. allowances, (*Ire.*) [Exp.]

c. 118. Relief from assessed taxes in certain cases; compounding for assessed taxes, (*G. B.* and *Ire.*) 1503. *pl.* 174. 177.

c. 119. Allowance to navy agents.

c. 120. Registry of colonial slaves in *G. B.*, 1377. *pl.* 63—73. Removal of slaves in *British* colonies, 1373, 1374. *pl.* 2. 12. 15.

s. 13. is Exp.

c. 121. Smuggling, preventing.

c. 122. Vessels under 350 tons may trade between *U. K.* and *New South Wales*.

c. 123. Amending reports of vessels' cargoes; putting warehoused goods on board vessels; cocquet and bond for slate and stones carried coastwise; administering oaths by officers of customs, (*G. B.*)

c. 124. Passengers, regulating ships carrying, 230—232. *pl.* 2. 10. 30.

59 Geo. 3. A. D. 1819. (*continued.*)

c. 125. *East India* goods imported, entry, and paying duty without warehousing; export thereof to *Guernsey* and *Jersey*, and removal to out-ports for export allowed.

c. 126. Proof to obtain drawback on coals used in smelting tin, &c. in *Devon* and *Cornwall*, same as on coals used in mines, &c.

c. 127. Pauper lunatics, providing for, care of in *Eng.*, 380. *pl.* 107. —109. Appendix, No. XLVI.

c. 128. Friendly societies, frauds preventing, 305—308. *pl.* 1. 6. 35—51.

c. 129. Insolvent debtors acts in *Eng.*, continuing, [Exp.] 388. *pl.* 16.

c. 130. Insolvent debtors acts in *Ire.*, continuing, [Exp.]

c. 131. Exchequer bills, 16,500,000*l.*, [Exp.]

c. 132. Treasury bills, *Ire.*, (2,000,000*l. British*,) [Exp.]

c. 133. Appropriating supplies, [Exp.]

c. 134. Building additional churches in populous parishes, 126. *pl.* 41, 42. 45. 49. 58. 60., 126, 127. *pl.* 62—64. 66, 67. 71—73. 81., 128. *pl.* 87—89. 92, 93. 95., 130. *pl.* 123—125. 127, 128., 131. *pl.* 135—139. 144. 150. 152—154., 132. *pl.* 157—162.

c. 135. Roads and bridges repair; ferries regulating, (*Scot*)

c. 136. Penitentiary on *Milbank*, regulating, 1239—1241. *pl.* 4. 12—14. 33—35.

(*July* 2.)

c. 138. Names of commissioners for pension duty, &c. in *Eng.*, and land-tax in *G. B.*, 444. *pl.* 60. [Exp.]

60 Geo. 3. & 1 Geo. 4. A. D. 1819.

(*Dec.* 11.)

c. 1. To prevent training persons to use of arms, and practice of military exercise, 32, 33. Stats. *in force*, *pl.* 5—12.

s. 8. is [Exp.]

(*Dec.* 18.)

c. 2. Authorising justices to seize arms in certain disturbed counties, (*Eng. and Scot.*) [Con. till 25*th March*, 1822,] 33. *pl.* 13—21.

s. 11. is Exp.

c. 3. Malt, &c. duties, *G, B*; pensions, &c. duties, (*Eng.*) for service of 1820, [Exp.]

(*Dec.* 23.)

c. 4. To prevent delay in administration of justice in misdemeanors, 516. *pl.* 1—11.

c. 6. Amends 59 *G.* 3. *c.* 66., health, public, 348. *pl.* 11. 16. 18.

(*Dec.* 24.)

c. 6. Assemblies, seditious, preventing, [Con. till end of session next after 24*th Dec.* 1824., (and *see s.* 40.)] 36. Stats. *in force*, *pl.* 1., 37. *pl.* 17—22. 24. 38, 39., 40. *pl.* 40—74.

s. 39. is Exp.

c. 7. Controverted elections, or returns of members of parliament for *Ire.*

(*Dec.* 30.)

c. 8. Blasphemous and seditious libels, prevention and punishment, 479, 480, *pl.* 6—16.

s. 11. is Exp.

c. 9. Subjecting certain publications to newspaper stamp duty, and restraining abuses of publication of blasphemous libels, 1398, 1399. *pl.* 1., 1463—1465. *pl.* 638—665.

(*Feb.* 28. 1820.)

c. 10. Indemnity, offices, &c. [Exp. on 23*d Jan.* 1821.]

c. 11. Regulation of polls and elections of members of parliament for *Ire.*

s. 27. is Rep. as to grand jury presentments for reimbursing returning officers in *Ire.* by 1 & 2 *G.* 4. *c.* 58. *s.* 7., 408. *pl.* 138., and *see* 407. *pl.* 112.

c. 12. Continuing expiring statutes, 290. *pl.* 366., 293. *pl.* 408., 388. *pl.* 16., 1478. Statutes, *pl.* 4.

60 *Geo.* 3. & 1 *Geo.* 4. A.D. 1820. (*continued.*)

c. 13. Mutiny, [Exp.]

c. 14. Remedying inconveniences in local and exclusive jurisdictions, 428. *pl.* 139—142.

1 *Geo.* 4. A. D. 1820.

(*June* 6.)

c. 1. Support of H. M.'s household, and of the honour of the crown of *U. K.*; civil list, &c. 434. *pl.* 130. 141—149.

c. 2. Enabling H. M. to be governor of *South Sea* company, 1387. *pl.* 54—56.

c. 3. Removal of doubts as to continuance of 3 insolvent acts, (*Eng.*) [Exp.] 388. *pl.* 6.

c. 4. Punishing criminally drivers of stage coaches, &c. for accidents occasioned by their wilful misconduct, 1398, *pl.* 26, 27.

c. 5. Transfer of stock in *Ire.*, by order of court of equity, without making bank of *Ire.* or canal company, party thereto.

c. 6. Barristers named in commissions of exchange of glebes, &c. by chief justice of K. B. or C. P., 73. *pl.* 57., 74. *pl.* 77.

(*June* 22.)

c. 7. Bonds to H. M., and oaths in matters relating to customs; penalty of offering fees to officers of customs; bonds from owners of passage vessels, 230—233. *pl.* 2. 13. 31, 32. 43. 45.

c. 8. Drawback on imports into *British* colony in *America*, on legal export to foreign country.

c. 9. Granting privileges of *British* ships to ships built at *Malta*, *Gibraltar* and *Heligoland*, and some of them to ships built at *Honduras*.

c. 10. Applying monies to service of 1820, [Exp.]

c. 11. Regulation of polls and elections in *Ire.*, 404. *pl.* 86—130.

c. 12. Imports and exports of certain goods to *Morant Bay* in *Jamaica*.

c. 13. Funding 7,000,000*l.* exchequer bills, and loan by annuities for service of 1820, [Exp.]

c. 14. Gold articles exported, drawback on repealed; export of cordage entitled to bounty free of right of pre-emption by commissioners of navy, (*G. B.*)

c. 15. Flax and cotton manufactures in *G. B.*, encouraging, 501. *pl.* 1. [Exp.]

c. 16. Glass excise duties, [Con. 59 *G.* 3. *c.* 104.]

c. 17. Annuities, 5,000,000*l.*, [Exp.]

c. 18. [Continuing 58 *G.* 3. *c.* 97. to *25th March*, 1822.]
s. 2. is Exp.

c. 19. Mutiny, [Exp.]

(*June* 23.)

c. 20. Marines, [Exp.]

c. 21. *Middlesex* issues, trying elsewhere than in *Westminster-hall*, 1372. *pl.* 1, 2. 7, 8.

(*June* 30.)

c. 22. Loan from commissioners of national debt.

c. 23. Charge of addition to public funded debt of *G. B.* for 1820, provided for.

c. 24. Watch and ward; continuing 52 *G.* 3. *c.* 17. till 20*th June*, 1824, (*G. B.*) 1579. 1580, *pl.* 8. 18. 26.

c. 25. Sail-cloth, (*G. B.*) repeals 9 *G.* 2. *c.* 37. *ss.* 6, 7. as to materials of *British* sail-cloth.

c. 26. Encouraging coasting trade of *Ire.*

c. 27. Regulating appointment and tenure of office of clerk of peace in *Ire.*
s. 9. is Exp.

c. 28. Coroners in *Ire.*, fees of on inquests.

(*July* 8.)

c. 31. Exchequer bills for service of 1820, (29,000,000*l.*) [Exp.]

c. 32. Import of coffee from foreign colony, &c. in *America*, to *Bridgetown*, in *Barbadoes*.

c. 33. *Greenland* whalers completing crews, 290—291. *pl.* 368., 293. *pl.* 408.

1 *Geo.* 4. A. D. 1820. (*continued.*)

c. 34. Continues 56 *G.* 3. *c.* 91. till *Jan.* 1, 1826.

c. 35. Securing monies paid into court of exchequer at *Westminster*, on account of the suitors; and appointing accountant-general and two masters of the court, 172. *pl.* 81.

c. 36. Appeals from towns corporate, and franchises to quarter sessions of counties where situate, 1260. *pl.* 27—28., 1269. *pl.* 148. (*a*).

c. 37. Increasing power of magistrates in appointment of special constables, 428. *pl.* 143—147.

c. 38. Innkeepers quartering soldiers, [Exp.]

c. 39. Assisting trade in *Ire.* by advances to support commercial credit there.

c. 40. Leases of tithes in *Ire.*

c. 41. Recovery of tenements from absconding, overholding, and defaulting tenants, *Ire.*

(*July* 15.)

c. 43. Smuggling and coasting trade in *G. B.*

c. 44. Growing produce of consolidated fund of U. K., arising in *G. B.*, made available for public service.

c. 45. *Ad valorem* duties on manufactures of *G. B.* or *Ire.* on import into either country from the other.

c. 46. Treasury bills in *Ire.* for service of 1820, (1,500,000*l. British.*) [Exp.]

c. 47. Improper persons having arms in *Ire.*, [Con. to end of session next after *July* 15, 1822.]

c. 48. Yeomanry corps in *Ire.*, [Con. till end of session next after *July* 15, 1822.]

c. 50. Carrying licences into effect for permitting removal of negro slaves from the *Bahamas* to *Demerara*, 1373—1374. *pl.* 2. 13, 14.

s. 52. Naval stores, import from *British North American* colonies, duty free.

c. 53. *Santa Maria* and teak woods import, duty free.

c. 54. Coals to *London*, &c. by inland navigation; continuing 45 *G.* 3. *c.* 128. and 50 *G.* 3. *c.* 110.

c. 55. Facilitating proceedings in K. B., and giving certain powers to justices of assize; [Expiring as to *s.* 2. *July* 15, 1822.] 172. *pl.* 1—3., 421. *pl.* 58—60., 1372. *pl.* 34. 36.; taking oaths of office, &c. before single judge, 534. *pl.* 104.

c. 56. Summary punishment of wilful trespass on public or private property, 1549. *pl.* 28—35.

c. 57. Whipping female offenders, 1595. *pl.* 16—18.

c. 58. Securing excise duties on paper and pasteboard.

c. 59. Continues 52 *G.* 3. *c.* 149. to *March* 25, 1825.

c. 60. Amending 57 *G.* 3. *c.* 34. and *c.* 124., and extending the power of the commissioners in *G. B.*

c. 61. *Isle of Man* import duties.

c. 62. Levying duties in *New South Wales*, [59 *G.* 3. *c.* 114. Con. till *Jan.* 1. 1822.]

c. 63. Bounty on export of *British* and *Irish* linen, given by 29 *G.* 2. *c.* 5. *s.* 1., [Con. till *July* 5. 1822.]

c. 64. Continues 58 *G.* 3. *c.* 34. till *July* 5. 1824.

c. 65. Examination of colonial expenditure, 6. *pl.* 122.

c. 66. Continuing metropolis police acts, [Exp.] 1253. *pl.* 4., 1531. Stats. *Rep. pl.* 1.

c. 67. Low duties on coals, carried coastwise to *Welsh* ports, [Con. till *Aug.* 1, 1822.]

c. 68. Administration of justice; exchequer chamber, *Ire.* commencing after last day of 1820 session, *s.* 1.]

c. 72. Lotteries, [Exp.] 497. *pl.* 7.

c. 73. Extending the period allowed to persons compounding for assessed taxes, [*semb.* Exp.] 1521—1524. *pl.* 259., 1523—1524. *pl.* 282—292. and *Schedule*.

(*July* 24.)

c. 74. Granting duties in *Scot.* on wash and spirits made of corn, and on licences to keep stills: consolidating laws on distillation

1 *Geo.* 4. A. D. 1820. (*continued.*)

for home consumption, and better preventing private distillation in *Scot.*

c. 75. Excise duty on unmanufactured tobacco imported into *G. B.* from its place of growth.

c. 76. Repealing 57 *G.* 3. *c.* 125. *s.* 11. which prohibited the sale in *Eng.* of any spirits but spirits of wine, *British* brandy, gin, or compounds.

c. 77. Reciprocal trade in spirits between *G. B.* and *Ire.*

c. 78. Licences for retailing spirits, &c. duties on reduced in certain places in *Ire*; excise licences; licenced brewers, *Ire.*

c. 79. Allowances to licenced brewers in *Ire.*

c. 80. Importers of sugar in *Ire.* to give certificates for sugar sold by them in lieu of permits.

c. 81. Public works, *Ire.*; amending 57 *G.* 3. *cc.* 34. 124. and 58 *G.* 3. *c.* 88.

c. 82. *Irish* fisheries, [Con. to end of session next after 24 *July* 1824, (*s.* 23.)
ss. 19. 24. are Exp.

c. 83. Savings banks, (*Eng.*) 54. *pl.* 1. 9., 55. *pl.* 25., 56, 57. *pl.* 39—55. *s.* 10. is Exp.

c. 84. Army prize money, payment.

c. 85. Naval prize money.

c. 86. Militia, pay, &c.; allowances to subalterns, *G. B.* [Exp.]

c. 87. Enabling landlords more speedily to recover possession of lands, &c. unlawfully held over by tenants, (all parts of U. K. except *Scot.*, *s.* 8) 441. *pl.* 61—69.

c. 88. Farming post-horse duties, *G. B.*, 1398—1399. Stats. *in force*, *pl.* 1., 1466. *pl.* 684., 1471. *pl.* 791—792. 769, 770. 767.

c. 89. Additional postage on letters conveyed between *Portpatrick.* and *Donaghadee.*

c. 90. Offences committed on sea, or within admiralty jurisdiction, 1252. *pl.* 39—41.

c. 91. Paymasters of marines to issue any pay not exceeding 20*l.* to representatives of deceased officers and privates without probate, &c.

c. 92. Forging bank of *Eng* notes, preventing, 53. *pl.* 118—121.

c. 93. Amending acts for due payment of workmen's wages, [Con. to end of session of 1822., see *s.* 5.] 436, 437. *pl.* 24, 25. 504. *pl.* 50—53.

c. 94. Taking account of population in *G. B.*, [Exp. 1 *Aug.* 1821. (see *s.* 9.) 1276. *pl.* 1, 2.

c. 95. Returns from turnpike road trusts of amount of revenues and expences of maintaining the same, [Exp. 1 *Dec.* 1820. (see *s.* 4.) 1551. *pl.* 9.

c. 96. Militia, pay, &c. allowances to officers, &c. *Ire.*

c. 97. Insolvent debtors acts for *Ire.* [Con. till 24 *July* 1821. Exp.]

c. 98. Lunatic, poor asylums, *Ire.*

c. 99. Volunteer infantry, enabling *East India* company to raise and maintain.

c. 100. Consolidating law of *London* militia.

c. 101. Taking examination of witnesses in *India* in support of bills of divorce for adultery committed in *India*, 1594. *pl.* 18—22.

c. 102. Extending 56 *G.* 3. *c.* 73. to burglary, felony, &c. committed on personalty of any partners, 384. *pl.* 10, 11.

c. 103. All bounties and drawbacks on cod, ling, and hake cured in *G. B.* are repealed, (*s.* 1.) *British* fisheries, 272. *pl.* 64—70.

c. 104. *Regent's Park* barrack, paying for by annuity on consolidated fund. [Exp.]

c. 105. Continuing 56 *G.* 3. *c.* 86. to 26th *June* 1822. Aliens, 21. *pl.* 47.

c. 109. Pensions to attendants and pensioners of his late Majesty.

c. 110. Exchequer bills, (3,000,000*l.*) [Exp.]

c. 111. Appropriating supplies.

(*July* 25.)

c. 115. Capital punishments inflicted by 30 *El. c.* 9. *s.* 11., *viz.* taking away clergy for abduction of women, 537. *pl.* 49.; 4 *G.* 1. *c.* 11. *s.* 4. helping to stolen goods, 535. *pl.* 13, 14. 16., 537. *pl.* 49.; 5 *G.* 2. *c.* 30. *s.* 1. bankrupt, 60. *pl.* 58, 59.; 8 *G.* 2. *c.* 20. *s.* 1., breaking down turnpike-gates, sluices, &c. 384. *pl.* 4, 5., 536. *pl.* 49., repealed; other punishments provided, 60. *pl.* 58, 59., 537. *pl.* 48. 50.

c. 116. Capital punishments inflicted by 1 & 2 *P. & M. c.* 4. *s.* 3., Gypsy, *pl.* 1, 2. 6.; 18 *C.* 2. *c.* 3.; and 31 *G.* 2. *c.* 42. *s.* 2., taking away clergy from thieves in *Northumberland*, &c.; 9 *G.* 1. *c.* 28. *s.* 3. opposing process masked; 9 *G.* 2. *c.* 29. *s.* 5.; destroying *Westminster Bridge*, are repealed, and other punishments provided, 96. *pl.* 50., 537. *pl.* 51—53.

c. 117. Capital punishment inflicted by 10 & 11 *W.* 3. *c.* 23. *s.* 1. for privately stealing in shop, coachhouse, stable, &c. are repealed; other punishments provided, 247. *pl.* 52. 54, 55.

c. 118. Reducing duty on malt made from bear or bigg only for home consumption in *Scot.*

(*July* 26.)

c. 119. Relief of insolvent debtors in *Eng.* 391—396. *pl.* 22—73. *s.* 53. Exp.

1 & 2 *Geo.* 4. A. D. 1821.

(*Feb.* 23.)

c. 1. Annuity to the Queen, [Exp.]

c. 2. Longitude, discovery of north-west passage, 496. *pl.* 14—31.

c. 3. Malt, &c., duties, (*G. B.*); pensions, &c., duties, (*Eng.*)

c. 4. Transfer of grants from *G. B.* to *Ire.*

(*March* 24.)

c 5. Indemnity, offices, &c. [Con. to 25th *March* 1822. filing indentures to 23d *January* 1822. Exp.] 383. *pl.* 2.

c. 6. Transportation, (*G. B.*), 1541. *pl.* 14., 1542. *pl.* 23.

c. 7. *Nova Scotia* trade.

c. 8. *New South Wales*, duties.

c. 9. Mutiny, soldiers, 1381—1384. *pl.* 41—68.

c. 10. Marines.

c. 11. Silk and buck wheat duties.

c. 12. Flax duties, continued.

c. 13. Glass duties, continuing.

c. 14. Cochineal and indigo, import.

c. 15. Lunatic stock, transfer.

(*April* 6.)

c. 16. Sittings of *K. B.* before *Michaelmas*, *Hilary*, and *Easter* terms for dispatch of business, 172. *pl.* 4—7.

c. 17. Attornies' fees, (*Ire.*)

c. 18. Witchcraft (*Ire.*), 1393. Stats. *in force*, *pl.* 1.

c. 19. Removal of goods from *G. B.* to *Ire.* and *Ire.* to *G. B.* by cocket, &c.

c. 20. Reduction of duties on husbandry horses kept on small farms, (but *see c.* 110.)

c. 21. Disfranchising *Grampound*; indemnity to witnesses before the Lords, 383. *pl.* 4—7.

(*April* 19.)

c. 22. Beer and ale duties.

c. 23. General inclosure amendment, 380. *pl.* 1, 2., 382, 383. *pl.* 41. 47—50., Appendix, No. XLVII.

c. 24. Trials of treason and misprision thereof in *Ire.*

c. 25. Innkeepers quartering soldiers.

(*May* 7.)

c. 26. Gradual resumption of cash payments in *Eng.* 51. *pl.* 78., 52. *pl.* 99—102.; export of clippings of gold coin, 141. *pl.* 146.

c. 27. Same in *Ire.*

c. 28. Abolishing *African* company, 14. African Trade, Stats. *in force*, *pl.* 2—5.

c. 29. Starch duties.

(*May* 28.)

c. 31. Continuance of hereditary revenue, (*Scot.*) 435. *pl.* 150—154.

c. 32. Declaring valid certain indentures of apprenticeship and certificates of settlements of poor in *Eng.*, 1260. *pl.* 29—31.

1 & 2 *Geo.* 4. A. D. 1821. (*continued.*)

*c.*33. Lunatic asylums, (*Ire.*)

*c.*34. Capital punishments in 9 *A.* *c.*6. (*Ir.*) and 17 *G.*2. *c.*6. *Ir.* for stealing in shops, &c. to amount of 5*s.* Rep. and transportation, &c. substituted.

*c.*36. Regulation of public notaries, (*Ire.*)

*c.*37. Timber duties.

*c.*38. Court of session proceedings, (*Scot.*)

*c.*39. Courts of admiralty regulation, (*Scot.*)

*c.*40. Capital punishment of bankrupts in *Ire.* inflicted by 11 & 12 *W.*3. *c.*8. *s.*24. *Ire.* Rep. and transportation, &c. substituted.

*c.*41. Steam engine furnaces, abating nuisances from, 1472. *pl.*1—4.

*c.*42. Militia law, (*G. B.*) amending.

*c.*43. Militia law (*Ire.*) amending.

*c.*44. Excluding judicial officers in *Ire.* from being members of house of commons, 1234. *pl.*440—443.

(*June* 8.)

*c.*46. Attendance of jurors at assizes regulated, 418. *pl.*111—115.

*c.*47. Disfranchisement of *Grampound*, two additional knights of shire for county *York* in lieu, 234, *pl.*443, 446.

*c.*48. Attornies and solicitors regulation, 44. *pl.*72—75., 529. *pl.*19.

*c.*79. Further regulation as to remittance of officers', seamen's, and marines' wages; execution of seamen's, &c. wills.

*c.*50. Bread, price, assize, and making, out of *London*, and the weekly bills, 91—93. *pl.*100—126.

(*June* 15.)

*c.*51. Six *per cent* interest on *Irish* and colonial mortgages, &c. 517, 518. *pl.*10. 13—16.

*c.*52. Land revenues of crown, 179. *pl.*88., 183, 184. *pl.*173—182.

*c.*53. Law courts, regulation, (*Ire.*)

*c.*54. Office of clerk of assize, or *nisi prius*, or judges registrar regulated, (*Ire.*)

(*June* 23.)

*c.*55. Stamp duties on deeds, &c. in *G. B.* and *Ire.* respectively, 1398, 1399, Stats. *in force*, *pl.*1., 1420. *pl.*103—107.

*c.*56. Selling poor houses and lands, 1260. *pl.*32., 1265. *pl.*95; 96.

*c.*57. Prison regulations, (*Ire.*)
*s.*37. is Exp.

*c.*58. *Irish* elections of M. P.s, 408. *pl.*131—139.

*c.*59. Insolvent debtors, (*Ire.*)

*c.*60. Exempting ships in ballast in *South Sea* trade from tonnage duties, 1387. *pl.*44.

*c.*61. *East India* army and navy prize, regulations, 226. *pl.*645.

*c.*62. Times of holding general sessions in counties in *Ire.*

(*July* 2.)

*c.*63. Justices to act out of their limits, 427. *pl.*120. 126.

*c.*64. Vagrant law amendment, 1562—1566. *pl.*26. 36, 37. 45—48. 74, 75.

*c.*65. Regulation of *East India* trade, 217, 218. *pl.*462. 470—475.

*c.*66. Fur trade.

(*July* 10.)

*c.*67. Drawback on coals.

*c.*69. Lands for use of ordnance.

*c.*70. Loan by annuities, 13,000,000*l.*

*c.*71. Exchequer bills 29,000,000*l.*

*c.*72. Bank of *Ire.* advance of 500,000*l.* *Irish* currency, by; capital stock enlarged to 3,000,000*l.*

*c.*73. Transfer from certain public funds in *Ire.*, into like funds in *G. B.*, (*in force* till *5th July*, 1824. *s.*17.)

*c.*74. Regulating payments to treasurer of navy, under head of old naval stores, and imprests.

*c.*75. Salvage and wreck, 1611—1614. *pl.*46—79. 81—85.

*c.*76. Salvages within cinque ports, 1615—1617. *pl.*86—98. 100. 109, 110.

1 & 2 *Geo.* 4. A. D. 1821. (*continued.*)

*c.*77. Gaol fees abolished, (*Ire.*)

*c.*78. Regulating acceptances of bills of exchange, 78. *pl.*33—35.

*c.*79. Bounties and regulations as to deep-sea *British* white herring fishery, 273—281. *pl.*76, 77. 84, 85. 140. 155, 156. 172. 179. 186.

*c.*80. Treasury bills, (*Ire.*) loan by, 1,000,000*l.* *British.*

*c.*81. Amending 28 *G.*3. *c.*38. as to registry of wool sent coastwise.

*c.*82. *Scotch* distillery laws.

*c.*83. *Scotch* malt duties.

*c.*84. Customs duties on wood.

*c.*85. County rates, 157. *pl.*1., 159. *pl.*30., 161. *pl.*63—66.

*c.*86. (Personal.)

*c.*87. Corn, averages regulating.

*c.*88. Law of rescue, amendment, 1320. *pl.*1—3.

*c.*89. Repealing 22 *C.*2. *ss.*44, 45. as to erecting wharfs between *London Bridge* and *Temple.*

*c.*90. *Irish* revenue inquiry.

*c.*91. Silk and mohair bounty.

*c.*92. Charity estates exchanging, 121, 122. *pl.*68, 69.

*c.*93. Vesting lands and property occupied for naval service, in the commissioners of the navy, with certain powers.

*c.*94. Rum, importation.

*c.*95. Produce of consolidated fund made available to public service in *Ire.*

*c.*96. Duty on *British* spirits brought into *Lisbon.*

*c.*97. Coasting trade.

*c.*98. *Greenwich* hospital, out-pensioners, 334. *pl.*87—89.

*c.*99. Slave ships, prizes taken from subjects of *Spain*; *Portugal*, and *Netherlands*, appropriating proceeds, granting bounties, &c.; indemnity to captors of other slave ships, 1379, 1380. *pl.*123—133. Registering condemned slave ships, 1396. *pl.*69.

*c.*100. Hops, drawbacks on export.

*c.*101. Silk manufactures, bounty on export.

*c.*102. Acetous acid, drawback; draining tiles, exempting from duty.

*c.*103. Collectors of customs, warehousing, (*Ire.*)

*c.*104. *Isle of Man*; sugar regulations.

*c.*105. Warehousing, (*Eng.*)

*c.*106. *E. I.* private trade; duties on *E. I.* sugar increased till *25th March*, 1823, (*G. B.*) and *1st July*, 1824, (*Ire.*)

*c.*107. *Sheerness*, &c. lands.

*c.*108. Charge of addition to public funded debt of *U. K.* for 1821; provided for.

*c.*109. Tobacco duties.

*c.*110. Husbandry horses duty, repeal; reducing duties on certain horses and mules, (*G. B.*) 1510. *pl.*209—214.

*c.*111. Exchequer bills; amending 57 *G.*3. *c.*34.; public works, (*G. B.*)

*c.*112. Stamp duties, (*Ire.*)

*c.*113. Assessed taxes composition, 1521. *pl.*259, 260., 1525—1529. *pl.*293—330., and *Schedules.*

*c.*114. Trust or mortgage estates vested in idiots; conveyance, 373. *pl.*5. 8, 9.

*c.*115. Bankruptcy court and business, 66, 67. *pl.*144—156.

*c.*116. Provision for certain discharged officers of customs.

*c.*118. Metropolis police act, [Con. till *5th July*, 1822.] 1253—1258. *pl.*13—60., 1553. *pl.*24.

(*July* 11.)

*c.*119. Provision for Duke of *Clarence.*

*c.*120. Lotteries, 499, 500. *pl.*37—63.

*c.*121. Commissioners of audit of public accounts, 1—7. *pl.*1. 23, 24. 46, 47. 61—65. 40. 59. 11. 66, 67. 133—138. 140. 142, 143.

*c.*122. Appropriation of supplies.

*c.*321. Names of commissioners of land-tax, 444. *pl.*1.

WHERE the Year of the King's Reign only is mentioned, and it is wished to know the Year of our Lord *, consult the following

TABLE

OF

THE YEARS OF THE SEVERAL KINGS' AND QUEENS' REIGNS.

FROM WILLIAM THE CONQUEROR TO THE 3D GEORGE IV.

W. Conq. Oct. 14. 1066.

Year of Reign.	Year of Our Lord.
1	1066
2	1067
3	1068
4	1069
5	1070
6	1071
7	1072
8	1073
9	1074
10	1075
11	1076
12	1077
13	1078
14	1079
15	1080
16	1081
17	1082
18	1083
19	1084
20	1085
21	1086—7

W. Rufus. Sept. 9. 1087.

Year of Reign.	Year of Our Lord.
1	1087
2	1088
3	1089
4	1090
5	1091
6	1092
7	1093
8	1094
9	1095
10	1096

W. Rufus.

Year of Reign.	Year of Our Lord.
11	1097
12	1098
13	1099-1100

Henry I. August 1. 1100.

Year of Reign.	Year of Our Lord.
1	1100
2	1101
3	1102
4	1103
5	1104
6	1105
7	1106
8	1107
9	1108
10	1109
11	1110
12	1111
13	1112
14	1113
15	1114
16	1115
17	1116
18	1117
19	1118
20	1119
21	1120
22	1121
23	1122
24	1123
25	1124
26	1125
27	1126
28	1127

Henry I.

Year of Reign.	Year of Our Lord.
29	1128
30	1129
31	1130
32	1131
33	1132
34	1133
35	1134
36	1135

Stephen. Dec. 2. 1135.

Year of Reign.	Year of Our Lord.
1	1135
2	1136
3	1137
4	1138
5	1139
6	1140
7	1141
8	1142
9	1143
10	1144
11	1145
12	1146
13	1147
14	1148
15	1149
16	1150
17	1151
18	1152
19	1153—4

Henry II. Oct. 25. 1154.

Year of Reign.	Year of Our Lord.
1	1154
2	1155
3	1156
4	1157
5	1158
6	1159
7	1160
8	1161
9	1162
10	1163
11	1164
12	1165
13	1166
14	1167
15	1168
16	1169
17	1170
18	1171
19	1172
20	1173
21	1174
22	1175
23	1176
24	1177
25	1178
26	1179
27	1180
28	1181
29	1182
30	1183
31	1184
32	1185
33	1186
34	1187
35	1188—9

Richard I. July 6. 1189.

Year of Reign.	Year of Our Lord.
1	1189
2	1190
3	1191
4	1192
5	1193
6	1194
7	1195
8	1196
9	1197
10	1198—9

John. April 6. 1199.

Year of Reign.	Year of Our Lord.
1	1199
2	1200
3	1201
4	1202
5	1203
6	1204
7	1205
8	1206
9	1207
10	1208
11	1209
12	1210
13	1211
14	1212
15	1213
16	1214
17	1215
18	1216

Henry III. Oct. 19. 1216.

Year of Reign.	Year of Our Lord.
1	1216
2	1217
3	1218
4	1219
5	1220
6	1221
7	1222
8	1223
9	1224
10	1225
11	1226
12	1227
13	1228
14	1229
15	1230
16	1231
17	1232
18	1233
19	1234
20	1235
21	1236
22	1237
23	1238
24	1239
25	1240
26	1241
27	1242
28	1243
29	1244
30	1245
31	1246
32	1247
33	1248
34	1249
35	1250
36	1251
37	1252

Henry III.

Year of Reign.	Year of Our Lord.
38	1253
39	1254
40	1255
41	1256
42	1257
43	1258
44	1259
45	1260
46	1261
47	1262
48	1263
49	1264
50	1265
51	1266
52	1267
53	1268
54	1269
55	1270
56	1271
57	1272

Edward I. Nov. 16. 1272.

Year of Reign.	Year of Our Lord.
1	1272
2	1273
3	1274
4	1275
5	1276
6	1277
7	1278
8	1279
9	1280
10	1281
11	1282

* Until 1752, the year began the 25th day of March. Thus Edward the Third was said to have begun his reign on the 25th January 1326; whereas, by the change of the style, his reign commenced 25th January 1327. This change of style was effected by the 24 *G.* 2. *c.* 23. (*see tit.* CALENDAR,) by which it was enacted, that the day which, according to the old style, would be 1st January 1751—2. should be deemed 1st January 1752, and that every subsequent 1st of January should be considered as the first day of the new year, instead of 25th of March as theretofore. Where, in the above table, any two years at the end of any reign are coupled together thus, 1086—7, it is to be understood that the king whose reign is so referred to, died in the last mentioned year, viz. 1087, and that the last year of his reign commenced in the first-mentioned year, viz. 1086. The difference created in the style by the 24 *G.* 2. *c.* 23., will be found duly noticed in the table, and it is scarcely necessary to say, that those reigns only are affected by it which began at any time between the 1st of January and 25th March.

The Old Style now prevails in Muscovy, Denmark, Holstein, Hamburgh, Utrecht, Guelders, East Friesland, Geneva, and in all the Protestant principalities in Germany and the Cantons of Switzerland. In this style, the date is now twelve days earlier than the New Style, owing to the circumstance of the New Style having omitted the intercalary day in the month of February in the year 1800.

New Style is used in all the dominions subject to Great Britain, in America, in Amsterdam, Rotterdam, Leyden, Haerlem, Middleburgh, Ghent, Brussels, Brabant, and in all the Netherlands, except the places before-mentioned. Also in France, Portugal, Italy, Hungary, Poland, and in all the Popish principalities of Germany, and Cantons of Switzerland, *Tomlins Law Dict. tit.* YEAR.

In common correspondence, the mode of dating, between 31st December and 25th March, was 1746—7.

Edward I.

Year of Reign.	Year of Our Lord.
12	1283
13	1284
14	1285
15	1286
16	1287
17	1288
18	1289
19	1290
20	1291
21	1292
22	1293
23	1294
24	1295
25	1296
26	1297
27	1298
28	1299
29	1300
30	1301
31	1302
32	1303
33	1304
34	1305
35	1306—7

Edward II.
July 7. 1307.

Year of Reign.	Year of Our Lord.
1	1307
2	1308
3	1309
4	1310
5	1311
6	1312
7	1313
8	1314
9	1315
10	1316
11	1317
12	1318
13	1319
14	1320
15	1321
16	1322
17	1323
18	1324
19	1325
20	1326 O. S. / 1327 N. S.

Edward III.
Ja. 25. 1326. o. s. 1327. N. S.

Year of Reign.	Year of Our Lord. O. S. N. S.
1	1326—27
2	1327—28
3	1328—29
4	1329—30
5	1330—31
6	1331—32
7	1332—33
8	1333—34
9	1334—35
10	1335—36
11	1336—37
12	1337—38
13	1338—39
14	1339—40
15	1340—41
16	1341—42
17	1342—43
18	1343—44
19	1344—45
20	1345—46
21	1346—47
22	1347—48
23	1348—49
24	1349—50
25	1350—51
26	1351—52
27	1352—53
28	1353—54
29	1354—55
30	1355—56
31	1356—57
32	1357—58
33	1358—59
34	1359—60
35	1360—61
36	1361—62
37	1362—63
38	1363—64
39	1364—65
40	1365—66
41	1366—67
42	1367—68
43	1368—69
44	1369—70
45	1370—71
46	1371—72
47	1372—73
48	1373—74
49	1374—75
50	1375—76
51	1376—77

Richard II.
June 21. 1377. o. s. and N. S.

Year of Reign.	Year of Our Lord.
1	1377
2	1378
3	1379
4	1380
5	1381
6	1382
7	1383
8	1384
9	1385
10	1386
11	1387
12	1388
13	1389
14	1390
15	1391
16	1392
17	1393
18	1394
19	1395
20	1396
21	1397
22	1398
23	1399

Henry IV.
Sept. 29. 1399.

Year of Reign.	Year of Our Lord.
1	1399
2	1400
3	1401
4	1402
5	1403
6	1404
7	1405
8	1406
9	1407
10	1408
11	1409
12	1410
13	1411
14	1412 O. S. / 1413 N. S.

Henry V.
March 20.
1412 o. s.
1413 N. S.

Year of Reign.	Year of Our Lord. O. S. N. S.
1	1412—13
2	1413—14
3	1414—15
4	1415—16
5	1416—17
6	1417—18
7	1418—19
8	1419—20
9	1420—21
10	1421—22

Henry VI
Aug. 31. 1422.
o. s. and N. S.

Year of Reign.	Year of Our Lord.
1	1422
2	1423
3	1424
4	1425
5	1426
6	1427
7	1428
8	1429
9	1430
10	1431
11	1432
12	1433
13	1434
14	1435
15	1436
16	1437
17	1438
18	1439
19	1440
20	1441
21	1442
22	1443
23	1444
24	1445
25	1446
26	1447
27	1448
28	1449
29	1450
30	1451
31	1452
32	1453
33	1454
34	1455
35	1456
36	1457
37	1458
38	1459
39	1460 O. S. / 1461 N. S.

Edward IV.
Mar. 4. 1460. o. s. 1461. N. S.

Year of Reign.	Year of Our Lord. O. S. N. S.
1	1460—61
2	1461—62
3	1462—63
4	1463—64
5	1464—65
6	1465—66
7	1466—67
8	1467—68
9	1468—69
10	1469—70
11	1470—71
12	1471—72
13	1472—73
14	1473—74
15	1474—75
16	1475—76
17	1476—77
18	1477—78
19	1478—79
20	1479—80
21	1480—81
22	1481—82
23	1482—83

Edward V.
April 9. 1483.
o. s. and N. S.

Year of Reign.	Year of Our Lord.
1	1483

Richard III.
June 22. 1483.

Year of Reign.	Year of Our Lord.
1	1483
2	1484
3	1485

Henry VII.
Aug. 22. 1485.

Year of Reign.	Year of Our Lord.
1	1485
2	1486
3	1487
4	1488
5	1489
6	1490
7	1491
8	1492
9	1493
10	1494
11	1495
12	1496
13	1497
14	1498
15	1499
16	1500
17	1501
18	1502
19	1503
20	1504
21	1505
22	1506
23	1507
24	1508—9

Henry VIII.
April 22. 1509.

Year of Reign.	Year of Our Lord.
1	1509
2	1510
3	1511
4	1512
5	1513
6	1514
7	1515
8	1516
9	1517
10	1518
11	1519
12	1520
13	1521
14	1522
15	1523
16	1524
17	1525
18	1526
19	1527
20	1528
21	1529
22	1530
23	1531
24	1532
25	1533
26	1534
27	1535
28	1536
29	1537
30	1538
31	1539
32	1540
33	1541
34	1542
35	1543
36	1544
37	1545
38	1546 O. S. / 1547 N. S.

Edward VI.
January 28.
1546. o. s.
1547. N. S.

Year of Reign.	Year of Our Lord. O. S. N. S.
1	1546—47
2	1547—48
3	1548—49
4	1549—50
5	1550—51
6	1551—52
7	1552—53

Queen Mary
July 6. 1553.
o. s. and N. S.

Year of Reign.	Year of Our Lord.
1	1553
2	1554
3	1555
4	1556
5	1557
6	1558

Elizabeth.
Nov. 17. 1558.

Year of Reign.	Year of Our Lord.
1	1558
2	1559
3	1560
4	1561
5	1562
6	1563
7	1564
8	1565
9	1566
10	1567
11	1568
12	1569
13	1570
14	1571

Elizabeth.

Year of Reign.	Year of Our Lord.
15	1572
16	1573
17	1574
18	1575
19	1576
20	1577
21	1578
22	1579
23	1580
24	1581
25	1582
26	1583
27	1584
28	1585
29	1586
30	1587
31	1588
32	1589
33	1590
34	1591
35	1592
36	1593
37	1594
38	1595
39	1596
40	1597
41	1598
42	1599
43	1600
44	1601
45	1602—3

James I.
March 24.
1602. o. s.
1603. N. S.

Year of Reign.	Year of Our Lord. O.S. N.S.
1	1602—03
2	1603—04
3	1604—05
4	1605—06
5	1606—07
6	1607—08
7	1608—09
8	1609—10
9	1610—11
10	1611—12
11	1612—13
12	1613—14
13	1614—15
14	1615—16
15	1616—17
16	1617—18
17	1618—19
18	1619—20
19	1620—21
20	1621—22
21	1622—23
22	1623—24
23	1624—25

Charles I.
March 27. 1625.
o. s. and N. S.

Year of Reign.	Year of Our Lord.
1	1625
2	1626
3	1627
4	1628
5	1629
6	1630
7	1631
8	1632
9	1633
10	1634
11	1635
12	1636
13	1637
14	1638
15	1639
16	1640
17	1641
18	1642
19	1643
20	1644
21	1645
22	1646
23	1647
24	1648 o. s. / 1649 N. S.

Charles II.
Ja. 30. 1648. o. s.
1649. N. S.

Year of Reign.	Year of Our Lord O. S. N.S
1	1648—49
2	49—50
3	50—51
4	51—52
5	52—53
6	53—54
7	54—55
8	55—56
9	56—57
10	57—58
11	58—59
12	1659—60
13	1660—61
14	1661—62
15	1662—63
16	1663—64
17	1664—65
18	1665—66
19	1666—67
20	1667—68
21	1668—69
22	1669—70
23	1670—71
24	1671—72
25	1672—73
26	1673—74
27	1674—75
28	1675—76
29	1676—77
30	1677—78
31	1678—79
32	1679—80
33	1680—81
34	1681—82
35	1682—83
36	1683—84
37	1684—85

Commonwealth of England.

James II.
Feb. 6. 1684. o. s
1685. N. S.

Year of Reign.	Year of Our Lord. O.S. N. S.
1	1684—85
2	1685—86
3	1686—87
4	1687—88
5	1688—89

Will. and Mary.
February 13.
1688. o. s.
1689. N. S.

Year of Reign.	Year of Our Lord. O. S. N.S.
1	1688—89
2	1689—90
3	1690—91
4	1691—92
5	1692—93
6	1693—94

William III.

Year of Reign.	Year of Our Lord. O. S. N.S.
7	1694—95
8	1695—96
9	1696—97
10	1697—98
11	1698—99
12	1699—00
13	1700—01
14	1701—02

Anne.
March 8.
1701. o. s.
1702. N. S.

Year of Reign.	Year of Our Lord. O. S. N. S.
1	1701—02
2	1702—03
3	1703—04
4	1704—05
5	1705—06
6	1706—07
7	1707—08
8	1708—09
9	1709—10
10	1710—11
11	1711—12
12	1712—13
13	1713—14

George I.
Aug. 1. 1714.
o. s. and N. S.

Year of Reign.	Year of Our Lord.
1	1714
2	1715
3	1716
4	1717
5	1718
6	1719
7	1720
8	1721
9	1722
10	1723
11	1724
12	1725
13	1726
14	1727

George II.
June 11. 1727.

Year of Reign.	Year of Our Lord.
1	1727
2	1728
3	1729
4	1730
5	1731
6	1732
7	1733
8	1734
9	1735
10	1736
11	1737
12	1738
13	1739
14	1740
15	1741
16	1742
17	1743
18	1744
19	1745
20	1746
21	1747
22	1748
23	1749
24	1750
25	1751
26	1752
27	1753
28	1754
29	1755
30	1756
31	1757
32	1758
33	1759
34	1760

George III.
Oct. 25. 1760.

Year of Reign.	Year of Our Lord.
1	1760
2	1761
3	1762
4	1763
5	1764
6	1765
7	1766
8	1767
9	1768
10	1769
11	1770
12	1771
13	1772
14	1773
15	1774
16	1775
17	1776
18	1777
19	1778
20	1779
21	1780
22	1781
23	1782
24	1783
25	1784
26	1785
27	1786
28	1787
29	1788
30	1789
31	1790
32	1791
33	1792
34	1793
35	1794
36	1795
37	1796
38	1797
39	1798
40	1799
41	1800
42	1801
43	1802
44	1803
45	1804
46	1805
47	1806
48	1807
49	1808
50	1809
51	1810
52	1811
53	1812
54	1813
55	1814
56	1815
57	1816
58	1817
59	1818
60	1819

George IV.
Jan. 29. 1820.

Year of Reign.	Year of Our Lord. O. S. N. S.
1	1820
2	1821
3	1822

*** Each King's reign commences on the *day* of the demise of his predecessor. For instance, George the Third died 29th January 1820: on that day the reign of George the Fourth began; the first Year of which terminated with the 29th January 1821; and on the 30th he entered into the second year of his reign.

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OF THE

LENGTH OF SOVEREIGNS' REIGNS, FROM THE CONQUEST.

NORMAN LINE.

Kings' Names.	*When their reigns began.*	*Reigned,* Years.	Mo.	Da.
William the Conqueror	1066, October 14.	20	10	26
William Rufus	1087, September 9.	12	10	24
Henry I.	1100, August 1.	35	4	1
Stephen	1135, December 2.	18	10	23

THE SAXON OR PLANTAGENET LINE.

Henry II.	1154, October 25.	34	8	11
Richard I.	1189, July 6.	9	9	—
John	1199, April 6.	17	6	13
Henry III.	1216, October 19.	56	—	28
Edward I.	1272, November 16.	34	7	21
Edward II.	1307, July 7.	19	6	18
Edward III.	{1326, O. S. / 1327, N. S.} January 25.	50	4	27
Richard II.	1377, June 21.	22	3	8

THE LINE OF LANCASTER.

Henry IV.	1399, September 29.	13	5	20
Henry V.	{1412, O. S. / 1413, N. S.} March 20.	9	5	11
Henry VI.	1422, August 31.	38	6	4

THE LINE OF YORK.

Kings' Names.	*When their reigns began.*	*Reigned,* Years.	Mo.	Da.
Edward IV.	{1460, O. S. / 1461, N. S.} March 4.	22	1	5
Edward V.	1483, April 9.	—	2	13
Richard III.	1483, June 20.	2	2	—

THE HOUSE OF TUDOR.

Henry VII.	1485, August 22.	23	8	—
Henry VIII.	1509, April 22.	37	9	6
Edward VI.	{1546, O. S. / 1547, N. S.} January 28.	6	5	9
Queen Mary	1553, July 6.	5	4	11
Queen Elizabeth	1558, November 17.	44	4	7

THE HOUSE OF STUART.

James I.	{1603, O. S. / 1604, N. S.} March 24.	22	—	3
Charles I.	1625, March 27.	23	10	3
Charles II.	{1648, O. S. / 1649, N. S.} January 30.	36	—	7
James II.	{1685, O. S. / 1686, N. S.} February 6.	4	—	7

SINCE THE REVOLUTION.

William III.	{1688, O. S. / 1689, N. S.} February 13.	13	—	23
Queen Anne	{1701, O. S. / 1702, N. S.} March 8.	12	4	24
George I.	1714, August 1.	13	10	10
George II.	1727, June 11.	33	4	14
George III.	1760, October 25.	59	3	4
George IV.	1820, January 29.	—	—	—

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Appendix.

ABBREVIATIONS.

WORDS.

Alt.	for	Altered.
Amd.	—	Amended.
Ber.	—	Berwick on Tweed.
Con.	—	Continued.
Conf.	—	Confirmed.
E. I. C.	—	East India Company.
Enf.	—	Enforced.
Eng.	—	England.
Exp.	—	Expired.
Expl.	—	Explained.
Ext.	—	Extended.
G. B.	—	Great Britain.
H. of C.	—	House of Commons.
H. M.	—	The King, His Majesty, or the Queen, or Her Majesty.
Ir.	—	Irish, or Irish act.
Irc.	—	Ireland.
Made Perp.	—	Made perpetual.
Rec.	—	Recited.
Rep.	—	Repealed.

WORDS.

Sc.	for	Scotch, or Scotch act.
Scot.	—	Scotland.
Susp.	—	Suspended.
T. M.	—	Their Majesties.
Wa.	—	Wales.
U. K.	—	United Kingdom.

SOVEREIGNS' NAMES.

A.	for	Anne.
C.	—	Charles 1st, &c.
Ed. and *E.*	—	Edward 1st, &c.
El.	—	Elizabeth.
G.	—	George 1st., &c.
H.	—	Henry 3d, &c.
J.	—	James 1st, &c.
M.	—	Mary.
P & M.	—	Philip and Mary.
R.	—	Richard 2d, &c.
W.	—	William 3d.
W. & M.	—	William and Mary.

A

DIGEST

OF

THE STATUTES.

ACCOUNTS, PUBLIC.

(STATUTES *expired.*)

1. FOR TAKING accounts of several sums of money, 19 *C.* 2. *c.* 9. [EXP.]

2. FOR APPOINTING and enabling commissioners to take, [2 *W.* & *M. S.* 2. *c.* 11.] and for taking, examining, and stating the public accounts of the kingdom, 2 *W.* & *M. S.* 2. *c.* 11., 4 *W.* & *M. c.* 10. [REV. and CON. 5 & 6 *W.* & *M. c.* 23., 6 & 7 *W.* & *M. c.* 10., 7 & 8 *W.* & *M. c.* 8., 1 *A. S.* 1. *c.* 10., and 1 *A. S.* 2. *c.* 19. ALL EXP.]

3. FOR TAKING, examining, and stating the public accounts of the kingdom, 9 *A. c.* 13. [CON. 10 *A. c.* 8., 12 *A. c.* 3. ALL EXP.]

4. FOR BETTER charging several accountants with interest of monies by them received and to be received, 12 & 13 *W.* 3. *c.* 11. *s.* 28., and 2 & 3 *A. c.* 17. [BOTH EXP. *comm. semb.*]

5. FOR APPOINTING commissioners to examine, take, and state the public accounts of the kingdom, and to report what balances of public money are in the hands of accountants, and as to making improved regulations in the mode of collecting, receiving, issuing, and accounting for public money, 20 *G.* 3. *c.* 54. [CON. 21 *G.* 3. *c.* 45., 22 *G.* 3. *c.* 50., 23 *G.* 3. *c.* 68., and *semb.* by 24 *G.* 3. *S.* 2. *c.* 13., 25 *G.* 3. *c.* 68., 26 *G.* 3. *c.* 67. ALL EXP.]

6. TO AUTHORIZE H. M. to appoint commissioners for more effectual examination of accounts of public expenditure for forces in West Indies, during the war, 41 *G.* 3. (G. B.) *c.* 22. [EXP. and REP. 46 *G.* 3. *c.* 80. *s.* 1. (*which act is also Exp.*); and see 45 *G.* 3. *c.* 47. *s.* 4. EXP.]

7. TO APPOINT commissioners to enquire and examine into the public expenditure and conduct of public business, (in the offices of *Ordnance* —of *Secretary at War*—of *Adjutant, Quarter, and Barrack Masters General*—of *the Commissariat*—in *Chelsea Hospital, the Royal Military College, and Asylum, s.* 2.): and to report as to preventing abuses, and for better conducting the business of those departments, 45 *G.* 3. *c.* 47. [EXT. to the *Office of Works*, 51 *G.* 3. *c.* 19. Last CON. (till 25th March, 1813.) 52 *G.* 3. *c.* 41. ALL EXP.]

(STATUTES *in Force.*)

1. FOR BETTER examining and auditing the public accounts of the kingdom, [*viz.* G. B.] 25 *G.* 3. *c.* 52. [AMD. by 34 *G.* 3. *c.* 59., 39 *G.* 3. *c.* 83., 45 *G.* 3. *cc.* 55. 91., 46 *G.* 3. *c.* 141., 47 *G.* 3. *S.* 2. *c.* 39. *ss.* 9—11., 49 *G.* 3. *c.* 95., and 53 *G.* 3. *c.* 150. *ss.* 4—6., 1 & 2 *G.* 4. *c.* 121. *ss.* 1—12. 17—21. See, as to *Ire.*, 44 *G.* 3. *c.* 58.]

2. Patents granted to Lords Sondes and Mountstuart, as auditors of imprest, vacated; and all powers thereby granted shall cease, and no fee, gratuity, or emolument shall be received by any person employed in making up, passing, or auditing, any public accounts under this act, 25 *G.* 3. *c.* 52. *s.* 1.

3. Nothing herein shall affect the rights of any officer of exchequer, other than the above auditors or persons under them, *id. s.* 2.

4. Compensation of 7000*l. per annum* to each of such auditors for their lives, *id. s.* 3.

5. H. M. may appoint *five* commissioners, by letters patent under the great seal, [with 4000*l.* salary *per ann.* to each; *but see* now 46 *G.* 3. *c.* 141. *s.* 2. *pl.* 8.]; two of whom shall be existing comptrollers of army accounts, [but see 46 *G.* 3. *c.* 141. *s.* 1. *pl.* 6.] to hold office *dum se bene gesserint*, and to be stiled "*The Commissioners for auditing the Public Accounts;*" and shall, before they act, take oath before Chancellor of Exchequer, faithfully to execute their powers, under the several acts for auditing public accounts. 25 *G.* 2. *c.* 52. *s.* 4., 45 *G.* 3. *c.* 91. *s.* 2., 46 *G.* 3. *c.* 141. *s.* 33. [*THE forms* of these oaths are very similar, and are annexed to these sections of the above acts, but seem unnecessary to be inserted here.]

6. Comptrollers of army accounts shall cease to be commissioners for auditing public accounts; and the two offices are declared perfectly distinct, 46 *G.* 3. *c.* 141. *s.* 1.

7. Three commissioners added to examine extraordinary accounts of public expenditure, 45 *G.* 3. *c.* 91. *s.* 1. [*semb.* EXP., and REP. virtually, 46 *G.* 3. *c.* 141. *s.* 2.] Powers of commissioners under 25 *G.* 3. *c.* 52. are extended to such additional three, *id. s.* 4., *semb.* EXP.

8. H. M. may appoint 10 such commissioners, including those now in office, who shall hold their offices during good behaviour, with all the powers of those under 25 *G.* 3. *c.* 52., 45 *G.* 3. *cc.* 55. 91. appointed 46 *G.* 3. *c.* 141. *s.* 2. [One more may be added for accounts of West India Expenditure, 1 & 2 *G.* 4. *c.* 121. *s.* 13. *pl.* 115.]

9. The salary of the first-named commissioner (who shall be chairman) is 1500*l. per ann.*; of the other 9, 1200*l. per ann.* each, clear of deductions, 46 *G.* 3. *c.* 141. *s.* 3.

10. Treasury may subdivide the general board of 10 commissioners into other boards, apportioning the business, and may allot officers, assistants, and clerks to each board, *id. s.* 5.

11. And may, from time to time, by warrant, direct such new arrangements respecting the conduct of the business in the audit office, [and assign to the Commissioners for the time being individually or collectively, 1 & 2 *G.* 4. *c.* 121. *s.* 19. *only*] and may appoint one or more boards of commissioners of audit, and assign to them respectively, the exercise of such duties, with respect to the conduct of the business, and the control over the officers and clerks employed there, as to them shall seem expedient, 53 *G.* 3. *c.* 150. *s.* 6., 1 & 2 *G.* 4. *c.* 121. *s.* 19.

12. Any thing directed by this act, or by those recited in *s.* 2. *pl.* 8. to be done by the commissioners for auditing public accounts, or by any of the boards mentioned in *s.* 5. *pl.* 10., may be done by a majority of such commissioners, or of any such board, 46 *G.* 3. *c.* 141. *s.* 7.

13. Any two commissioners for auditing the public accounts may examine on oath (administered by two of them), and may do all other acts concerning examination and audit of public accounts, which any three or more, or a majority of any board into which they may be divided, may do by virtue of 25 *G.* 3. *c.* 52., and 46 *G.* 3. *c.* 141. [See *last pl.* and *two next pl.*] 1 & 2 *G.* 4. *c.* 121. *s.* 17. [And accounts may be attested before *one* commissioner, 47 *G.* 3. *S.* 2. *c.* 39. *s.* 6. *pl.* 104.]

14. Any *five* such commissioners constitute a general board, with powers of all the commissioners, 49 *G.* 3. *c.* 95. *s.* 1.

15. The majority of the commissioners actually present at such general board may act, *id. s.* 2.

16. No vacancy in the number of such commissioners shall be filled up without authority of statute, till the number is reduced to *five* or less; when H. M. may, on a vacancy, appoint new commissioners, to keep up the number to *six;* [and see 1 & 2 *G.* 4. *c.* 121. *s.* 14. *pl.* 116. s. p., and *s.* 13. *pl.* 115.], and if at any time the House of Commons shall, by address to H. M., state that the public accounts are so far stated as to render unnecessary the continuance of all such commissioners, he may remove any of the last appointed commissioners, not thereby reducing them to less than *six:* and on the death or other avoidance of the chairman, H. M. may nominate any other of the commissioners to be chairman with 1500*l.* salary as in *s.* 3. *pl.* 9. 46 *G.* 3. *c.* 141. *s.* 6.

17. Treasury shall appoint such officers, clerks, and other persons as appear to them necessary to make up and prepare for declaration, the public accounts of the kingdom, in order to laying them before the commissioners, and shall fix their salaries, 25 *G.* 3. *c.* 52. *s.* 5., 45 *G.* 3. *c.* 91. *s.* 3.

18. Treasury shall allow sums not exceeding 6000*l.* annually, for stationery, coals, candles, and other incidental charges incurred in the office, to be paid out of the consolidated fund, and to include salaries of the officers and clerks in lieu of all fees soever, 25 *G.* 3. *c.* 52. *s.* 5., 46 *G.* 3. *c.* 141. *s.* 4. [*ADDITION* of 3040*l. per ann.* for expences of audit office of land revenue by the above commissioners, 39 *G.* 3. *c.* 83. *s.* 10. *pl.* 79.]

19. The commissioners are invested with the powers and liabilities of auditors of imprest, except where altered by this act, and an oath for faithful demeanor of the above officers and clerks, shall be administered to them by any 3 [or 2: since 1 & 2 *G.* 4. *c.* 121. *s.* 17. *ante pl.* 13.] or more commissioners, 25 *G.* 3. *c.* 52. *s.* 8.

20. Accounts of public expenditure heretofore passed to auditors of imprest, shall be delivered with their vouchers to the commissioners, *id. s.* 15.

21. All official books, papers, &c. remaining in offices of auditors of imprest, are public property, and shall be delivered over to commissioners, *id. s.* 24.

22. "*FOR EARLY* information to commissioners of issues from the exchequer to persons on account," the auditor of exchequer shall transmit to them such certificate of monies issued by way of imprest as was formerly transmitted to the auditors thereof, *id. s.* 16. [*But see next pl.*]

23. Instead of the general imprest certificates of monies issued at exchequer by way of imprest, or on account, which have heretofore been transmitted half-yearly to the commissioners of public accounts, general imprest certificates of all monies so issued shall, from 10*th Oct.* 1821, be made out in the office of auditor of exchequer four times a-year, for the four quarterly periods ending *5th Jan.*, *5th Apr.*, *5th July*, and 10*th Oct.*, and shall be signed by him or his chief clerk, and examined in the office of clerk of pells, and signed by his deputy; and shall respectively contain an account of all monies issued at exchequer by way of imprest, or on account, during the preceding quarter, and specify the date and amount of every issue so made within that period, and whether in money or exchequer-bills, and shall be written in English, in a common hand and character, and the several sums therein expressed as the amounts of the several issues, as well as their dates, shall be written and described in common numerals and figures, 1 & 2 *G.* 4. *c.* 121. *s.* 1., [and see *s.* 6. *pl.* 61.]

24. Nothing herein shall prevent regular transmission of the general imprest rolls half-yearly to H. M.'s exchequer remembrancer's office, according to ancient usage of exchequer, nor prevent any person to whom any monies have been so issued, from demanding from the exchequer auditor's office one or more special imprest certificates of the same; all which certificates demanded after 10*th Oct.* 1821, shall be made out as in *last pl.* directed, except only that they may contain the whole of the issues made to any person for the same service for one year, *id. s.* 2.

25. The commissioners shall call before them by precept under their hands, all persons who have received money by way of imprest, or in any other way for which they are accountable, to attend personally, and to exhibit all accounts, books, certificates, warrants, muniments, or other papers in their possession; and they, or any three of them, may cause search, and extracts to be made from any book, roll, or record in the custody of any officer in the court, or receipt of exchequer, without paying any fee. 25 *G.* 3. *c.* 52. *s.* 9. [And see 1 & 2 *G.* 4. *c.* 121 *s.* 25. *pl.* 134.]

26. The commissioners, or 3 [or 2: since 1 & 2 *G.* 4. *c.* 121. *s.* 17. *ante pl.* 13.] of them, shall examine the accounts and vouchers with as little delay as possible, and shall make perfect accounts, containing briefly the substance thereof in charge and discharge, *id. s.* 10.

27. When such examination of accounts is completed, they shall lay a state thereof before the treasury, who, after considering all particulars, shall grant warrant to them to prepare same for declaration in the accustomed manner, *id. s.* 14.

28. The commissioners shall allow to accountants such articles of discharge only as they were authorized to incur, unless on special statement of the matter to the treasury, they are authorized by treasury warrant to allow further sums, *id. s.* 11.

29. The commissioners, or three [or two since 1 & 2 *G.* 4. *c.* 121. *s.* 17. *pl.* 13.] of them, may examine on oath administered by any three of them, all accountants or other persons whom they think fit to examine for due execution of this act, *id. s.* 12.

30. Persons liable to account before the commissioners, shall annually, in 3 calendar months from 31*st Dec.* or within 3 like months from the usual period to which such account is made up, deliver to their office an account current of all sums by them received and paid for the public service in the preceding year, with the vouchers, and a schedule thereof signed by the accountant; a duplicate of which schedule, after it has been compared with such vouchers, signed by the proper officer, shall be delivered to the accountant; but the delivery of such annual account shall not exonerate the parties from transmitting any other accounts required by usage of office, or by the commissioners; all of which shall be delivered to their office within 3 like months at latest from the date of the last receipt or payment included therein, 46 *G.* 3. *c.* 141. *s.* 8.

31. The commissioners may enlarge the period of delivering accounts and vouchers thereof, where the accountant is unable, from circumstances not within his control, to deliver them within 3 months from 31*st Dec.* or 3 months from the usual period of making them up annually, 47 *G.* 3 *S.* 2. *c.* 39. *s.* 10., [and see 46 *G.* 3. *c.* 141. *s.* 8. *pl.* 30.]

32. The commissioners may dispense with delivery of the cash account required by 46 *G.* 3. *c.* 141. *s.* 8. *pl.* 30. in cases of necessity, where it appears to them that the account could not be delivered in time, with the proper vouchers, to enable them to proceed in its audit, &c., and that it will be ready for delivery in a reasonable time limited, 46 *G.* 3. *c.* 39. *s.* 11.

33. Accounts to be delivered into the commissioners' office, may be attested on oath before any baron of exchequer, cursitor baron, the commissioners themselves, or any of their boards, commissioners of affidavits in exchequer, British ministers to foreign states, or the chief magistrate of any place out of the U. K., where the person is resident at time of attestation, 46 *G.* 3. *c.* 141. *s.* 9., extending 39 *G.* 3. *c.* 83. *s.* 13.

34. The commissioners may receive and proceed with the examination and audit of the public accounts, notwithstanding defects of form in their attestation, and may accept agents' attestation where it is inconvenient to obtain that of the accountant, by reason of his absence from the kingdom, or other sufficient cause, 47 *G.* 3. *S.* 2. *c.* 39. *s.* 9.

35. They may allow one or more articles of discharge, without production of written vouchers, or other evidence of payment, provided that the articles so allowed are pointed out to the attention of the treasury, by memorandum on the account, or by representation thereof, in case of accounts prepared for declaration without previous statement, so as to give the latter full opportunity to confirm or rescind the same at pleasure, but the treasury must in their minute, and also in their warrant for preparing such account for declaration, specifically direct the allowance of any such articles exceeding 1000*l.* in any one account, 53 *G.* 3. *c.* 150. *s.* 4.

36. And may, if it appear to them expedient for the public service, allow accounts, though the receipts and vouchers are not stamped according to law, *id. s.* 5.

37. Whenever the paymaster general of forces, treasurers of navy, and of ordnance, or any other public officer shall pay money for public services, by way of imprest, or on account, they shall, in 3 calendar months after 31*st Dec.* annually transmit to the commissioners a certificate of such payment, with the name and description of the person to whom it is made, 46 *G.* 3. *c.* 141. *s.* 10., 25 *G.* 3. *c.* 52. *s.* 17.

38. If it appear to commissioners that such payee ought to be made a sub-accountant, and that the sums so certified should be set *insuper* on him in such public officer's account, they shall give notice to the latter, and transmit schedule thereof to exchequer remembrancer, who shall charge such sum against the party, as if received by way of imprest, and on account at receipt of exchequer; but three months are allowed for transmitting certificate by public officer to commissioners from receipt of such notice where the issue of money is made beyond seas, 46 *G.* 3. *c.* 141. *s.* 10. [But see 1 & 2 *G.* 4. *c.* 121. *s.* 5. *pl.* 40.]

39. The commissioners shall not, by their transmission of schedule to such remembrancer, be precluded from afterwards allowing any such sum in discharge of the account of the public officer, when proof of right application thereof to the public service is made, but shall then transmit him a further certificate, and the remembrancer shall, on receiving it, strike out from the imprest roll the names of the parties made sub-accountants, and they are thereby discharged thereof, *id. s.* 11.

40. From *5th July* 1821, the practice of setting persons *insuper* in the declared accounts of any principal accountant, in respect of any public monies issued to them by way of imprest, and on account, shall cease; but if the commissioners in the exercise of their discretion, deem it expedient for the public service that the name of any person so rendered accountable should be entered as a public accountant on the general imprest-roll of H. M.'s exchequer, they may transmit a certificate, containing his name, and the total amount of the sums with which he is chargeable, as also the name of the principal accountant by whom such sum was issued to him, to H. M.'s exchequer remembrancer, who shall, on receipt thereof, cause it to be enrolled in his office, in which it shall be deemed a record as effectual to enable any process in law

against the party so rendered chargeable, and for all other purposes, as if he had been then actually returned an *insuper* accountant in any declared account duly enrolled asof record in his office, 1&2 *G.*4. *c.*121. *s.*5.

41. No accountant shall be allowed in his account any sum issued to his sub-accountants, unless regular accounts thereof are transmitted to the commissioners, except proof is made to treasury that he was not guilty of wilful neglect in such transmission, 46 *G.*3. *c.*141. *s.*12.

42. Accountants, on payment of all sums with which they are charged, into the exchequer or bank, on account of the paymaster general of forces, shall be discharged thereof at exchequer offices, without fees, by shewing certificate of commissioners, *id. s.*13.

43. Whenever the commissioners shall think that any sums have been paid, &c., by persons beyond seas, not accountants for, but competent to order the issue of such sums, after notice given by commissioners to such person, and hearing his allegations, treasury may, on certificate made to them thereof by the commissioners, order such sums to be set *insuper* on such person, in the declared account of the party who has actually made the expenditure; but the person so charged may move the exchequer for relief against rendering account thereof, *id. s.*14.

44. When it appears to treasury that any sums issued or expended by orders from any person in H. M.'s service in parts beyond the seas (he not being himself accountant for the same,) ought not to have been issued or expended, or to be charged to the public, they shall thereupon call on the person under whose authority it has been so issued, *&c.*, for explanation of the reasons of such order; and if, on receiving such explanation, they are still of opinion that such person ought to be charged with the amount, they may authorize the commissioners of public accounts to require the person by whose authority such issue, *&c.*, was made, to render an account of the monies so issued, *&c.*; and he shall thereupon be deemed a public accountant, as fully as if the amount of such monies had actually been issued to him by way of imprest and on account; but nothing herein shall deprive him of relief by application to exchequer as in *last pl.*, 1 *&* 2 *G.* 4. *c.* 121. *s.* 20.

45. The commissioners may compel all accountants, sub-accountants, commissaries, storekeepers, or other persons to whom or to whose order any public money, stamps, provisions, or stores of H. M. have been entrusted, to account to them for the receipt, expenditure, and issue thereof, within a limited time, and on default, shall transmit a special certificate to the exchequer remembrancer, and shall also give notice thereof to the law officers of the crown in any of the three kingdoms or colonies, that special process may issue to compel delivering of such accounts, unless on special statement to the treasury the proceedings are staid by special warrant, 35*G.*3. *c.*52. *s.*19. 46*G.*3. *c.*141. *s.*17.

46. The practice of issuing writs of *distringas ad computandum* with certain schedules annexed, commonly called *the ordinary process*, after Hilary and Trinity Terms yearly, from H. M.'s exchequer remembrancer's office to the sheriffs of *London* and *Middlesex*, in regard to persons liable to account before the said commissioners, and all proceedings relating thereto heretofore used in that office shall from 10*th Oct.* 1821, be discontinued thereon, 1*&*2*G.*4. *c.*121. *s.*3.

47. The commissioners shall, twice a-year, *viz.* in Hilary and Trinity terms, transmit a certificate to H. M.'s exchequer remembrancer, of the names of persons whose accounts have been received in the preceding half-year, that process may not issue against them, 46*G.*3. *c.*141. *s.*17. [*and no* accounts or copies, or extracts thereof, or certificates or lists, or copies, &c. thereof, shall be made up and transmitted as above, except those required by 25*G.*3. *c.*52., and 46*G.*3. *c.*141., or those which the commissioners, in their discretion, deem it useful to continue to transmit to him, all which, if so made, shall be valid, 1*&*2*G.*4. *c.*121. *s.*4.]

48. Sub-accountants, to whom money hath been issued for public services in G.B., shall deliver in to the commissioners the vouchers for its expenditure, and an account current within three months from the end of each year, or from its usual annual determination, where made up at any fixed period; if the monies are issued for services in Europe, out of this kingdom, within four months of expiration of each years's accounts; if in *West Indies*, *America*, or *Africa*, within six months; if in *East Indies*, within twelve months, on penalty of fine to be assessed by court of exchequer, on motion to them, except proof be made to treasury that failure in transmission was unavoidable, and their warrant for delay be granted, 25*G.*3. *c.*52. *s.*20. [But see 1*&*2*G*4. *c.*121. *s.*6. *pl.*6.]

49. No exchequer process shall issue against any sub-accountant, who is to account to board of ordnance, or principal officers and commissioners of navy, of navy victualling, or for sick and hurt respectively, for sums issued to him by treasurer of ordnance or of navy, without directions from treasury, after a reference of their cases to and report thereon by such commissioners; and no process shall issue against any such sub-accountant till twelve months from the annual making up of such treasurer's accounts, 25*G.*3. *c.*52. *s.*21.

50. When any sub-accountant shall transmit a sufficient discharge from chief officers of departments mentioned in *s.*21., the commissioners shall transmit a duplicate thereof to the exchequer remembrancer, who shall strike out his name from the imprest roll, and discharge him therefrom, *id. s.*22.

51. [25*G.*3. *c.*52. *s.*4. 9, 17. 21, 22. recited.] All the powers vested by 25 *G.*3. *c.*52. in the commissioners for auditing public accounts, are vested in the principal officers of the board of ordnance, the principal officers and commissioners of the navy, for navy victualling, and for sick and hurt, or any three members of such several boards respectively, to call before them and examine on oath administered by such principal officers, &c. or any such three of them, all sub-accountants accountable before them by 25*G.*3. *c.*52. *s.*21, 22., and to compel them to produce all accounts, books, certificates, warrants, muniments, receipts, and papers necessary for the purposes of their examination, the commissioners, &c. and all other persons, and otherwise to act in the taking the accounts to be taken by such boards, 34 *G.*3. *c.*59.

52. No article shall be allowed in accountant's accounts of public expenditure, without written vouchers, or other evidence of actual payment of sums claimed to be allowed, notwithstanding allegation of papers lost or destroyed, except on order of court of exchequer made on application to the court, after calling the commissioners, or some person on their behalf, and giving notice to the attorney-general; in which case, and on hearing the evidence, the court shall order as they shall think fit, and the several auditors of accounts shall govern themselves accordingly, 25 *G.*3. *c.*52. *s.*23. [But unstamped vouchers are allowed for accounts previous to 31*st Dec.* 1804. 45 *G.*3. c.55. *s.*2., 45 *G.*3. *c.* 91. *s.*6.]

53. Commissioners may allow sums not exceeding 100*l.* to credit of accountant for expenditure, incurred previous to the passing 46 *G.*3. *c.*141. (*viz.* 22*d July*, 1806), without written voucher; and subsequently thereto sums not exceeding 30*l.*, where statement on oath is made to their satisfaction, of the actual disbursement for the public service, and due diligence used by accountant to obtain such voucher, 46 *G.*3. *c.*141. *s.*15.

54. The commissioners may admit vouchers without other necessary documents, as a sufficient discharge of the accountant, where proof is given to their satisfaction, that he did not wilfully neglect to obtain the same, and that the sum specified in the vouchers has been properly disbursed for the public service; but allowances to accountant's credit without written, or on an imperfect voucher, must be specified to the treasury in the statement of the account in which such allowances are made, in order to confirmation or disallowance by them previous to declaration thereof, *id. s.*16.

55. Comptrollers of army accounts may require commissioners, storekeepers, or other persons entrusted with public money, or H. M.'s provisions or stores, on account of any *military service* (except that of ordnance) to account to them for their expenditure, &c. within the time limited; and may call the parties and any other persons before them, and compel them to produce all accounts, books, vouchers, and papers soever, and examine them on oath (administered by any such comptroller) relative thereto; and every person refusing to comply with the lawful requisition of the commissioners shall be liable to pay such fine to H. M. as the court of exchequer, on application by the comptroller or attorney-general, shall think fit to impose, 46 *G.*3. *c.*141. *s.*18.

56. Where, on examination of the account of any commissary, &c., or other person intrusted for receipt, expenditure, or delivery of public money, or any of H. M.'s stamps, provisions, or stores, the commissioners are of opinion that articles have been embezzled, damaged, lost, or destroyed by his wilful neglect, they shall, after examining such evidence as they think necessary to ascertain the value thereof, charge him with the sum of public loss, by transmitting notice of such charge to the exchequer remembrancer and party charged, *id. s.*19.

57. Comptrollers of army accounts shall transmit certificate of any loss which has accrued to the public, to the commissioners for ascertaining same as aforesaid, *id. s.*19.; but no commissary, &c. having accounted to their satisfaction, shall be liable to render any further account to the commissioners of public accounts, *id. s.*20.

58. Persons wilfully giving false evidence in the course of their examination on oath before the said commissioners [or comptrollers of army accounts, 46 *G.*3. *c.*141. *s.*21.], are subject to the punishments of perjury, 25 *G.*3. *c.*52. *s.*13., 45 *G.*3. *c.*91. *s.*5., 46 *G.*3. *c.*141. *s.*21.

59. Every person who, in any examination on oath before the commissioner having, for the time being, the separate direction of the accounts of public expenditure in *Spain*, *Portugal*, and *France*, or before any two commissioners of public accounts, shall wilfully and corruptly give false evidence, is liable to penalties of perjury, 1*&*2 *G.*4. *c.*121. *s.*18.

60. The commissioners are incapable of sitting in the house of commons, 25 *G.*3. *c.*52. *s.*25., 45 *G.*3. *c.*91. *s.*7., 46 *G.*3. *c.*141. *s.*22.; and *pl.*141.

61. If it appears to the treasury, that it will be for the benefit of the public service, that any of the certificates or accounts required by 25 *G.*3. *c.*52., and 46 *G.*3. *c.*141., to be periodically transmitted by the public officers therein mentioned to the commissioners of public accounts, should be so transmitted at any other shorter periods than those therein respectively prescribed, the treasury may, by warrant under their hands,

order such transmission to be made at the shorter periods specified in the warrant, 1 & 2 *G.* 4. *c.* 121. *s.* 6. [See *pl.* 23, 24.]

62. From 10*th Oct.* 1821, one part only of every account shall be made up and transcribed in the office of the commissioners, for the purpose of being presented for declaration before the chancellor of H. M.'s exchequer, which account shall be written on paper, in English, in common characters, and the several sums therein written in common figures; and after declaration and signature thereof by two or more commissioners of treasury, shall be transmitted to H. M.'s exchequer remembrancer's office, and there enrolled as of record, in like manner as the part of every account transcribed on parchment has heretofore been enrolled; after which, instead of being transmitted to the office of the lord treasurer's remembrancer, and thence to that of the clerk of the pipe, it shall be returned to the office of commissioners of public accounts, to be there carefully kept; and the enrolment as above shall be as valid, in order to recovery of any balances and interest due thereon, and for all other purposes concerning such accounts, as if they had been also recorded in the above offices according to the former course of exchequer, 1 & 2 *G.* 4. *c.* 121. *s.* 7.

63. If ever found necessary, for due proceeding in any exchequer process or suit at law arising out of any account so declared and enrolled, that the same, or any extract or abstract thereof, should be made matter of record in either or both offices of the lord treasurer's remembrancer or clerk of pipe, then H. M.'s exchequer remembrancer, or deputy, shall, on application to him for that purpose, cause a true copy to be made from the enrolment in his office of such account, or the required part thereof, and shall certify the same under his hand to be a true copy or extract, and cause it to be transmitted to the office of the lord treasurer's remembrancer, who shall cause it to be enrolled as of record in his office, and, by himself or deputy, certify such enrolment at the foot or back thereof, and, if necessary, cause its transmission to the office of clerk of pipe, who shall also cause it, together with the above certificate, to be enrolled as of record in his office; which respective enrolments shall be as valid, and used in like manner for the due proceeding in any such suit, &c., to all purposes whatever, as any record of a declared account made before passing this act, in either of the said offices, according to the ancient course of exchequer, *id. s.* 8.

64. As soon as conveniently may be after declaration of any account before the chancellor of exchequer, the commissioners shall cause a certificate thereof to be made out, containing the date of such declaration, the total amount of sums forming the charge and discharge parts of the account, together with the amount of balance, if any, either indebted or in surplusage, or, if there is no such balance, the words "*even and quit*" shall be inserted in such certificate, which shall be signed by any two or more commissioners, and delivered to the accountant, or person duly applying on his behalf, without fee, and shall discharge him as fully as if a *quietus*, or abstract of the account had duly issued from the office of clerk of pipe, as in usual course of exchequer; but when the account so declared is sole or final, and a balance thereby appears due from accountant, the commissioner shall not make or grant the above certificate till the accountant has satisfied them by producing a tally, or other sufficient document, that he has discharged the full balance and interest thereon, or that he has been relieved from payment thereof, or of so much as has not been paid, *id. s.* 9.

65. Where any estate of a public accountant is sold under any writ of extent, or decree or order of chancery or exchequer, and the purchaser of the whole or part has paid his purchase-money into exchequer, an entry of such payment shall be made by the commissioners in the public accountant's declared account; after which the purchaser, his heirs, &c., shall be wholly discharged of all further claims of H. M. for any debt arising on such declared account, though the purchase-money be insufficient to discharge the whole debt, *id. s.* 10.

66. The treasury may allow compensations for loss of fees in the office of lord treasurer's remembrancer and clerk of pipe, occasioned by the above regulations, *id. s.* 11.; and the commissioners may examine persons on oath as to the nature and amount of the fees on passing public accounts, *id. s.* 12.

67. The commissioners may allow articles of discharge in the paymaster-general's separate accounts of monies received and paid on account of half-pay, compassionate list, officers' widows' pensions, officers retired on full pay, pensions to wounded officers, pay of general officers not being colonels of regiments, royal bounty to relatives of deceased officers, and pay of adjutants of local militia, according to their judgment and discretion, in all cases where they see ground so to do, though the receipts, certificates, affidavits, or declarations are not in all respects according to the forms prescribed for the same by 48 *G.* 3. c. 49., 52 *G.* 3. *c.* 132., 55 *G.* 3. *c.* 131., 57 *G.* 3. c. 41., or where those documents are otherwise defective, if it appear to them that the payments have been actually made and duly authorized, and without suspicion of fraud, *id. s.* 21.

68. For TRANSFERRING to commissioners for auditing public accounts the duties now performed in the offices of the auditors of land revenue, 39 *G.* 3. *c.* 83. *ss.* 1—13. [See rest of title, and *ss.* 14, 15.; tit. PAYMASTER-GENERAL, in INDEX.]

69. After deaths of the present patentees, the offices of auditors of land revenue in *Eng.* and *Wa.*, and the powers granted by the patents shall cease, and no fees shall be taken by any person employed in making up accounts under this act, except fees authorized by the act, 39 *G* 3. *c.* 83. *s.* 1.

70. Nothing herein (except by express authority hereof) shall affect the rights of any officer, &c. of exchequer, other than such auditors, or persons acting under them, *id. s.* 2.

71. If vacancies occur in the offices of the respective auditors for *Chester, Derby, Lincoln, Nottingham, or Wales*, during continuance of such patent, the duty shall be executed, under direction of treasury, by acting deputies in such departments, with a certain allotment of emoluments, *id. s.* 3.

72. All accounts formerly audited by auditors of land revenue of crown in *Eng.* and *Wa.*, shall be examined, &c. by commissioners of public accounts appointed by 25 *G.* 3. *c.* 52., with all powers under that act, and all customary powers and liabilities of auditors of land revenue, *id. s.* 4.

73. Official books, papers, and accounts remaining in the offices of such auditors, on the abolition of each office respectively, are public property, at disposal of treasury, *id. s.* 5.

74. Accounts of public expenditure heretofore passed by such auditors, shall, after abolition of each office, be delivered, with the vouchers, to the said commissioners, *id. s.* 6.

75. Persons wilfully declaring false matter in their examination on oath before the commissioners touching the above, or any other public accounts audited by them, are subject to punishments of perjury, *id. s.* 7.

76. Future crown leases or grants of such land revenues, or assignments thereof, shall be enrolled in the office of the above commissioners, on payment of fees fixed by treasury, not exceeding the usual fees in the respective auditors' offices, *id. s.* 8.

77. No fees shall be taken for crown leases, if the treasury so direct; and no fees but those directed by treasury, and not exceeding those usual in the respective auditors' offices, shall be taken from receivers and accountants, whose accounts are hereby directed to be examined before the above commissioners, *id. s.* 9.

78. The receiver of such fees shall keep account thereof, delivering the same every six months, or oftener if required, to the commissioners, on oath, and shall pay the whole quarterly into the exchequer, to be carried to the consolidated fund, *id. s.* 11.

79. Treasury may appoint clerks for making up for declaration the accounts by this act directed to be so examined by the commissioners, with their salaries, to be in lieu of all fees, &c., and not to exceed, with the incidental fees of office, 3040*l. per ann.* in addition to the sum granted by 25 *G.* 3. *c.* 52. *s.* 5., *id. s.* 10. [*See rest sect. pl.* 18.]

80. Any three such commissioners shall administer to such clerks, an oath for their faithful demeanor in their trusts, *id. s.* 12.

81. FOR MORE EFFECTUALLY charging public accountants with payment of interest [*on balances in their hands*], for allowing interest to them in certain cases, and for compelling payment of balances due from them, 39 & 40 *G.* 3. *c.* 54. [AMD. 47 *G.* 3. *S.* 2. *c.* 39. *ss.* 1—8.]

82. Where a collector or receiver of H. M.'s revenues shall die or go out of office indebted to H. M., in respect of his office, in 500*l.* or more, the proper officer for computing balance due shall then also compute interest at 5*l. per cent. per ann.* on the whole balance due, from three months next after his leaving office, or 12 months next after his death. Written notice shall be given to such person, or his lawful representative or agent, specifying the amount of balance and interest due, all of which shall be recovered by the process usual for king's debts, 39 & 40 *G.* 3. *c.* 54. *s.* 1.

83. If accountant or his representatives think themselves aggrieved by such charge for interest, they may, in six months from such notice, move the exchequer, who shall hear the matter, and allow or disallow the charge, as shall seem reasonable; but no proceeding to set aside such charge for interest shall prevent recovery of balance, exclusive thereof, in the usual manner, *id. ibid.*

84. Where the above application against the interest charge is neglected within such six months, or if such charge is allowed by the exchequer, the aforesaid officer shall, at the end of such six months, or on the determination of court, as the case may be, compute further 5*l. per cent.* interest on the amount of the charge for interest, from the time of ascertaining the balance, until the end of such six months, or until the final disposal by the court of any such application; which further sum shall be recovered as in *s.* 1., *pl.* 82. *id. s.* 2.

85. The aggregate amount of the original balance, and of the interest charge thereon, shall bear 5*l per cent.* interest, from the time of ascertaining the balance, until payment; and if the balance is paid, then the aggregate amount of the original interest, and of the further interest thereon, as in *s.* 2., shall bear interest in like manner, from the expiration of said six months, or from the determination of exchequer, until payment; which growing interest shall be recovered as in *s.* 1. *pl.* 82., *id. s.* 3.

86. Commissioners of public accounts may charge not exceeding 5*l. per cent.* interest on the whole or any part of any balance of account,

(not being an account current,) amounting to 500*l.* or upwards, due to H. M., the amount thereof, and the time from which it shall be computed, being at their discretion; and shall give notice of such charge to the accountant, or his representative, specifying amount of balance and interest, and grounds on which the charge is made; and also specifying the same in such account when they shall cause it to be declared, or stated for declaration, or for statement to treasury for their consideration; and the latter shall proceed to allow or disallow the balance, or any part thereof, on such account, distinct from such charge for interest, which they shall dispose of afterwards as seems just, 39 & 40 *G.*3. *c.*54. *s.*1.

87. Where treasury have granted warrant to prepare for declaration any extraordinary account stated to them, the commissioners shall compute 5*l. per cent.* interest on the amount of the balance so stated by them to, or allowed by the treasury, and then due; and also on the charge of interest so stated or allowed, from the time of stating such account, till *5th Jan.* or *5th July* next before the time of presenting it for declaration, and further interest for such intermediate time shall be added to, and therewith form the total sum with which accountant shall be charged as due to H. M., on presentment thereof for declaration, *id. s.*5.

88. After the time of declaring any account, not being an account current, the accountant, or his representative, shall be charged with 5*l. per cent.* interest on amount of sum due, on every account so declared, (whether for principal or interest,) as follows: on account *declared* by commissioners of public accounts, from time of declaration; on *ordinary* account *prepared* by them for declaration, from time when prepared; and on *extraordinary* account stated by them to treasury, from *5th Jan.* or *5th July* next preceding its presentment for declaration; and in all these cases, interest accrues until payment, and is recoverable as in *s.*1. *pl.*82., *id. s.*6.

89. Balances due from revenue officers, and balances of all accounts declared or depending before such commissioners, previous to passing this act, but not paid, shall bear 5*l. per cent.* interest till payment, which is recoverable as in *s.*1. *pl.*82., *id. s.*7.

90. No surety shall be charged with interest for principal's delay of payment, except from the time when called upon as such surety, *id. s.*8.

91. Such commissioners shall, within seven days from every declaration of accounts, transmit to auditor of exchequer, for the teller thereof, a schedule, specifying sums, and the persons from whom due, on such declaration; which auditor shall, within seven days after the four usual quarter-days, transmit to such commissioners an account of all monies paid into exchequer within the preceding quarter, by the accountants named in such schedule, *id. s.*9.

92. Accounts of repayments by sub-accountants to paymaster-general of forces, treasurer of navy, of ordnance, or other principal accountant, of sums issued to them respectively, shall be transmitted to the commissioners on *5th Jan.* and *5th July*, for the six months preceding; and the principal officers of ordnance, commissioners of navy, of navy victualling, and for sick and hurt, shall, on same days, annually transmit to the commissioners an account for preceding six months of all imprests cleared for money issued to sub-accountants, *id. s.*10.

93. Treasury shall allow interest at 5*l. per cent.* on every sum of 500*l.* and more, ascertained due from the public to any person on balance of accounts, (not being accounts current, *see preamble*,) to be computed from the complete delivery of accounts into the office of the commissioners, and to grow due until payment of principal, *id. s.*11.

94. Commissioners of customs and excise in *Eng.* and *Scot.*, for stamps and affairs of taxes, postmaster-general, and all principal collectors of revenue, shall, by all legal process, proceed to recover all balances due to H. M. from any sub-collector of revenue under their management, and so from time to time, as sums are ascertained to be due for principal and interest, from any of their officers dying or going out of office, *id. s.*12.

95. The above commissioners, and the auditors of land revenue, [but see 39 *G.*3. *c.*83. *pl.*68.] shall use due diligence, by legal process, to recover balances declared due to H. M., (except on accounts current,) and shall, without delay, cause same to be recorded in the offices of H. M. and of the treasury remembrancers and clerk of the pipe; and shall thereupon, by notice in writing, require payment within 3 months from receipt thereof, or, on default, proceed by legal process to recover same, *id. s.*13.

96. Nothing herein shall prevent any charge of interest on any accountant, on ground of special circumstances, on which he might have been charged with interest if this act had not passed, *id. s.*14.

97. Nothing herein shall alter H. M.'s rights to suspend, control, or prevent execution of such process for recovering balances, notwithstanding this act, *id. s.*15.

98. Treasury shall lay before parliament, within 14 days from commencement of session, a list of public accountants, in respect of whom process hath been suspended, &c. (*as in s.*15.) by H. M. within one year previous to session, specifying balances declared, sums remaining due, and causes of suspending, &c. the same, *id. s.*16.

99. Wherever balances of public money have improperly and unnecessarily remained in the hands of the accountant, though not indebted at the time, or in manner specified in 39 & 40 *G.*3. *c.*54. *pl.*81., the commissioners for public accounts, and all other officers charged with examining, &c. such accounts, shall charge him with interest on all or on part of balance, for such period, and at such rate, not exceeding 5*l. per cent. per ann.*, as is deemed reasonable, 47 *G.*3. *S.*2. *c.*39. *s.*1.

100. Where such commissioners, on audit of any account taking place after *8th Aug.* 1807, (*when act passed*,) find balances of public money so improperly retained by accountant during a course of years, and that he hath made interest or advantage thereof, they shall have discretion on considering circumstances, to make annual rests in his account, as in courts of equity, and charge him with interest thereon, for such period, and at such rate, not exceeding 5*l. per cent. per ann.*, as is deemed reasonable, 47 *G.*3. *S.*2. *c.*39. *s.*2.

101. Notice in writing shall be forthwith given by such commissioners and all other public officers examining and finally passing public accounts, to the accountant, his representatives, or agent, specifying the amount and particulars of such charge for interest, with grounds of making same; and the commissioners shall set forth, on the face of the account, the amount and particulars of such charge for interest, with the mode of computing it, and grounds of charge, when they shall cause such account to be prepared for declaration, or to be stated to the treasury for consideration, *id. s.*3.

102. Accountants or their representatives dissatisfied with such charge for interest, may move the court of exchequer for relief in six months from notice of such charge given; who shall call before them such commissioners or other public officers, or their agent and accountant, and shall send notice to the attorney-general, and make order therein consistent with justice; by which the officers making up such accounts shall be governed, *id s.*4.

103. Charges of interest made under this act shall have the same effect as if made under 39 & 40 *G.*3. *c.*54. *pl.*81., and are subject to the same control, &c. of treasury and commissioners of public accounts; and other proper officers shall observe the same course of proceeding in charging interest under both acts, except where it is expressly varied by this act *id. s.*5.

104. Any account hereafter delivered into the office of public accounts may be attested before one commissioner, *id s.*6.

105. Peers being public accountants may attest their accounts upon honour, and shall not be required to verify them by oath prior to, or on delivery thereof into the commissioners' office, *id. s.*7.

106. Commissioners may receive accounts attested by the deputy of any officer of public expenditure who may lawfully execute his office by deputy, where the latter has served the office during the period of account, *id. s.*8.

107. FOR DIRECTING certain public accounts to be annually laid before parliament, and for discontinuing certain other forms of account now in use, 42 *G.*3. *c.*70. [EXT. (as to the provisions in *s.*4.) to U.K. 56 *G.*3. *c.*98. *ss.*22, 23. 26.; *s.*22. AMD. *comm. semb.* 57 *G.*3. *c.*48. *s.*17.]

108. So much of 27 *G.*3. *c.*13. *s.*72. as requires the treasury to lay an account of the produce of the duties of customs, excise, stamps, and incidents before parliament, repealed 42 *G.*3. c.70. *s.*1.

109. The usage of making up declarations of receipts and issues at the exchequer at Easter and Michaelmas, *id. s.*2., and of making engrossed copies of the daily records of such receipts and issues is abolished. *id. ss.*2, 3.

110. From *Jan. 5th*, 1803, the treasury shall annually cause to be made up an account of the total income of G.B. [U.K. *see note at end*], including customs, excise, stamps, incidents, ordinary revenues and extraordinary resources) to be made out for one year, ending *5th Jan.*; with an account of the income of, and actual payments out of, the consolidated fund in every such year, and of the future annual charge thereon as it stood on that day, and also an account of the net produce of all the permanent taxes of G.B. within the said year, and of the balances due from all public accountants on such *5th Jan.*: and an account of the exports and imports of G.B., and of the shipping registered or belonging to every port in H.M s dominions in such year; and an account of the public expenditure in such year, and of the public funded debt of G.B., and its reduction, and of the unfunded debt, and outstanding of G.B. as they stood on such *5th Jan.*; and an account shewing how the monies given for service of G.B. for the year preceding have been applied; and shall lay the same before parliament on or before *25th March* in each year, if parliament be sitting, or if not, within 14 days after its next sitting, *id s.*4. [EXT. to U.K. and re-enacted from 5th Jan. 1818, 56 *G.*3. *c.*98. *s.*22., and see *pl.*143.]

111. The vice-treasurer of *Ire.* (after *5th Jan.* 1818), shall annually cause an account to be made out for one year ending *5th Jan.* in each year, shewing the amount of all warrants which have passed through his office in the course thereof, distinguishing the same under the several heads set forth in the accounts of public expenditure required by law to be annually laid before parliament, and shall lay the same before parliament on or before *25th March* in each year, if parliament is then sitting, or within fourteen days after its next sitting, 56 *G.* 3. *c.*98. *s.*22.

112. The annual account of the application of monies set apart for reduction of national debt, as well as of the public annuities purchased therewith, pursuant to 26 *G.*3. *c.*31., shall be made up to *5th Jan.* yearly inclusive (*comm. semb.*), and be laid before parliament notwithstanding 26 *G.*3. *c.*31. *s.*17.; and the audit of public accounts shall terminate and be made up to *5th Jan.* inclusive in each year, 57 *G.*3. *c.*48. *s.*17.

113. Irish revenue and exchequer accounts relating to accounts laid before parliament, shall state the total amount of sums therein in British currency, for the sake of uniformity in returns, 56 *G.*3. *c.*98. *s.*26.

114. FOR MORE EFFECTUAL examination of accounts of public expenditure in the West Indies, and for better discovery of frauds and abuses therein, 46 *G.*3. *c.*80. *See ante pl.* 6. STATS. *exp.* [AMD. 48 *G.*3. *c.*91. It is recited in 1 & 2 *G.*4. *c.*121. *s.*13., that the commissioners appointed under these acts have been reduced to three, and that act, *viz. ss.*13—15., goes on to provide for the revocation of the commission by H.M. at pleasure, end for arranging the examination, by the commissioners of public accounts, of certain accounts of expenditure in the West Indies, up to twelve months after ratification of peace with America, which are still depending before the first-mentioned commissioners. The above acts are therefore not given at length, but 1 & 2 *G.*4. *s.*121. *ss.*13—15. are here inserted.]

115. "After recital of the titles of 41 *G.*3. G.B. *c.*22., 46 *G.*3. *c.*80. and 48 *G.*3. *c.*91." If H.M. shall deem it for the good of the public service that the accounts still depending unexamined in the office of the commissioners named in these acts, should be transferred, for final audit, to the office of commissioners for auditing the public accounts of G.B., he shall, by letters patent under great seal of G.B., revoke the commission, and direct that one of them shall be thenceforth deemed one of the last-mentioned commissioners, in addition to the number fixed by 46 *G.*3. *c.*141. *s.*2. *pl.*8., and shall hold his office by the same tenure, powers, and salary, payable in like manner, as fully as if appointed under that act, 1 & 2 *G.*4. *c.*121. *s.*13.

116. After date of such letters patent, no vacancy arising among the commissioners of public accounts shall be filled up, by appointment of any other commissioners, without authority of statute, till their number is reduced to five or less, in which case H.M. may, on a vacancy, appoint new commissioners to keep up their numbers always to *six. id. s.*14. [And see 46 *G.*3. *c.*141. *s.*6. *ante pl.*16. S.P.]

117. Whenever H.M. shall revoke the commission in *pl.*115., mentioned, and shall direct that one of the commissioners shall be an additional commissioner of public accounts of G.B., as in *pl.*115., the treasury may, by warrant, transfer to the latter establishment such of the officers, now employed in the office of the revoked commission, as they deem expedient so to transfer to the same, *id. s.*15.

118. FOR MORE EFFECTUAL examination and audit of accounts of military expenditure in *Spain* and *Portugal*, 53 *G.*3. *c.*150. *ss.*1—3.: in *France*, 54 *G.*3. *c.*98. [AMD. 1 & 2 *G.*4. *c.*121. *s.*16.]

119. H.M. was empowered to appoint a commissioner of public accounts to be auditor-general of accounts in *Spain* and *Portugal*, to proceed forthwith to some place in either country, there to execute his office under direction of treasury, with powers of requiring all persons in those countries, who had received public money, to account to him for the same, and to exhibit all papers in their power, for examination of the accounts of such expenditure of public money and stores in *Spain* and *Portugal*, and to examine them on oath administered by himself, 53 *G.*3. *c.*150. *s.*1.; his salary to be fixed by treasury, *s.*2. [*The powers* in *ss.*1. and 13. and next *pl.* are EXT. to examination of accounts of public expenditure in *France*, 54 *G.*3. *c.*98. *s.*1., and specially assimilated in both cases, *id. s.*2.]

120. The commissioners of public accounts, in making and passing public accounts which have previously undergone the above examination, whether the same are stated to the treasury for consideration, or prepared for declaration in the first instance, may, if they think fit, allow or disallow, without further investigation, all articles allowed or disallowed on the above examination, 53 *G.*3. *c.*150. *s.*3. [*See note to pl.*119.]

121. The treasury may, by warrant, make arrangements for *completing* the examination and audit of the above accounts, and the commissioners [commissioner *only* in *pl.*59.], under whose immediate and separate superintendance they shall be placed, shall have like powers of examination on oath as are vested in the auditor-general by 53 *G.*3. *c.*150., 1 & 2 *G.*4. *c.*121. *s.*16. [As to perjury before such commissioner, see *id. s.*18., *ante pl.*59.]

122. FOR EFFECTUAL examination of accounts of receipt and expenditure of colonial revenues of *Ceylon, Mauritius, Malta, Trinidad*, and *Cape of Good Hope*, for five years, 54 *G.*3. *c.*184. [CON. 59 *G.*3. *c.*67.; and 1 *G.*4. *c.*65. *s.*1., to (*30th July*, 1821), and the letters patent appointing commissioners, and appointments of clerks, &c. by treasury, under 54 *G.*3. *c.*184., are continued to the same time, 59 *G.*3. *c.*67., *s.*2. and 1 *G.*4. *c.*65. *s.*2. MADE PERP. 1 & 2 *G.*4. *c.*121. *s.*22., and AMD. *id. ss.*23. 30.]

123. H. M. shall appoint three commissioners by patent to examine the public accounts of all persons concerned in receipt or expenditure of colonial revenues of *Ceylon, Mauritius, Malta, Trinidad, Cape of Good Hope*, or any other colonies or dominions of G.B., or of sums granted by parliament in aid thereof, when referred to their examination by treasury; granting salaries not exceeding 1000*l.* annually to first-named commissioner, or 800*l.* to each of the others, 54 *G.*3. *c.*184. *s.*1.

124. The present commissioners shall continue to hold office at H. M.'s pleasure, and their secretary, and all officers, clerks, and others, appointed by treasury pursuant to 54 *G.*3. *c.*184. *s.*2. *next pl.* to assist in its execution, shall hold office at pleasure of the treasury; and the commissioners, their secretary, and such others, shall, from *30th July*, 1821, and while in office, have all the powers vested in them by virtue of 54 *G.*3. *c.*184., or the said letters patent and appointments granted in pursuance thereof for all or any of the purposes therein expressed, in the same manner and as fully as if herein expressly re-enacted, 1 & 2 *G.*4. *c.*121. *s.*23.

125. The treasury may appoint clerks to assist the said commissioners, and may allow proper salaries, and reasonable sums for expenses of their office, 54 *G.*3. *c.*184. *s.*2.

126. Salaries of commissioners and clerks, and expenses of their office, shall be defrayed out of the revenues of Ceylon, &c. (as in *s.*1. *pl.*123.) in the proportions fixed by the treasury, *id. s.*3.

127. Commissioners shall, before entering on their duties, take oath before chancellor of exchequer faithfully to execute the same. [*The form of oath is annexed to this section, but seems unnecessary here.*] Any two such commissioners may administer an oath to their clerks for the faithful execution of their duty and obedient to orders, *id. s.*4. [Another form is here annexed.]

128. The examination of accounts shall commence from the period directed by treasury warrant, *id. s.*5.

129. The commissioners are invested with same powers as to examination of accounts submitted to them, and as to accountants concerned therein, as the commissioners of public accounts, appointed by 25 *G.*3. *c.*52., 39 *G.*3. *c.*83., 39 & 40 *G.*3. *c.*54., 45 *G.*3. *c.*55., 46 *G.*3. *c.*141., 47 *G.*3. *S.*2. *c.*39., but nothing herein shall authorize them to prepare for declaration any account of any principal or sub-accountant or person set *insuper*, or examined by them and certified as in *s.*9. *pl.*132., *id. s.*6.

130. The commissioners shall meet and sit at the places appointed by treasury, and shall send precepts under hand and seal for such persons, and such books, writings, or records, relating and necessary to carrying the act into effect; and all persons shall punctually attend at the times and places appointed by such precepts, and shall obey the orders of the commissioners in execution of their powers, *id. s.*7.

131. Commissioners may examine on oath or affirmation, (if of quakers), administered by one or more of them, touching matters necessary to the execution of this act, *id. s.*8.

132. When the examination is completed, the commissioners shall transmit a statement to treasury specifying details of charge, discharge, disallowance, and sums to be charged *insuper* on persons concerned in any such accounts; and if the account is approved by the treasury, the latter may submit to the sign-manual a warrant allowing the same, and discharging the accountant from rendering further account of sums therein, on payment of any balance due unless it appears to the treasury expedient to declare the account before the chancellor of exchequer, according to course of exchequer, in which case the treasury shall transmit the said statement and warrant to the commissioners of public accounts, [who shall prepare same for declaration without further examination, unless it appear necessary, in which case they shall report to treasury and proceed in such examination, and shall cause all sums specified as sums which ought to be set *insuper* to be so set to the accounts of persons concerned, unless on further examination it appear that they ought to be set *insuper*; *but see* 1 & 2 *G.*4. *c.*121. *s.*24. *next pl. semble, repealing this.*] and shall do all other acts for declaration of such accounts and for charging persons concerned as public accountants in order to securing the money due thereon, as if the accounts had been examined, and statements thereof made by the latter commissioners, *id. s.*9.

133. So much of 58 *G.*3. *c.*184. *s.*9., *last. pl.* as empowers the commissioners of public accounts to enter into examination of accounts previously examined by the commissioners appointed by that act and whereof a statement shall be transmitted to the former in order to prepare same for declaration, and also so much thereof as requires the former to report their opinion thereon to the treasury, and to proceed in such examination, and as requires them to cause all sums specified as sums which ought to be set *insuper* in any such statement as above, and which appear to them proper to be set *insuper*, to be so set on the several persons therein mentioned, or in the warrants accompanying it, unless in further examination it does not appear proper that they should be so set, are repealed 1 & 2 *G.*4. *c.*121. *s.*24.

134. Whenever the treasury shall transmit to the commissioners of public accounts a statement of any account previously examined by the commissioners appointed under 54 *G.*3. *c.*184., together with their war-

rant to prepare same for declaration, the former shall prepare such account conformably to such statement or warrant without further examination thereof or of any part thereof, or vouchers relating thereto, and shall do all other acts for declaration of such accounts and for charging as a public accountant every person liable to be put in charge thereon, in order to recovering all money due on the same, as if the account had been examined and statement thereof made by them in the first instance, 1 & 2 *G.* 4. *c.* 121. *s.* 25.

135. The commissioners shall transmit to the treasury the names of persons through whose hands money may have passed, with reasons for their opinion that they should be made public accountants, and the treasury may then issue their warrant requiring them to deliver in such accounts, regularly attested, as if such person had been returned *insuper* before the chancellor of exchequer; and the commissioners shall examine and transmit such statements to treasury as practised with other accounts, 54 *G.* 3. *c.* 184. *s.* 10.

136. If any person required by the [commissioners of public accounts, 1 & 2 *G.* 4. *c.* 121. *s.* 26. *only*] commissioners of colonial audit, to attend them for the purpose of being examined on oath, or who shall be requested to produce any accounts, books, returns, vouchers, or other papers and documents relating to any public accounts before them, respectively for examination, [shall wilfully neglect or refuse to attend or produce the same, being in their custody as required by precept; or refuse to be sworn or affirm, or to answer lawful questions touching any of the matters aforesaid, he may be taken by warrant under hand and seal of two or more *of such colonial* commissioners, and committed to gaol till they submit to be examined or make production as above, 54 *G.* 3. *c.* 184. *s.* 11.] *or* shall fail to comply with the lawful requisitions of the respective commissioners, every person so refusing shall be liable to pay such fine to H. M. as the court of exchequer on application by the commissioners or the attorney-general shall think fit to impose, 1 & 2 *G.* 4. *c.* 121. *s.* 26.

137. The commissariat officer who may for the time being be entrusted with the charge of the department for examination of accounts of military expenditure in any colony or foreign possession of H. M. may (with consent and authority in each particular case of the governor or person acting as such, and the commander-in-chief of H. M.'s forces in such colony, &c. signified by warrant under their hands,) call before him any officers or persons employed in the commissariat, or who have supplied or been concerned in supplying any articles for the use thereof, or for any military services within the colony, or who in such officer's judgment are able to give information therein; and in presence of such governor and commander-in-chief or person deputed by them by warrant under their hands, may attend such examination to examine any of the above persons on oath, (which he is hereby authorized in such presence as above to administer,) as to any accounts, supplies, expenses, or charges, or other things connected with the military expenditure within such colony, &c. and of all contracts for supplying the same, and for full examination of all accounts and expenses thereof, and may call for production of all accounts, books, and papers of every description relating thereto; and every officer or person employed in the commissariat, who shall not comply with such lawful requisition shall be dismissed, and be incapable of again serving H. M., *id.* *s.* 27.

138. If any person summoned to appear before such commissariat officer of accounts shall neglect or refuse so to appear or to produce any accounts, books, certificates, warrants, muniments, receipts, bills of exchange, notes, or other papers in his possession, or that of any other for him; or shall refuse to answer to such officer any question on oath touching any thing relating thereto or respecting the expenditure of public money enquired of by such officer in execution of his office, the latter, with such consent and authority to be signified *as in last pl.* shall make summary application to any court of justice in such colony, &c. if sitting, or if not, to the C.J. or other judge thereof, who shall issue such special process against the defaulter as is necessary to compel the appearance before such officer of any such person, or the production of any such accounts, &c. or to compel an answer to such questions as above; and such officer may thereupon proceed by imprisonment of the body of such persons as any court of record or competent authority within this kingdom may proceed for a contempt, *id.* *s.* 29.

139. Accountants and persons concerned in any accounts examined by this act, must do all things required of them, and be subject to all penalties enacted by 25 *G.* 3. *c.* 52., and 46 *G.* 3. *c.* 141., 54 *G.* 3. *c.* 184. *s.* 12.

140. Persons wilfully giving false evidence on examination on oath or affirmation before any two or more such commissioners, [*or* before any such commissariat officers of accounts under 1 & 2 *G.* 4. *c.* 121. *s.* 27. *pl.* 137.] shall be liable to the punishment of perjury, 54 *G.* 3. *c.* 184. *s.* 13., 1 & 2 *G.* 4. *c.* 121. *s.* 28.

141. Any such commissioner receiving salary is incapable of sitting in the house of commons, 54 *G.* 3. *c.* 184. *s.* 14.

142. Actions against commissioners or any other persons for things done under this act must be brought within six calendar months from act done, and the general issue may be pleaded and this act and special matter given in evidence, with treble costs to defendant in case of nonsuit or discontinuance by plaintiff or judgment for defendant, *id.* *s.* 15.

143. After *5th Jan.* 1822, the lords of the treasury shall annually cause an account of the increase or deficiency between the income and expenditure of U.K. for one year, ending *5th Jan.* annually to be laid before both Houses on or before *25th Mar.* if parliament is then sitting, or if not, within 14 days after its next sitting, 1 & 2 *G.* 4. *c.* 121. *s.* 30.

ACTION.

1. THE ORDER of pursuing a suggestion [*semb.* complaint] made to the king, 37 *Ed.* 3. *c.* 18. [AMD., &c., 38 *Ed.* 3. *S.* 1. *c.* 9., 42 *Ed.* 3. *c.* 3.]

2. Persons making such suggestions shall be sent with them before the chancellor, treasurer, and great council, and shall there find surety to pursue the same, [*and, if found evil, shall incur the same pain as the other* (i.e. *defendant*) *would, if attainted*, REP. 38 *Ed.* 3. *S.* 1. *c.* 9.]; and that then due process of law be made against them, without imprisonment, against the form of the charter and statutes, 37 *Ed.* 3. *c.* 18.

3. If the plaintiff cannot prove his intent against the defendant by the process limited in 37 *Ed.* 3. *c.* 18., he shall be committed to prison till he satisfy the party for his damages and slander suffered by occasion thereof, and, after, shall make fine and ransom to the king, 38 *Ed.* 3. *st.* 1. *c.* 9.

4. No man shall be put to answer without presentment before justices, or matter of record, or by due process and writ original, according to the old law of the land, and any thing done to the contrary shall be void, 42 *Ed.* 3. *c.* 3.

5. TO ADMIT POOR persons to sue *in formâ pauperis*, 11 *H.* 7. *c.* 12. [AMD. 23 *H.* 8. *c.* 15. *s.* 2., 2 *G.* 2. *c.* 28. *s.* 8.]

6. Every poor person having cause of action against any person within this realm, shall have, by discretion of the chancellor, writs original and of *subpœna*, without fee for sealing or writing the same; and such chancellor shall assign the usual clerks to write the same ready to be sealed, and also learned counsel and attornies, without fee; and after return of the writ, if in K.B., C.P., or exchequer, the justices shall assign learned counsel and attornies, and other officers necessary to such suit, to do their duties without fee, 11 *H.* 7. *c.* 12.

7. Such pauper plaintiff, if nonsuited, or losing a verdict, shall not be liable to costs by 23 *H.* 8. *c.* 15. *s.* 1.; but shall suffer other punishment at discretion of the court, 23 *H.* 8. *c.* 15. *s.* 2.

8. FOR ENABLING persons prosecuted on the *capias* in relation to running of goods, to *defend in formâ pauperis*, 2 *G.* 2. *c.* 28. *s.* 8.

9. If any person arrested by virtue of any *capias* or information relating to the customs, shall make affidavit before the judge or judges of the court where such action, &c. is brought, or before any commissioner of affidavits of such court, who are hereby bound to take the same, that he is not worth *5l.* besides his wearing apparel, and shall thereupon petition the court to be admitted to defend *in formâ pauperis*, the court shall in their discretion admit him so to defend such action, &c. in the same manner as they admit plaintiffs so to sue; and shall therefore assign him counsel, attorney, or clerk in court, who shall do their duty without fee, *id. ibid.*

10. TO AVOID trifling and frivolous suits in law in the courts at Westminster, 43 *El.* *c.* 6. [CON. 3 *C.* 1. *c.* 4. *s.* 22.; indefinitely, 16 *C.* 1. *c.* 4.] See rest of this title and statute, COSTS.

11. If any sheriff, or person having authority to break writs, do make any warrant for summons of any person as on any process or suit, or for arresting or attaching him by body or goods to appear in any of H. M.'s courts at Westminster, or elsewhere, (*not having before that the original writ or process warranting the same,*) then, on complaint to the justices of assize of the county where the offence is committed, or to the judges of the court from which the process was issued, not only the party making such warrant, but the procurers thereof, shall be sent for before such judges by attachment or otherwise, and be examined thereof on their oaths; and if their offence is confessed, or proved by witnesses to the court's satisfaction, the latter shall commit them to gaol, there to remain till they, amongst them, have paid to the party grieved by such warrant, 10*l.*, and his costs and damages, as awarded by the court, and 20*l.* a-piece to H. M., 43 *El.* *c.* 6. *s.* 1.

12. FOR AVOIDING unnecessary suits and delays, 17 *C.* 2. *c.* 8. [REV. 30 *C.* 2. *S.* 1. *c.* 6. MADE PERP. 1 *J.* 2. *c.* 17. *s.* 5.]

13. In actions real, personal, or mixt, the death of either party between verdict and judgment shall not be error, so as such judgment be entered within two terms after verdict, 17 *C.* 2. *c.* 8. *s.* 1.

14. Where judgment after verdict is had by or in the name of any executor or administrator, an administrator *de bonis non* may sue out a *scire facias*, and take execution on the judgment, *id.* *s.* 2.

15. FOR THE BETTER preventing frivolous and vexatious suits, 8 & 9 *W* 3. *c.* 11. *s.* 1. and 6—8. See rest of this statute, tit. COSTS.

16. Where one or more of several defendants in an action or plaint

of trespass, assault, false imprisonment, or *ejectione firmæ*, shall be acquitted by verdict, every such defendant shall recover costs of suit as if a verdict had been given against plaintiff, and all the defendants had been acquitted, unless the judge shall, immediately after the trial, in open court, certify on the record, under his hand, that there was reasonable cause for making such person a defendant, 8 & 9 *W.* 3. *c.* 11. *s.* 1.

17. In all actions commenced in any court of record, where either plaintiff or defendant die after interlocutory and before final judgment, the action shall not abate by reason thereof, if it might have been originally prosecuted by the executors or administrators of such plaintiff, or against the executor, &c. of such defendant; and plaintiff, or if he be dead after such interlocutory judgment, his executors, &c. may have a *scire facias* against defendant, or, if he be dead, as above, against his executors, &c. to shew cause why damages in such action should not be assessed and recovered by him or them; and if such defendant, his executors or administrators, shall appear at the return of such writ, and not allege any matter sufficient to arrest final judgment, or being returned warned, or if on two writs of *scire facias* it be returned that defendant, his executors, &c. had nothing whereby to be summoned, or could not be found in the county, shall make default, a writ of enquiry of the damages shall thereupon be awarded; which being executed and returned, final judgment shall be given for such plaintiff, his executors, &c. prosecuting such writ or writs of *scire facias* against such defendant, his executors, &c. respectively, *id. s* 6.

18. Where there are two or more plaintiffs or defendants, and one of them dies, then, if the cause of action survives to the surviving plaintiffs, or against the surviving defendants, the action shall not abate; but such death being suggested on the record, the surviving plaintiffs shall proceed therein against the surviving defendants, *id. s.* 7.

19. In all actions commenced in any court of record on any bond or penal sum for non-performance of covenants in any deed or writing, the plaintiff may assign as many breaches as he thinks fit, and the jury on the trial shall assess not only the damages and costs of suit as usual, but also damages for such of the breaches so assigned, as the plaintiff on the trial of the issues shall prove to have been broken; and the like judgment shall be entered on such verdict as heretofore used in like actions; and if judgment be given for plaintiff on demurrer, or by confession or *nil dicit*, the plaintiff on the roll may suggest as many such breaches as he thinks fit, on which shall issue a writ to the sheriff of that county where the action is brought, to summon a jury to appear before the justices or justice of assize or *nisi prius* of such county, to enquire of the truth of every such breach, and to assess the damages; in which writ it shall be commanded to such justices, &c. that they make return thereof to the court from whence it shall issue, at the time therein mentioned; and if defendant, after such judgment entered, and before execution executed, shall pay into court, to the use of the plaintiff or his executors or administrators, such damages so to be assessed by reason of all or any the breaches of such covenants, together with costs of suit, stay of execution shall be entered on record; or if, by reason of execution executed, the plaintiff, or his executors, &c. shall be fully paid all damages so assessed, with costs of suit and of executing execution, the body, lands, or goods of defendant shall be discharged therefrom (which shall also be entered on record); but in each case the judgment shall remain as a further security, to answer to plaintiff, and his executors, &c. such damages as shall be sustained for further breach of any covenant in the same deed or writing; upon which judgment plaintiff may have a *scire facias* against defendant, or his heir, terre-tenants, or executors, &c., suggesting other breaches; and shall summon him or them to shew cause why execution should not be awarded thereon; and there shall be the like proceeding on such judgment as was in the action of debt on the said bond, &c. for assessing damages on trial of issues joined on such breaches, or enquiry thereof, on a writ to be awarded as above; and on satisfaction of such future damages and costs as aforesaid, all further proceedings on such judgment shall be stayed, and so *toties quoties*, and defendant shall be discharged out of execution as above, *id. s.* 8.

ACTION (OF ACCOUNT).

Actions of account lie against the executors and administrators of every guardian, bailiff, and receiver, and by one joint-tenant and tenant in common, his executors, &c. against the other, as bailiff, for receiving more than his just share, and against his executors, &c.; and the auditors appointed by the court shall administer an oath, and examine the parties, and for their pains have such allowance as the court shall adjudge reasonable, to be paid by the party on whose side the balance shall be, 4 *A. c.* 16. *s.* 27.

ACTION (ON THE CASE).

To prevent delays, there shall be like process in actions on the case in K. B. and C. P., as in actions of trespass or debt, 19 *H.* 7. *c.* 9. [See 10 *C.* 1. *st.* 2. *c.* 15. Exp.]

ACTION (OF DEBT).

1. For relief to defendants in actions of debt upon accounts stated, 5 *H.* 4. *c.* 8.

2. In such actions the court shall have power to examine the attornies and others whom they please, and thereupon to admit defendant to wage his law or try the same by inquest, at their discretion, *id. ibid.*

ACTION (PENAL).

(Statutes *repealed and expired.*)

1. That informations upon penal statutes shall be made within three years, 1 *H.* 8. c. 6. [Exp.]

2. For penal statutes and actions popular, 7 *H.* 8. *c.* 3. [Rep. 31 *El. c.* 5. *s.* 7.]

(Statutes *in force.*)

1. Against collusions and feigned actions, 4 & 5 *H.* 7. *c.* 20.

2. Where any person sues with good faith any action popular, and defendant pleads any recovery of action popular in bar, or that he before that time barred the plaintiff in such action, plaintiff may aver that the recovery was by covin, or that he was barred by covin; and if such covin be so found, shall have recovery and execution, *id. s.* 1.

3. In every action popular, wherein defendant is attainted of covin as above, he shall be imprisoned two years by *capias*, and outlawry, as well at suit of H. M., as of any other who will sue in that behalf; and no release of any common person to such party shall be available, *id. s.* 2.

4. No plaintiff shall be received to aver covin in actions popular, where the point of the action or the covin have been tried by a jury, *id. s.* 3.

5. To redress disorders in common informers on penal laws, 18 *El. c.* 5. [Made perp. 27 *El. c.* 10. *s.* 2. virtually Amd. and Enf., 31 *El. c.* 5.]

6. Every informer on any penal statute shall exhibit his suit in proper person, and pursue the same only by himself or his attorney in court, and none shall be admitted to pursue upon any penal statute, but by way of information or original action, nor shall have nor use any deputies. And on every such information exhibited, a special note shall be made of the very day, month, and year, of exhibiting the same, into any office, without antedate, to be of record from that time, and not before. And no process shall be sued out, until the information is so exhibited; and on such process shall be endorsed the party's name who pursueth, and the statute on which the information is grounded. And every clerk making out process contrary, shall forfeit 40*s.*; one moiety to H. M., and the other to the party against whom such defective process is sued, to be recovered in any court of record, by action of debt, or information, on which no essoin, &c. is allowed, 18 *El. c.* 5. *s.* 1.

7. No jury shall be compelled to appear in any court at Westminster for trial of any issue, on any penal law, for any offence committed above thirty miles from Westminster, except when the attorney-general, for cause shewn, shall require same to be tried at bar, which request shall be noted on the back of the writ of *distringas* thereupon awarded, that the sheriff may signify same to the jury, *id. s.* 2.

8. No such informer shall compound, but after answer to the information, nor after answer, but by consent of court, upon pain that if any such informer shall willingly delay his suit, or discontinue, or be nonsuit thereon, or shall have the trial pass against him by verdict or judgment at law, then such informer, &c. shall pay to defendant his costs and damages, to be assigned by the court, for recovery of which he shall have immediately his *ca. sa.*, *fi. fa.*, or *elegit*, to be awarded unto him out of the same court, as in other cases of execution, *id. s.* 3.

9. Every person (except clerks of court only for making out process otherwise than above appointed,) who shall offend in suing out process, making composition, or other misdemeanour, contrary to this act, or who shall by colour of process, or without process, by colour of offence against any penal law, make any composition, or take any money, reward, or promise of reward for himself, or to the use of another, without order or consent of court, shall, on conviction, stand in the pillory, in some market town next adjoining, in open market, for two hours, [*but pillory is taken away by* 56 *G.* 3. *c.* 138.,] and be disabled to sue on any penal statute, and shall forfeit 10*l.*; to go one moiety to H. M. and the other to the party grieved, and recoverable by action of debt or information, in which no essoin, *&c.* is allowed, and justices of *oyer* and *terminer* and of assise, and justices at quarter sessions may determine all offences against this act, *id. s.* 4.

10. But any party grieved by maintenance, champerty, buying of titles, or imbracery, may pursue upon any statutes set forth against maintenance, *&c.* as he might before this act, *id. s.* 5.

11. This act shall not restrain any certain person, body politic or corpo-

rate, to whom or to whose use any forfeiture, penalty, or suit is specially limited by any statute, and not generally to any person that will sue, but such person, *&c.* may sue as before this act, *id. s.* 6.

12. These acts shall not extend to any such officers of record as have in respect of their offices lawfully used to exhibit informations or sue in penal laws, nor to officers informing for matters only concerning their offices, who may inform in that behalf as before this act, *id. s.* 7. 31 *El. c.* 5. *s.* 3.

13. All former statutes for reformation of disorders of common informers, not hereby repealed or altered, shall be put in execution; and no person, but the party grieved, who has been restrained by order of court, shall pursue a penal action, 31 *El. c.* 5. *s.* 1.

14. In every declaration or information, the offence against any penal statute shall be laid in the county where the contract or matter of offence was in truth done; and defendants may lawfully traverse, and allege that the offence supposed by that suit to be committed, was not committed in the county where it was alleged, which being tried for defendant, or if plaintiff be nonsuit in his information or suit, he shall be barred in that action or information, *id. s.* 2.

15. Nothing herein shall extend to the laying of any offence in any declaration or information for champerty, buying of titles, or extortion, or to any offence against 1 *El. c.* 11. or 1 *El. c.* 20. [*which is* Exp.] nor to offences of concealing or defrauding H. M. of any customs, tonnage, poundage, subsidy, import, or prizage, or of corrupt usury, or of engrossing, regrating, or forestalling, when the penalty is 20*l.* or above, but they may be laid in any county, *id. s.* 4.

16. All actions, indictments, or informations, for forfeitures on any penal statute, whereby the forfeitures are limited to H. M. only, shall be brought within two years after the offence committed; and all actions, &c. for such forfeitures, when limited to H.M. and the prosecutor, (except on the statute of tillage, Exp.) shall be brought within one year; and in default thereof, then H.M. may sue within two years after that year ended: but all actions, &c., with the above exception, brought after the time so limited, shall be void, *id. s.* 5.

17. But where any action or information is limited by any statute penal to be had or brought within a shorter time, the same shall be so brought, *id. s.* 6.

18. All suits pursued on any statute for using any unlawful game, or for not using any lawful game, or for not having bows and arrows, or for using any art or mystery in which the party hath not been brought up, shall be sued or otherwise enquired of at the quarter sessions or assises of county where offence is committed, or in the leet within which it shall happen, and never out of such county, *id. s.* 7.

19. Against malicious informations on penal statutes in the courts at Westminster, 29 *El. c.* 5. *s* 21. [Framed from the preamble to this section.] Expld., 31 *El. c.* 10. *s.* 20.

20. All persons [*viz.* natural born subjects of the king's dominions, and free denizens *only*, 31 *El. c.* 10. *s.* 20.], who are sued or informed against on any penal law in K.B., C.P., or exchequer, where they are bailable by law, or where, by leave of the court, they may appear by attorney, may, at the day and time contained in the first process served for his appearance, appear by attorney, where the process is returnable, to answer and defend it, and not be urged to personal appearance, or to put in bail for answering such suit, 29 *El. c.* 5. *s.* 21. and 31 *El.* c. 10. *s.* 20.

21. For ease of the subject concerning informations upon penal statutes, 21 *J.* 1. *c.* 4.

22. All offences committed against any penal statute for which any common informer may ground any popular action, or information before justices of assize, nisi prius, gaol delivery, oyer and terminer, and justices at general or quarter sessions shall be tried and determined by way of action, information, or indictment, before the above justices of every county, city, borough, town corporate, or liberty, having power to determine same within *Eng.* or *Wa.*, wherein such offences are committed, in any of such courts, places of judicature, or liberties, at choice of plaintiff, *id. s.* 1.

23. The like process on every popular action or information shall be awarded as in trespass *vi et armis;* and all informations and actions commenced by attorney-general, or any other officer, or by common informer in any court at *Westminster*, for any such offences, penalties, or forfeitures, shall be void, *id. ibid.*

24. In all informations or actions brought, and in all bills or declarations in any suit commenced against any person, either on behalf of H.M. or any other, for any offence against any penal statute, the offence shall be laid in the county where, in truth, it was committed; and if, on '*not guilty*,' or '*nil debet*' pleaded, plaintiff does not prove the offence to have been done, in the county where it is laid, the defendant shall be found not guilty, *id. s.* 2.

25. No officer of any court of record shall receive or enter of record any information, bill, or declaration, grounded on any penal statutes hereby appointed to be heard in their proper counties, until informer or relator hath first made oath before some judge of that court, that the offences laid in such information, &c. were not committed in any other county but that where it is laid, and that he believeth in his conscience that the same were done within one year before such information, &c. within the county where it was commenced, the same oath to be there entered of record, 21 *J.* 1. *c.* 4. *s.* 3.

26. In all such informations or actions, defendants may plead the general issue, "not guilty," or "*nil debet*," and give any special matter in evidence, which shall be available as if pleaded in bar, *id. s.* 4.

27. Nothing in this act extends to any information or action grounded on any statute against or concerning popish recusants, or against those that shall not frequent church; or for maintenance, champerty, or buying of titles; or grounded on 1 *J.* 1. *c.* 33. [Exp.]; or for concealing or defrauding H.M. of any custom, tonnage; or for transporting [of gold, silver, Rep. 59 *G.* 3. *c.* 49. *ss.* 11, 12.] ordnance, powder, shot, munition of all sorts, wool, wool-fells, or leather; but same may be laid in any county, *id. s.* 5.

ACTION (REAL).

(Statutes *repealed and expired.*)

1. No præcipe *in capite* shall be granted to any person of a freehold, whereby a freeman may lose his court, 9 *H.* 3. (*M.C.*) *c.* 24 [Rep. virtually, *comm. semb.* 12. *C.* 2. *c.* 24. *s.* 1. or Exp.]

2. In dower H.M.'s grantee of a ward shall not have aid of H.M. to answer, when vouched to warranty, 4 *E.* 1. *S.* 3. *de Bigamis*, *c.* 3. [Rep. virtually, *comm. semb.* 12 *Car.* 2. *c.* 24 *s.* 2. or Exp.]

(Statutes *in force.*)

1. Assizes of *novel disseisin* and *mort d'ancestor* shall not be taken but in their proper shires, and after this manner:—We, or, if we be out of the realm, our chief justice, shall send our justices through every county once in the year, who, with the knights of the shires [*but see* 20 *R.* 2. *c.* 3. Justices of Assize, &c.] shall take such assizes in the counties, and those things which at their coming into the county cannot be determined, shall be determined in another place in their circuit; and those things which for difficulty cannot be determined shall be referred to our justices of the bench, and there determined, 9 *H.* 3. *M.C. c.* 12.

2. Assizes of *darrein presentment* shall be always taken before justices of the bench, 9 *H.* 3. (*M.C.*) *c.* 13. [Amd. 13 *E.* 1. *West. Sec. c.* 30. *s.* 2.]

3. Assizes of *darrien presentment* and inquests of *quare impedit* shall be determined in their own shire before one justice of the bench and a knight, yet at a day and place certain, assigned in bench, whether defendant consent or not, and there judgment shall be given immediately, 13 *E.* 1. (*West. Sec.*) *c.* 30. *s.* 2. *in part.* [See rest of the section and statute, title Nisi Prius.]

4. Assizes of *novel disseisin*, *mort d'ancestor*, and *darrein presentment*, shall be taken in Advent, Septuagesima, and Lent, as well as inquests, 3 *E.* 1. *c.* 51.

5. Of aid of H.M. in cases of warranty, 4 *E.* 1. *S.* 3. *c.* 1. *Stat. de Bigamis.*

6. Where a feoffment with a charter thereupon, being made by H.M., hath so much in it, that another by a like feoffment and deed is bound to warranty [*See* 2 *Inst.* 268-9. *Reeves, Hist. E. Law, c.* 9.] the justices may not proceed without H.M.'s command, 4 *E.* 1. *S.* 3. *c.* 1.

7. Of like aid where there is no warranty, *id. c.* 2.

8. Where H.M. confirmeth another's act in any man's deed, to the use of another, or granteth any thing as much as in him is, or where a deed is shewn whereby H.M. hath restored any tenement, and no clause of warranty is contained therein; and in like cases the justices shall not cease by occasion of confirmation, grant, or surrender, &c. but (the same being first shewed to H.M.) may proceed without delay, *id. ibid.*

9. If a man die, having many heirs, of whom one is son or daughter, brother or sister, nephew or niece, and the others be of further degree, all heirs shall recover by a writ of *mort d'auncestor*, 6 *Ed.* 1. *c.* 26.

10. The tenant's answer in a writ of *cosinage aiel* and *besaie* 13 *Ed.* 1. *West. Sec. c* 20.

'Whereas justices in a plea of *mort d'auncestor*, have used to admit the answer of the tenant, "That the plaintiff is not next heir of the same ancestor by whose death he demanded the land, and this he is ready to enquire by assize," it is agreed, that in writs of *cosinage*, *aicl*, and *besaicl*, which be of the same nature, that answer shall be admitted and enquired of and according to that inquisition, they shall proceed to judgment,' *id. ibid.*

11. Of what things an assize of *novel disseisin* shall be, and of pleas in such assizes, 13 *Ed.* 1. *West. Sec. c.* 25.

12. Assize of *novel disseisin* lies for estovers of wood, profit to be taken in woods by gathering of nuts, acorns, and other fruits, for a corody, and delivery of corn, and other victuals and necessaries to be

received yearly, in a place certain, for toll, tronage, passage, pontage, pawnage, and such like, to be taken in places certain, for the custody of parks, woods, forests, chases, warrens, gates, and other bailiwicks, and offices in fee; and in such cases the writ shall be *de libero tenemento*, and as it holds place for common of pasture, so it shall hold for common of turf-land, fishing, and such like commons, which a man hath appendant to, or even without freehold, by special deed at least for term of life: in cases, when any holding land for term of years, or in ward alienes the same in fee, whereby the freehold is transferred to the feoffee, the remedy shall be by writ of *novel disseisin;* and as well the feoffor and feoffee shall be had for disseisors, so that during the life of either of them, the writ shall hold place; and if the remedy fail by death of the parties, then remedy may be had by writ of entry, and the writ of *novel disseisin* shall lie wherever it formerly lay, and shall be had for feeding in the several of another, 13 *Ed.* 1. *West. Sec. c.* 25. *s.* 1.

13. If a disseisor do personally allege false exceptions at the day to him given, if he fail of the warranty he hath vouched, he shall be adjudged for a disseisor without taking the assize, and shall restore double damages before or after to be enquired of, and shall have also a year's imprisonment; and if such exception be alleged by a bailiff, the assize shall not be delayed, nor the judgment upon the restitution of the lands and damages; yet, if the master of such bailiff come before the justices, who took the assize, and offer to prove by record or rolls, that another assize passed between the same parties of the same land, or that the plaintiff, at another time, did withdraw his suit in a like writ, or that a plea depends by a writ of a more high nature, a writ of *venire facias* shall be granted to cause the record to be brought, and if by such record the justices perceive that the same would have been available before judgment, and the plaintiff thereby barred, they shall cause the party to be warned who first recovered, that he appear at a day certain, at which the defendant shall have his seisin and damages, if he had any given, and he who first recovered, shall be imprisoned: in the same manner, if the defendant, against whom the assize passed in his absence, show any deeds or releases, upon the making whereof the jury were not examined, nor could be, because no insertion was made thereof in the pleadings, and might be ignorant of such writings, the justices shall, on sight thereof, warn the party who recovered, to appear at a day certain, and they shall cause the jurors of the same assize to come, and if they find the writings true by verdict, or by inrolment, he that purchased the assize contrary to his own deed, shall be punished: the sheriff shall not take an ox of the disseisee, but of the disseisor only; and if there be many them named in one writ, yet he shall have but one ox, nor shall he receive any ox but of 5*s.* price, or the value, *id. s.* 2.

14. "WHERE THE TENANT in *novel disseisin* [*mort d'auncestor* or *juris utrum*, *id. s.* 3.] excepts against the demandant, that he holdeth the tenements in demand, being jointly enfeoffed with his wife, or a stranger not named in the writ, and makes profert of a deed testifying same, and demands judgment of the writ:" then if demandant offer to verify by assize, that on the day of his writ purchased, he that alleged the exception was sole tenant, so that neither his wife, nor any other had any thing in the tenements, the justices before whom the assize is arraigned, shall retain the deed safely in their keeping, till the trial of the assize: they shall give notice by our writ [*Qu.* by *scire facias*] to the party absent, witnessed by the deed to be enfeoffed jointly with the tenant, that he be present at a day certain to answer with the other tenant to the demandant, as well upon the exception alleged, as of the tenements demanded, and put in view, if expedient for him, at which day, if both named tenants come in and justify the same feoffment, they shall maintain the exception alleged by one of them, and also answer over to the assize, as if the original had been purchased against them jointly; and if it be proved by the assize, that the exception was alleged maliciously to delay demandant, then although the assize do pass for the tenants, yet they who allege such exception shall be pumished by one year's imprisonment, and shall not be delivered without grievous fine, 34 *E.* 1. *S.* 1. *de Conjunctim Feoffatis.*

15. Let the justices be well advised, that henceforth they do not allow such exception (of joint-tenancy) to be so alleged by the bailiffs of any tenants: but if he that alleges the exception, absent himself at his day, and the other, who is named joint-tenant, appear, though the latter disavows such deed, and says, that he hath nothing in the said tenements, yet the assize shall pass against the absent tenant by his default; and if it be found by the assize, that they were not jointly enfeoffed on the day of the writ purchased; and, likewise, that the tenant, against whom the same was so purchased, or another named therein, did disseise, the plaintiff then having regard to the exception, falsely alleged to the hurt of the party, and to the disseisin that they made, demandant shall recover his seisin and double damages, and they that allege the false exception, shall be punished as above; but if both, or one tenant only, or if neither come at the day, then, on their default, shall the assize pass against them, and if found by them that the exception is true, the writ shall abate, 34 *E.* 1. *S.* 1.

16. In other writs, whereby tenements are demanded, such process shall be made, that if at the first day of the parties' appearance in court, the tenant alleges the above exception of joint-feoffment, and demandant offers to verify by the country, that at the day of his writ purchased, he that alleged the exception was sole tenant, then like proceedings shall be between the parties, until a jury have passed between them thereupon, and if the jury find that such exception was truly alleged, the demandant's writ shall abate, and if falsely, demandant shall recover his seisin, and the tenant shall be imprisoned as above, and pay damages in discretion of the justices, *id. ibid.* [See rest of this statute, *tit.* INDICAVIT.]

17. TENANTS IN assize of novel disseisin may make attornies, but the tenants and defendants therein may plead by bailiffs as heretofore, 12 *Ed.* 2. *S.* 1. *c.* 1. Stat. of *York.*

18. ASSIZE FOR rents issuing out of lands in divers counties, shall be taken on the confines of the counties, 7 *R.* 2. *c.* 10.

19. Assize of *novel disseisin* shall be granted for rent due for tenements in divers counties, to be holden on the confine of the counties within which the tenements be, and the assize taken by people of such counties in the same way as is done of common of pasture in one county, and appendant to tenements in another, and writs shall be made in the chancery without contradiction in due form, *id. ibid.*

20. ASSIZE MAINTAINABLE by the disseisee against the king's patentee of lands, 1 *H.* 4. *c.* 8.

21. Where lands or tenements are granted by H. M.'s patent without title found by inquest or otherwise, and where H. M.'s entry is not given by law, the disseisees shall have a special assize; and if the patentees do pray in aid, a writ of *procedendo* shall be granted by chancellor without other suit to H. M., and in case the disseisees do recover against the patentees, they shall have treble damages, *id. ibid.*

22. A SPECIAL ASSIZE shall be maintainable against a disseisor with fine, 4 *H.* 4. *c.* 8.

23. If any man do make forcible entry in his own right, or to his own use in another's right to another's use by way of maintenance, or do carry away any goods after such entry from the possession of the freehold, then if the party grieved will make affiance thereof, the chancellor shall grant a special assize to him without suing H. M.; disseisors attainted of such forcible entries, shall have one year's imprisonment, and yield to party grieved double damages, and if convicted by same assize, of taking away any goods of such disseisees, the justices of assize shall hear and determine the same, and award him damages: in every such special assize there shall be a justice of one bench or the other, or chief baron of exchequer, if he be a man of law; and no writ of *supersedeas* shall be granted contrary to such assize, *id. ibid.*

24. SHERIFFS SHALL not be fraudulently named disseisors in assizes of *novel disseisin*, 11 *H.* 6. *c.* 2.

25. In an assize of *novel disseisin*, if the sheriff be named a disseisor by collusion, to the end that the writ may be directed to the coroners, and the assize is secretly awarded by the tenant's default; upon the tenant's averment thereof, and if it shall also be found by the assize to be so, the justices shall abate the writ, and grievously amerce the plaintiff, *id. ibid.*

26. THE DEMANDANT *in formedon*, *in descender*, or *remainder*, shall have his action against the pernor of the profits of the lands or tenements demanded whereof any person is enfeoffed to his use, and the same pernors named as tenants in such action shall have the same vouchers and lien thereon, aid prayer, and all other advantages as the pernor should have had if they were tenants, or as their feoffees would have had, if the action had been conceived against them; and if any person shall die, so having feoffees, to the use of him or his heirs; the said heir being within age, against whom such action is brought as pernor, he shall have his age in the action conceived against him, and all other advantages as if the ancestor had died seised of the lands and tenements so in demand: and all recoveries in such actions against such pernors or feoffees, and their heirs and their co-feoffees, shall be as good to the recoverors and their heirs as though the pernors were tenants indeed, or feoffees to their use, or their heirs as above, of the freehold of such lands, *&c.* at any time of the action used, 1 *H.* 7. *c.* 1.

27. CONCERNING DELAYS in assises, 21 *H.* 8. *c.* 3.

28. Plaintiffs in assizes may sever and abridge his plaint of any part to which a bar is pleaded by moiety, as they might do if the pleas in bar had been made to any certainty or number of acres in the plaint, and the residue of plaint shall stand good in law, *id. ibid.*

29. FOR AVOIDING secret summons in real action without convenient notice of the tenants of the freehold, 31 *El. c.* 3. *s.* 2. [*Framed* from the preamble to this section; see rest of this statute, *tit.* OUTLAWRY.]

30. After every summons on the land in a real action, proclamation thereof shall be made 14 days at least before its return, on a Sunday at or near to the most usual door of the churches or chapels of that town or parish where the land whereon the summons was made doth lie, and when so made shall be returned with the summoners' names; and if such summons is not so proclaimed and returned no *grand cape* shall be

awarded but *alias* and *pluries* summons, as the cause requires till summons and proclamation be duly made and entered, 31 *El. c.* 3. *s.* 2.

31. To ADMIT the subject to plead the general issue in informations of intrusion brought on behalf of H. M. and to retain his possession till trial, 21 *J.* 1. *c.* 14.

32. When H. M., or those under whom he claims, and all other claimants under the same title under which he claims have been out of possession for 20 years, or have not taken the profits of any lands, tenements, or hereditaments within 20 years before information of intrusion brought to recover the same, defendant may plead the general issue if he think fit, and shall not be pressed to plead specially, in which case he shall retain possession till the title be tried, found, or adjudged for H. M., *id. s.* 1.

33. Where an information of intrusion may well be brought at H. M.'s suit, no *scire facias* shall be brought to force the subject to plead specially, *id. s.* 2.

ADDITIONS.

1. FOR WRITING CERTAIN additions in every original writ in which an *exigent* should be awarded, 1 *H.* 5. *c.* 5. [Defect thereof shall not be amended, 8 *H.* 6. *c.* 12. *s.* 2.; and these additions are required in writs of *excommunicato capiendo*, 5 *El. c.* 23. *s.* 13.]

2. In every original writ of actions personal, appeals, and indictments, in which *exigent* shall be awarded, addition shall be made to the name of defendant of his estate, or degree, or trade, and of the towns, hamlets, or places, and counties in which he is conversant; and if by process on such original writs, *&c.* in which such additions are omitted, any outlawries be pronounced, they shall be void; and before the same are pronounced such writs and indictments shall be abated by exception of the party for omitting such addition; but though the said writs of actions personal be not according to records or deeds by surplusage of the above addition, they shall not abate for that cause, and the clerks of chancery under whose names such writs go forth written shall not omit such additions on pain of making fine to H. M. at discretion of the chancellor, *id. ibid.*

ADMEASUREMENT OF DOWER AND PASTURE.

1. OF ADMEASUREMENT of dower and pasture, 13 *E.* 1. *West. Sec. c.* 7. (*See* 2 *Inst.* 367—9.)

2. A WRIT OF *admeasurement of dower* shall be granted to a guardian; neither shall the heir when at full age be barred by the suit of the guardian, but may admeasure the dower after, and as well in this writ as in that *of admeasurement of pasture*, more speedy process shall be than hitherto, so that when it is come to the great distress, days shall be given within which two counties shall be holden, at which open proclamation shall be made that the defendant come in at the day, at which, if he comes in, the plea shall go forward, and if not, and the proclamation be testified by the sheriff, on the default they shall proceed to make admeasurement, *id. ibid.*

3. OF A SECOND surcharge of pasture, and of re-disseisins, 13 *Ed.* 1. *West. Sec. c.* 8.

4. On the second surcharge of pasture the plaintiff shall have remedy in this manner: if the admeasurement were before the justices, the plaintiff shall have a writ judicial, that the sheriff (the parties being summoned) shall inquire of the surcharge, which, if found, shall be returned before the justices, under the seals of the sheriff and jurors, and the justices shall award to the plaintiff damages, and shall put in their estreat the value of the beasts put into the pasture after such admeasurement over the due number, and shall deliver the estreats into the barons of exchequer, that they may answer thereof to H. M.: if such admeasurement be made in the county, a writ shall go out of chancery that the sheriff shall inquire of such overcharge, and that of the beasts put in above the due number, or of their value, he answer to H. M. in exchequer, and all writs *de secunda superoneratione* that pass out of chancery shall be inrolled, and at the year's end the transcripts shall be sent into exchequer under the chancellor's seal, *id. ibid.*

ADMINISTRATION OF JUSTICE.

(STATUTES *repealed and expired.*)

1. CONCERNING ministration of justice in *Tournay*, 5 *H.* 8. *c.* 1. [EXP.]

2. FOR ERECTING judicature for determining differences touching houses burnt or demolished in fire of *London*, 19 *C.* 2. *c.* 2. [EXP.]

3. FOR REVIVING 19 *C.* 2. *c.* 2, and for rebuilding navy-office, 25 *C.* 2. *c.* 10. [EXP.]

4. FOR ERECTING judicature to determine differences touching houses burnt in fire in Southwark, 29 *C.* 2. *c.* 4. [EXP.]

5. FOR REVIVING actions and process lately depending in the courts at *Westminster*, and discontinued by the not holding of Hilary term, and for supplying other defects relating to proceedings at law, 1 *W. & M. S.* 1. *c.* 4. [EXP.]

6. FOR IMPARTIAL administration of justice in the cases of persons questioned for acts done in execution of law, or for suppressing riots and tumults in *Massachussets Bay*, in *New Eng.*, 14 *G.* 3. *c.* 32. [EXP.]

ADMIRALTY.

1. FOR ASCERTAINING the jurisdiction of the admiral and his deputy, 13 *R.* 2. *c.* 5. [AMD. virtually by 15 *R.* 2. *c.* 3. 2 *H.* 4. *c.* 11. 2 *W. & M. S.* 2. *c.* 2. 4 *G.* 2. *c.* 26. *s.* 3., and 56 *G.* 3. *c.* 82.

2. The admiral and his deputy shall not hold pleas of things done within the realm, but on sea only, 13 *R.* 2. *c.* 5.

3. NOR IN CONTRACTS, pleas, and quarrels, or other things done within the bodies of counties, as well by land as water, or in matters of wreck, 15 *R.* 2. *c.* 3.

4. Except in cases of death of man, or mayhem done in great ships being in the main stream of great rivers, beneath the *bridges* * thereof nigh to the sea; and he may arrest ships in the great fleets for the great voyages of H. M. and the realm, and has jurisdiction therein during those voyages only, *id. ibid.*

5. PARTIES GRIEVED by suits in the admiralty court under 13 *R.* 2. *c.* 5. shall recover double damages by action on the case against such pursuer, who if attainted shall also incur the penalty of 10*l.* to H. M. for his suit so made, 2 *H.* 4. *c.* 11.

6. The powers vested by law in the lord high admiral may be exercised by commissioners for execution of his office, 2 *W. & M. S.* 2. *c.* 2. *ss.* 1—2.

7. Nothing in this act shall give new powers to the office, *id. s.* 3.

8. The commission and proceedings of admiralty courts may be certified in Latin as before this act, 4 *G.* 2. *c.* 26. *s.* 3.

9. Judicial acts of surrogates of vice-admiralty courts abroad, appointed to act as judges of such courts during vacancies in those offices, by the said judges or by the governors of the plantations and colonies in which such courts are, shall be valid, 56 *G.* 3. *c.* 82.

10. FOR ABRIDGMENT of appeals in suits of civil and marine causes, 8 *El. c.* 5.

11. Every sentence definitive therein, pronounced by the commissioners or delegates appointed by commission under H. M.'s half-seal to decide such appeals made to H. M. in chancery, shall be final, *id. ibid.*

12. FOR DECLARING THE validity of two orders in council dated 6*th Aug.* 1794, and 30*th Mar.* 1798, and for enlarging the time of appealing in prize causes, and for permitting appeals to be prosecuted after such time elapsed in such special causes as H. M. by any order in council shall authorize, 38 *G.* 3. *c.* 38.

13. "Whereas, by order in council, dated 6*th Aug.* 1794, it was ordered, that certain subjects of the *United States* might be admitted to appeal from sentences of condemnation in *West India* vice-admiralty courts, notwithstanding the ordinary time for appealing expired, provided the same be prosecuted within a reasonable time, approved of by the lords commissioners of appeals in prize causes; and whereas, by another order in council, dated 30*th Mar.* 1798, appeals from sentences in the vice-admiralty courts of *Bermuda* and *Bahama* were to be permitted under such former order." Such orders and all proceedings under the same, upon appeals from such courts, are valid, provided that where appeals have been or shall HEREAFTER be permitted by authority of this act, or of such orders to be interposed, after the ordinary time of appeal elapsed, and it appears to the commissioners of appeals that distribution of the proceeds of the prize to which such appeal relates had been made before publication of such former order and notice of intended application for appeal duly given to the captors, the latter shall not be compellable to make compensation to the claimants, if the decree is reversed or varied; but they may plead and prove by affidavit, or otherwise as allowed by the court, such distribution in bar of any monition to bring in such proceeds, or of any other proceeding had to satisfy the claimants after such reversal or variation, *id. s.* 1.

14. In all prize causes where a sentence is hereafter given, all the

* Doubts exist as to this word being in the original, "*pontz*," as in *Rot. Parl.* "*Pointz*," as in *Rastell*, 1557., and 4 *Inst.* 135. and 137. or "*portes*," as in *Cay's Abridgment*, copied from the *Old Abridgment*, and an *Abridgment* printed 1521.

parties interested, whether parties or not in the first instance, and in whatever courts the sentence or decree is given, may take out an inhibition and prosecute an appeal within 12 calendar months computed from the date of sentence or decree appealed from, 38 *G.*3. *c.*28. *s.*2.

15. H.M. by order in council mentioning any special cause of prize, may authorize any persons interested, whether parties or not, in the first instance, and in whatever court the sentence, &c. was given, to take out an inhibition and prosecute such appeal, though such 12 months have expired; provided that in all cases where such authority is given, and it appears to the satisfaction of the commissioners of appeal in prize causes, that distribution was made of the proceeds at or after the time when the right of appeal would have been barred, if no such order had been made, and before notice of such order was duly given to the captors (the captors duly conforming to this act), the same shall effectually bar their compensating the claimants, *id. s.*3.

16. In all special cases, where H.M. shall authorize such appeal after such 12 months elapsed and distribution made, the captors being required by claimants, shall deliver a true copy of the account of such sales, and of all proceedings had under the authority of the sentence of the court below to H.M.'s procurator-general defending such appeals, in such cases and manner as H.M.'s advocate-general shall direct; and if they neglect to give such copy or obey such further order as such commissioners make, they shall forfeit all claim to any benefit or discharge under this act, and be liable to be proceeded against as if the appeal had been entered within such 12 months, *id. s.*4.

17. FOR BETTER regulation of H.M.'s prize courts in the *West Indies* and *America*, and for giving more speedy and effectual execution to the decrees of the lords commissioners of appeals, 41 G.3. (U.K.) *c.*96.

18. H.M. may, by order in council, fix proper salaries for the judges of the vice-admiralty courts established in any two of the islands in the *West Indies*, and at *Halifax* in *America*, not exceeding 2000*l. per ann.* to each judge, payable out of the consolidated fund, *id. s.*1.

19. And by letters patent, may grant to any such judge on his resignation after 6 years' service, or being afflicted by some permanent and disabling infirmity, an annuity not exceeding 1000*l.* payable as in *s.*1., subject to the provisions of 39 *G.*3. *c.*110. [*tit.* JUDGES.] *id. s.*2.

20. H.M. may establish rules for such courts, and for fees of the judges and officers, and may make such alteration therein, or new table thereof, as with advice of council he may think fit, *id. s.*3.

21. The profits of each judge shall never exceed 2000*l. per ann.* above his salary; and a yearly account thereof shall be transmitted to the commissioners of the navy; he carrying all sums above 2000*l.* to the succeeding year's account, or paying the same over under their direction, *id. s.*4.

22. The above courts, judges, and officers, in any two *West India* islands and at *Halifax*, may exercise over all prizes carried into any *West India* colonies, (including *Bahamas* and *Bermudas*,) and over all persons and things relating thereto, the same powers as if they were actually brought into any port of the island or colony, where such vice-admiralty court is held, and as if the persons concerned were actual residents therein, *id. s.*5.

23. Such court may issue commissions and other processes, to be executed in any other of H. M.'s colonies or territories in the *West Indies*, or *America*, including the *Bahamas* and *Bermudas*, for examination of witnesses for appraisement and sale of captured property, or for other purpose of legal adjudication, which process shall be sealed notwithstanding any colonial law to the contrary; and all marshals, or other legal officers, shall execute the same under the usual penalties for neglect, and as if such court was held in such colony within which their functions are so to be exercised, *id. s.* 6.

24. Where a commission of appraisement and sale is granted by the judge of vice-admiralty court before final sentence, the proceeds of sale shall not remain in the hands of the captor or agents, but shall be brought into the registry of the court, subject to its further orders till final sentence, *id. s.* 7.

25. Where any order for further proof is made by any vice-admiralty court, and the claimants thereof decline to take the property in question on bail, the court, with consent of captors and claimants, or their agents, may direct such property to be sent to *Eng.* and there sold by consignees named by the above parties, and the proceeds forthwith deposited in bank of *Eng.* in their names, subject to the final adjudication, expences of freight, insurance, and other charges of transport and sale, as a charge thereon; and if it appear to the court that the captors' consent is unreasonably withheld, the captors, in case of restitution, shall be made answerable and pay the sum adjudged to be equal to the difference in value of the property at the time of its restoration, and of its produce if sent for sale to *Eng.*, to be ascertained by such evidence as to its value there, and charges to which it would have been subject, as the court shall deem satisfactory, *id. s.* 8.

26. If on any final sentence of such court an appeal be duly entered, the court may, at requisition of appellant, direct the property to be sent to *Eng.* for sale, as in *s.*8. *pl.*25., the proceeds to be deposited in the bank to abide decision of the court of appeal, or if the property is converted by sale, the proceeds shall be sent and deposited in like manner, and if any difficulty arise respecting any such property or proceeds sent to *Eng.* either before or after appeal, at any time after arrival in *Eng.*, or respecting their sale and proceeds, either the captors or claimants, or their agents, on notice to the adverse parties or their agents, may apply by proctor to the admiralty of U.K. (if before appeal), or afterwards to the lords commissioners of appeal for directions; and those courts shall give such order as the case requires, for security of the property or proceeds, or for beneficial employment of the latter in government securities, for benefit of the parties ultimately entitled, and shall enforce such order with all their powers, 41 *G.*3. *U.K. c.*96. *s.*9.

27. In all captures by H. M.'s ships a service on H. M.'s proctor shall be deemed effectual service on the commander of capturing ship, and on taking out letters of marque, the owners of the vessels shall nominate and register in the court granting them, a proctor exercent in the prize court of appeal, with power of revocation or substitution, and service of process on such proctor shall be good service on the commander, owners, and sureties of privateers, in all cases where an appeal is declared by the court below in 14 days after sentence; and if any privateer shall proceed to adjudication against any prize in any other court than that from which the letters of marque issued, a proctor must be registered with the names of the privateer, owners, and sureties, before the usual monition granted, on which proctor in like manner service of process of the court of appeal shall be effectual, but H.M.'s or other proctor so nominated, shall not be answerable for damages to their clients from no appearance being given on their behalf, unless he accept such nomination in writing under his hand, and is sufficiently instructed to appear and defend the appeals, *id. s.* 10.

28. When no appeal is entered as above, service of process either on commander of H. M.'s ship, or his registered agent here, or on his H. M.'s law officer in the court below, or in captures by privateers on the commander, or any owner or either surety to the letters of marque, is good service on the parties, *id. s.* 11.

29. In all proceedings on captures made by any privateer, the owners shall be deemed parties, who, with the sureties, shall be jointly and severally liable to all orders and decrees therein, immediately after final sentence, without further personal service on the commander, or putting him in contempt by process of contumacy, *id. s.* 12.

30. Nothing herein shall prevent a claimant for whom sentence of restitution is passed, from having the property claimed by him delivered to him or bail, as specified by 33 *G.*3. *c.*66. [*which is* EXP.] *id. s.* 13.

31. All interlocutory orders, final decrees, attachments, or other processes, issued by the commissioners of appeal to be executed in the plantations, may be transmitted to either of the vice-admiralty courts in which the cause originally depended, *id. s.* 14. [*Rest of* section applying to causes then pending is EXP.]

32. Nothing herein shall restrain H. M. from granting any commission of prize to any other court, or from making such further rules relating to any courts of admiralty for adjudication and condemnation of prizes, as with advice of privy council he may think fit, *id. s.* 15.

33. Such courts, if erected, shall be subject to the same rules, and possess the same powers as the vice-admiralty courts in *s.*1. *pl.*18. *id. s.* 16.

34. No judge of any such court shall by himself, or by any other on his behalf, act as agent for prizes captured from the enemy, or have any share or interest directly or indirectly in any privateer or letter of marque, or be in anywise concerned in the management of any estates in the *West Indies* or *America*, *id. s.* 17.

35. FOR REGULATING the office of registrar of the high court of admiralty and high court of appeal for prizes, 53 *G.*3. *c.*151.

36. When any money is paid into either court on account of prize suit pending, the registrar or deputy shall forthwith pay the same to the bank of *Eng.* to *the account of the registrar* of the above courts, and shall take from a cashier of the bank a receipt, which he shall file in either court as the case may be, *id. s.*2.

37. Nothing in this act extends to sums not exceeding 200*l.* paid into either court, but they shall remain in the registrar's hands till they exceed 10,000*l.*, *id. s.* 11.

38. Where the total of such sums exceeds 10,000*l.* the registrar shall, in one week after such excess happening, report the same to the judge of admiralty, who shall order such excess to be lodged in the bank, *id. s.*3.

39. The order of either of such courts for investing any money in government securities, shall specify the particular species thereof, and the registrar or his deputy shall forthwith invest it accordingly: and if any part consist of East India bonds, exchequer bills, tallies, or orders, they shall be delivered in at the bank and placed to account as in *s.*2. *pl.*36., and if consisting of government stocks or annuities, they shall be transferred to such registrar or his deputy, who shall make a declaration of trust in the bank-books, that the same is subject to the orders of either such court; and shall take a certificate thereof from the proper officer

at the bank, and enter the same in his book there, that the bank may receive the dividends: and shall from time to time report all such securities to either of such courts, specifying the *dates and numbers* thereof; the quantities of stock, and of the time of its transfer to him, of which a per entry shall be kept as the judge of admiralty directs, 53 *G.*3. *c.*151. *s.*4.

40. The bank shall receive all interest and dividends due on such securities under authority in writing from registrar or deputy, to cashier for that purpose, and shall place them to credit of former, *id. s.*5.

41. The bank shall deliver out such securities under order of the court, signed by registrar or his deputy, sealed by the court where suit is pending, and specifying particulars of the securities, *id. s.*6.

42. When any stock so deposited shall be so ordered to be transferred to any suitor, the proctor shall certify to registrar or deputy, what stock he is to transfer and to whom; and the registrar, &c. shall within one week, deliver such certificate to bank, and transfer or authorise another to transfer such stock, *id. s.*7.

43. Such certificate shall be sufficient authority to transfer stock: which transfer the registrar or deputy shall report and file: and certify the transfer to the bank, that it may be discharged out of his account there, *id. s.*8.

44. When any suitor's money, received by the bank pursuant to this act, is directed to be paid by order of either of the above courts, the proctor shall certify under his hand to the registrar or deputy, what sum and to whom it is to be paid; on filing which, the registrar or his deputy shall, by note under his hand, draw for the sum on cheque paper, which note shall authorize the bank to pay the same to the payees or indorsees thereof, and also to write off the same from such registrar's account: and the judge of the admiralty court, and commissioners of prize-appeals, may make any further regulations herein, provided that when any such are made the registrar shall cause a true copy thereof, signed by him, to be transmitted to the bank, who shall thereupon observe the same, *id. s.*9.

45. Nothing herein extends to monies paid into the high court of admiralty in its instance jurisdiction, *id. s.*10.

46. Every person who shall forge or counterfeit, or procure to be forged &c., or wilfully act or assist in forging the name or hand of the registrar of either of the above courts, or his deputy, or of any cashier of the bank, to any certificate, entry, indorsement, declaration of trust, note, direction, authority, instrument, or writing soever, in order to obtain any monies of the suitors of either of the said courts, or forge, &c. any such certificate, &c. made by such registrar or cashier, or shall utter any such with intent to defraud, is guilty of felony, *id. s.*12.

47. Act shall commence after existing interest of present registrar is expired, *id. s.*13.

ADVOWSON.

(STATUTE *expired.*)

1. FOR RESTORING all such advowsons, rectories impropriate, glebe lands, and tithes to H.M.'s loyal subjects, as were taken from them, and for making void charges imposed on them upon their compositions for delinquency by the usurped powers of the Long Parliament, 13 & 14. *C.*2. *c.*25. [EXP.]

(STATUTES *in force.*)

1. REMEDIES to redress usurpations of advowsons of churches, 13 *E.*1. *West. Sec. c.*5.

2. Presentments to any church by any person not having right, shall not be prejudicial to the right heirs, or to those entitled to the reversion of such advowsons after the death of any person; but when any having no right, shall present, whilst the heir is in ward, or during the estate of tenants in dower, by the curtesy, or otherwise for life or years, or in tail at the next avoidance after the heir is of full age, or the advowson shall revert to the heir, after the death of such tenants he shall have the like action by possessory writ of advowson, as his last ancestor would have had, being of full age at the last avoidance happening in his time, or before the demise for life, or in fee-tail: the same shall be observed in presentments made unto churches, being the inheritance of wives, when under the power of their husbands, and also bishops, and other ecclesiastical persons, when any, having no right, presents unto churches belonging to their prelacies, spiritual dignities, or parsonages, while they are vacant, *id. s.*1.

3. But no such persons shall have the above recovery, saying that the guardians &c. did faintly defend, because the judgment given in H.M.'s courts shall stand in force until reversed as erroneous, or the assize of *darrein presentment*, or the inquest in the *quare impedit* be annulled by attaint, or by certification, which shall be freely granted. And if the defendant allege plenarty of his own presentation, the plea shall not stay, so as the writ be purchased within six months, though he cannot recover his presentation within six months. Where a fine is levied between many claiming one advowson, that one shall present the first time, and at the next avoidance another; and when one hath *presented*, and the second is disturbed by any party to the fine, he that is so disturbed need not sue a *quare impedit*, but shall resort to the fine. And if the agreement be found in the roll, then the sheriff shall be commanded, that he give knowledge unto the disturber, that he be ready at some short day, containing fifteen days or three weeks, as the place be near or far,) to show wherefore the party disturbed ought not to present. And if he come not, or can nothing allege to bar the party of his presentation, by reason of any deed since the fine, he shall recover his presentation with damages. Where, after the death of the ancestor that presented, the advowson is assigned in dower, or to the tenant by the curtesy, which do present, and after their deaths the true heir is disturbed, to present when the church is void, it shall be in his election whether he will sue by *quare impedit*, or *darrein presentment;* the same shall be observed in advowsons for life, years, or in fee-tail, 13 *Ed.*1. *West. Sec. c.*5. *s.*2.

4. In *quare impedit* and *darrein presentment*, damages shall be awarded, to wit, if six months pass by such let, so that the bishop present, and the true patron loseth his presentation for that time, damages shall be awarded to two years' value of the church, against the disturber, and if he cannot recompense the damages, two years' imprisonment; and if six months have passed, half a year's value, or half a year's imprisonment, *id. s.*3.

5. Writs shall be granted for chapels, prebends, vicarages, hospitals, and other houses, and when any parson is disturbed to demand tithes in in the next parish by writ of *indicavit*, the patron shall have a writ to demand the advowson of those tithes, *id. s.*4.

6. When an advowson descends to parceners, though one present twice, yet he that was negligent shall not be barred, but shall present the next time, *id. s.*5.

7. OF CHURCHES vacant, the advowsons whereof belong to H.M., and others present, if H.M. recover his presentation, though after six months from avoidance, no time shall prejudice him, so that he present within six months, *Stat. Prerog. Reg.* 17 *Ed.*2. *c.*8.

8. TO PRESERVE the rights of patrons to advowsons, 7 *A. c.*18.

9. No usurpation on any avoidance in an ecclesiastical benefice, shall displace the estate of the patron, or turn it to a right, but he may present or maintain *quare impedit* on the next avoidance, [see 3 *Bla. Comm.*251.] and where coparceners, joint-tenants, or tenants in common, seised of an estate of inheritance in any advowson, present in turns by partition made, each shall be said to be seised of his or her separate part of the advowson, and to present in his or her turn, *id. ibid*

10. COLLEGES in the *English* universities may hold advowsons without restriction in number, 45 *G.*3. *c.*101. repealing 9 *G.*2. *c.*36. *s.*5.

AFFIDAVIT.

1. FOR TAKING affidavits in the country to be made use of in K.B. C.P. and exchequer, 29 *C.*2. c.5. (*s.*1.) [EXT. to *Isle of Man*, 6 *G.*3. *c.*50. *s.*2.]

2. The judges of K.B., or any two of them, the chief justice being one, and the same in C.P., and the lord treasurer, chancellor, and barons of exchequer, or two of them, whereof the lord treasurer, chancellor, or the C.B. shall be one, may by commissions under seals of the respective courts, impower persons as commissioners in *Eng.*, *Wa.*, and *Ber.* [*Isle of Man*, 6 *G.*3. *c.*50 *s.*2.] to take affidavits concerning any thing depending in those courts; and any judge of assize on his circuit may take affidavits to be filed in the offices, and used as other affidavits, and all persons forswearing themselves therein, shall incur the same penalties, as if the same had been taken in open court, 29 *C.*2. c.5. *s.*2. 6 *G.*3. *c.*50. *s.*2.

3. Such commissioners shall take only 12*d.* for every affidavit, besides the duty to H.M. thereon to be paid, before the same is filed, 29 *C.*2. *c.*5. *s.*3. [See STAMPS, 55 *G.*3. *c.*184. sched. part 1. title AFFIDAVIT.]

AFRICAN TRADE.

(STATUTES *repealed and expired.*)

1. TO SETTLE the trade to Africa, 9 & 10 *W.*3. *c.*26. [EXP.]

2. FOR MAKING effectual such agreement as shall be made between the royal African company of *England* and their creditors, 10 *A. c.*27. [EXP.]

3. FOR EXTENDING and improving the trade to *Africa*, 23 *G.*2. *c.*31. PUBLIC clause, *s.*39. [AMD. 25 *G.*2. *c.*40. *ss.*1, 2. 5—7., 4 *G.*3. *c.*20., 23 *G.*3. *c.*65. *ss.*2—6. But ALL *virtually* REP. 1 & 2 *G.*4. *c.*28. *s.*1. *pl.*3., except 23 *G.*2. *c.*31. *s.*1. and latter part of *s.*5.]

4. FOR APPLICATION of 112,142*l.* 3*s.* 3*d.* granted to H.M. for mak[illegible]

compensation and satisfaction to the *Royal African Company of Eng.* for their charter, lands, forts, slaves, military stores, and other effects soever, and for vesting the same in the company of merchants trading to *Africa*, and for other purposes, 25 *G.* 2. *c.* 40. [Enacted for a temporary object, and appears Exp. except part of *s.* 1. and *s.* 2. *ss.* 5—7. *See infra, pl.* 1.]

5. For repealing 4 *G.* 3. *c.* 20. and to vest *Senegal* and its dependencies, all other *British* forts and settlements on the coast of *Africa*, between *Sallee* and *Cape Rouge*, and all the property of the *African* Company therein in H.M., and for securing and improving the *African* trade, 5 *G.* 3. *c.* 44. [Rep. 25 *G.* 3. *c.* 65. *s.* 1.]

6. For vesting the fort of *Senegal* and its dependencies [which was ceded to *France* by 9th article of treaty of *Versailles*, 20*th Jan.* 1783,] [for *Fort James* in the river *Gambia*, 23 *G.* 3. *c.* 65. *s.* 1.] in the company of merchants trading to *Africa*, 4 *G.* 3. *c.* 20. [Rep. except as to annual deduction of 400*l.* by African company, by 5 *G.* 3. *c.* 44. *s.* 1.; but that act Rep. 23 G. 3. *c.* 65. *s.* 1., thus reviving 4 *G.* 3. *c.* 20., which seems virtually Rep. 1 & 2 *G.* 4. *c.* 28. *s.* 1.]

7. For repealing 5 *G.* 3. *c.* 44. *ante pl.* 5., and for vesting *James Fort* in the river *Gambia*, and its dependencies, and all other the *British* ports and settlements between the port of *Sallee* and *Cape Rouge*, in the company of merchants trading to *Africa*, and for securing and regulating the African trade, 23 *G.* 3. *c.* 65. [Rep. virtually 1 & 2 *G.* 4. *c.* 28. *s.* 1.]

(Statutes *in force.*)

1. Free trade is given, to all H.M.'s subjects, to and from any place in *Africa*, between the port of *Sallee* in *South Barbary*, and the *Cape of Good Hope*, when, at such times, in such manner, and with such quantity of goods, wares, or merchandizes, as they think fit, 23 *G.* 2. *c.* 31. *s.* 1. and the latter part of *s.* 5.

2. For abolishing the African Company and transferring to, and vesting in, H.M. all the forts, possessions, and property, now belonging to or held by them, 1 & 2 *G.* 4. *c.* 28.

3. "Recital, that by 23 *G.* 2. *c.* 31. *ante pl.* 3., 25 *G.* 2. *c.* 40. *ante pl.* 4., *and* 23 *G.* 3. *c.* 65. *ante pl.* 7., the whole of the forts and settlements on the Gold Coast of *Africa*, occupied by H.M's subjects, have become vested in the African Company created by 23 *G.* 2. *c* 31., and governed by their officers; but the whole expence of their managementhas for many years been entirely defrayed by sums granted by parliament for support of such forts and settlements, the company having no beneficial interest therein, and no funds from which any part of such expenses could be paid." From 3*d July*, 1821, the corporation of the African Company shall cease, be abolished, and all grants made to them under any of the above recited acts, or in pursuance of any thing therein contained, are void, and they are divested of all forts, castles, buildings, possessions, estate, or rights given to them by or under any of the said acts, or which have been since purchased or otherwise acquired by them in addition thereto, or which now are claimed or held by such company on the said coast; which forts, &c. shall be fully vested in H.M., his heirs, and successors for ever, *id. s.* 1.

4. H. M. may grant such reasonable allowances as he deems fit to such company's officers and servants as appear deserving thereof, and are not retained in the government or management of any of these forts, castles, or possessions, or are not otherwise employed in H. M.'s service, charging the same on the consolidated fund of U. K., which allowance, when so granted, shall commence from the time of the respective grantees ceasing to be employed as above, and shall be paid quarterly at exchequer, at *Westminster*, out of the consolidated fund, free of deductions; but no such allowance shall be considered finally granted till it is first submitted to parliament; provided, that if any officer or servant of the company to whom any allowance may, in the first instance, be granted under this act should be afterwards appointed to any employment in H. M.'s service, of equal or greater emolument, his allowance shall cease, from the date of his appointment, but if of less emolument a deduction equal to the amount thereof shall be made from such allowance, *id. s.* 2.

5. H. M. may order, after 7th May, 1821, all or any of the ports and possessions hereinbefore mentioned, and also any territories, islands, or possessions on the West coast of *Africa*, between 20 deg. N. L. and 20 deg. S. L. now or hereafter belonging to H. M. to be annexed to the colony of *Sierra Leone*, which, from the date of such annexation, shall be subject to all laws then in force therein, or hereafter ordained by the governor and council of such colony, and not disallowed by H. M *id. s.* 3.

ALEHOUSES.

(Statutes *repealed.*)

1. For better regulation of licenses for common inns and alehouses. 2 *G.* 2. *c.* 28. *ss.* 11, 12. [Rep. 26 *G.* 2. *c.* 31. *s.* 4.]

2. For allowing ale and beer licences to be granted at a petty session in *England*, on a certain case herein mentioned, (*viz.* where any licensed alehouse becomes unoccupied.) 29 *G.* 2. *c.* 12. *s.* 24. [Rep. 32 *G.* 3. *c.* 59. *s.* 1.]

(Statutes *in force.*)

1. For Keepers of alehouses to be bound by recognizance. 5 & 6 *E.* 6. *c.* 25. [Amd. 3 *C.* 1. *c.* 3. See further as to licensing alehouses, 26 *G.* 2. *c.* 31. *pl.* 44.

2. The justices, or two of them, for every shire, city, or place, may put away common selling of ale and beer, in common ale and tippling houses, whercthey think fit; and none shall be allowed to keep such houses unless licensed in open sessions, and by two justices, who shall likewise take bond and surety by recognizance, of such as be so allowed, as well against the using of unlawful games as for the maintenance of good order, as they think necessary, for which recognizance the parties shall pay 12*d.*, 5 & 6 *E.* 6. *c.* 25. *s.* 1.

3. Such justices shall certify such recognizance to the quarter sessions, there to remain on record, on pain to forfeit to H. M. for every recognizance taken, but not certified, 3*l.* 6*s.* 8*d.*, *id. s.* 2.

4. The justices of peace where such recognizance is taken, shall have power in quarter sessions to inquire if they have forfeited the recognizance; and shall, on such presentment or information, award process against the person, to shew why he should not forfeit his recognizance, and shall hear and determine the same. *id. s.* 3.

5. If any person other than those so admitted shall keep a common alehouse, or use commonly selling of ale or beer, the said justices, or two, (one being of quorum,) shall commit him to gaol for three days, and before his deliverance, shall take recognizance of him with two sureties, that he shall not keep any alehouse, or use selling of ale and beer, *id. s.* 4. [See 3 *C.* 1. *c.* 3. *s.* 2. *pl.* 8.]

6. Such justices shall make certificate of such recognizance and offence at the quarter-sessions; which certificate shall be a good conviction for such offence; and the justices, upon such certificate made, shall, in open sessions, assess the fine thereon at 20*s.*, *id. s.* 5.

7. In all fairs, for the time of such fairs only, any person may use common selling of ale and beer in booths or other places, 5 & 6 *Ed.* 3. *c.* 25. *s.* 6., 3 *C.* 1. *c.* 4. *s.* 6.

8. Every person who (not being thereunto lawfully licensed,) shall keep a common alehouse or tippling-house, or use commonly selling of ale, beer, cyder, or perry, shall forfeit 20*s.* to the poor of the parish where the offence was done, the same offence being seen by the mayor or head officer, by a justice of peace, or confessed or proved by two witnesses on oath taken before such mayor or justice, such penalty to be levied by the constables or churchwardens of such parish, by distress under warrant from such mayor or justice; and, if not paid within three days, such distress may be sold, and this shall be for the first offence; and if there are no goods, or if such 20*s.* be not paid within six days after conviction, such mayor or justice shall commit such offender to some constable of the parish, to be openly whipped, 3 *C.* 1. *c.* 3. *s.* 2.

9. If such constable shall neglect to execute such warrant or punishment, the mayor or justice may commit him to the common gaol, without bail, until such offender is so whipped by him or some other for him, or until such constable has paid 40*s.* to the use of the poor of the parish, *id. s.* 3.

10. Persons offending a second time, and convicted as in *s.* 2. *pl.* 8., shall be committed to the house of correction for one month, to be dealt with as idle and disorderly persons; and if a third time, they shall tbeso committed till delivered by the justices in general sessions, *id. s.* 4.

11. Persons punished under this act shall not be punished under 5 & 6 *Ed.* 6. *c.* 25., and *vice versâ*, *id. s.* 5.

12. To restrain the inordinate haunting and tippling in inns, alehouses, and other victualling-houses, 1 *J.* 1. *c.* 9. (*and s.* 1.) [Amd. 7 *J* 1 *c.* 10., *and* Made Perp. 21 *J.* 1. *c.* 7. *s.* 1.] *see* 4 *J.* 1. *c.* 5. *s.* 5. *pl.* 30.

13. Every innkeeper, victualler, or alehouse-keeper, either in *Eng.* or *Wa.*, who shall suffer any persons dwelling in any city or place where such inn, &c. shall be, to remain drinking and tippling therein, other than such as be visited by any traveller abiding there, and other than labouring and other handicraftsmen upon usual working days, for one hour at dinner-time, or those following their work by the day in such city or place, and other than for urgent occasions, to be allowed by two justices, shall forfeit 10*s.* to use of the poor of the parish where the offence is committed, such offence being viewed by any mayor, bailiff, or other justice within their limits, or proved by oath of two witnesses, taken before such mayor, &c., 1 *J.* 1. *c.* 9. *s.* 2. [One witness, or voluntary confession, shall suffice, 21 *J.* 1. *c.* 7. *s.* 1. *pl.* 29. 41.]

14. Every innkeeper, as in *s.* 2. *pl.* 13., who shall sell less than one full quart of the best beer or ale for 1*d.*, and two quarts of small beer for 1*d.*, shall, on such offence being proved, as in *s.* 2. limited, forfeit 20*s.* to the use aforesaid; and all such penalties shall be levied by the constables and

churchwardens of the parish where the offence was done, by way of distress; and for default of satisfaction within six days, the distress shall be appraised and sold, and the overplus, if any, delivered to the distrainee; and for want of such distress, the offender shall be by such head officer or justices committed to the common gaol or house of correction, 1 *J.* 1. *c.* 9. *s.* 3. [But brewers not to be molested for advancing the price of beer in any reasonable degree, 12 *C.* 2. *c.* 24. *s.* 35., 1 *W. & M. S.* 2. *c.* 24. *s.* 8., 2 *G.* 3. *c.* 14. *s.* 1.]

15. Every constable or churchwarden who shall neglect his duty in not levying such penalties, or, in default of distress, not certifying such default by 20 days next ensuing to the head officer or justice of peace, within whose limits the offence was committed, shall forfeit 40*s.* to the use of the poor of the parish, to be levied by distress of goods by warrant from such head officer or justice, under his hand and seal, to be taken and detained for such forfeitures for six days, within which time if payment be not made, the same shall be sold, and the surplus be delivered to the distrainee: and for want of such distress the offenders shall by such head officer or justice be committed to the common gaol until such penalty is paid; for all which penalties such constables, &c. shall account to their successors, as in other accounts and penalties levied on such constables, &c. shall be accounted for by the party levying the same, *id. s.* 4.

16. All laws and statutes touching innkeepers, victuallers, and alehouse keepers, shall be in force, *id. s.* 5.

17. Offenders against this act, within the two universities, shall be punished by the governors and justices thereof to whom the punishment of offenders by law appertains, and all penalties hereby given and named therein shall be levied by the officers thereof appointed in that behalf by the vice-chancellor, and all powers of this act shall be executed by such governors, &c. *id. s.* 6. [Who shall inquire of and punish offenders against the same, 4 *J.* 1. *c.* 5. *s.* 5.]

18. Alehouse-keepers convicted of any offence against 1 *J.* 1. *c.* 9. or 4 *J.* 1. *c.* 5. shall be disabled to keep any alehouse, &c. for three years next ensuing, 7 *J.* 1. *c.* 10.

19. To RESTRAIN THE utterance of beer and ale to alehouse-keepers and tipplers not licensed, 4 *J.* 1. *c.* 4.

20. No person shall sell or deliver any beer or ale to any person who shall sell beer or ale as a common alehouse-keeper, he not being duly licensed, other than for the use of his household, on pain to forfeit for every barrel so sold 6*s.* 8*d.*, and in proportion for a greater or less quantity, *id. s.* 1.

21. Offences against this act shall be determined in the sessions of the county, city, borough, town or liberty, or in the court of record of the city, &c. where done, by action of debt, information, indictment, or presentment, wherein no essoin, &c.; and one moiety of such penalties shall go to the poor of the parish, and the other to the informer, *id. s.* 2.

22. The sheriff's officer or other persons who shall receive any penalties recovered under this act, shall, without further warrant, deliver one moiety to the churchwardens or overseers of the parish for distribution, *id. s.* 3.

23. Such sheriffs, &c. paying such moiety, shall be thereof discharged against H. M., *id. s.* 4.

24. If any such sheriff or officer shall refuse to pay over such moiety to such churchwardens, or if such churchwardens shall not truly distribute the same, he shall forfeit double the value thereof, to be recovered and employed as aforesaid, *pl.* 21., *id. s.* 5.

25. FOR REPRESSING the odious and loathsome sin of drunkenness, 4 *J.* 1. *c.* 5. (and recital in *s.* 1.) [CON. 21 *J.* 1. *c.* 28. *s.* 1. MADE PERP. 21 *J.* 1. *c.* 7. *s.* 1. AMD. 7 *J.* 1. *c.* 10. 1 *C.* 1. *c.* 4.]

26. All persons who shall be drunk and be thereof convicted, shall forfeit 5*s.*, to be paid within one week after conviction, to the churchwardens of the parish where the offence was committed, to the use of the poor thereof, and on neglect to pay such forfeiture, the same shall be levied on the goods of the offender by warrant from the convicting court or magistrate, and if he cannot pay the same, he shall be committed to the stocks for six hours, 4 *J.* 1. *c.* 5. *s.* 2.

27. If any constable or other officer, to whom any mayor or justice shall give that in charge by precept, shall neglect the correction of such offenders, or the levying of the penalty, when the distress may be had, he shall forfeit 10*s.*, to be levied, paid, and applied as aforesaid, *pl.* 26. *id. s.* 3.

28. If any person within *Eng.* or *Wa.* shall remain drinking or tippling in any inn, victualling-house, or alehouse, in the same city, hamlet, or place wherein he dwells, and the same being viewed by the mayor or justice, &c. for the district, and proved as in 1 *J.* 1. *c.* 9. *s.* 2. *pl.* 13. directed, unless in cases therein excepted, he shall forfeit 3*s.* 4*d.* to use of the poor of the parish where the offence was committed, to be levied as in *s.* 2. *pl.* 26. directed: and if the offender cannot pay such penalty, such convicting magistrate shall punish him by setting him in the stocks for four hours, *id. s.* 4.

29. Where proof by two witnesses is required by 1 *J.* 1. *c.* 9. *s.* 2. *pl.* 13., and 4 *J.* 1. *c.* 5. *s.* 4. *pl.* 28., one witness, or voluntary confession, shall henceforth be sufficient, 21 *J.* 1. *c.* 7. *s.* 1. *and see pl.* 41.

30. Offences against this act, and 1 *J.* 1. *c.* 9. *pl.* 12. shall be enquired and presented before the justices of assise in their circuit, justices of peace at quarter-sessions, and before the head officers of cities or towns corporate, who may enquire of trespasses, riots, and such like offences, and in courts leet, 4 *J.* 1. *c.* 5. *s.* 5.

31. Every person once convicted of drunkenness, being again convicted, shall be bound with two sureties to H. M. in one recognizance of 10*l.* to be of his good behaviour, 4 *J.* 1. *c.* 5. *s.* 6.

32. All constables, churchwardens, headboroughs, tithingmen, aleconners, and sidemen, shall, in their oaths of office, be charged to prevent offences against this act, *id. s.* 7. [*See* oath extended 21 *J.* 1. *c.* 7. *s.* 5. *pl.* 45.]

33. This act shall not abridge the ecclesiastical jurisdiction, but all ordinaries, &c. may proceed to enquire of and punish such offenders according to ecclesiastical law, *id. s.* 8.

34. Any offender once punished for his offence under this act, shall not be eftsoons punished for same offence by any other, *id. s.* 9.

35. Nothing herein shall prejudice the two universities, *id. s.* 10.

36. No person shall be molested for any offence against this act, unless indicted within six months after the offence committed, *id. s.* 11.

37. Every alehouse-keeper convicted of any offence against 1 *J.* 1. *c.* 9. or 4 *J.* 1. *c.* 5. *pl.* 25., shall be disabled to keep any alehouse for three years next ensuing, 7 *J.* 1. *c.* 10.

38. "Reciting that no punishment in 1 *J.* 2. *c.* 9. *s.* 2. *pl.* 13. or 4 *J.* 1. *c.* 5. *s.* 4. *pl.* 28. is inflicted on any innkeepers, &c. who permit persons, not there inhabiting, to tipple in their inns, &c." it is ENACTED, that no innkeepers, &c. shall suffer any persons not inhabiting in the city or place where such inn is, to tipple in his inn, &c. contrary to 1 *J.* 1. *c.* 9., and 4 *J.* 1. *c.* 5., on pain to incur the same penalty, to be proved, levied, and disposed of as in 1 *J.* 1. *c.* 9. *s.* 2. directed, 1 *C.* 1. *c.* 4. *s.* 1. [See 21 *J.* 1. *c.* 7. *s.* 2. *pl.* 42.]

39. Keepers of taverns, and such as sell wine, and keep inns or victualling in their houses, shall be taken to be within this and the above acts, *id. s.* 2.

40. FOR BETTER REPRESSING of drunkenness and restraining the inordinate haunting of inns, &c. 21 *J.* 1. *c.* 7.

41. The 1 *J.* 1. *c.* 9. and 4 *J.* 1. *c.* 5. shall continue for ever; and where two witnesses are required by such acts, one shall henceforth suffice, and voluntary confession before any person authorised by such acts to administer the oath, shall suffice to convince any person so offending, and after such confession the party confessing shall be good proof against any other offending at the same time, *id. s.* 1.

42. If any other person, wheresoever he dwelleth, shall be found on view, confession, or proof of one witness, to be tippling in any inn, &c. he shall be adjudged within 1 *J.* 1. *c.* 9. and 4 *J.* 1. *c.* 5., and shall incur the penalty to be levied and disposed as by such acts directed; and the confession of such party shall suffice, and after such confession his oath shall be taken against any other offending at the same time, *id. s.* 2. [See 1 *C.* 1. *c.* 4. *s.* 1. *pl.* 38.]

43. Any justice, for any county, or head officer of any city or town corporate, shall on his own view, confession of the party, or proof of one witness, upon oath before him, who under this act has power to administer the same, convince any person of drunkenness, so as to incur the forfeiture of 5*s.* to be levied as in 4 *J.* 1. *c.* 5. *pl.* 25. directed; and, for the second offence, he shall be bound for his good behaviour, as if convicted in open sessions, notwithstanding that act, *id. s.* 3.

44. Every alehouse-keeper convict against 1 *J.* 1. *c.* 9. and 4 *J.* 1. *c.* 5. shall be disabled to keep an alehouse for three years, 7 *J.* 1. *c* 10., 21 *J.* 1. *c.* 7. *s.* 4.

45. Constables, churchwardens, headboroughs, tithingmen, aleconners, and sidemen, who on their oaths of office, are by 4 *J.* 1. *c.* 5. *s.* 7. *pl.* 32 charged to present offences against that act shall also in such oath be charge to present offences against this act, or the 1 *J.* 1. *c.* 9. *pl.* 12., with any alterations thereof, *id. s.* 5.

46. FOR REGULATING the manner of licensing alehouses in *Eng.*, and for the more easy convicting persons selling ale and other liquors without licence, 26 *G* 2. *c.* 31. [AMD. 28 *G.* 2. *c* 19. *s.* 2. 29 *G.* 2. *c.* 12. *ss.* 22—24. 26. 28. which is REP. as to *ss.* 23, 24., and the whole law further AMD. 32 *G.* 3. *c* 59.] [*See further*, 35 *G.* 3. *c.* 113.; and for the former acts for licensing alehouses, see 5 *& 6 Ed.* 6. *c.* 25.]

47. Upon granting licences by justices, to any person to keep an alehouse, inn, victualling house, or to sell ale, beer, or other liquor by retail, such person shall enter into recognizances to H. M., one in 10*l.* and two sureties in 5*l.* each, or one in 10*l.*, with condition to maintain good order and rule within the same. And in case he cannot, for some cause to be allowed by such justices, attend in person at their meetings for granting such licences, they may grant such licences upon two sureties entering into such recognizance, each in 10*l.*; and such recogni-

zance and condition shall forthwith, or at the next quarter sessions, be sent to the clerk of peace of the county or place therein, under the hands of the justices before whom taken, to be filed amongst records of the sessions; and such justices and clerks of peace shall forfeit 3*l.* 6*s.* 8*d.* for every license granted without recognizance, and for every recognizance taken and not so sent, 26 *G.*2. *c.*31. *s.*1.

48. No such licence shall be granted to any one not licensed the year preceding, unless he produces at the general meeting of the justices in *September*, a certificate under the hands of the parson, vicar, or curate, and the majority of the churchwardens and overseers, or else of three or four reputable householders, inhabitants of the same place, setting forth that such person is of good fame and of sober life and conversation, and it shall be mentioned in such licence, that such certificate was produced, otherwise the licence shall be void, *id. s.*2. [and see *s.*16. *pl.*61.]

49. No licence to keep a common inn or alehouse, or to retail any brandy or strong waters, shall be granted but on 1st *September*, yearly, or within twenty days after, and shall be made for one year only, to commence on 29th *September*; and the day and place for granting licences, shall be appointed by two justices, ten days before, by warrant, under hand and seal, directed to the high constables, requiring them to order their petty constables, or other peace officers, to give notice thereof to the inn and alehouse keepers within their constablewicks; and all licences granted at any other time or place shall be void, *id. s.*4. [*See form of such licence*, 48 *G.*3. *c.*143. *s.*7. *post*, *pl.*114.]

50. The clerk of the peace shall keep a register of all recognizances so sent, as in *s.*1. *pl.*45. and shall deliver to the justices, at their general meetings for granting licences, a true copy thereof; and for every such recognizance the justices' clerks taking the same shall pay the clerks of the peace for filing such recognizance, and making copies of the register, 1*s.*, which shall be repaid to the clerks of such justices by the party licensed, besides their other fees, *id. s.*5.

51. All forfeitures for granting licenses without taking such recognizances, shall be recovered by action of debt, &c., or information, in any of the courts at *Westminster*, for the use of the person suing, together with costs, wherein no essoin, &c., or more than one imparlance, shall be allowed, *id. s.*6.

52. Any justice of any county, city, or place wherein such licence shall be granted, on complaint that such licensed person hath done any act whereby such justice shall think he hath forfeited his recognizance, may, by summons, require him to appear at the next general or quarter sessions to answer the same, and also may bind the informer, or any other person, in a recognizance to appear at such sessions and give evidence against him, and the justices there may direct a jury there attending for trial of traverses, or some other jury to be impannelled by the sheriff, without fee, to enquire of such complaint; and if such jury shall find that such person hath done an act whereby his recognizance has been broken, such act being specified in such complaint, such sessions shall adjudge such person guilty of a breach thereof, which shall be final; and shall order such recognizance to be estreated into exchequer; and such person shall thenceforth be disabled to sell any ale, cyder, perry, spirituous liquors, &c. for three years; and any licence granted to him during such term, shall be void, *id. s.*7.

53 Such justices may, on request of the prosecutor or party complained of, or either of his sureties, adjourn the hearing to the then next general or quarter-sessions, where the same shall be finally determined, *id. s.*8

54. If any justice of peace shall suspect that any alehouse-keeper, victualler, or retailer sells ale, beer, cyder, or perry, without licence, he may summon such suspected person before him, and also any excise officer or gauger, to produce the stock-books which he keeps of the survey of such suspected person, in respect to any of the liquors aforesaid, and likewise may examine such officer on oath touching such survey, and how such suspected person pays the duties for such liquors; and if it appears that such suspected person is surveyed as a victualler or retailer, and is not entitled to the allowance given to common brewers, then he shall be deemed an alehouse-keeper, victualler, retailer, or seller of such liquors, as fully as if proved by two witnesses, *id. s.*9.

55. On information before one justice, and probable cause shewn that any person is suspected of selling ale or other liquors without a licence, such justice may call such suspected person before him, with any other person to give evidence; and if such person so summoned shall refuse to appear, or to be examined on oath, he shall forfeit 10*l.*, to be levied by distress and sale of goods by warrant of such justice, rendering him overplus after charges of distress, &c. deducted, to be paid to overseers for use of the poor of the same parish, *id. s.*10.

56. Every person disabled by conviction to sell ale, beer, cyder, or perry, shall be thereby also disabled to sell spirituous liquors, and any licence granted to him after such conviction shall be void; and every person selling ale, beer, &c., or spirits, during the term of such disability, shall be subject to all the penalties for selling the same by retail without a licence; and in all prosecutions, a certificate from the clerk of the peace of such conviction shall be evidence, which certificate he shall grant without fee, 26 *G.*2. *c.*31. *s.*11.

57. Every person convicted of selling ale, beer, or other liquors without licence from two justices, shall forfeit, for the first offence, 40*s.*; for the second, 4*l.*; and for the third [and every subsequent offence, 28 *G.*2. *c.*19. *s.*2.], 6*l.*, to be levied by distress and sale of goods, rendering overplus, after the charges thereof are deducted, to the owner, by warrant under the hand and seal of the convicting justice; and if no distress shall be found, such justice shall commit such offender to prison, for the first offence, for one month; for the second, two months; and for the third [and every subsequent offence, 28 *G.*2. *c.*19. *s.*2], until discharged by the quarter-sessions, *id. s.*12.

58. Every conviction for selling ale, beer, or other liquors without such licence, or, after being disabled to sell, shall be certified by the justice making the same to the next general or quarter-sessions, to be filed of record; and such conviction shall be in the form, or to the effect following; *viz.*

'*Middlesex.* } A. B. is convicted on his [*or* her] own confession, [*or* on the oath of —,] of having sold ale, beer, or other liquors in the parish of — in this county, on the — day of —, without being licensed thereto according to law [*or* after being disabled to sell, *as the case may be*]. Given under my hand and seal this — day of —.'

And there shall be added, this is the first, second, or third conviction; and which conviction shall be good, and not quashed for want of any other form, *id. s.*13.

59. Offenders punished under this act shall not be again punished for same offence under any former act, and *vice versâ*, *id. s.*14

60. This act shall not affect the privilege of licensing taverns and other public houses claimed by the two universities of *Eng.*, nor the chancellor, masters, and scholars, or officers of the same, *id. s.*15.

61. Nothing herein shall alter the times of granting licences for keeping of common inns or alehouses, or to oblige persons not licensed the year preceding to produce such certificates [*see s.*2. *pl.*48.] in any city or town corporate, *id. s.*16.

62. Any person shall be a competent witness upon any complaint for any offence against this act, although an inhabitant of, and rated to the poor-rates of the parish where the offence was committed, *id. s.*17.

63. Neither the commissioners of customs in *Eng.*, nor the collectors or supervisors of excise, or any other officer appointed to deliver licences to the retailers of any spirituous liquors, shall grant or deliver such licence to any person who shall not produce a licence granted to him in due form by justices of peace, to sell ale &c., and duly stamped, 29 *G.*2. *c.*12. *s.*22. [*But see now* the stamp duties repealed, and excise duties charged in lieu, 48 *G.*3. *c.*143., 56 *G.*3. *c.*113. *pl.*120.]

64. Every person who shall retail ale, beer, or other liquors, in any prison, house of correction, or workhouse, shall be deemed a keeper of a common alehouse, &c., and be subject to the penalties as such, unless he shall obtain from the justices, according to law, a licence to retail such beer, &c. *id. s.*26. General issue, treble costs, *id. s.*28.

65. The 26 *G.*2. *c.*31. *s.*3. and 29 *G.*2. *c.*12. *s.*23, 24., so far as they relate to *Eng.* Rep. And if any person duly licensed to keep any alehouse, inn, victualling house, or to retail ale, or other exciseable liquors in any house in *Eng. Wa.* or *Ber.*, shall die before the expiration of such licence, or if he, or his executors, administrators, or assigns, shall remove from such house, and assign such licence, or in case such house becomes empty, the late occupier whereof was licensed at the last general licensing day before such house became empty, then (except as in *s.*3. *pl.*67—72.) any two justices at a petty session, within and for the division, may grant a licence to the executors, &c. of the person so dying, or to the new tenant upon such removal or the house becoming empty, to open or continue open till the next general licensing-day, so as such licence be stamped, as by 29 *G.*2. *c.*12. is directed; or such justices may allow such executors, &c. to continue open such house, under such licence, until the expiration thereof, they and every such tenant respectively, within 30 days after the death or removal or entering into possession, producing to such justices such certificate, and entering personally into such recognizance, with such sureties as is directed by 26 *G.*2. *c.*31. *s.*1 & 2.; which certificate and recognizance, with the condition thereof attested by the justices, shall forthwith, or at the next quarter sessions at farthest, be returned to the clerks of peace, to be filed of record, 32 *G.*3. *c.*59. *s.*1.

66. In *Middlesex* and *Surrey* the justices at the general licensing meetings shall appoint and give due notice of the time and places, of not less than six or more than eight special days, of meetings, at equal periods in each year, when two justices acting in the same division shall meet in their respective divisions, and grant or continue licences as above, *id. s.*2.

67—72. If any person so licensed within *Middlesex* or *Surrey*, or the executors, &c. of any person dying so licensed shall remove, or in case such house shall become empty, as in *s.*1. *pl.*65. then before such licence shall be continued, or a new one granted, the succeeding occupier shall appear at

the next special meeting, and the justices there may, (on production of such certificate and such recognizance entered into as in *s.* 1. *pl.* 65.) grant a new licence or continue that before granted until the next general licensing day, 32 *G.* 3. *c.* 59. *s.* 3.

73. Provided, that at such petty sessions as in *s.* 3. no new licence shall be granted to any house not licensed at the last general licensing day, *id. s.* 4.

74. Nothing herein shall alter the times of licensing common inns or alehouses, or oblige persons not licensed the year preceding to produce such certificates as in *s.* 1. *pl.* 65., in the city of *London*, *id. s.* 5.

75. Every person so entering into any licensed alehouse, &c. who shall retail ale, beer, or other liquors, unless authorised by the petty sessions next ensuing the expiration of such 30 days, as in *s.* 1. shall be liable to all the penalties for retailing ale, &c. without licence, under 5 *G.* 3. *c.* 46. *s.* 20., *pl.* 82., *id. s.* 6.

76. Such certificate so to be obtained, as in *s.* 1. shall be an indemnity for selling any beer, &c. till after such petty sessions, *id. s.* 7.

77. Where the continuance of a licence is allowed, or a new one granted at a petty sessions, the clerk of the peace shall record the same on payment of 1*s.*, *id. s.* 8.

78. No person in *G. B.* by virtue of any licence granted by the commissioners of excise for the sale of foreign or British made wines or sweets by retail, shall sell the same by retail to be drank in his house or place thereto belonging, except he has a licence to sell ale, beer, and other liquors, and the justices and all other officers in G. B. shall have the same powers over such retailers of wines or sweets, who sell the same to be drank in their houses, &c. as they now exercise over persons licensed to sell ale, beer, and other liquors; and every person who shall sell by retail any such wines to be drank in his house, &c. without having such ale licence, shall forfeit the like penalties as are inflicted on persons selling ale, &c. without a licence, under 5 *G.* 3. *c.* 46. *s.* 32., [but see 44 *G.* 3. *c.* 55. *s.* 10., SCOTLAND, (ALEHOUSE,) which is verbatim with 5 *G.* 3. *c.* 46. *s.* 32.,] to be levied, certified, and applied, as the penalties inflicted by that act are hereby or by any other act directed to be levied, &c. *id. s.* 9.

79. Persons prosecuted for any thing done under this act may plead the general issue, and give the special matter in evidence; and if a verdict pass for the defendant or the plaintiff is nonsuited, the defendant shall have treble costs, *id. s.* 10.

80. This act shall not extend to the vintners' company in *London*, or to persons licensed by the two English universities, or to the keeper of one of the three wine-taverns within *St. Albans:* but no person who, after 10 Oct. 1792, shall be admitted to the freedom of such company by redemption only, shall be exempted from the obligation of obtaining a licence to retail ale but freemen already admitted, or who after that day shall be admitted to the freedom in right of patronage or apprenticeship, *id. s.* 11.

81. FOR RENDERING the conviction of persons selling beer or ale, or other exciseable liquors without licence more easy in *Eng.*, 5 *G.* 3. *c.* 46. *s.* 20—26. [This title is framed from the preamble to *s.* 20. See *ss.* 1—19. 38—44. STAMPS, *ss.* 27—37, SCOTLAND, (ALEHOUSE.)]

82. Every victualler or alehouse-keeper, and every person selling ale or beer, or other exciseable liquors by retail, and every person permitting the same to be sold by retail in his house or premises, or other place in *Eng.*, *Wa.*, or *Ber.*, shall on demand of any officer appointed by the commissioners of stamps [*duty on licences placed under the excise* 48 *G* 3. *c.* 143.], produce to such officer his licence, and shall permit him to take a copy of it; and in case any such person shall neglect so to do, he shall forfeit 40*s.*, *id. s.* 20.

83. Every clerk of the peace for each county, riding, or division in *Eng.*, *Wa.*, or *Ber.*, or his deputy, and every clerk of the peace, town clerk, or common clerk of every city, town, and liberty within *Eng.*, &c. where licences to sell ale or beer, or other exciseable liquors, are pursuant to 29 *G.* 2. *c.* 12. [*so in the act, but qu.* 26 *G.* 2. *c.* 31.], to be granted by the justices or magistrates of such city, division, &c. shall on demand made by any officer of stamps, or within three days after, deliver to such officer a list of the names and abodes of all the victuallers, alehouse-keepers, or others licensed to sell ale or beer, or other exciseable liquors by retail, within such county, city, &c. and on delivery thereof such officer shall pay to such clerks for making out such list, at the rate of one farthing for every licensed person therein inserted, all which money shall be allowed such officer in his accounts, and in case any such clerk shall neglect so to do for three days after such demand made, or shall not insert in such list a full account of the names and abode of all persons it ought to contain, he shall forfeit 5*l.*, *id. s.* 21.

84. One justice of the county or place where any offence against this act, or of 29 *G.* 2. *c.* 12., shall be committed, may determine the same in a summary way, and on information or complaint made summon the party accused, and also the witnesses on either side, (if so required,) and on the appearance or contempt of the party accused, by not appearing, shall examine the matter, and also such witnesses on oath as shall be produced, and give judgment thereon; and in case he shall convict the party, and such party shall neglect to pay the penalty in which he shall be convicted, together with the costs to be ascertained as aforesaid, then such justice shall issue his warrant to apprehend such offender and commit him to prison for such time as the nature of the offence shall require, 5 *G.* 3. *c.* 46. *s.* 23.

85. Every person summoned as a witness before such justice, touching any such matter on either side, who shall neglect to appear at the time and place appointed, without some excuse to be allowed by such justice, or who appearing shall refuse to be examined on oath, shall forfeit 20*s.* to be levied and paid as in *s.* 23. *pl.* 84. directed, *id. s.* 24.

86. Every person aggrieved by the judgment of any justice, and who shall give security to the satisfaction of such justice for the payment of the penalty and costs to be expressed in the warrant of distress, may appeal against such judgment to the quarter sessions for the county, city, or place, unless such sessions are held within six days next after such conviction, and in such case to the next subsequent sessions; and the justices there shall hear such appeal, and their judgment shall be final; and in case they adjudge such appeal to be frivolous or vexatious, they may adjudge to the party grieved thereby his reasonable costs, not exceeding 5*l.*, *id. s.* 28.

87. Conviction in the form following, or to the like effect, *mutatis mutandis*, shall be good:

'Middlesex, } BE it remembered, that on this —— day of —— in year
to wit. } —— A B of, &c. was duly convicted before me C D, one of H. M.'s justices of the peace for the county of Middlesex, or before us C D and E F, two of H. M.'s justices of the peace for the said county of ——, [*as the case shall happen to be*] for selling ale or beer, or other exciseable liquors, [*as the case shall happen to be*,] without being duly licensed so to do, according to the statutes in such case made and provided; whereby he, she, or they, has or have forfeited the sum of ——, this being the first, second, *or* third offence, [*as the case shall happen to be*] besides the costs and expenses of this conviction, which costs and expenses, I, the said justice of the peace, [*as the case shall happen to be*] do hereby ascertain and assess at the sum of ——, pursuant to the statutes in such case made and provided. Given under my hand and seal, [*or* our hands and seals, *as the case shall happen to be*] the day and year above written,' *id. s.* 26.

88. FOR THE MORE effectual prevention of selling ale, and other liquors by persons not duly licensed, 35 *G.* 3. *c.* 113. [AMD. 38 *G.* 3. *c.* 54. *s.* 13. and EXT. to *Scot.*, 41 *G.* 3. U.K. *c.* 86. *s.* 12., but which is REP. 44. *G.* 3. *c.* 55. *s.* 1.]

89. Every person who shall sell any ale or other exciseable liquors by retail, or suffer it to be sold in his house, outhouses, yard, or place, in *Eng.*, *Wa.*, and *Ber.*, without being duly licensed, shall forfeit 20*l.*, and costs of conviction to be levied and recovered as in *s.* 2. *pl.* 91. directed; and after a second conviction for the like offence, shall be incapable of being licensed to sell ale, &c. by retail, 35 *G.* 3. *c.* 113. *s.* 1.

90. Such penalty shall not extend to persons selling beer or ale in casks, containing not less than five gallons, or in reputed quart bottles by not less than two dozens, not to be drank in their houses, &c., 38 *G.* 3. *c.* 54. *s.* 13.

91. One justice may determine the offence in a summary way, and shall, on information or complaint made, summon the party accused, and also the witnesses on either side, and on appearance, or contempt in not appearing, shall proceed to hear the matter, and examine any witness on oath, and give judgment therein; and on proof made, either by confession, or on oath of one witness, convict the accused of the offence charged; and if he shall not, at the time and place of conviction, if present, or if absent within three days after notice, either personally served or left for him at the place where the offence was done, according to this act, *s.* 6. *pl.* 95., pay the penalty of which convicted, together with the costs attending the same, to be ascertained by the convicting justice, then such justice shall issue his warrant of distress, empowering the person to whom the same is directed to distrain the goods of such offender wherever found, within his jurisdiction, and also any goods found in the house, outhouse, cellar, or other place, in which such offence was done, or found in any house, &c. belonging to, or occupied therewith, or which shall be found in any place entered with the excise for keeping ale or beer, cyder or perry, in the name of such offender; and on the goods so distrained, the officer executing such warrant shall levy the sum expressed therein, as by 27 *G.* 3. *c.* 20. and 33 *G.* 3. *c* 55. directed, 35 *G.* 3. *c.* 113. *s.* 2.

92. But such distress may be sold at any time within the four days by 27 *G.* 2. *c.* 20. allowed at the request of the owner, *id. s.* 5.

93. There shall be paid to the officer executing such warrant of distress for the safe keeping of the goods distrained, for each day such goods shall be in his custody, a sum not exceeding 5*s.* *per diem*, and for any person acting in his aid, not exceeding 2*s.* *per diem* for each such person as the convicting justice shall allow, due proof being first made on oath that such assistance was necessary, *id. s.* 4.

94. One moiety of the penalty so levied shall be paid to the informer,

and the other to the use of the poor of the parish, or place where the offence was committed, as such justice shall direct; and if the officer shall make return to the warrant, that no sufficient distress can be found, any justice for any county or place where such offender is found, on producing to such justice such warrant and return (and if such justice is of any other county or place, then on oath made of the hand-writing of the justice granting such warrant and of the truth of such return,) may commit the offender to the common gaol or other prison within his jurisdiction, for not exceeding 6 or less than 3 calendar months, unless such penalty and costs of all proceedings attending the conviction and warrant of distress be sooner paid, 35 *G.*3. *c.*113. *s.*5.

95. The directing of any summons issued for any person to appear and answer any information or complaint for selling beer or other exciseable liquors by retail without license to such person by the name in which he shall have entered any house, cellar, &c. for keeping beer or ale, or in the name by which he is usually known, whether the same is the real or a feigned name, and the leaving same at the house, &c. in which the offence is stated in any information to have been committed, and affixing a copy thereof on the door, or other conspicuous part on the outside thereof, (such service being proved by oath of party serving and affixing such summons,) shall be deemed as effectual as if the same had been personally served on or directed to the party by his real name, *id. s.*6.

96. Every alehouse-keeper or retailer of beer or ale, who has in custody any beer or ale to sell by retail, shall, 3 days before he begins so to sell, make a true entry in writing at the next office of excise, of every house, outhouse, cellar, or other place to be used for keeping beer or ale, or selling the same; and such entry shall state the true name of the person making the same, and also whether he is an alehouse keeper, victualler, or retailer, and he shall be deemed the occupier or proprietor of every place so entered, so long as such entry remains in force, or such beer or ale in his custody; and every person who shall make use of any such place for keeping or selling beer without making such entry, shall forfeit for every default 50*l.*, to be recovered, mitigated, and distributed, as other excise penalties; and all storehouses or other places used for keeping any beer, ale, or worts in cask, without being so entered, shall be deemed concealed places, &c. within all acts now in force in relation to private and concealed places for keeping exciseable liquors, *id. s.*7.

97. All beer, ale, cyder, perry, and other exciseable liquors, together with all other goods found in any house, or other place, wherein any such offence shall be committed, or in any house, &c. thereto belonging, or occupied therewith, or which have been entered as in *s.*7. for keeping beer, or ale, cyder or perry, by or in the name of the person convicted, by whom or by what title soever claimed, shall be liable to such warrant of distress as in *s.*2. *pl.*91. to satisfy all penalties and costs incurred by any person for any offence done within or upon the same premises, as if the offenders had been the real and true owners thereof, *id. s.*8.

98. Persons making such entries as in *s.*7., as alehouse-keepers, victuallers, or retailers, shall be deemed sellers by retail of such liquors, and any justice of peace may summon before him, or any other justice, any entry-keeper or other officer of excise having the custody of such entries made by innkeepers, victuallers, and retailers of beer or ale within his division, who shall when required produce the same before such justice; and also the stock-books of such persons; and such justice shall examine such officer on oath respecting any such entries, or any stock of any person making such entries; and if it appear that any person hath made any such entry, or that he hath been surveyed as an alehouse-keeper, &c. and is not entitled to receive the abatement of duty allowed to common brewers, then such justice may summon such person to produce to such justice his licence; and if such person does not, at the return of such summons appear before such justice, or appearing shall not produce his licence duly obtained and in force, such justice may, on proof of the service of such summons, as in *s.*6. in case he shall not appear, adjudge the party guilty of selling without licence, and to be liable to the penalty hereby imposed, *id. s.*9.

99. Every person summoned to appear as a witness on either side, who shall not appear at the time and place appointed, without a reasonable excuse to be allowed by such justice, or appearing shall refuse to be examined on oath, shall forfeit 10*l.*, to be levied by warrant of distress; and if no sufficient distress can be found, then the justice before whom the contempt was committed shall commit him to some prison within his jurisdiction, for not exceeding six calendar months, unless the penalty is sooner paid, and such penalty shall be applied to the use of the poor of the parish, as such justice shall direct, *id. s.*10.

100. Every person who, after service of any summons to appear and answer to any charge for selling beer or ale, or other exciseable liquors without licence, shall convey away any goods in *s.*8. *pl.*97. made liable to any warrant of distress from the house, &c. or other place wherein such offence was committed, or from any house, &c. or other place belonging thereto, or occupied therewith, or from any house, &c. entered with the excise office, as in *s.*7., by or in the name of the person so convicted for keeping or selling beer or ale, the officer to whom such warrant is directed, or other person acting in his aid, may within 30 days after such conveying away, seize the same wherever found, and dispose of them as if distrained on the premises; but if any goods so removed shall be carried out of the jurisdiction of the magistrate originally issuing such warrant of distress, any justice for the county, &c. into which such goods are carried, shall, on proof on oath of the hand writing of the justice originally signing such warrant, indorse his name thereon, which shall be sufficient authority to any person bringing such warrant, and all others to whom it was originally directed, to execute the same, and proceed as if such goods had been found within the jurisdiction of the justice who signed the original warrant, 35 *G.*3. *c.*113. *s.*11.

101. Any person aggrieved by the judgment of any justice before whom he shall have been convicted of any offence against this act, may appeal (and such convicting justice shall inform him of his right of appeal,) to the next quarter sessions holden for such county or place, unless such sessions shall happen to be within six days after such conviction, and in such case to the next subsequent sessions, and not afterwards; on giving at the time of his conviction to such justice a notice in writing of such his intention, and also giving sufficient security for the payment of the penalty and costs, in case such judgment shall be affirmed, and also entering into such recognizance, with sufficient sureties conditioned to try such appeal, abide the judgment of and pay costs awarded by the sessions; and the sessions shall determine such appeal, and their judgment shall be final; and if such sessions shall deem such appeal frivolous or vexatious, they shall adjudge to the party grieved his reasonable costs, not exceeding 3*l.*, *id. s.*12.

102. Conviction in form set forth in 26 *G.*2. *c.*31. *s.*13. *pl.*58., shall be good, *id. s.*13.

103. Any justice convicting any person under this act may mitigate the penalty to any sum not less than 10*l.*, if the offender has not been convicted under this act before, but not otherwise, *id. s.*14.

104. The inhabitants of any parish or place where the offence was committed shall be deemed competent witnesses, *id. s.*15.

105. All penalties under this act shall be determined within six months after the offence committed, *id. s.*16.

106. This act shall not extend to persons selling ale or beer at the time and place of holding any accustomed fair, *id. s.*17.

107. To REPEAL THE stamp duties [29 *G.*2. *c.*12., 44 *G.*3. *c.*98. *sche.* A.] on licences granted granted by justices of peace for selling ale, beer, and other exciseable liquors by retail, and for granting other duties in lieu thereof, 48 *G.*3. *c.*143. [REP. *as to the new duties* 56 *G.*3. *c.*113.]

108. All duties of stamps on licences granted by any justices for selling ale, beer, or other exciseable liquors by retail, shall cease, 48 *G.*3. *c.*143. *s.*1.

109. Every person who shall sell beer or ale by retail, or who shall allow cyder or perry to be drank or consumed in his own house or premises, shall, before they so sell any beer or ale by retail, or cyder or perry, take out an excise licence, authorizing them so to do, which licence shall be granted as follows; (*viz.*) If such licence shall be taken out within the limits of the chief office of excise in *London*, the same shall be granted under the hands of commissioners of excise in *Eng.*, or of some person employed by them for such purpose; and if taken out in any other part of *Eng.* the same shall be granted under the hands and seals of the several collectors and supervisors of excise within their respective collections and districts; and if such licence is taken out within the limits of the city of *Edinburgh*, the same shall be granted under the hands and seals of two commissioners of excise in *Scot.*, or if taken out in any other part of *Scot.* then under the hands and seals of the several collectors and supervisors of excise in *Scot.*, within their respective collections and districts, and such persons shall grant such licences accordingly to all persons applying for the same, they paying the duty due for the same, to be applied and accounted for as herein directed, *id. s.*2.

110. The duty hereby imposed for such licences shall be paid at such places or to such persons as hereinafter in that behalf mentioned; (viz.) for licences taken out within the limits of the chief office of excise in *London*, the duty shall be paid at such chief office; and for licences taken out within the limits of the chief office of excise in *Edinburgh*, the same shall be paid at the chief excise-office in *Edinburgh*; and for licences to be taken out in any other part of *G.B.*, the same shall be paid to the respective collectors of excise granting them; and all licences granted under this act shall be in force until the 10*th Oct.* next ensuing the time of granting thereof, *id. s.*3.

111. In all cases where the licence or authority granted by any justices or magistrates, or other competent persons, to any person to keep a common inn, alehouse, or victualling-house, shall, in pursuance of any charter or usage, be issued at any other time except the month of *Sept.*,

then such excise licence shall be taken out within 10 days next after the date of such licence, and such excise licence shall continue in force for 12 months next ensuing such date, 48 *G. 3. c.* 143. *s.* 4.

112. No person shall retail any beer or ale, cyder or perry, to be consumed in his own house after the expiration of his excise licence, unless he has taken out a fresh one within 10 days after such expiration, and so renew it from year to year; and every person who shall so do without taking out such licence, or without renewing the same, shall forfeit 50*l.*, *id. s.* 5.

113. On the death of any person so licensed, or upon the removal of any such person from the entered house or premises in which such his excise licence shall authorize him to sell ale or beer by retail, or cyder or perry, the commissioners of excise in *Eng.* and *Scot.* respectively, or any one of them, and the several collectors and supervisors of excise in *Eng.* and *Scot.* within their respective collections and districts on the production of a certificate [*see* 26 *G.* 2. *c.* 31. *s.* 2. *pl.* 48.] of a justice or magistrate given after the death or removal of the former occupier of the house or premises, approving of the person to whom such certificate is given, may authorize such person in like manner to sell beer or ale, or cyder or perry, where such person so licensed under such excise licence carried on such trade for the remainder of the term for which such licence was originally granted without taking out a new one, provided that persons trading in partnership and in one house only shall not be obliged to take out more than one such excise licence in one year; and no one licence granted under this act shall empower any person to sell beer or ale, or cyder or perry, in any other house than the house in which he sold beer or ale, or cyder or perry, at the time of granting such licence, *id. s.* 6.

114. Neither the commissioners of excise in *Eng.* or *Scot.*, nor any person employed by such commissioners in *Eng.* to grant such licences, nor any of the collectors or supervisors of excise shall grant any such licence to sell beer or ale, or cyder or perry, or any licence to sell spirituous liquors, strong waters, or wine or liquors by retail, to any person who shall not produce a licence duly granted by the justices of peace [*see* 26 *G* 2. *c.* 31. *pl.* 46.] to such person to keep a common inn or alehouse, and such licence of such justices shall be in this form:

'County of } At a general meeting —— for the —— holden at —— within —— } the said —— on the —— day of —— *A. D.* —— for the purpose of authorizing persons to keep common inns, alehouses or victualling-houses, We, —— being H. M.'s justices of the peace for —— or magistrates of —— [*as the case may be*] do hereby authorise and empower A. B. at the sign of —— *in* the —— of —— in the —— aforesaid, to keep a common inn, ale-house, or victualling-house, and to utter and sell in the house in which he now dwelleth, and in the premises thereunto belonging, and not elsewhere, victuals, and all such exciseable liquors as he shall be licensed and empowered to sell under the authority and permission of any excise licence, which shall be duly granted by the commissioners of excise, or persons to be appointed or employed by them for that purpose, or by any collector and supervisor of excise respectively; provided that the true assize in bread, in beer, ale, cyder, and all other liquors, be duly kept, and that no unlawful game or games, or any drunkenness or other disorder be suffered in his house, yard, garden, or premises, but that good order and rule be maintained and kept therein, according to the laws of this realm in that behalf made; the authority and power hereby granted to continue in force for one whole year from the —— day of —— and no longer. Signed ——,' *id. s.* 7.

115. This act shall not alter the laws, provisions, or charters of any city, town corporate, or university, in relation to granting licences by any justices or magistrates, or other person authorized so to do, or in relation to taking recognizances on granting the same, except as to the payment of duty and form of the licence, or repeal any act as to the sale of table beer at 1½d. per quart, *id. s.* 8.

116. All clerks to justices or magistrates may take the same fees as heretofore for such licences, *id. s.* 10.

117. Every person licensed to keep a common inn, &c. who is by any conviction disabled from keeping the same, shall also thereby be disabled from retailing beer, or ale, or cyder, or perry, under any excise licence, which licence shall, from the time such conviction had become void, and in all cases of prosecution of any such persons whose excise licence shall so become void, a certificate from the clerk of the peace of such conviction shall be legal evidence, and which certificate such clerk shall grant without fee, *id. s.* 11.

118. All fines and penalties hereby imposed shall be recovered and mitigated according to the excise laws, or by action of debt, &c. or by information in any court of record at *Westminster*, or the *Scotch* court of exchequer, and shall go, one moiety to H. M. and the other to the informer, *id. s.* 12.

119. Powers of former excise laws extended to this act, *id. s.* 13.

120. To REPEAL the duties on licenses for retailing beer, ale, cyder, perry, or spirits, in *G. B.*, and for imposing other duties in lieu thereof. 56 *G.* 3. *c.* 113.

121. Duties now payable (48 *G.* 3. *c.* 143.) for licences to retail beer or ale, cyder, perry, or spirits, in *G. B.* shall be REP., *id. s.* 1.

122. There shall be levied and paid in *G. B.* upon all licences taken out by retailers of beer or ale, or of cyder or perry, to be consumed on their own premises, the following sums:

£ 2 2 3 3 4 4	If such retailer's house, yard, offices, &c. be rated by acts for granting duties on inhabited houses at *per ann.*	£ 15 15 and under 20 20 or more.

Likewise for licenses taken out by retailers of spirits, not being *aqua vitæ*, in *G. B.* distilled from *British* materials in *Scot.*:

£. 5 5 6 6 8 5 8 17 9 9 10 1 10 13	If such retailer's house, yard, offices, &c. be rated as aforesaid	£. 15 15 and under 20 20 and under 25 25 and under 30 30 and under 40 40 and under 50 50 or more.

56 *G.* 3. *c.* 113. *s.* 2.

123. The duties hereby imposed shall be under the management of commissioners of excise, *id. s.* 3.

124. These duties shall be collected, paid, and recovered, in the same manner as all other excise duties, and be subject to the same forfeitures; and such retailers shall be subject to all the conditions, rules, &c. and all the provisions of former acts now in force, made for securing the revenue of excise, and which shall extend to the duties hereby imposed, *id. s.* 4.

125. Monies arising by this act, except the necessary charges of collection, shall be paid into the exchequer, and carried to the consolidated fund of *G. B.*, *id. s.* 5.

ALIEN.

(STATUTES *repealed and expired.*)

1. EXCHANGES by aliens shall be expended in the purchase of staple commodities of the realm within [three 14 *R.* 2. *c.* 2.] nine months, [9. *H.* 5. *S.* 2. *c.* 9.] on pain of forfeiture, 14 *R.* 2. *c.* 2. 9 *H.* 5. *S.* 2. *c.* 9. [CON. 11 *H.* 4. *c.* 8. 1 *H.* 6. *c.* 6. ALL EXP.]

2. ALL Bretons not made denizens shall depart the realm, 2. *H.* 5. *S.* 2. *c.* 3. [EXP.]

3. To enquire of the behaviour of Frenchmen, being denizens, 4 & 5 *P. & M. c.* 6. [EXP.]

4. FOR ESTABLISHING regulations respecting aliens arriving in this kingdom, 33 *G.* 3. *c.* 4 [CON. by 34 *G.* 3. 82., 35 *G.* 3. *c.* 24., 36 *G.* 3. *c.* 109., 37 *G.* 3. *c.* 92., 38 *G.* 3. *cc.* 50. 77., 41 *G.* 3. (G.B.) *c.* 24. REP. by 42 *G.* 3. *c.* 92. *comm. semb.*, see *s.* 1. but no positive repealing clause.]

5. FOR SUBSTITUTING other provisions in lieu of those in 33 *G.* 3. *c.* 4. 42 *G.* 3. *c.* 92. [REP. 43 *G.* 3. *c.* 155. *s.* 1.]

6. FOR ESTABLISHING other provisions for regulation of aliens, during the present hostilities with *France*, 43 *G.* 3. *c.* 155. [REP. 54 *G.* 3. *c.* 155. *s.* 1.]

7. For substituting other provisions in lieu of those in 43 *G* 3 *c.* 155., 54 *G.* 3. *c* 155. [REP. 55 *G.* 3. *c.* 54. *s.* 1.]

(STATUTES *in force.*)

1. A STATUTE FOR those that be born beyond sea, 25 *E.* 3. *S.* 2.

2. The law of the crown of *Eng.* is, that the children of the king, in whatsoever parts they be born, be able to bear inheritance after the death of their ancestors; and all children inheritors, born without the ligeance of the king, whose fathers and mothers at the time of their birth be at the faith and ligeance of the king, shall have the same benefits, to bear inheritance within the ligeance, as other inheritors; so always that the mothers of such children pass the sea by licence of their husbands; and if it be alleged against any such born beyond the sea, that he is a bastard, in case where the bishop ought to have conusance of bastardy, it shall be commanded to the bishop of the place where the demand is, to certify H. M.'s court where the plea thereof dependeth, *id. ibid.*

3. NO PERSON SHALL administer or farm benefices in *Eng.* for aliens without H. M.'s licence, 3 *R.* 2. *c.* 3. [CONF. 7 *R.* 2. *c.* 12.]

4. Nor shall send money to aliens out of such benefices, by bills of exchange or otherwise, on pain of *præmunire* under (27 *E.* 3. *st.* 1. *c.* 1. statute of provisors,) by the process mentioned in that statute, and by warning to them on their benefices, if within the realm; but if without it, process shall be made against them into *London*, or other county, at H. M.'s suit, returnable in either bench, commanding proclamation to be made for their appearance there at a certain day, within half a year, to answer the matters comprised therein, upon which the justices shall proceed as above, 3 *R.* 2. *c.* 3.

5. No bishop shall meddle, by way of sequestration or otherwise, with the fruits of benefices given to aliens, *id. ibid.*

6. ANY ALIEN purchasing, or holding to his own use, or that of another, any benefice, &c. without H. M.'s licence, shall be subject to *præ-*

munire, under 3 *R.*2. *c.*3., and to penalties of 25 *E.*3. *S.*5. *c.*22.; and the application for and grant of such licences is restrained, 7 *R.*2. *c.*12.

7. FOR RATING foreigners to the fifteenths and other taxes, 9 *H.*4. *c.*7.

8. Foreigners having lands or goods within any towns at the day of the grant of any tenth, fifteenth, or other tax, though they lead away their beasts or carry their goods out of the town, shall contribute with the inhabitants to such tax, and the collectors may distrain in every place within the county, as well before as after H.M. be answered of the whole sums due from such towns: but no man shall be twice charged for such beasts or goods, *id. ibid.*

9. TOUCHING the merchants of *Italy*, 1 *R.*3. *c.*9. [CONF. 32 *H.*8. *c.*16. *s.*7.] [*See note* 2. *Stat. at Large*, 8*vo. ed.* 702. *Extract from Rastall's Collection*, 1591, *tit. Aliens.*]

10. No alien artificer, not made denizen, shall exercise handicraft in *Eng.*, unless retained as servant to a subject, on pain of forfeiture of all his goods, 1 *R.*3. *c.*9. *s.*9. [RECITED 32 *H.*8. *c.*16. *s.*1.]

11. No alien shall make cloth, or put wool to work to make cloth, on pain to forfeit the cloth made, *id. s.*10. [REC. *id. s.*2.]

12. Aliens shall sell their wares in gross, and not by retail, on pain to forfeit the value of the wares sold, and being a handicraftsman, shall not take any apprentice or servant, except his son or daughter, or a subject born, on pain of 20*l.* one half to the king and the other to him that will sue by action of debt, without essoin, &c. allowed, *id. s.*11. [REC. *id. ibid.*]

13. FOR PROHIBITING aliens from bringing English horns unwrought, and giving certain powers to the warders of the horners of *London*, 4 *E.*4. *c.*8. [REP. 1 *J.*1. *c.*25. *s.*44. REV. except as to search for horns in *Stourbridge* and *Ely* fairs, and as to limitation of prices of horns, 7 *J.*1. *c.*14.]

14. No alien shall buy unwrought English horns, &c. gathered within *London*, or in 24 miles on every side thereof, 4 *E.*4. *c.*8., 7 *J.*1. *c.*14. *ss.*2,3.

15. No person shall sell English unwrought horns to any alien, or cause them to be sent over the sea, on pain of forfeiture of double value, one moiety to H.M. and the other to him who will sue for the same, 7 *J.*1. *c.*14. *s.*4. [*See old* regulation, 4 *Ed.*4. *c.*8.]

16. The wardens of horners' company may search for all horns in *London* and 24 miles round, and if any defective horns are found, and proved so before the lord mayor, they shall be forfeited, half to H.M. and half to the wardens: but when English horners have chosen their horns, the rest may be sold to aliens or sent abroad, 7 *J.*1. c.14. *s.*2., and 3 & 4 *Ed.*4. *c.*8.

17. CONCERNING the taking of apprentices by strangers, 14 & 15 *H.*8. *c.*2. [MADE PERP. 21 *H.*8. *c.*16. *s.*8. AMD. *id. s.*9., 32 *H.*8. *c.*16. *ss.*8. 10. 12. See 1 *R.*3. *c.*9. *s.*11. *pl.*12., and 2 *Inst.*2. *n.*7., *that this act is still in force*; but see also 5 *El. c.*4. LABOURERS.]

18. No stranger born, be he denizen or not, using any handicraft within this realm, shall take any apprentice, except such apprentice be born within the king's obeisance, on pain to forfeit 10*l.* for each apprentice, one moiety to H.M., and the other to him that will sue for it by action of debt, &c. information, or otherwise, wherein no essoin, &c. 14 & 15 *H.*8. *c.*2. *s.*1.

19. And under like pain to be forfeited and recovered as in *s.*1. *pl.*18., no stranger born using any handicraft within this realm, shall have in his service more than two journeymen, &c. except they be H.M.'s subjects, *id. s.*2.

20. All aliens born using any handicraft, be they denizens or not, and inhabiting within the city of *London*, or the suburbs of the same, *Westminster*, or *Southwark*, or within two miles compass of such city, shall be under the search of the wardens and fellowships of handicrafts within such city, with one alien being an householder chosen by such wardens of that craft that they shall occupy, *id. s.*3.

21. Such wardens, with one alien, shall limit to every alien of the mystery they be of, a mark, without fee, by which their wares may be known, *id. s.*4.; and shall search and reform as well within such city as elsewhere, all wares made by aliens, *id. s.*5.

22. No stranger born using the mystery of a smith, joiner, or cooper, shall make any wares, except they put such marks on such wares before they be put to sale, as such wardens in *s.*3. *pl.*20. shall limit, on pain to forfeit double the value of such wares, to be sued for and applied as in *s.*1. *pl.*18., *id. s.*6.

23. If on any such view any wares be found in the possession of the workers, of any stranger falsely made, such worker shall forfeit the same, to go one half to H.M. and the other to the party suing by action of detinue wherein no essoin; &c., *id. s.*7.

24. Wardens and masters of fellowships in other corporations, and bailiffs and other head officers in towns, lacking wardens have like power, and aliens shall obey them on like pains, *id. s.*8.

25. Aliens grieved by any such wardens or bailiffs, may complain by bill or information, to the lord chancellor or justices of assise, in the county for the time being, who shall give redress, *id. s.*9.

26. This act shall not extend to aliens inhabiting within the universities of *Oxford* or *Cambridge*, or within the sanctuary of *St. Martins-le-grand*, 14 & 15 *H.*8. *c.*2. *s.*11.

27. But no artificer, alien, inhabiting within such universities or sanctuary, as in 14 & 15 *H.*8. *c.*2. *s.*11., shall retain in their service at once more than [ten, by 21 *H.*8. *c.*16. *s.*9.,] [two, by 32 *H.*8. *c.*16. *s.*8.,] aliens, journeyman or apprentices, on the pain in that act contained, 21 *H.*8. *c.*16. *s.*9., 32 *H.*8. *c.*16. *s.*8.

28. If such wardens, as in *s.*3. *pl.*20., and *s.*8. *pl.*24., refuse to mark wares, aliens may sell their wares without the mark, 14 & 15 *H.*8. *c.*2. *s.*12.

29. This act shall not extend to any other handicrafts than joiners, pouch-makers, coopers, and blacksmiths, *id. s.*13.

30. Any lord of parliament and other H.M.'s subjects, having lands, &c. of the yearly value of 100*l.*, may retain alien joiners and glaziers. in their service, notwithstanding this act, *id. s.*14.

31. No subject or denizen shall keep above four aliens in his family. Penalty 10*l.* each, to go one moiety to H.M., and the other to the party suing by writ original, or information, wherein no essoin, &c. allowed, 32 *H.*8. *c.*16. *s.*10.; but lords of parliament may have six aliens at once, *id. s.*12.

32. FOR RATIFYING a decree of the court of Star-Chamber concerning strangers and handicraftsmen residing in *Eng.*, 21 *H.*8. *c.*16.

33. "After reciting a decree of such court of 15*th Feb.* 1528, whereby it was declared that aliens should keep only two alien servants; and that alien house-keepers should bear charges as subjects, and if any refused so to do, they should no longer occupy any handicraft under the penalties of 1 *R.*3. *c.*9. *s.*11. *pl.*12., and 14 & 15 *H.*8. *c.*2. *pl.*17.; and that aliens on warning given by the wardens of their different mysteries, should swear allegiance to the king, and to obey the laws; and that after 15*th Feb.* 1628, no alien should set up any shop on pain of the statutes aforesaid; and that aliens should not assemble in conventicles, but only in the common-halls of their crafts," the said decree shall be put in excution, *id. ss.*1—7.

34. CONCERNING aliens, 32 *H.*8. *c.*16. *ss.*1—7., *pl.* 9, 13.

35. "After reciting the 1 *R.*3. *c.*9. *pl.*9., 14 & 15 *H.*8. *c.*2. *pl.*17., and 21 *H.*8. *c.*16. *pl.*32.," it is ENACTED, that all strangers made denizens, shall be obedient to the said statutes and all others, and that all letters patent for making denizens, shall contain a proviso to that effect, unless H.M. shall grant any special privileges, in which case such privileges shall be also expressed, *id. ss.*1—7.

36. Every stranger born, not being denizen, who shall come into H.M.'s dominions, shall be bound by the laws and statutes of the realm, *id. s.*9.

37. All leases of any dwelling-house or shop within any of H.M.'s dominions made to any alien, handicraftsman, not being denizen, shall be void, and no such alien shall take, and no person shall grant any such lease on pain of 100*s.*, the one moiety to H.M. and the other to such as will sue for the same by writ original or information, wherein no essoin, &c., *id. s.*13.

38. CONCERNING bakers, brewers, surgeons, and scriveners, 22 *H.*8. *c.*13.

39. No alien, being a common baker, brewer, surgeon, or scrivener, shall be interpreted a handicraftsman within 1 *R.*3. *c.*9., 14 & 15 *H.*8. *c.*2., 21 *H.*8. *c.*16.; and all process against him under those statutes shall be void, *id. ibid.*, [*and see pl.*29.]

40. FOR ENABLING natural born subjects to inherit the estate of their ancestors, either lineal or collateral, notwithstanding they were aliens, 11 & 12 *W.*3. *c.*6. [EXPL. 25 *G.*2. *c.*29. EXT. to *Scot.* 16 *G.*3. *c.*52.]

41. All natural born subjects within any of H.M.'s dominions shall inherit all manors, lands, tenements, and hereditaments, on deducing pedigree and title by descent from any lineal or collateral ancestors, though the latter were aliens, 11 & 12 *W.*3. *c.*6. *s.*1. [So in *Scot.* by 16 *G.*3. *c.*52. *s.*1.]

42. This shall give title to any person to inherit as heir or coheir to any person dying seised of such estates in possession, reversion, or remainder, by enabling them to derive pedigree and title through an alien ancestor, unless he was capable to take the same estate as such heir or coheir at the death of the ancestor last seised thereof, 25 *G.*2. *c.*39. *s.*1. [So in *Scot.* 16 *G.*3. *c.*52. *s.*2.]

43. Where the person or persons who are in being, and capable to take at death of the ancestor so dying seised, and on whom descent is cast by these acts, shall be a daughter or daughters, and the alien father or mother through whom the latter derive descent shall afterwards have a son born within any of H.M.'s dominions, the descent so cast shall be divested in favour of the son, who shall inherit as in case of birth of a nearer heir at common law: or if such alien father or mother, through whom, &c. should have a daughter or daughters so born, she or they shall hold in coparcenery with the first mentioned daughter or daughters, 25 *G.*2. *c.*39. *s.*2. [So in *Scot.* 16 *G.*3. *c.*52. *s.*3.]

44. FOR ALLOWING aliens in foreign colonies surrendered to H.M. to

exercise the occupations of merchants or factors, 37 *G.*3. *c.*63. *ss.*5—6. [See rest of this title, SHIPS—Table of EXP.]

45. Every person, though an alien born, and neither naturalized nor made a free denizen, who shall reside in any island or place which has surrendered, *or shall hereafter surrender to* H.M., and be in his possession, and who shall have taken the oath of allegiance to H.M. according to the terms of capitulation, shall, from the time of such surrender, be entitled to exercise the occupation of a merchant or factor in any such place while it remains in H.M.'s possession or protection, nothwithstanding 12 *C.*2. *c.*18. *s.*2.; subject to the laws to which H.M.'s subjects are liable therein, 37 *G.*3. *c.*63. *s.*5. [*see* a similar regulation extending to the West Indies only, 34 *G.*3. *c.*42. *s.*6.]

46. Proviso that this act shall not affect the rights of the E.I.C., 37 *G.*3. *c.*63. *s.*6.

47. FOR ESTABLISHING regulations respecting aliens arriving or resident in this kingdom, in certain cases, for two years from passing of this act (*s.*24.), 56 *G.*3. *c.*86. [CON. to the end of the session of 1820, 58 *G.*3. *c.*96., and for two years from that time, 1 *G.*4. *c.*105.]

48. Every alien who shall not depart the realm within the time limited in any H.M.'s proclamation, order in council, or order under sign manual, or in any order of the lord lieutenant, or other chief governor and privy council of *Ire.*, or who shall wilfully refuse or neglect to pay due obedience to the same, or shall be found in this realm contrary thereto, may be caused to be arrested by any principal secretary of state, lord lieutenant, or chief secretary of *Ire.*, or by any justice of peace, or by the mayor or chief magistrate of any city or place, and committed to the gaol of the county or place where arrested, there to remain till taken in charge for the purpose of being sent out of the realm, as in *s.*3. *pl.*50., 56 *G.*3. *c.*86. *s.*1.

49. Every alien wilfully disobeying such proclamation, &c., or found in this realm contrary thereto, and convicted thereof in the courts of K.B. in *Westminster* or *Dublin*, of oyer and terminer, gaol delivery, in *Eng.* or *Ire.*, or great sessions in *Wa.*, or court of justiciary in *Scot.*, may be sentenced to not exceeding a month's imprisonment for first offence, and 12 months for second and any subsequent offence, *id. s.*2.

50. Aliens may be given in charge to a king's messenger, in order to be conveyed out of the kingdom by warrant under hand and seal of a principal secretary of state, or of the lord lieutenant or chief secretary of *Ire.*, in cases where the latter apprehend that immediate obedience will not be paid to, or where any alien is arrested for neglect of, any such proclamation or order as in *s.*1. *pl.*48., and before or after any punishment as in *s.*2.; but if any alien, not having been convicted, as in *s.*2. shall allege any excuse for noncompliance with such proclamation or order, or any reason why it should not be enforced, or why further time should be allowed him for complying therewith, the privy council in *G.B.* or *Ire.* shall judge of the sufficiency thereof, and allow or disallow the same absolutely or conditionally; and where the alien is in custody under warrant of any secretary of state, as in *s.*1., the messenger or person having him in custody, shall forthwith, on such excuse, &c. being signified to him, make known the same to the secretary of state, who shall forthwith suspend execution of such proclamation, &c. till the privy council's determination is known [*but see s.*10. *pl.*51.], till which time the alien shall remain in custody, unless released by consent of such secretary, or order in council, with or without security, *id. s.*3.

51. The mayor, or any one or more of the aldermen of *London* or *Dublin*, or of any justices of peace, being specially authorized by warrant under hand and seal of a principal secretary of state, or by chief secretary of *Ire.*, or generally by order of H.M. in council, or any mayor or chief magistrate, or other magistrate or magistrates of any city, borough, or town corporate so authorized, may cause any alien whom he or they have cause to suspect to be a dangerous person, to be taken into custody and examined, and either to discharge or detain him there, as advisable; and if the latter, he may, by warrant under hand and seal, order him to be detained in custody until H.M.'s pleasure is known; but every such mayor, &c. or justice shall forthwith transmit an account of his proceedings touching such alien, and of the reasons for detaining him, to a principal secretary of state, or chief secretary in *Ire.*, in order that H.M. by warrant under sign manual, or under hand and seal of a principal secretary of state, and lord lieutenant by order under his hand, or under hand and seal of the chief secretary, may direct such alien to be discharged or ordered out of the kingdom, *id. s.*10.

52. Where by this act power is given to commit aliens to gaol, any judge or baron of the degree of the coif of the courts at *Westminster* or *Dublin*, and the lord-justice-clerk or commissioners of justiciary in *Scot.* may, if, on application made, he see sufficient cause, admit such person to bail, the latter giving sufficient security for appearance to answer the matters alleged, *id. s.*16.

53. So also may a justice of peace, if authorized by warrant of a principal secretary of state, or of the lord lieutenant, or chief secretary in *Ire.*, specifying the security to be taken, *id. s.*17.

54. Where an alien committed by this act for custody till put in charge for the purpose of being sent out of the realm, shall not be so sent out within two calendar months after commitment, any judge, &c. as in *s.*16. *pl.*52., enumerated, or any two justices of peace in any part of U.K. on application made, and proof that reasonable notice of intention to make it, had been given to a principal secretary of state in *G.B.*, or to lord lieutenant or chief secretary in *Ire.*, may in discretion, order him to be continued in or discharged from custody, 56 *G.*3. *c.*86. *s.*18.

55. The commander of every vessel shall, immediately on arrival at any port or place in this realm, declare in writing to any inspector of aliens appointed by principal secretary of state resident at or near the port, or in his default to the collector, comptroller, or chief officer of customs at or near the same, whether there is to the best of his knowledge any alien on board, or who has to his knowledge landed from his ship at any place in the realm: also specifying the number of aliens, if any, on board, or so landed from his vessel, their names, ranks, and descriptions, *id. s.*4.

56. If such commander wilfully neglects to make the above declaration, he shall for every offence forfeit 10*l.* for every alien on board at the time of his arrival, or who has to his knowledge so landed therefrom, and on his refusal forthwith to pay the same, the inspector or customs officer, as in *s.*4. *pl.*58., may seize the ship or boat used in landing the same till payment, *id. s.*5.

57. Such commander shall certify to the inspector or customs officer as in *s.*4. *pl.*55. in writing by him subscribed, every alien mariner actually employed in the navigation of such ship, and nothing herein extends to such alien while so engaged, *id. s.*6.

58. Every alien, immediately after arrival in any port or place in this realm, shall declare in writing to such inspector or customs officer, as in *s.*4. *pl.*55. or verbally to be reduced into writing by the latter, the name of the ship in which he came hither; and at the same time, as well as immediately before his departure from hence, respectively shall, in like manner, declare his name and rank, or description, or if a domestic servant, then also the name, &c. of his master or mistress, and the country or place from whence he has then come, and to which he is then going, his profession, the name and place of abode of the person, if any, to whom he is known; and every alien coming into this realm, who shall not make declaration as above, or who shall wilfully make false declaration thereof, may for every such offence, on conviction in K.B. in *Westminster* or *Dublin*, or in any court of oyer and terminer and gaol delivery in *Eng.* or *Ire.*, or of great sessions in *Wa.*, or justiciary court in *Scot.*, be imprisoned for not exceeding three months, or may at discretion be adjudged to depart out of this realm, and all other H.M.'s dominions, within a time limited in the judgment, and if found therein after such time, without lawful cause, shall be imprisoned for not exceeding twelve months, *id. s.*7.

59. The inspector or customs officer, appointed as in *s.*4. *pl.*55., to whom such declaration is made, or particulars delivered, as in *s.*7. *pl.*58., shall immediately register same in a book, in which certificates shall be printed in blank, and counterparts thereof, in the form given by the act, and shall insert therein the several particulars in their proper columns in both parts thereof, (except remarks to be entered only in one column,) and then cut off one part through the flourish between the two parts, and deliver without fee one part containing all the particulars (except the remarks) to the alien, and shall make an alphabetical list of the names of such aliens, *id. s.*8.

60. Every alien arriving in this realm, except domestic servants, as in *s.*7. *pl.*58., shall within one week after arriving at the place of destination, as expressed in the certificate, produce such certificate, if in *London*, at the alien office, in *Crown-street*, *Westminster*, or to the chief magistrate of any other town in which he shall be; and if no chief magistrate, to some justice for the county or district; or in case such certificate shall be lost, shall deliver a true account of all the particulars contained therein; and every alien who shall neglect or refuse to produce such certificate, or who shall wilfully deliver any false account, on conviction before two justices, shall be adjudged, at their discretion, for the first offence, to imprisonment for not exceeding one month, *id. s.*9.

61. If any certificate issued to any alien shall be lost, and he shall produce to one justice a copy of the certificate lost, from the customs officer at the port of arrival, or from office of a principal secretary of state, or of the chief secretary of *Ire.*, and shall make it appear that he is the person named in such certificate, and that the same has been lost; such justice shall grant to such alien a fresh certificate, which shall be of the like force as that lost, *id. s.*11.

62. Every customhouse officer, and every magistrate or justice to whom any such certificate shall be produced or delivered, shall forthwith transmit, if in *G.B.*, to one of the secretaries of state, and if in *Ire.*, to the chief secretary, true copies of all entries made or delivered by virtue of this act, *id. s.*12.

63. All certificates given by any inspector of aliens, officer of customs, or justice, shall be given without fee; and every inspector, &c. officer, justice, magistrate, or other person, who shall take any fee of any alien, for any certificate under this act, shall forfeit 10*l.*; and every inspector

or officer of customs, who shall refuse or neglect to make any entry as in *s.* 8. *pl.* 59., or grant any certificate thereon, or shall make any false entry, or neglect to return the copies thereof, shall forfeit 20*l.*, 56 *G.* 3. *c.* 86. *s.* 13.

64. Every person who shall forge, alter, or utter, knowing the same to be forged or altered, any certificate herein directed to be obtained, or shall obtain any such certificate under any other name than the true one, without disclosing the true name of such alien, and the reason for concealing the same, or shall falsely pretend to be the person intended to be named in such certificate, shall suffer imprisonment in the common gaol, for not exceeding one year, *id. s.* 14.

65. No foreign ambassador or public minister, nor the domestic servants of such, registered as in 7 *A. c.* 2. *s.* 5., or being actually attendant upon such ambassador or minister, shall be deemed an alien within this act; also nothing in this act shall affect any alien, not above 14; and if any question shall arise, whether any person alleged to be an alien, and subject to the provisions of this act, is an alien or not, proof thereof shall lie on the person alleged to be an alien, *id. s.* 15.

66. Aliens abiding in this kingdom, having heretofore quitted their respective countries by reason of troubles in *France*, or of conquests by *France*, shall not be liable to be arrested, imprisoned, or held to bail, or to find any caution for their forthcoming or paying any debt, nor be taken in execution on any judgment, or by any caption for any debt, or cause of action arising in any parts beyond seas, other than H. M.'s dominions, while they were not in H. M.'s dominions; and if so arrested, &c. shall be discharged by order of any court of record at *Westminster* or *Dublin*, or of court of Session in *Scot.*, or of any judge of those courts in vacation, *id. s.* 19.

67. All pecuniary penalties above 10*l.* imposed by this act shall be recovered by action of debt, bill, or information, in any court of record at *Westminster* or *Dublin*, or of great sessions in *Wa.*, or the courts of the county palatine, or by action, or summary bill or information in the courts of justiciary or exchequer in *Scot.*, as the case requires, wherein no essoin, &c. nor more than one imparlance shall be allowed; and all such penalties under 10*l.* shall, on conviction of offender on oath before any justice of the county, stewartry, city, &c. or place where the offence is committed, be levied by distress and sale of offender's goods, by warrant under hand and seal of such justice, rendering back any overplus after deducting charges of distress and sale: and for want of sufficient distress, offender shall be committed to gaol for not exceeding six calendar months, without *certiorari*, advocation, or suspension allowed, *id. s.* 20.

68. The inhabitants of any parish or place shall be deemed competent witnesses to prove the commission of any offence against the act, within the limits of such parish, &c. though any part of the penalty incurred is given to the poor thereof, *id. s.* 21.

69. Actions or prosecutions for any thing done by colour hereof, shall be commenced within 12 calendar months next after the offence, and defendant may plead the general issue, and give the special matter in evidence; and if defendant has a verdict, or judgment on demurrer, or otherwise, or if plaintiff discontinue or be nonsuit, defendant has treble costs, *id. s.* 22.

70. The powers hereby given to the Lord Lieut. or other chief governor, chief secretary, or privy council of *Ire.*, do not extend to aliens arriving or being in G. B., nor do those so given to any justice or chief magistrate give them authority to act beyond their respective jurisdictions, *id. s.* 23.

71. To PREVENT aliens from becoming naturalized, or being made or becoming denizens, except in certain cases, 58 *G.* 3. *c.* 97. [CON. 59 *G.* 3. *c.* 8. *s.* 1., 60 *G.* 3. *c.* 12., and (till 25 *March*, 1822.) 1 *G.* 4. *c.* 18. *s.* 1.]

72. No alien shall become a naturalized subject or denizen, or become entitled to the privileges of either but by act of parliament, or H. M.'s letters of denization; but nothing herein shall affect rights to naturalization or denization, acquired by any person under acts for encouraging seamen to enter H. M.'s service, or for naturalizing foreign protestant settlers in H. M.'s colonies in *America*, or for naturalizing such foreign protestants serving in H. M.'s forces, or for encouragement of fisheries, 58 *G.* 3. *c.* 97.

ALIENATION.

1. IF THOSE alienations whereon a writ of entry *sur disseisin* in the *post*, was wont to be granted, are made in so many degrees that the writ cannot be made in the usual form, the plaintiffs shall have an original writ (to be provided by the council), to recover their seisin without mentioning the degrees, 52 or 54 *H.* 3. *c.* 29.

2. FOR EASE IN obtaining licences of alienation, and in pleading alienations with licence, or of pardons of alienation without licence in the court of exchequer and elsewhere, 1 *C.* 1. *c.* 3.

3. Licences of alienation shall be general, without expressing any uses except on raising uses by deed out of covenantor's estate, *id. s.* 1.

4. There shall be paid to the treasurer's remembrancer in exchequer, or to any other court where those pleadings are, and to his clerk, for drawing, pleading, entering and discharging an alienation with licence, or of a pardon of alienation without licence, and the uses thereof in such cases, where the subject by law ought to plead, 26*s.* 8*d.*; and if more is charged, the offender shall forfeit to party grieved 5*s.* for every 1*d.* taken over the 26*s.* 8*d.*, recoverable by him in action of debt, or information in K. B. or C. P., without essoin, &c. allowed, 1 *C.* 1. *c.* 3. *s.* 2.

5. Every officer of exchequer convicted as in *s.* 1. shall be disabled to hold his office, or to have any employment in the court of exchequer, or any other court of justice, *id. s.* 3.

AMBASSADOR.

1. FOR PRESERVING the privileges of ambassadors and other public ministers of foreign princes and states, 7 *Ann. c.* 12. [*see* recital, *ss.* 1, 2.] PUBLIC act, *s.* 6.

2. All process by which the person or goods of any ambassador, or other public minister of any foreign prince or state, authorized and received as such, or of their domestic servants may be taken, seized, or attached, is void, *id. s.* 3.

3. Attornies or other persons suing forth, and officers executing such process, on conviction by confession or oath of one witness, before the lord chancellor and chief justices, shall be deemed violators of the law of nations, and suffer such penalties and corporal punishment as they think fit, *id. s.* 4.

4. No trader within bankrupt laws, putting himself into the service of any ambassador, &c. shall take any benefit by this act, *id. s.* 5.

5. No person shall be proceeded against for arresting a servant of such ambassador, &c. unless the servant's name be first registered in the office of the secretary of state, and by him transmitted to the sheriffs of London and Middlesex, to be hung up in their office for the public to inspect, and copy without fee, *id. s.* 5.

AMERICAN COLONIES.

(STATUTES *repealed and expired.*)

1. FOR PRESERVATION of white and other pine trees, growing in *New Hampshire*, *Massachusetts* &c., [*now* part of the United States,] for masting the navy, 9 *A. c.* 17. [EXP.]

2. NO WHITE PINE trees in *America*, fit for masting the royal navy, shall be cut after 21st *Sept.* 1772, 8 *G.* 1. *c.* 12. *s.* 5. [*semble* in force as to those in *Nova Scotia*, mentioned in the preamble to the section; *sed qu.* EXP. ?]

3. FOR AGREEMENT with seven lords, proprietors of *Carolina*, for surrender of their interest in that province to H. M. 2 *G.* 2. *c.* 34. [EXP.]

4. FOR IMPORTING directly into *Ire.* from H. M.'s plantations in *America*, any unenumerated goods, 4 *G.* 2. *c.* 15. EXPL. as to hops, 5 *G.* 2. *c.* 9. [REP. 20 *G.* 3. *c.* 18.]

5. FOR BETTER securing and encouraging the trade of the *American* sugar colonies, 6 *G.* 2. *c.* 13. [CON. 1 *G.* 3. *c.* 11. *s.* 9. *both* EXP.]

6. FOR ENCOURAGING the making of pot and pearl ashes, in the *British American* dominions, [by taking off the duties on importation, *ss.* 1, 2.] 24 *G.* 2. *c.* 51. [REP. 49 *G.* 3. *c.* 98. *s.* 40., *sed qu. ss.* 3—9. only are repealed by *that* act? but now *ss.* 1, 2. virtually REP. by 59 *G.* 3. *c.* 52. *table* A. *inwards*, tit. ASHES.]

7. FOR REGULATING paper bills of credit in *Rhode Island*, *Providence*, *Connecticut*, *Massachusetts Bay*, and *New Hampshire*, in *America*, and to prevent them from being legal tenders in money payments, 24 *G.* 2. *c.* 53. [CONF. 4 *G.* 3. *c.* 34. *s.* 4., 3 *G.* 3. *c.* 57. *s.* 2. but EXP.]

8. FOR GRANTING AND applying certain stamp and other duties in the *British* colonies and plantations in *America*, towards further defraying the expenses of protecting same, and for amending such parts of the several statutes relating to their trade and revenues, as direct the manner of determining and recovering the penalties therein mentioned, 5 *G.* 3. *c.* 12. [REP. 6 *G.* 3. *c* 11. Indemnity for penalties under 5 *G.* 3. *c.* 12., 6 *G.* 3. *c.* 51.]

9. THE AMERICAN colonies are subordinate to and dependent on the imperial crown and parliament of *G. B.*, and H. M. and parliament have full power to make laws of sufficient validity to bind the colonies and people of *America*, subjects to the crown of *G. B.* (*s.* 6.) And all proceedings of such colonies, whereby such power is denied or questioned, are declared null (*s.* 2.) 6 *G.* 3. *c.* 12. [*Semble* EXP., *and see* 18 *G.* 3. *c.* 12. STATS. *in force*, *pl.* 30.]

10. FOR AMENDING and rendering more effectual in H. M.'s dominions in *America* the 6 *G.* 3. *c* 8., [the mutiny act,] 6 *G.* 3. *c.* 18. [CON. 9 *G* 3. *c.* 18., 10 *G.* 3. *c.* 15. all EXP.]

11. FOR RESTRAINING the governor, &c. of *New York*, until provision made for furnishing H. M.'s troops with the necessaries required by law

from passing or assenting to any act of assembly, &c. for any other purpose, 7 *G.*3. *c.*59. [Exp.]

12. For more easy and effectual recovery of penalties, &c. inflicted by acts of parliament relating to the trade or revenues of the *British* colonies or plantations in *America*, 8 *G.*3. *c.*22. [Rep. 49 *G*3. *c.*107.]

13. For enabling the governor, &c. of the colony of *New York* to pass an act of assembly for creating and issuing, on loan, paper bills of credit to a certain amount, making them legal tender in payment into government offices thereof, 10 *G.*3 *c.*35. [Exp.]

14. For discontinuing, &c. the trade of *Boston*, in *North America*, for a certain time, &c. 14 *G.*3. *c.*19. [Rep. 16 *G.*3. *c.*5. *s.*42.]

15. For better regulating the government of the province of *Massachusetts Bay*, in *New Eng.*, 14 *G.*3. *c.*45. [Rep. 18 *G.*3. *c.*11.]

16. For restraining the trade and commerce of the provinces of *Massachusetts Bay*, and *New Hampshire*, the colonies of *Connecticut*, *Rhode Island*, and *Providence plantation*, in *North America*, to *G. B.*, *Ire.*, and *British West Indies*, and to prohibit the former from carrying on the *Newfoundland* fishery on certain conditions, 15 *G.*3. *c.*10. [Rep. 16 *G.*3. *c.*5. *s.*42.]

17. For restraining the trade and commerce of *New Jersey*, *Pennsylvania*, *Maryland*, *Virginia*, and *South Carolina*, to *G. B.*, *Ire.*, and *British West Indies*, on certain conditions, 15 *G.*3. *c.*18. [Rep. 16 *G.*3. *c.*5. *s.*42.]

18. For prohibiting all trade and intercourse with *New Hampshire*, *Massachusetts Bay*, *Rhode Island*, *Connecticut*, *New York*, *New Jersey*, *Pennsylvania*, the 3 lower counties on *Delaware*, *Maryland*, *Virginia*, *North* and *South Carolina*, and *Georgia*; and to enable persons authorised by H. M. to grant pardons, to issue proclamations in the cases and for the purposes therein mentioned, 16 *G.*3. *c.*5., [Exp. and Rep. 22 *G.*3. *c.*26.]

19. For enabling admiralty to grant commissions to commanders of private vessels employed in trade, or retained in H. M.'s service, to make prize of certain ships and cargoes, belonging to certain colonies in *America* during continuance of 16 *G.*3. *c.*5., 17 *G.*3. *c.*7., [Exp. and Rep. 23 *G.*3. *c.*26.]

20. For impowering H. M. to secure and detain persons charged with or suspected of high treason committed in the *North American* colonies or plantations, or on the high seas, or of piracy, 17 *G.*3. *c.*9., [Con. 18 *G.*3. *c.*1., 19 *G.*3. *c.*1., 20 *G.*3. *c.*5., 21 *G.*3. *c.*2., and (till 1 *Jan.* 1783.) 22 *G.*3. *c.*1., all Exp.]

21. For carrying certain captures into *North American* dominions, and ascertaining value of such parts thereof as belong to recaptors, 17 *G.*3. *c.*40. [Exp.]

22. For enabling H. M. to appoint commissioners with sufficient powers to treat, consult, and agree upon the means of quieting the disorders now subsisting in certain of the colonies, plantations, and provinces of *North America*, 18 *G.*3. *c.*13. [Exp.]

23. For detaining and exchanging *American* prisoners brought into *G. B.*, 22 *G.*3. *c.*10. [Exp.]

24. For enabling H. M. to conclude a peace or truce with certain colonies in *North America* [enumerated 16 *G.*3. *c.*5. *pl.*18. *supra.*] 22 *G.*3. *c.*46. [Exp.]

25. For appointing commissioners to inquire into the losses and services of all persons who have suffered in their rights, properties, and professions, during the late unhappy dissensions in *America*, in consequence of their loyalty to H. M. and attachment to the *British* government, 23 *G.*3. *c.*80., 25 *G.*3. *c.*76., 26 *G.*3. *c.*68., 27 *G.*3. *c.*39., 28 *G.*3. *c.*44., 29 *G.*3. *c.*62. [All Exp.]

26. For appointing commissioners to enquire into the losses of all such persons who have suffered in their properties in consequence of the cession of the province of *East Florida* to king of *Spain*, 26 *G.*3. *c.*75., 28 *G.*3. *c.*31. [*both* Exp.]

27. For giving relief to such persons as have suffered in their rights and properties during the late unhappy dissensions in *America*, in consequence of their loyalty to H.M. and attachment to the *British* government, or in consequence of the cession of the province of *East Florida* to the king of *Spain*, 28 *G.*3. *c.*40., 30 *G.*3. *c.*34. [*both* Exp.]

28. For permitting certain articles of the growth, production, or manufacture of *Europe*, to be shipped on board ships arriving with *British North American* produce and fish taken by settlers in the *British North American* colonies, at any port in *Europe*, in order to be exported to the principal ports of the *British North American* plantations, 49 *G.*3. *c.*47. [Rep. 51 *G.*3. *c.*97.]

(Statutes *in force.*)

1. For ascertaining the rates of foreign coins in H. M.'s plantations in *America*, 6 *A. c.*30. [and recital in *s.*1.]

5. If any person within H. M.'s plantations, as well those under proprietors and charters, as under H. M.'s immediate commission shall, for discharge of any contracts, receive or pay any of the several species of foreign silver coins mentioned in H. M.'s proclamation, dated 18th

June, 1704, at any higher rate than that at which the same is thereby regulated, and which is as follows, *viz.*

			dwt.	gr.		s.	d.
Sevil pieces of eight,	old plate	- - -	17	12	of the value of	4	6
———	new plate	- - -	14	0		3	7¼
Mexico pieces of eight	- - -	- - -	17	12		4	6
Pillar	do. - -	- - -	17	12		4	6¼
Peru,	do.	old plate - - -	17	12		4	5
Cross dollars	- - - -	- - -	18	0		4	4¾
Ducatoons of Flanders	- -	- - -	20	21		5	6
Ecus of France, or silver Lewis		- - -	17	12		4	6
Crusados of Portugal	- -	- - -	11	4		2	10¼
Three gilder pieces of Holland	-	- - -	20	7		5	2¼
Old rix dollars of the empire	-	- - -	18	10		4	6

[No *Seville*, *Pillar*, or *Mexico* pieces of eight to be received at above the rate of 6*s. per* piece current money, and all other pieces in proportion] every person receiving or paying the same, contrary to the directions therein, shall suffer six months imprisonment, and shall forfeit 10*l.*, one moiety to H. M. the other to such as shall for the same with costs in any of H. M.'s courts in the plantations, or in any courts of justice of the proprietary governments where such offence was committed, 6 *A. c.*30. *s.*2.

3. Nothing in the proclamation or this act shall compel any person to receive any such foreign coins at the rates in the proclamations, *id. s.*3.

4. Nothing herein shall restrain H. M. from settling the rates of the said foreign coin within such colonies, &c. in such other manner as H. M. by proclamation may direct, or from giving the royal assent to any law to be made in the colonies, &c. for settling the current rates of such coins, *id. s.* 4.

5. Where any person 15 or more but under 21 years old, is willing to be transported and enter into any service in any H. M.'s plantations in *America*, any merchant or other may contract with him for such service not exceeding eight years, provided the person so binding himself do come before the lord mayor of *London*, or some other justice for the city, if such contract is made there, or before two justices for the place where the contract is made, and acknowledge such consent and sign the same, in their presence and with their approbation, and such merchant or other may transport such person, and keep him in any of the plantations according to such contract, which contract and approbation, with the tenor of the contract, shall be certified by such magistrate to the next sessions for the county, to be registered by the clerk of the peace without fee, 4 *G.*1. *c.*11. *s.*5.

6. For more easy recovery of debts in H. M.'s plantations and colonies in *America*, 5 *G.*2. *c.*7. [Rep. as to negroes, 37 *G.*3. *c.*119. *s.*1.]

7. In all suits in any court of law or equity in any of the said plantations for any debt or account wherein a resident in G. B. is a party, the plaintiff, defendant, and witnesses therein may be examined to prove any thing by affidavits in writing, expressing the addition of the party swearing and his abode, and made on oath, or if by quakers on affirmation, before the chief magistrate of the city, or town, in G. B. where or near to which such person shall reside; and certified under the corporate seal, or seal of office of such chief magistrate, which, when transmitted, shall be of the same force as if the persons had appeared and sworn or affirmed *vivâ voce* in open court or on a commission, 5 *G.*2. *c.*7. *s.*1.

8. Debts to H. M. may be proved in like manner as a subject's may, *id. s.*2.

9. Persons guilty of wilful perjury in any such affidavit or affirmation, shall be liable to the punishments thereof, *id. s.*3.

10. The houses, lands, *negroes*, [Rep. as to negroes, 37 *G* 3. *c.*119. *s.*1.] and other real estates of the debtor in the said plantations, shall be liable to his debts to H. M. or any subject, and shall be assets to satisfy same, subject in like manner as real estates in *Eng.* are to specialty debts, as well as to process of execution in the plantation courts, for seizing and selling them to satisfy the same, *id. s.*4. [*See* the note to 37 *G.*3. *c.*119. in 8vo. ed. of Statutes.]

11. For restraining and preventing several unwarrantable schemes and undertakings in H. M.'s colonies in *America*, 14 *G.*2. *c.*37. [*See like* provisions for the U. K., 6 *G.*1. c.18. *ss.*18—20. Insurance.]

12. The 6 *G.*1. *c.*18. *ss.*18, 19, 20., for suppressing or punishing the unwarrantable practices therein mentioned, shall extend to the public extravagant and unwarrantable practice of setting up a bank in land security, the stock thereof to be raised by subscription, and shall be in force within H. M.'s dominions in *America*; and all the undertakings in such act mentioned and prohibited in the city of *London*, and other parts of this kingdom, and *Ire.*, and other H. M. dominions, and all the undertakings herein mentioned, shall be deemed illegal and void in *America* also, and shall not be practised there; and all offenders against that or this act, being convicted on information or indictment in any court of record in any of H. M.'s plantations in *America*, shall be liable to the like fines and punishments, whereunto persons convicted in *G. B.* for public nuisances are liable;

and shall incur any further penalties, as were ordained by the statute of *præmunire*, 16 *R.* 2. *c.* 5. and if any person shall suffer any damage by means of any undertaking carried on in *America*, and by this or the said act declared to be illegal, and will sue to be relieved therein; such person shall have his remedy by any action on this act, against any of the persons engaged in any such unlawful undertaking; and every such action for what shall be done in *America* shall be heard in any court of record within any of the plantations there; and the plaintiff therein, in case he recover, shall recover treble damages with costs, 14 *G.* 2 *c.* 37. *s.* 1

13. Every person possessed of any promissory notes or bills, issued by any societies in the preamble mentioned, in *America*, may, at any time hereafter, bring his action in any court of record in H. M.'s dominions in *America*, against the persons or societies who issued the same, or against any person who shall be engaged in any such unlawful undertaking, or who signed the same, to which payment every such person is hereby declared personally liable, and in such actions the plaintiff may recover and have judgment for the immediate payment by the defendant of the full sum mentioned in such note or bill, with lawful interest from the day of date, with costs, although the time limited for payment is not expired, *id. s.* 2.

14. FOR ENCOURAGING the Moravians or United Brethren to settle in the *British American* Colonies, 22 *G.* 2. *c.* 30. PUBLIC act, *s.* 8

15. Members of that society may make a solemn affirmation in lieu of any oath required in *G. B.* and *Ire.*, and H. M.'s colonies in *America*, *id. s.* 1.

16. Every person convicted of having falsely made any such affirmation shall incur the penalties of perjury, *id. s.* 2.

17. No members of that society shall be qualified to give evidence in criminal cases, or to serve on juries, *id. s.* 3.

18. If summoned to military service in H. M.'s *American* colonies, they shall be discharged from personal service, on payment of the usual sum paid by other persons unable to perform the same, and possessed of like estates, *id. s.* 4.

19. Every person who shall claim the benefit of this act as a member of the Moravian church shall at time of claim produce a certificate signed by some bishop or pastor of the nearest church, and be examined touching the same and its execution; and on affirmation or other proof of his being a Moravian, and of due execution thereof by such bishop or pastor, shall be deemed a member of that church, *id. s.* 5.

20. Any person convicted of having falsely, &c. affirmed, (as in *s.* 5.) shall be subject to the penalties of perjury, *id. s.* 6.

21. The advocate of that church shall from time to time lay before the commissioners of trade and plantations, to remain in their office, a list of the names, handwriting and seals of any bishops so appointed by them, and the names of such pastors as are authorized by such advocate or bishops to give such certificates, *id. s.* 7.

22. FOR PREVENTING paper bills of credit hereafter to be issued in any of H. M.'s colonies or plantations in *America*, from being declared to be a legal tender in payments of money, and to prevent the legal tender of subsisting bills from being prolonged beyond limited periods for calling in and sinking the same, 4 *G.* 3. *c.* 34. [AMD. 13 *G.* 3. *c.* 57.]

23. All acts of assembly of such colonies made for creating any paper bills of credit soever, declaring them to be a legal tender in any payment soever, shall be void, 4 *G.* 3. *c.* 34. *s.* 1.

24. All such acts made to prolong legal tender of such subsisting bills are void, *id. s.* 2.

25. Governor giving his assent to any such act shall forfeit 1000*l.*, be dismissed his government, and disabled from any public office, *id. s.* 3.

26. Certificates, notes, bills, or debentures, voluntarily accepted by public creditors in any *American* colonies, as a security for their debts, may by acts of assembly be made legal tender to the public treasurers in discharge of any taxes or debts payable at the treasuries of such colonies under laws passed within the same only, 13 *G.* 3. *c.* 57. *s.* 1.

27. FOR ENABLING H. M. to put the customs and other duties in the *British America* dominions, and the execution of laws relating to trade there, under the management of resident commissioners, 7 *G.* 3. *c.* 41. [*Quære if* EXP.]

28. Customs and other duties imposed on goods imported or exported from any *British* colony in *America*, may be put under management of resident commissioners appointed by H. M., *id. s.* 1.

29. Any three such commissioners shall have the same power of executing the laws of revenue and trade of such colonies as were enjoyed by commissioners of customs in *Eng.* by virtue of any act now in force, and H. M. may in such commission make provision for the execution of the laws, relating to the customs and trade of the *British* colonies, *id. s.* 2.

30. FOR REMOVING all doubts and apprehensions concerning taxation by the parliament of *G. B.*, in any of the colonies, provinces, and plantations in *North America* and the *West Indies*, 18 *G.* 3. *c.* 12. [CONF. in its operation as to *Canada* 31 *G.* 3. *c.* 31. *ss.* 46, 47., and see 14 *G.* 3. *c.* 83. *s.* 18.]

31. The king and parliament of *G. B.* will not impose any duty, tax, or assessment whatever, payable in any of H. M.'s colonies, provinces, and plantations in *North America*, or the *West Indies*, except such as may be expedient to impose for regulation of commerce, the net produce whereof shall always be applied to the use of the colony, &c. in which it is levied in such manner as other duties collected by authority of the general courts or assemblies thereof are usually paid, *id. s.* 1.; and so much of 7 *G.* 3. *c.* 46. as imposed a duty on tea imported from G. B. into *America*, REP. 18 *G.* 3. *c.* 12. *s.* 2.

32. FOR ENCOURAGING new settlers, colonies and plantations in *America*, 30 *G.* 3. *c.* 27.

33. Subjects of the *United States* settling with their families in the *Bahamas*, *Bermudas*, or in the provinces of *Quebec* or *Nova Scotia*, or other H. M.'s *North American* territories, may, on licence obtained from governor, import in *British* ships navigated according to law, any negroes, [slave-trade abolished, 47 *G.* 3. *S.* 1. *c.* 36.] household furniture, utensils of husbandry, or clothing, duty free, so that the value of the whole importation shall not exceed 50*l.* for every white, and 40*s.* for every negro brought thither, and any dispute thereon shall be determined by arbitration of 3 *British* merchants at the port of importation, one appointed by the governor, one by the collector of customs, and one by the person so settling, *id. s.* 1.

34. Sales of such articles within 12 months after such importation, except in case of bankruptcy or death of owner, are void, *id. s.* 2.

35. Every white above 14 years old, so coming to reside, shall take oath of allegiance before the governor, lieutenant-governor, or chief magistrate, and shall swear that he intends to settle there: paying the fee usually paid on taking the oath of allegiance, *id. s.* 3.

36. FOR MORE EFFECTUAL recovery of penalties and forfeitures incurred in the *British* colonies and plantations in *America*, 49 *G.* 3. *c.* 107.

37. All the provisions in 4 *G.* 3. *c.* 15. *s.* 41. and 8 *G.* 3. *c.* 22., or of any other acts relating to the recovery of any penalties incurred in the *British* colonies or plantations in *America*, under the trade and revenue laws thereof, shall be REP., and such penalties shall be sued for and recovered in any court of record, or of vice admiralty, having jurisdiction in the colony where the cause of prosecution arises, and if there are no such courts, then in any of such courts of that colony, &c. near that where the cause of prosecution arose; provided that where a seizure is made in any colony, other than that where the forfeiture accrues, such seizure shall be prosecuted in any of such courts, either in the colony where the forfeiture accrued, or where the seizure was made, at the election of the prosecutor, and where there are no such courts in neither of such colonies, then in any such court in some colony near to either of them, *id. s.* 1.

38. Such seizures shall be lodged with the collector or comptroller of the customs at the port where made, or into which the same shall be carried for adjudication, and shall be subject, in respect to the charge, care, sale, and delivery thereof, to the rules of 26 *G.* 3 *c.* 40., and shall be deliverable on security according to the rules of 28 *G.* 3. *c.* 34. *s.* 7., *&c. id. s.* 2.

ANNUITIES (LIFE).

I. *Laws of Annuities granted previous to 14th July*, 1813.

1. FOR REGISTERING grants of life annuities, and for better protection of infants against such grants, 17 *G.* 3. *c.* 26. [REP. except as to annuities granted before 14*th July*, 1813. 53 *G.* 3. *c.* 141. *s.* 1. The repealed annuity act is here given, as its provisions must for many years be the subject of discussion in cases arising on securities granted during its existence.]

2. A memorial of every deed, bond, instrument, or other assurance, whereby any annuity or rent-charge shall be granted for life or lives, or for term of years or for any greater estate determinable on lives, shall, within 20 days from its execution, be enrolled in chancery, and contain the day of the month and year when the deed, &c. bears date, and the name of all the parties, and for whom any of them are trustees, and of all the witnesses; and shall set forth the annual sum to be paid, the name of the person for whose life the annuity is granted, and the consideration; otherwise every such deed, &c. shall be void, 17 *G.* 3. *c.* 26. *s.* 1.

3. Before judgment is entered on any warrant of attorney for recovering or securing payment of any annuity or rent-charge already granted for lives, or years determinable thereon, and before execution is sued out, or action brought on such judgment already entered, a like memorial of the deed, &c. shall be enrolled in chancery, otherwise such judgment, execution, or proceeding in the action, shall be void, *id. s.* 2.

4. In every deed, &c., whereby any annuity or rent-charge shall be granted, the consideration really and *bonâ fide* (which shall be in money only,) also the name of the person by whom, and on whose behalf

the consideration *bonâ fide* shall be advanced, shall be set forth in words at length, or such deed, &c. shall be void, 17 *G.*3. *c.*26. *s.*3.

5. If any part of the consideration shall be returned to the person advancing the same; or, in case the consideration, or any part of it, is paid in notes, if any of the notes, with the privity of the person advancing the same, shall not be paid when due, or shall be cancelled without being first paid; or if the consideration, or any part of it, is paid in goods; or if any part of the consideration is retained, on pretence of answering the future payments of the annuity, or any other pretence; in every such case, the person by whom the annuity or rent-charge is payable may apply to the court, in which any action is brought for payment of the annuity on judgment entered, by motion, to stay proceedings on the judgment or action; and if it appears to the court that any such practices as aforesaid have been used, they may order the deed, bond, instrument, or other assurance, to be cancelled, and the judgment, if entered, to be vacated, *id. s.*4. [Re-enacted, 53 *G.*3. *c.*141. *s.*6. *pl.* 15.]

6. A particular roll shall be kept by the clerks of enrolments in chancery, on which such memorials shall be entered and enrolled as brought to the office; which clerks, or their deputy, shall specify upon the roll the day, hour, and time on which such memorial is brought to the office, and shall grant a certificate of the enrolment when required; and there shall be paid for the enrolment 1*s.* in case it do not exceed 200 words; but if it exceed 200 words, then after the rate of 6*d.* for every 100 words, and the like fees for every certificate and copy given; and the fee of 1*s.* for every search in the office, *id. s.*5.

7. All contracts for the purchase of any annuity with any person under 21 years, shall be utterly void, any attempt to confirm the same, after such person shall have attained 21 notwithstanding: [and every person who shall, either in person, by letter, agent, or otherwise howsoever, procure, engage, solicit, or ask any person under 21 to grant any annuity or rent-charge, or to execute any instrument for securing the same; or shall advance or procure, or treat for any money to be advanced to any person under 21, upon consideration of any annuity or rent-charge to be secured or granted by such infant, after he shall have attained 21, or shall solicit or procure any infant, upon any treaty or transaction for money advanced, or to be advanced, to make oath, or to give his word of honour or solemn promise that he will not plead infancy, or make any other defence against the demand of such annuity or rent-charge, or the repayment of the money advanced to him when under age; or that when he comes of age he will confirm, or in any way substantiate such annuity or rent-charge, shall be guilty of a misdemeanor, and being convicted in any court of assize, oyer and terminer, or general gaol-delivery, shall be punished by fine, imprisonment, or other corporal punishment, as the court shall award], *id. s.*6. [Re-enacted, as to all between brackets, by 53 *G.*3. *c.*141. *s.*8. *pl.* 17.]

8. All solicitors, scriveners, brokers, and other persons who shall demand or receive, directly or indirectly, any money or other gratuity for procuring the loan, and for the brokerage of money paid as the consideration of such annuity, over and above 10*s.* for every 100*l.* actually paid, shall be guilty of a misdemeanor; and being convicted in any court of assize, oyer and terminer, or general gaol-delivery, shall be punished by fine and imprisonment, or one of them, at the discretion of the court; and the person who shall have paid any money or reward shall be a competent witness to prove the same, *id. s.*7. [Re-enacted, 53 *G. c.*141. *s.*9. *pl.* 18.]

9. This act shall not extend to any annuity or rent-charge given by will or by marriage-settlement, or for the advancement of a child; nor if secured upon lands of equal or greater annual value, whereof the grantor was seised in fee-simple or in fee-tail in possession, or secured by the actual transfer of stock in any of the public funds, the dividends whereof are of equal or greater annual value than the annuity; nor to any voluntary annuity without pecuniary consideration; nor to any annuity or rent-charge granted by any body corporate, or under any act of parliament; nor to any annuity where the sum to be paid does not exceed 10*l.* annually, unless there be more than one from the same grantor, to or in trust for the same person, *id. s.*8.

II. *Laws of annuities granted since* 14*th July*, 1813.

10. The 17 *G.*2. *c.*26. is repealed, except as to annuities granted previous to 14*th July*, 1813., and *pl.* 5. 7. 18., 53 *G.*3. *c.*141. *s.*1.

11. Within 30 days after execution of any annuity deed, bond, instrument, or other assurance whereby any annuity or rent-charge is granted for one or more life or lives, or for a term of years or greater estate determinable on a life or lives, a memorial of the date of every such deed, &c. of the names of all the parties and witnesses thereto, of the persons for whose life or lives such annuity, &c. is granted, and of persons by whom same is to be beneficially received, the pecuniary consideration for granting same, and the annual sum to be paid, shall be enrolled in chancery, in form annexed, to be reasonably varied where necessary, *id. s.*2.

12. If any annuity is granted by, to, or for benefit of any company exceeding 10 persons, formed for purpose of granting or purchasing annuities, it shall be sufficient in such memorial to describe them by their usual firm or name of trade, 53 *G.*3. *c.*141. *s.*3.

13. The names of the parties intended to take the annuity beneficially shall be described in every deed, &c. as in *s.*2. *pl.*11. as is required in the enrolment, or the deed, &c. shall be void, *id. s.*4.

14. Any person by whom any such annuity or rent-charge for the time being shall be payable, may obtain a copy of every deed, &c. as in *s.*2. *pl.*11., whereby such annuity or rent-charge was granted, on giving 21 days' notice in writing to the person then entitled thereto, who shall, in 21 days, unless prevented by fire or inevitable accident, or within 21 days after removal of any impediment, send a copy of every deed, &c. whereby the annuity, &c. was granted, or of such assurance as is required in the notice; for which the person requiring same shall, on receipt thereof, pay him 6*d.* for every 100 words therein, and reasonable costs of sending or delivering the same; and the party holding the original deeds shall suffer the other party to compare the copy therewith; and if such copies are not delivered, or if the person holding the original deeds refuses to suffer copies to be examined therewith according to this act, the party chargeable with the annuity may take out a summons from any judge of K. B. or C. P., requiring the party so refusing to appear before him and shew cause in the premises, who may make such order for the production, copying, or examination of the copies delivered with the original deeds, as he thinks fit, *id. s.*5.

15. Proceedings against the grantor of any annuity shall be stayed under the circumstances in 17 *G.*3. *c.*26. *s.*4. *pl.* 5., enumerated; with this addition, that not only the person by whom the annuity is made payable, but "*any person whose property is liable to be charged or affected thereby*" may apply to the court, as in the recited section, *id. s.*6., *see pl.* 5.

16. A particular book shall be kept by clerks of enrolments in chancery, or their deputy, in which the particulars mentioned in *s.*2. of this act, shall be entered alphabetically by the names of the grantors, in order of time as brought into the office, specifying also the certain day, hour, and time on which the particulars were so brought in, and shall grant a certificate of entry thereof when required. Fees as follows: 20*s.* for such entry; 1*s.* for every certificate and copy given; 1*s.* for every search in the office, and no more, *id. s.*7.

17. Contracts for purchase of annuities by persons under age remain utterly void, notwithstanding any attempt to confirm same after full age attained; and same punishment is given for procuring or soliciting a minor to grant an annuity, as in 17 *G.*3. *c.*26. *s.*6. *pl.*7., which is here re-enacted, *id. s.*8. [*see rest of section, pl.* 7.]

18. Acting as solicitors, &c. in such cases is punished, and same evidence admitted, as in 17 *G.*3. *c.*26. *s.*7. *pl.*8., here also re-enacted, *id. s.*9., *see pl.* 8.

19. This act shall not extend to *Scot.* or *Ire.*, or to any annuity or rent-charge given by will or marriage-settlement, or for the advancement of a child, or secured on freehold, copyhold, or customary lands in G. B. or *Ire.*, or in any of H. M's possessions beyond the seas, of equal or greater annual value than the said annuity, over and above any other annuity, and interest of any principal sum secured thereon, of which grantee had notice at time of the grant, whereof grantor is seised in fee-simple or fee-tail in possession, or the fee-simple whereof in possession the grantor is enabled to charge at time of grant, or secured by actual transfer of stock in public funds, the dividends whereof are of equal or greater annual value than such annuity; nor to any voluntary annuity, &c. granted without regard to money's worth; nor to any annuity, &c. granted by any body corporate, or under any authority or trust created by statute, *id. s.*10.

APOTHECARIES.

1. FOR EXEMPTING apothecaries from serving parish offices and on juries, 6 & 7 *W.*3. *c.*4. (and recital in *s.*1.) [REV. 1 *A. c.*11., CON. 10 *A. c.*14. *s.*3.; MADE PERP. 9 *G.*1. *c.*8. *s.*1.]

2. All persons using the art of an apothecary within the city of *London*, being free of the Society of Apothecaries of *London*, and having been duly examined and approved as to skill, so long as they use the art, and no longer, shall be exempt from all parish, ward, and leet offices, and from serving on juries or inquests, and if returned to them, shall be discharged on producing testimonial, under the common seal of the said corporation, of such their examination, approval, and freedom, *id. s.*2.

3. Apothecaries in *Eng.*, *Wa.*, or *Ber.*, who have served seven years in the art under 5 *El. c.*4., shall likewise be exempt from the offices and duties aforesaid, so long as they use their art, *id. s.*3.

4. FOR BETTER REGULATING the practice of apothecaries throughout *Eng.* and *Wa.*, 55 *G.*3. *c.*194. [PUBLIC clause, *id. s.*31.]

5. The charter of 16 *Dec.* 15 *Jac.* 1. to the apothecaries of London and its suburbs, and within seven miles thereof by the name of "*The master, wardens, and society of the art and mystery of apothecaries of the city of London*," granting them perpetual succession and power of holding lands in fee simple or otherwise, and all property soever; and that they might by that name plead and be impleaded, and execute all things

with a common seal to be altered at their pleasure, is confirmed, *55 G.3. c.*194. *s.*1.

6. So much thereof as directs the master, and wardens, and assistants by them appointed, to enter shops of apothecaries, and examine medicines, &c. and the apothecaries as to their skill, &c. and impose fines, shall be repealed, *id. s.*2.

7. Instead of which the master, wardens, &c. or any two of the assistants, or other persons properly qualified as in *s.*4. *pl.*8., by them appointed, may enter any apothecary's shop, and search if the medicines, drugs, &c. or any thing soever therein contained, be wholesome and fit for cure and health of H. M.'s subjects, and may destroy, &c. all such as are stale or pernicious, and shall report the name of the person having them in possession, to the master, &c. who shall levy upon him *5l.* for first, *10l.* for second, and *20l.* for third and other offence, *id. s.*3.

8. No person shall be qualified to be appointed by the master, wardens, and *assistants*, a member of the court of examiners mentioned in *s.*9. *pl.*13., or to enter any shop in *London*, or within 30 miles thereof, for such purposes, unless he is a member of the apothecaries' society of ten years' standing; nor to enter any shop in any other part of *Eng.* and *Wa.*, or to be one of the five apothecaries in *s.*18. *pl.*21. unless he has been an apothecary in actual practice for 10 years previous, *id. s.*4.

9. Apothecary refusing to compound, or unduly compounding, setting to sale, or selling any medicines, directed by a prescription, signed with the initials in the handwriting of a lawfully licensed physician, shall on complaint by latter within 21 days, and conviction before any justice, [*see s.*26. *pl.*29.] if no good excuse shewn, forfeit *5l.* for first, and *10l.* for second offence, for the third shall forfeit his certificate, and be disabled to practise as an apothecary under the penalties of *s.*20. *pl.*24. for practising without certificate; and on applying for renewal thereof, shall promise and give security that he will not be again guilty of the like offence, *id. s.*5.

10. The master and wardens may, by writing under their hands, appoint any one or more of the court of assistants to act as their deputies in all lawful things done under their charter or this act, and may remove them at pleasure, *id s.*6.

11. The master, wardens, and society, &c. shall superintend the execution of, and enforce this act, *id. s.*7.

12. No act done by them for carrying any provision hereof into execution, (except the power of searching shops for and destroying bad medicines, as in *s.*3. *pl.*7., and except acts done by a majority of court of examiners, or of the five apothecaries in *s.*18. *pl.*21., mentioned,) shall be valid, unless done at some assembly in the hall of the society; and all powers of the master, wardens, and *society* may be exercised by a majority of the master, wardens, and *assistants* attending at such meeting not being less than 13 in number, the master being one, *id. s.*8.

13. Twelve persons properly qualified as in *s.*4. *pl.*8. shall be chosen by the master, wardens, and assistants, and they or any seven of them shall be called "The court of Examiners of the Society of Apothecaries," which court or a majority thereof shall have full power to examine all apothecaries and their assistants throughout *Eng.* and *Wa.*, and to grant or refuse such certificate, as hereinafter mentioned; and shall meet once at least in a week, in some room of the society's hall, for the above purpose, *id. s.*9.

14. A chairman shall be appointed with a casting vote, in case of equality of votes on any one question, including his own, *id. s.*10.

15. The oath or affirmation of such examiners for faithful execution of their duty, shall be administered by a majority of the master, wardens, or court of assistants, *id. s.*11. [The form is annexed to this section.]

16. Such examiners shall continue in office one year, if not displaced by such master, &c.; but may be re-appointed, *id. s.*12.

17. In case of their death or removal, vacancies may be filled up for the remainder of their time of office, *id. s.*13.

18. After 1 *Aug.*1815., no person (except already in practice as such) shall practise as an apothecary in any part of *Eng.* or *Wa.*, unless examined by a majority of this court as to his skill, &c. in medicine, and having received a certificate from them of his due qualification; and a majority of the court may reject such person, or grant him such certificate, *id. s.*14.; but no person shall be admitted to examination for such certificate till 21 years of age, and having served five years' apprenticeship to an apothecary, with satisfactory testimonials of sufficient medical education and good moral conduct, *id. s.*15.

19. Persons intending to qualify themselves for such practice, shall give notice to the clerk of the master, wardens, and society, of his intention, who shall notify the same to the latter, and shall present themselves at the next meeting of the court of examiners to undergo examination, *id. s.*16.

20. After 1 *Aug.*1815., no person except those then acting as assistants to apothecaries mentioned, *s.*14. *pl.*18., and except persons having actually served as apprentices for five years, shall act as assistant to any apothecary in compounding or dispensing medicines without examination by a majority of this court, or by the five apothecaries in *s.*18. *pl.*21. mentioned, and certificate granted by either of them, *55G.3. c.*194. *s.*17.

21. The master and wardens, or the court of examiners may by writing under their hands, appoint five apothecaries in any county of *Eng.* and *Wa.*, except *London* and 30 miles round, to act for that or for any adjoining county, and may displace them; such five apothecaries shall examine and grant or refuse certificates to all assistants to apothecaries in their county, at a monthly meeting in the county town; no act done by them shall be valid, except done at such meeting; all their powers may be exercised by a majority of not less than three; a chairman shall be appointed with casting vote in case of equality of votes including his own, *id. s.*18.

22. There shall be paid to the master, &c. and society of apothecaries, for every certificate obtained by any person intending to practice as an apothecary in *London*, or within ten miles thereof *10l.* 10*s.*; and *6l.* 6*s.* in any other part of *Eng.* or *Wa.* and persons having obtained the latter certificate, must pay farther *4l.* 4*s.*, and have receipt for same indorsed thereon, in order to practice in *London* or within 10 miles thereof; and *2l.* 2*s.* for every assistant's certificate, *id. s.*19.

23. The monies arising from certificates shall be applied at discretion of the master, wardens, and society, *id. s.*24.

24. Every apothecary acting without certificate after 1st *Aug.* 1815, (except those in *s.*14. *pl.*18. excepted), shall forfeit *20l.*; and every assistant to apothecary so acting, (except those in *s.*17. *pl.*20., excepted,) *5l.*, *id. s.*20.

25. No apothecary shall recover his charges in any court of law, unless he prove that he was in practice as such, before the *5th Aug.* 1815, or that he has obtained his certificate, *id. s.*21.

26. After refusal of certificate to any apothecary or assistant, by their respective examiners, the former may, after six months, and the latter after three months, apply again, when it may be granted, *id. s.*22.

27. A list of apothecaries certificated in the preceding year, and of their residences, shall be annually printed, *id. s.*23.

28. Penalties recovered under this act shall go half to the informer, and the other half to the master, &c. as in *pl.*5. at their disposal, *id. s.*25.

29. Recovery of penalties *exceeding 5l.* shall be had by action in the name of the master, &c. as in *s.*1. *pl.*5., in any court of record in *Eng.* or *Wa.*, without essoin, &c. *if less* than *5l.*, by warrant of distress, from one justice on confession of party, or evidence of one witness on oath; the overplus, after penalty and costs of distress paid, shall be returned; and if no sufficient distress found, such justice may imprison party for one calendar month, or till the penalty and costs be paid, *id. s.*26.

30. Such distress shall not be unlawful, nor shall the parties making same be trespassers *ab initio*, for any defect in form in the proceedings, nor for irregularity committed by them; but the party grieved may recover for special damage, by action on the case, *id. s.*27.

31. Nothing herein shall affect chemists and druggists in buying, compounding, &c. and vending drugs, medicines, &c. *id. s.*28.

32. Nothing herein shall affect the rights of *Oxford* or *Cambridge*, or of the college of physicians, or of surgeons, or society of apothecaries, other than are by this act varied, or of any person practising as an apothecary before 1*st Aug.* 1815, *id. s.*29.

33. Actions for any thing done in pursuance of this act must be brought within six calendar months from the fact committed, or from cessation of damage in case of continuing damages; general issue may be pleaded giving the act and the special matter in evidence; and if the action is not laid in the county where the matter in dispute arose or is brought *before* 21 days' notice given or *after sufficient satisfaction tendered*, the jury shall find for deft. and on such verdict, or if the plaintiff is nonsuited, or discontinues after appearance, or if a verdict or judgment on demurrer, or otherwise, passes against him, the defendant shall have double costs, *id. s.*30.

APPAREL.

(STATUTES *repealed and expired.*)

1. PERSONS of low degree prohibited to wear fur, 11 *Ed 3. c.*4. [REP. 1 *J.*1. *c.*25. *s.*45.]

2. APPAREL and diet of servants, 37 *E. 3. c.*8.
——— artificers and yeomen, *id. c.*9.
——— esquires and gentlemen, *id. c.*10.
——— merchants, citizens, &c. *id. c.*11.
——— knights, &c. *id. c.*12. -
——— clergy, *id. c.*13. - -
——— plowmen and others of mean estate, *id. c.*14. - - } [REP. by 38 *Ed. 3. S.*1. *c.*2. 1 *H.*8. *c.*14. 24 *H.*8. *c.*13., all finally EXP. and REP by 1 *J.*1. *c.*25. *s.*45.]

3. FOR regulating apparel, 3 *Ed.*4. *c.*5. [REP. 22 *E.*4. *c.*1. That act REP. 1 *H.*8. *c.*14. &c., and lastly 1 *J.*1. *c.*25. *s.*45.]

4. AGAINST wearing costly apparel, 1 *H.*8. *c.*14. [EXP and REP. 1 *J.*1. *c.*25. *s.*45.]

5. Act of apparel, 6 *H.*8. *c.*1. [Rep. 7 *H.*8. *c.*6., and 1 *J.*1. *c.*25 *s.* 45.]

6. Act of apparel, 7 *H.*8. *c.*6. [Rep. 24 *H.*8. *c.*13.]

7. For reformation of excess of apparel, 24 *H.*8. *c.*13. [Rep. 1 *J.*1. *S.*1. *c.*25. *s.*45.]

8. For reformation of excess in apparel, 1 & 2 *P. & M. c.*2. [Rep. 1 *J.*1. *c.*25. *s.*45.]

9. Debts contracted for foreign-made apparel discharged, 5 *El. c.*6. [Exp.]

10. None under the degree of a knight shall wear a velvet cap, 8 *El. c.*11. *s.*5. [Rep. 1 *J.*1. *c.*25. *s.*45. 17 *G.*3. *c.*55. *s.*1.]

APPEAL.

(Statutes *repealed and expired.* See note, *infra*, *pl.* 12.)

1. Woman shall have no appeal but for death of her husband, 9 *H.*3. *M.C. c.*34.

2. Appeal against principal and accessary as it affects the outlawry of the latter, 3 *Ed.*1. *c.*14.

3. Appeal of murder shall not be abated where there is sufficient certainty, and may be sued within year and day, 6 *Ed.*1. *S. Glouc. c.*9. *s.*2. See rest of statute, *tit.* Homicide.

4. Malicious appellors and their abettors shall restore damages and be imprisoned,1 3 *Ed.*1. *West. Sec. c.*12.

5. Appellees shall be brought to the prisons where appellors are, *Stat. de Appell.*, 28 *Ed.*1. *S.*2.

6. Appeals for facts done within realm shall be tried as at common law; facts without the realm by the constable and marshal of *Eng.* but none shall be sued in parliament, 1 *H.*4. *c.*14.

7. Where appeals are void, 7 *H.*5. *c.*1. [Con. 9 *H.*5. *s.*1. *c.*1.]

8. Process awardable on appeals of persons in foreign countries, 8 *H.*6. *c.*10. 10 *H.*6. *c.*10. [Rep. as to *appeals* only 59 *G.*3. *c.*46. *s.*1.]

9. Where appellees may have writs of conspiracy against their appellors, 18 *H.*6. *c.*12. [Rep. as to *appeals* only, 59 *G.*3. *c.*46. *s.*1.]

10. Persons acquitted of murder, &c. shall be detained or bailed, till the year and day passed, 3 *H.*7. *c.*1. *part of s.*3. Acquittal or attainder at the king's suit is no bar; if the party attainted is alive, and his clergy not before had: appellants may commence their appeal before the sheriff and coroners, or at K. B., or gaol delivery: where battle lieth not appellant may pursue appeal by attorney, *id. ibid.*

11. In what county appeal to be sued where stroke of murder is in one, and death in another, 2 & 3 *Ed.*6. *c.*24. *s.*3.

12. Appeals excepted in amendments in error, 5 *G.*1. *c.*13. *s.*2. [*All these statutes and enactments seem repealed by or virtually expired since, the general words of* 59 *G.*3. *c.*46. *s.*1.]

(Statute *in force.*)

1. Appeals of murder, treason, felony, or other offence shall be abolished, 59 *G.*3. *c.*46. *s.*1.

2. No tenant shall be reserved to wage battel, nor shall trial be had by battel in writs of right. *id. s.*2.

APPEARANCE.

1. Of process to compel appearance, 3 *Ed.*1. *c.*45.

2. If the tenant or defendant after *teste* of the first attachment [*Qu. return* thereof,] make default the great distress, shall be awarded; and if the sheriff do not make sufficient return by a certain day, he shall be grievously amerced; and if he return, that he hath done execution in due manner, and the issues delivered to the sureties, the sheriff shall be commanded to return issues at another day before the justices; and if the party attached come in at his day to save his defaults, he shall have his issues, and if not, H. M. shall have them, and the justices of K. B. shall cause them to be delivered in the wardrobe; and those of C. P. shall deliver them in exchequer, and those in eyre to the sheriff of the shire where they plead, as well of that as of foreign shires, and charge shall be made thereof in summons by the rolls of the justices, *id. ibid.*

3. For preventing false entries in the appearance of the plaintiff in certain suits, 10 *H.*6. *c.*4. [Made Perp. and Amd., 18 *H.*6. *c.*9.]

4. No officer shall make entry that the plaintiff *obtulit se in propriâ personâ suâ*, unless he doth indeed appear in proper person before the justices where the plea depends; and (either by himself or by some credible person of his counsel,) make oath that he is the same person in whose name that suit is prosecuted, 10 *H.*6. *c.*4. [on penalty of 40*s.* to the king, on every attaint thereof by due examination, of any justices of the court before whom the entry or record is, and every attorney who hath not his warrant entered of record in all suits where the *capias* or *exigent* is awardable in the term in which the *exigent* goes, shall by like examination incur like penalty, 18 *H.*6. *c.*9.]

APPRENTICE.

(Statutes *repealed and expired.*)

1. Touching retaining of journeymen by divers persons, 3 & 4 *E.*6. *c.*22. [Rep. 5 *El. c.*4. *s.*2.]

2. For making valid indentures of apprenticeship of poor children and others, made upon improper stamps on certain conditions, [to be performed by 31*st Dec.* 1801.] and to indemnify all persons having incurred penalties thereby, 41 *G.*3. (U.K.) *c.*22. [Exp.]

(Statutes *in force.*)

3. For avoiding exactions on apprentices, 22 *H.*8. *c.*4. [Enforced 28 *H.*8. *c.*5.]

4. After recital of 19 *H.*7. *c.*7. No master, wardens, or fellowships of crafts or mysteries, nor any rulers of fraternities, shall take for entry of any apprentice into their company, above 2*s.* 6*d.*, nor above 3*s.* 4*d.* for his entry when his term is expired, on pain of 40*l.*, one half to H. M. and the other half to the party suing by action of debt, information, or otherwise, without essoin, &c. 22 *H.*8. *c.*4.

5. No master, wardens, &c. shall cause any apprentice or journeyman, by oath or bond, or otherwise, that he, after his term expired, shall not set up nor keep any shop, house, or cellar, nor occupy as a freeman, without licence of the master, wardens, &c. nor take after such term expired, any money or other things for their freedom, otherwise than appointed in 22 *H.*8. *c.*4. on pain of 20*l.*, divided and recoverable as in that statute, 28 *H.*8. *c.*5.

6. Touching divers orders for apprentices, 5 *El. c.*4. *ss.*31. 34—40. 42—45. (See rest of title and statute, Labourers.) [Amd., by 20 *G.*2. *c.*19. *ss.* 3—6., 32 *G.* 2. *c.* 57. *ss.*11—14., 6 *G.*3. *c.*25. *ss.* 1—3. 6., 54 *G.*3. *c.*96.] *For repealed* sections, *see* Index.

7. "After repealing 5 *El. c.*4. *ss.*25—30. and *s.* 41. *comm. semb.* which are in substance recited," it is enacted, that any person may take or become an apprentice, though not according to the provisions of 5 *El. c.*4. (*viz.* those contained in *ss.* 25—30. *and s.* 41. *comm. semb.*) but indentures of such apprentices which would be *otherwise valid*, shall be so notwithstanding the repeal hereby effected, 54 *G.*3. *c.*96. *s.*2. [*Semble*, the last provision applies to indentures still made according to provisions of 5 *El. c.*4.]

8. Any justice or justices may hear and determine any complaints that may arise respecting apprenticeships, as if they were made under 5 *El. c.*4. (*See* that act *s.*39.) *id. s.*2.

9. Nothing herein shall alter or prejudice any custom of the city of of *London* concerning apprentices or the ancient custom or franchises thereof, or of any other city, town, corporation, or company lawfully constituted, or the citizens and freemen thereof, or any bye-law of any corporation or company lawfully constituted, *id. s.*3.

10. Provision that no persons not having been apprentices for seven years under 5 *El. c.*4. may use manual occupation, on penalty of 40*s.* a month, or may set any person to work on such occupation, except he have been apprentice, or having served as such will become a journeyman, on like pain, 5 *El. c.*4. *s.*31., is Repealed 54 *G.*3. *c.*96. *s.*1.; and previously as to distillers of brandy from British malt, 12 *Ann. st.*2. *c.*3. *s.*9.; as to hat and felt makers, by 17 *G.*3. *c.*55. *s.*5.; as to soldiers exercising trades, 22 *G.*2. *c.*44.

11. Saving for liberties of the company of worsted makers in *Norfolk* and *Norwich*, granted by 14 *H.*8. *c.*3. 5 *El. c.*4. *s.*33., and for those of *London* and *Norwich*, as to taking apprentices, *id. s.*40. (and see 54 *G.*3. *c.*96. *ss.* 3, 4. *pl.*9.)

12. If any person shall be required by any householder, using half a ploughland in tillage, to be an apprentice and serve in husbandry or other art, mystery, or manual occupation and shall refuse, then on complaint made to one justice, or to the mayor, bailiffs, or head officer, he may send for the person refusing, and if he think him meet to serve, may if he refuse to be bound, commit him to ward till he be bound to serve as an apprentice, 5 *El. c.*4. *s.*35.

13. And if any such master shall misuse his apprentice, or the latter has any just cause to complain, or does not do his duty, either party may repair to one justice, or to the mayor, &c. (as above) who shall take such order between them, as the equity of the case requires; and if for want of good conformity in the master, the justice, &c. cannot agree the matter, such justice shall take bond of the master to appear at the next sessions for the county, city, or town, and on his appearance there, and hearing the matter, if it be thought meet to discharge the apprentice, the said justices, or four of them at least, one being of the quorum, or the said mayor, &c. (as above) with consent of three of his brethren, or men of best reputation within the city, &c. may, in writing, declare that they have discharged the apprentice and the cause thereof, which writing being enrolled by the clerk of the peace, or town clerk, shall be a sufficient discharge; and if the default be found in the

apprentice, the justices, &c. or mayor, &c. (as *last* aforesaid) shall order him such correction, as they think meet, *5 Eliz. c.4. s.36.* [*See* as to fining master for ill-using apprentice, *33 G.3. c.55. post*, JUSTICES.]

14. On complaint, by any apprentice put out by the parish, or on whose binding no more than *5l.* was paid, of refusal of necessary provision, cruelty, or ill-treatment by his master or mistress, any two justices may summon the latter to appear before them, and on proof of the complaint on oath to their satisfaction, whether master, *&c.* is present or not, if service of summons is proved on oath, may discharge apprentice by warrant under their hands and seals without fee, *20 G.2. c.19. s.3.* [as to *appeal* against the *order*, see *32 G.2. c.57. s.12. post, pl.* 16. and as to appeal to sessions for any thing done under *20 G.2. c.19.* see *s.5.*, and against removal of proceedings by *certiorari*, *id. s.6. post, tit.* LABOURER.]

15. In every such case of discharge of a *parish apprentice*, such two justices may order the master to deliver up to the latter his clothes and wearing apparel, and also to pay to the churchwardens or overseers a sum not exceeding *10l.*, to be applied under the order of the justices for again binding out the apprentice or otherwise for his benefit, as such justices shall think fit; and also to pay not exceeding *5l.*, if such master shall refuse to deliver up such clothes; and if such master or mistress refuse to pay the sum ordered, such two justices may levy the same by distress and sale, with the expenses of distress, and may, if they think fit, compel such churchwardens and overseers to enter into a recognizance for the prosecution by indictment of such master for the ill treatment of such apprentice, and also order the costs of such prosecution to be paid, one moiety out of the poor rates, and the other out of the common stock of the county, and in case the churchwardens, &c. refuse to pay, may levy the same by distress and sale of their goods, together with expenses of distress, *32 G.3. c.57. s.11.*

16. And where any parish apprentice has been so discharged, and such master is convicted in consequence of such prosecution, or is found guilty in any action brought at suit of the party injured, the churchwardens, &c. shall not bind any other apprentice to him, but whenever he ought to take a parish apprentice, any two justices of the division, on application by the churchwardens, *&c.* may order such person to pay to them not exceeding *10l.*, nor less than *5l.*, for the purpose of binding out the apprentice, and if he refuse to pay, may levy the same by distress and sale, with expenses of distress: but such master, from whom any parish apprentice shall be discharged under *20 G.2. c.19. s.3. pl.14.*, may appeal against the order of discharge, and also against the order for payment of any money thereon, or in lieu of any subsequent binding under this act, to the next general quarter sessions, who shall finally determine same, allowing reasonable costs; and no distress shall be taken until after the general quarter session, in case the person ordered to pay the money shall within seven days after notice of the order, give notice to the churchwardens, &c. of such appeal; and if he fail to appear in support thereof, *40s.* shall be added to the expenses of distress levied, *id. s.12.*

17. Such two justices, on complaint of master on oath against any such apprentice, concerning any ill behaviour in his service, may punish the offender by commitment to the house of correction to hard labour for not exceeding one calendar month, or by discharging him as in *s.3., pl.14. 20 G.2. c.19. s.4.*

18. They may also commit him to the house of correction, to remain and be corrected, and kept to hard labour, for not exceeding three calendar months, *32 G.3. c.57. s.13.*

19. Persons aggrieved by any thing done, or omitted by any justice, churchwarden, or overseer, under this act, besides such things for which appeal is above given, may appeal to the next quarter sessions, who shall determine same, and award costs to either party, *id. s.14.*

20. EVERY APPRENTICE, who shall absent himself from his master's service before his term of apprenticeship expired, shall, whenever he shall be found, be compelled to serve his master for so long as he has absented himself, unless he make him satisfaction for the loss sustained by his absence, and so from time to time, as often as any such apprentice shall without leave absent himself before the term of his contract is fulfilled; and in case such apprentice shall refuse to serve or to make satisfaction, the master may complain on oath to any justice of the same county or place, who shall issue a warrant for his apprehension, and on hearing the complaint may determine what satisfaction shall be made to the master, and in case such apprentice shall not give security to make satisfaction according to such determination, may commit him to the house of correction for not exceeding three months, *6 G.3. c.25. s.1.*

21. Nothing herein shall extend to any apprentice whose master has received with him the sum of *10l.*, *id. s.2.*

22. No apprentice shall be compelled to serve for any time, or to make any satisfaction after expiration of seven years next after the end of the term, *id. s.3.*

23. Nothing in this act shall extend to the stannaries, or to lessen the jurisdiction of the chamberlain or courts of London, touching apprentices, *id. s.6.* [*a similar* provision in *20 G.2. c.19. s.7.*, as regards the *stannaries*, was repealed *27 G.3. c.6. s.1.*, *as to appeal* to sessions for any thing done under *6 G.3. c.25.*, see *s.5.* of that act, *post, tit.* LABOURERS.]

24. No person shall be bound by this statute to enter into any apprenticeship other than such as are under 21 years old, *5 El.c.4. s.36.*

25. [For good execution of this act] the justices of every county, dividing themselves into several limits, and every head officer of any city or town corporate, shall yearly between Michaelmas and Christmas, and the feast of Annunciation and Nativity of *St. John Baptist*, by all methods which they think meet, make special enquiry of the execution of this statute, and shall see any defaults thereon severely punished, without favour or malice, *id. s.37.*

26. Every justice or head officer shall have *5s.* for each day of sitting, in execution of this statute, to be allowed and paid to him of the fines due to H. M. by force of this statute, in like manner as the justices have been heretofore commonly paid for their coming and charges at quarter sessions, so that their sittings be not at one time above three days, and for the matters in this statute contained, *id. s.38.*

27. One half of the penalties under this act shall go to H. M., and the other half to him that will sue in any court of record by action of debt or information, without essoin, &c. allowed; and the said justices or two of them, one being of quorum, and head officers of cities and towns corporate may hear and determine offences against this statute, as well on indictment at quarter sessions as on information, action of debt, or bill of complaint sued: and may award process and execution therein in the usual manner; certifying the estreats under the same into exchequer yearly in Michaelmas term, *id. s.39.*

28. Every person bound apprentice, according to this statute, though within age, shall be bound to serve for his term, as if he were of full age when bound, *id. s.43.*, [*and this* without as well as within *London*, *id s.42.*]

29. Saving for inhabitants within limits of the watch of Godalming, in Surrey, who may use arts and occupations, and take apprentices and servants, as inhabitants within market towns may do by this statute, *id. s.44.* [*semb.* EXP.]

30. Forfeitures under this act, in cities and towns corporate, shall be levied and applied to the use of such cities, &c. as other forfeitures therein are by charter used to be levied, &c. *id. s.45.*

31. OWNERS of ships, and every householder using the trade of the seas, and every gunner and shipwright may take and keep apprentices bound for 10 years or under, and such apprentices, being above seven years of age, shall be bound by the same covenants, as according to the custom of *London*, so that the bond of apprenticeship be by writing indented and inrolled in the next town corporate, to the habitation of the apprentice; for which enrolment the officer shall not take above *12d.*, *5 El. c.5. s.12.*

32. TO REGULATE the binding and assignment of parish apprentices, *43 El. c.2. s.5.* in part. [See rest of the statute, POOR.] AMD. *8 & 9 W.3. c.30. s.5.*, *2 & 3 A. c.6. ss.6-7.*, *7 G.3. c.39. s.14.*, *32 G.3. c.57.*, *42 G.3. c.46. ss.1—7.*, *51 G.3. c.80.*, *54 G.3. c.107.*, *56 G.3. c.139.*, *ss.9, 10.*, and see the rest of that statute which further regulates this subject, *pl.* 93. [*This title is framed* to shew the object of the above provision, which has been the *nucleus* of all the later enactments, affecting the binding or assignment of parish apprentices.]

33. Churchwardens and overseers, by assent of two justices, may bind apprentices the children of any person who shall not be thought able to maintain them, [see *s.1. tit.* POOR]; if a man-child, till [24, by *43 El. c.2. s.5.*, altered *18 G.3. c.47. s.1.* to 21 years old: and till 21, or her marriage, if a woman-child, *43 El. c.2. s.5.*, [*See* as to the distance of the residence of such master to the place where the child belongs, and several other regulations, *56 G.3. c.139. pl.* 93.]

34. PARISH and hospital boys and girls in *London* may be bound apprentices for 7 or till 21 years of age, but no longer, *7 G.3. c.39. s.14.*

35. THE PERSON to whom such poor children are so appointed to be bound shall receive and provide for them according to the indenture, signed and confirmed by the two justices, and shall also execute the other part of the indentures, and on refusal, oath being thereof made by one of the churchwardens or overseers, before any two justices for that county or division, shall forfeit *10l.* to be levied by distress and sale of goods, by warrant of the said justices, to be applied to the use of the poor of the parish, saving to the person to whom any poor child is so appointed to be bound, if aggrieved thereby, an appeal to the next quarter sessions, *8 & 9 W.3. c.30. s.5.*

36. In the case of the death of the master of any parish apprentice on whose binding no larger sum than *5l.* is paid, [*see s.5. pl.* 40.] the covenant for maintainance in the indenture, shall not continue in force longer than for three calendar months next after such master's death,

during which time such apprentice shall live with and serve as such, the executors and administrators, or their appointee, and shall be subject to the laws in force for better government of masters and parish apprentices, and in all such parish indentures there shall be annexed to the covenant for maintenance a proviso as in *sched.* (A), and if omitted, the covenant for maintenance shall, notwithstanding, be deemed to continue in force for no longer than three calendar months after death of master, 32 *G.3. c.57. s.1.*

37. Within such three months any two justices of the county, division, or place, on application by the widow of the master or husband of the mistress, or of any son or daughter, brother or sister, or by any executor or administrator, of such master or mistress, by indorsement of such indenture, or the counterpart thereof, or by any other instrument in writing in the forms mentioned in *sched.* (B) and (C), to direct that such apprentices shall serve one of such persons, (such person having lived with and been part of the family of the master or mistress at the time of their death,) for the residue of the term; and the person obtaining such order shall declare his acceptance of such apprentice by signing his name to such order, after which order made, the executors and administrators, and personal estate of the master or mistress shall be discharged from any covenant on their part to be performed, and the person obtaining the same shall be deemed the master, as if the apprentice had been originally bound to him, and shall be bound by the covenants in the indenture, as if he had duly executed the counterpart, and shall be subject to regulations for better government of masters and parish apprentices, *id. s.2.*

38. All the regulations herein directed to take place on the death of the original master, shall relate to the like event of the death of any subsequent master, as often as the case happens, *id. s.3.*

39. If no such application is made within three calendar months, or if the two justices shall not think fit that such apprenticeship should be continued, the same shall be determined and at an end, *id. s.4.*

40. But nothing herein before contained shall extend to any parish apprentice, but to such only as are living with and shall make part of the family, or shall be in the actual employment of the master at the time of his death, *id. s.5.*

41. In case any such master shall, during the term of apprenticeship, or if the executors or administrators having assets shall, during such three calendar months, as in *ss.1, 2. pl.36, 37.* refuse or neglect to maintain and provide for the apprentice, according to the covenant, two justices of the same county, division, or place, on complaint of such apprentice, or of the churchwardens and overseers, may by warrant under their hands and seals, levy, by distress and sale of the personal estate of such master, the sum necessary for the maintenance and clothing of the apprentice, and to reimburse to the churchwardens and overseers any sum expended by them for that purpose, *id. s.6.*

42. "After recital of the obligation imposed by 9 & 10 *W.3. c.30.*, to take more parish apprentices than is convenient to employ in families," Any master of such parish apprentice may by indorsement on the indenture, or by other instrument in writing, with consent of two justices as in *s.6. pl.41.* under their hands, assign such apprentice for the residue of his term, so that the assignee at the same time, by indorsement on the counterpart, or by writing under his hand, stating the indenture of apprenticeship, indorsement, and consent aforesaid, declare his acceptance of such apprentice, and acknowledge himself bound by the covenants in the indenture; which indorsement or instrument may be in the forms in *sched.* (D) and (E), in which case such apprentice shall be deemed the apprentice of the subsequent master; and so from time to time, as often as it shall be necessary for the latter to part with him, *id. s.7.*

43. Whenever any such apprentice shall be assigned to another master under 32 *G.3. c.57.* the overseers, or parties to the assignment, shall insert the name and residence of such master, together with the other particulars in the book in *s.1. pl.50.* directed to be kept; and for non-performance thereof shall be liable to the penalties incurred by *s.2. pl.51.*, as if the apprentice had been originally bound to such master, 42 *G.3. c.46. s.5.*

44. When any master shall become insolvent, or so far reduced in circumstances as to be unable to employ or maintain such parish apprentice, two justices of the county, division, or place, on application of master, may enquire into the matter, and discharge the apprentice if it be true, 32 *G.3. c.57. s.8.*

45. Nothing in this act *before* contained shall extend to the indenture of any parish apprentice, where more than *5l.* is given, *id. s.9.*

46. No indorsement on any parish indenture in pursuance of this act shall be charged with stamp-duty, nor any other instrument in writing, with any higher duty than that imposed on parish indentures, *id. s.10.*

47. Persons aggrieved by any thing done or omitted by any churchwarden or overseer of the poor, or by any justice of peace, or other person soever under this act, besides those matters for which an appeal is hereinbefore specially given, may appeal to the next quarter sessions, who shall hear and finally determine the same, and may award costs to either party, 32 *G.3, c.57. s.14.*

48. No master or mistress shall transfer any parish apprentice to any other, or in any way discharge or dismiss the same from his service, without consent of justices, as in 32 *G.3. c.57. s.7. pl.42.*, &c. and no settlement shall be gained by any service of such apprentice after such transfer, unless performed under sanction of the above consent, 56 *G.3. c.139. s.9.*

49. Any person who shall transfer or dismiss from his service any parish apprentice without such consent, shall forfeit not exceeding 10*l.* for every apprentice so transferred, *id. s.10.*

50. Overseers of the poor shall provide and keep a book at expence of the parish, township, or place, and enter therein the name of every child bound out apprentice by them, together with the several other particulars in manner hereby required, according to *schedule;* and every such entry when made in such register, shall be laid before the two justices, who shall signify their assent to the indenture of apprenticeship at the time when it is laid before such justice, and each entry shall, if approved by the latter, be signed by them as in the *schedule*, 42 *G.3. c.46 s.1.*

51. Every overseer who shall neglect to keep such book, or make such entries, or shall destroy or permit to be destroyed any such book; or shall wilfully obliterate, deface, or alter any such entry, so that it shall not be a true entry, or shall wilfully make false entry therein, or permit same to be done, or shall not lay such book before such justices for their signatures, as in *s.1. pl.50.*, or shall not deliver such book to his successor in office, within fourteen days from his appointment; and every successor who shall refuse or neglect to receive same, when offered him by his predecessor, shall for every such offence on conviction thereof, [*see the form*, in *s.4. pl.52.*] before two justices for the same county, city, or place, on confession, or oath of one witness, forfeit not exceeding *5l.*, to the use of the poor of the place, to be recovered by distress and sale of the offender's goods, by warrant under hands and seals of justices, and the overplus (if any) thereby arising, shall be returned on demand to the owner, after deducting costs of distress and sale; and in default of sufficient distress or immediate payment of such penalties, the justices may by warrant commit the offender to the common gaol or house of correction for not exceeding one calendar month unless they are sooner paid, *id. s.2.*

52. Any person, at all seasonable hours, may inspect such book in the hands of the overseer, and take a copy of such entry on payment of 6*d.*, but any of the justices of the same county may inspect such book *gratis*; and it shall be deemed sufficient evidence, in all courts of law, of the existence of such indentures, and of all particulars specified in the register respecting them, in case their loss or destruction is proved to the court, *id. s.3.* [*s.4.* only contains the form of the conviction.]

53. Persons, to whom like powers are given by statute for binding out parish apprentices, as are given to overseers of poor, shall be liable as such to the penalties of *s.2. pl.51.* for not registering parish apprentices, as in *s.1. pl.50.*, *id. s.6.*

54. Persons aggrieved by any thing done in pursuance hereof, may appeal to the justices at their first general quarter sessions to be holden within four calendar months next after the cause of appeal arisen, on giving the respondent ten days' notice of appeal and of the matter thereof, which sessions shall determine same in a summary way, and grant reasonable costs to either party, *id. s.7.*

55. Every person, to whom any poor parish boy shall be bound apprentice according to 43 *El. c.2.*, may, with approbation of two justices of the same county, and dwelling near the place where the boy was bound, or with approbation of any mayor, alderman, bailiff, or other chief officer, or magistrate of any city, borough, or town corporate, assign such apprentice to the master or owner of any ship belonging to any port within *Eng.*, *Wa.*, and *Ber.*, for the remaining time of his apprenticeship, which assignment shall be registered, and certificates thereof transmitted by such collector at the ports where he is assigned over in manner aforesaid, and protections shall be given for such assigned apprentices till they attain 18 years, without fee, 2 & 3 *A. c.6. s.6.* [EXEMPTED till 18 years old from paying 6*d.* per month to *Greenwich* Hospital, 2 & 3 *A. c.6. s.7.*, see the section at length, *pl.77.*, and *recited* 2 *G.2. c.7. s.1.*

56. TO RENDER VALID certain indentures for binding of parish apprentices, 51 *G.3. c.80.*

57. All indentures for binding parish apprentices, and all certificates of the settlements of poor persons which have been heretofore executed and signed by two persons only, acting or purporting to act in capacity of churchwardens as well as overseers of poor; and all such indentures and certificates hereafter so signed shall be considered as valid as if executed and signed by distinct persons as churchwardens, and distinct persons as overseers of the poor, (according to 43 *El. c.2. s.1.* and *s.5. pl.32.*) *id. s.1.*

58. Nothing herein shall alter any decision of any court of law re-

specting the binding of any parish apprentice, or settlement of any poor person, before passing this act, 51 *G.*3. *c.*80. *s.*2.

59. To RENDER VALID certain indentures for binding parish apprentices and certificates of the settlement of poor persons, 54 *G.*3. *c.*107.

60. All indentures for binding poor apprentices, and all certificates of settlements of poor persons heretofore or hereafter signed and executed by a person or persons, who at the time of such signature and execution acted as church or chapel warden or wardens of the township, hamlet, or chapelry, binding such poor apprentice, or granting such certificate of settlement, shall be as valid as if signed and executed by a person or persons actually sworn into the office of church or chapel warden of such township, &c.; provided such person, &c. has or have been duly sworn into the office of churchwarden of the parish, wherein such township, &c. is situate, *id. s.*1.

61. All such indentures and certificates heretofore made, are as valid if signed and executed by the overseers of the poor, church or chapel wardens, or a majority of them acting for any township, &c. as in *s.*1. *pl.* 60. as if signed, *&c.* by the overseers, &c. of the parish wherein the township, &c. is situate, *id. s.*2.

62. Nothing herein shall affect settlements under orders of removal duly made by justices before this act passed, *id. s.*3.

63. FOR CONTINUING and better maintenance of husbandry and other manual occupations by the true employment of monies given for binding out poor children apprentices, 7 *J.*1. *c.*3. (and recital in *s.*1.)

64. Money given to be continually employed to put out poor children apprentices, shall be employed (except otherwise directed by donors) in corporate towns by the corporations, and in other places by the parson or vicar, together with the constables, churchwardens, and overseers, who shall nominate and place out such apprentices as by will or other instrument directed; and if they wilfully refuse and neglect to employ the same accordingly, shall each forfeit *five* marks [3*l.* 6*s.* 8*d.*] for each offence, one half to the poor of the parish, and the other to the informer suing for the whole penalty by action of debt or information without essoin, &c. allowed, *id. s.*2.

65. The party receiving money with such apprentice, shall give security by obligation to repay it at the end of seven years, or within three months after; and if either apprentice or master die within the seven years, then within one year after the death, so as the money may be employed in placing the apprentice with some other to serve out his time, at discretion of the parties trusted, *id. s.*3.

66. The money so given shall be employed within three months after receipt thereof, and if there shall not be apt persons found to be apprentices in the places where it is given, the poorest children of the adjoining parishes shall be bound out as in *s.*3., *pl.*65. *id. s.*4.

67. Choice from time to time shall be made of the poorest children whose parents are least able to relieve them, and none when bound shall be above fifteen years old, *id. s.*5.

68. The parties appointed by this act, in any town or parish not corporate, shall, yearly in Easter week, or within one month after, account before four, three, or two justices, for the sums employed, securities taken, and sums in hand; and then, or in ten days after such account, shall deliver same to their successors, *id. s.*6.

69. If any party so trusted shall break his trust, misemploy the money, or do any thing contrary hereto, for which no penalty is appointed, the lord chancellor shall, on petition of any person, award a commission to such as he thinks fit, to inquire, hear, and determine such offences; and if the commissioners find money so misemployed, they shall, in places not corporate, have power to rate and collect it on the offenders, or on the able inhabitants of the town, as they think fit, returning the commission into chancery, within three months after execution, subject to the chancellor's decree, on complaint by party grieved by any of their acts, *id. s.*7.

70. FOR INCREASE of seamen, and better encouragement of navigation, 2*&*3 *A. c.*6. *s.*1—15, 17, 18. [See *s.*16. title VAGRANT; *s.*19. title GREENWICH HOSPITAL; *s.*20. title SEAMEN.] AMD. as to *s.*1. by 4 *&* 5 *A. c.*19. *s.*16. and as to *s.*15. by *id. s.*17.

71. Two justices, as also mayors, aldermen, and other chief officers and magistrates, of any city, or town corporate, and churchwardens and overseers of the parishes therein, [or the overseers of the poor of any township or village within any parish], with approbation of such justices, mayors, &c. may bind out any boys of the age of ten years or more, or who shall be chargeable, or whose parents are chargeable to the parish, or who shall beg for alms, to be apprentices to the sea-service, to any H. M.'s subjects, masters or owners of any ship belonging to any port within *Eng. Wa.*, or *Ber.*, until they attain twenty-one; and the age of every such boy shall be mentioned in his indentures, taken from a copy of the register-book wherein the time of his baptism is entered, (where it can be had), which copy shall be given and attested by the minister or curate, without fee, and may be writ without stamp; and where no such entry can be found, such justices, &c. shall inform themselves of such boy's age, and insert the same in his indentures, which age so inserted shall be taken to be his true age, 2*&*3 *A. c.*6. *s.*1. and *s.*3.

72. No master shall be obliged to take any apprentice under thirteen, or who shall not appear fitly qualified, both as to health and strength of body, for that service; and any widow of the master of such ship, or the executor or administrator of such master who has been obliged to take such parish boys apprentices, shall have the same power of assigning them over to any other masters of ships who have not their complement according to 2 *A. c.*6. *s.*8, as is given by that act, (*s.*6.) to such persons as have taken apprentices in pursuance of 43 *El. c.*2., 4 *&* 5 *A. c.*19. *s.*16.

73. The churchwardens and overseers shall pay to such master, at the time of binding, 50*s.* to provide clothing and bedding, 2*&*3 *A. c.*6. *s.*2.

74. No such apprentice shall be impressed, or suffered to enter H. M.'s service, till eighteen years old, *id. s.*4.

75. The churchwardens and overseers shall send the indentures to the collector of customs, residing at any port to which such masters of ships belong, who shall enter all indentures so sent, and make an indorsement of the registry thereof, without fee; and such collector neglecting to enter such indentures and indorse the same, or making false entries, shall forfeit 5*l.* to the poor of the parish from which he was bound; and such collector shall transmit certificates (which need not be on stamped paper), to the admiralty, containing the names and ages of every such apprentice, and to what ship he belongs; on receipt of which, protections shall be given for them, till they attain 18 years, *id. s.*5.

76. Parish boys, bound apprentices under 43 *El. c.*2. *s.*5., may be turned over to the sea-service; their assignments shall be registered, and certificates transmitted by collector of customs, and protections granted them till eighteen, [as in *s.*5.] *id. s.*6. See section at length, *ante*,

77. Poor boys in *s.*1. of this act described, or turned over as in *last pl.* shall, till they attain 18, be exempted from payment of 6*d. per* month to Greenwich Hospital, *id. s.*7. [Recited 2 *G.*2. *c.*7. *s.*1.]

78. All masters or owners of ships, from 30 to 50 tons, shall be obliged to take one such apprentice; and one more for the next 50 tons; and one more for every 100 tons such ship shall exceed 100 tons burthen; and on refusing to take such apprentice, shall forfeit 10*l.* to the poor of the parish from which he was bound, *id. s.*8. [*See* as to assignment of such apprentices by one master to another who has not the above complement, 4 *A. c.*19. *s.*16. *ante*, *pl.* 72.]

79. Every master or owner of such ship, after arrival in port, and before clearing out, shall give an account to the collector of such port to which he belongs, of the names and number of apprentices then in his service, 2*&*3 *A. c.*6. *s.*9.

80. Every such boy so bound apprentice shall be sent to the port to which his master shall belong, by the churchwardens and overseers, the charges being provided according to 11*&*12 *W.*3. *c.*18., *id. s.*10.

81. The counterpart of such indentures shall be attested by the collector, at the port where such apprentices shall be bound or assigned over, and the constable or other officer bringing such apprentices; which constables &c. shall transmit such counterparts to the churchwardens and overseers, *id. s.*11.

82. Two justices near the ports, and all mayors, aldermen, bailiffs, and other chief officers, and magistrates of any city, borough, or town corporate, near to the port where such ship shall arrive, shall hear and determine all complaints of ill usage from the masters to apprentices so bound, or to all such as *voluntarily* [see *s.*15. *pl.* 85.] put themselves apprentices to the sea-service as aforesaid, as in other cases between masters and apprentices, *id. s.*12.

83. Every such collector shall keep a register, containing as well the name and burden of such ships, together with the master or owner's name, as also the names of the apprentices in each ship belonging to their ports, and from what parishes they were sent; and shall transmit copies thereof to the quarter sessions, or to such cities, boroughs, towns corporate, parishes or places where required, for which copies no fee shall be taken; and such collector neglecting to transmit copies, shall forfeit 5*l.* to the poor of the parish from whence such boy was bound apprentice, *id. s.*13.

84. Every custom-house officer, at each of the ports, shall, without fee, insert at the bottom of the cockets the number of men and boys on board the ships at going out of every such port, describing the apprentices by their names, ages, and dates of indentures, *id. s.*14.

85. Every person who shall voluntarily bind himself apprentice to any master or owner of a ship, shall not be impressed during three years from the date of his indentures, which are to be registered, and certificates thereof transmitted by such collector, at the port where such apprentices shall bind themselves as above; on receipt whereof protections shall be given for the said first three years of their apprenticeship, without fee, *id. s.*15. [*Suspended* for five months, 38 *G.*3. *c.* 46.]

86. No person of the age of 18 shall have any protection from H. M.'s sea-service who has been in any sea-service before binding himself apprentice, 4 *&* 5 *A. c.* 19. *s.* 17.

87. When such parish apprentices are 18 years of age, and other voluntary apprentices are impressed, the masters shall be entitled to able sea-

men's wages for such of their apprentices as, on examination, are found qualified, 2&3 *A. c.*6. *s.*17.

88. All the penalties directed by this act shall, by warrant of any two justices of peace of the same county, city, borough, or town corporate, be levied by distress and sale of goods, *id. s.*18.

89. FOR OBVIATING doubts touching the binding and receiving of poor children apprentices, in pursuance of several acts made for relief of the poor within particular incorporated hundreds or districts in *Eng.*, 20 *G.*3. *c.*36. [EXT. 42 *G.*3. *c.*46. *s.*8. *See* the rest of this title and statute, BASTARD.]

90. The respective persons to whom any poor children shall be appointed to be bound apprentices, in pursuance of such acts, shall receive and provide for them according to the indentures to be executed by the directors and acting guardians of the poor for the respective hundreds, for binding such poor children as persons are now obliged to receive, and shall provide for poor children bound apprentice by the parish officers, with assent of two justices, and shall execute the counterpart of such indentures respectively; and any person who shall not so receive, &c. such child, or execute auch counterpart, shall, on proof of his neglect or refusal by oath of a director, acting guardian, or other credible witness, before any two justices of the county, &c., or place in which such incorporated hundred, &c. is situate, shall forfeit to the directors, &c. of the poor thereof, or to their appointee, for the relief of the poor therein, 10*l.*, to be levied by distress and sale of goods by warrant under such justices' hands and seals, saving to such party an appeal against such binding to the quarter sessions, whose order shall be final, 20 *G.*3. *c.*36. *s.*1.

91. Nothing in this act shall compel any person, not being an inhabitant and occupier of lands or hereditaments in the parish to which the poor child belongs, to take him apprentice, *id. s.*2.

92. The powers of 20 *G.*3. *c.*36. shall extend to poor children bound under the authority of any subsequent act [authorizing houses of industry, or other poor establishments, to bind out apprentices.] 42 *G.*3. *c.*46. *s.*8.

93. TO REGULATE the binding of parish apprentices, 56 *G.*3. *c.*139. [*ss.*9—10. are arranged with 32 *G.*3. *c.*57. *pl.* 48—49. as amending that act in particular; but this whole statute is in amendment of the system of which 43 *El. c.*2. *s.*5. is above assigned as the origin.]

94. Before any child shall be bound apprentice by the overseers of the poor, such child shall be carried before two justices, who shall inquire into the propriety of binding such child apprentice to the person to whom it shall be proposed by such overseers to bind such child, and shall particularly consider whether such person resides, or has his place of business within a reasonable distance from the place to which such child shall belong, having regard to the means of communication between such places, or whether any circumstances shall make it fit, in the judgment of such justices, that such child should be placed apprentice at a greater distance; and if the father or mother shall be living, and shall reside in or near the place to which such child shall belong, such justices shall (if they see fit) examine such father or mother, or either, and shall particularly inquire as to the distance of the residence or place of business of the person to whom it shall be proposed to place such child, and the means of communication therewith; and such justices shall also inquire into circumstances and character of such person; and if they shall, upon such examination and inquiry, think it proper that such child should be bound, they shall make an order, declaring that such person is a fit person to whom such child may be properly bound as apprentice, and shall thereupon order that the overseers shall be at liberty to bind such child apprentice, which order shall be delivered to them, as the warrant for binding such child, and shall be referred to by the date thereof, and the names of the said justices in the indenture of apprenticeship; and after such order is made, such justices shall sign their allowance of such indenture before it is executed by any of the other parties; but no such child shall be bound apprentice to any person residing or having any establishment in trade, at which it is intended that such child shall be employed, out of the county, at a greater distance than 40 miles from the parish, unless such child shall belong to some parish more than 40 miles from *London*, in which case the justices who authorize the apprenticing may make a special order for that purpose, in which case they shall distinctly specify the grounds on which they think fit to allow of the apprenticing of such child to a person residing, &c. more than 40 miles from the parish, *id. s.*1.

95. Where the residence or establishment of business of the person to whom any child shall be bound, is within a different county from that within which the place by the officers whereof such child shall be bound is situated, or where the justices for the district within which the place by the officers whereof such child shall be bound is situated, and who shall sign the allowance of the indenture, shall not have jurisdiction, every indenture by which such child shall be bound shall be allowed, as well by two justices for the first mentioned county, as by two justices for the county within which the place shall be situated wherein such child shall be intended to serve; but no indenture shall be allowed by any justice for the county into which such child shall be bound, who shall be engaged in the same business in which the master is engaged; and notice shall be given to the overseers of the parish in which such child is intended to serve, before any justice for the county within which such parish shall be, shall allow such indenture; and such notice shall be proved before such justice shall sign such indenture, unless one of such overseers shall attend him and admit such notice, 56 *G.*3. *c.*139. *s.*2.

96. The allowance of two justices for the latter county shall be valid, though such place may be situated in a town or liberty within which other justices may have an exclusive jurisdiction, *id. s.*3.

97. The distance to which parish apprentices may be bound, shall not be construed to be limited to cities and boroughs being counties of themselves, but shall extend to the county in which any such city and borough, and any district without the limits of the county to which it belongs, though belonging to another county, shall be locally situated, *id. s.*4.

98. No settlement shall be gained by any child by reason of such apprenticeship, unless such order shall be made, and allowances of indenture signed, as before (*pl.*94.) directed, *id. s.*5.

99. In case any overseer shall bind an apprentice without having obtained such order and allowances, and if any person shall receive any such apprentice without, such overseer and person shall each forfeit 10*l.* for each apprentice, *id. s.*6.

100. No parish officer shall bind out any child as parish apprentice, until the age of nine years, *id. s.*7.

101. Every person to whom any child shall be bound apprentice by the overseers, who shall remove out of the same county or forty miles from the parish, shall, 14 days previous to such removal, give a written notice thereof to the churchwardens or overseers of the place, where such apprentice shall then reside, unless such person resides in such place under certificate; in which case he shall give the like notice to the churchwardens, &c. of the place where such apprentice is then settled, which churchwardens, &c. and also the master, shall cause him to appear before two justices for the county within which such apprentice is then serving, who shall enquire whether it may be fit that he should continue in the service of such person, or be discharged therefrom, or bound or assigned over to any other person, and shall thereupon make order as in their discretion seems meet, and may also require the person so giving notice of removal, to pay the amount of the premium, or such portion of it as shall seem meet, for the expence of assigning or binding such apprentice to any other person, to be approved by them; and the person to whom such apprentice shall be so bound or assigned, shall be subject to the same rules, as the original master; and every master who shall remove, and take any such apprentice to any other place, without such order, or shall wilfully abandon such apprentice, without giving such notice, shall forfeit 10*l.* for every apprentice, to the churchwardens, &c. of the poor of the parish or place wherein, at the time of such removal or taking, the apprentice is settled, for the use of the poor; provided an information shall be exhibited for such offence within three calendar months, *id. s.*8.

102. After 1*st Oct.*, 1816, no indenture of apprenticeship, by reason of which any expense whatever shall at any time be incurred by the public parochial funds, shall be valid, unless approved of by two justices under their hands and seals, according to 43 *El. c.*2., and this act, *id. s.*11.

103. All penalties hereby imposed may be recovered by information before two justices of the county, *id. s.*12.

104. The justices may direct such penalty, after deducting costs, to be paid either to the informer, or to the overseer of the parish in which such offence was committed, or by the officers whereof such apprentice was bound, for the use of the poor, or in binding the apprentice to any other person, or to be distributed for any one or more of such purposes as to such justices shall seem meet, *id. s.*13.

105. In case of non-payment of any penalty, the same shall be levied by distress and sale, by warrant under hands and seals of the above justices, or any other two justices of peace for the county; and for want of distress, such offender shall be committed to the common gaol or house of correction for not less than one nor more than six months, *id. s.*14.

106. The conviction shall be in this form:

'BE it remembered, That on the — day of — A. D.— is convicted before us '— of H. M.'s justices of the peace for the county of —, upon the information of —, for that [*here state the offence,*] contrary to the form of the statute passed in the fifty-sixth year of the reign of H. M. *Geo.* III., intituled '[*An act to regulate the binding of parish apprentices*]; and for which offence 'we do adjudge, that the said — shall forfeit and pay the sum of —, to be 'paid and applied as follows [*here state the application of the penalty*]; and in 'case such penalty shall not be paid by the said —, or levied by distress upon '— goods and chattels within — days from the date of this conviction, we 'adjudge that the said — shall be imprisoned in — for the space of —. Given 'under our hands and seals, the day and year first above mentioned,' *id. s.*15.

107. In case any person convicted shall not pay the penalty, within one calendar month, the convicting justices, or any two other justices of the county, may issue their warrant for apprehending such offender, notwithstanding he may have goods whereby such penalty might have been levied, 56 *G.*3. *c.*139. *s.*16.

108. But any person dissatisfied with any act done by any justice or justices, may appeal to any general or quarter sessions of the county within three calendar months, upon giving notice in writing to the justices, and persons interested in such appeal, within 21 days; and in case any such appeal shall be against any conviction, entering into a recognizance, with two sureties, before any justice of the county, to appear at such sessions to abide the judgment of the court, and pay costs; and such sessions shall determine the appeal, and award costs as they think fit, *id. s.*17.

109. Powers herein given to overseers extend to churchwardens; and all provisions herein respecting any parish or place shall extend to any incorporated or other district for maintenance of poor; and officers of latter, having power to bind apprentices, are subject thereto, *id. s.*18.

ARBITRATION.

1. For better execution of justice, 1 J. 1. *c.*10.

2. No person to whom any order or cause shall be committed or referred, by any of H. M.'s judges, or courts at *Westminster*, or any other court, shall, directly or indirectly, take any fee, promise, or other thing, for his report or certificate, by writing or otherwise, under forfeiture of 100*l.* for every such report, and under deprivation of his office in such court; which forfeiture shall go, one moiety to H. M. and the other to party grieved, suing for the same at any time during the suit, or within one year after it is discontinued or decreed; and in default of such suit, to him that will sue, by original writ, bill, plaint, or information in [*Starchamber* abolished, 16 *C.*1. *c.*10. *s.*3.] any court of record at *Westminster*, *id. s.*1.

3. The clerk may take for his pains, for writing every such report, 12*d.* for the first, and 2*d.* for every side after, on pain of 10*s.* for every penny taken above that sum, recoverable as in *s.*1, *id. s.*2.

4. For determining differences by arbitration, 9 & 10 *W.*3. *c* 15.

5. Persons desirous to end any controversy, suit, or quarrel, for which there is no other remedy but by personal action, or suit in equity by arbitration, may agree that their submission to the award of any person may be made a rule of any court of record, and insert such agreement in their submission, or in the conditions of the bonds or promises whereby they oblige themselves to submit to the award of any person; which agreement, being so made and inserted, and an affidavit thereof made by the witnesses thereto, or one of them, and read and filed in the court of which it is to be made a rule, shall be entered of record therein; and a rule shall be made by such court that the parties shall submit, and finally be concluded by the award made by the arbitrator or umpire, pursuant to such submission; and in case of disobedience thereto, the party neglecting to perform the same or any part thereof, shall be subject to the penalties of contemning of a rule of court; and the court shall, on motion, issue process accordingly, which shall not be delayed by any rule or process of any other court, of law or equity, unless it be made appear, on oath, to such court that the arbitrators or umpire misbehaved, and that such award or umpirage was procured by corruption or other undue means, *id. s.* 1.

6. Award or umpirage procured by corruption or undue means shall be void, and accordingly be set aside by any court of law or equity, so as complaint thereof be made in the court where the submission rule is made, before the last day of the next term after such award, &c. made and published to the parties, *id. s.* 2.

ARMS.

(Statutes *repealed and expired.*)

1. The statute for keeping armour and weapons, according to the ancient assize, with presentment by constables to justices of defaults therein, 13 *Ed.* 1. *Stat. Wynt. c.*6. [Rep. 4 & 5 *P. & M. c.*2. 21 *J.*1. *c.*28. *s.*11.]

2. Justices shall have power to punish defaulters, 2 *E.*3. *c.*6. [Rep. as above.]

3. The statute of armour at tournaments, regulating the number of squires for each knight, with the armour, weapons, and ensigns of squires and heralds at them, *Stat. incert. temp.* No. xxiii. vol. i. p. 414. [*Semb.* Exp.]

4. For having horse, armour, and weapon, 4 & 5 *P. & M. c.*2. [Rep. 1 *J.*1 *c.*25. *s.*46.]

5. To continue the *Irish* acts, 36 *G.*3. *c.*42., 39 *G.*3. *c.*37. [Con. by 40 *G.*3. (*Ire.*) *c.*96. *s.*11.13.] for preventing importation of arms, gunpowder, and ammunition, and the making, removing, selling, and keeping same, without licence, 47 *G.*3. *S.*1. *c.*8. [Con. (till 1 *Aug.* 1821), 54 *G.*3. *c.*111. *both* Exp.]

(Statutes *in force.*)

1. *Statutum de defensione portandi arma:* [sometimes classed in 7 *Ed.* 1. *sed vide* 7 *Ed.*2. *S.*2. 1 vol. 8vo. *ed. of Statutes*, 327. note, by which it seems more correctly placed.] 7 *E.*2. *S.* 2.

2. Every man shall come to parliaments and other assemblies made in the realm of *Eng.* for ever, without force and armour, well and peaceably to the king's honour, and peace of the realm; and it is the royal seigniory straitly to defend, armour, and force against our peace, when it shall please the king, and punish those who do contrary, according to the laws and usages of our realm; and the lords spiritual and temporal, and commonalty, are bound to assist therein, 7 *E.*2. *S.*2. [Sent to the justices of C. B. to be there read and enrolled.]

3. No man except H. M.'s serjeants, in his presence, and his officers in executing his precepts, or of their office, and their assistants, and also on cry made for arms to keep the peace, shall come before H. M.'s justices or other his ministers, doing their office with force and arms, or shall bring force in affray of the peace, or shall go or ride armed, by night or day, in fairs, markets, or presence of such justices, &c., on pain of forfeiture of armour, and imprisonment; and all H. M.'s judges in their presence, sheriffs and other officers in their bailiwicks, lords of franchises, mayors, constables, and peace officers, shall execute this act; and justices of assize may enquire into the conduct of the latter therein, 2 *E.* 3. *c.* 2. Stat. of *Northampton.* [Con. 7 *R.*2. *c.*13., 15 *R.* 2. *c.* 2. *s.*1., 20 *R.* 2. *c.* 1.

4. Riding with launcegays and armour also prohibited on pain of forfeiture thereof, 7 *R.*2. *c.*13., and of fine and ransom to H. M.. 20 *R.*2. *c.* 1.

5. To prevent the training of persons to the use of arms, and practice of military evolutions and exercise, 60 *G.* 3. & 1 *G.*4. *c.*1.

6. All assemblies of persons for the purpose of training or drilling themselves, or of being trained, &c., to the use of arms, or for the purpose of practising military exercise, movements, or evolutions, without lawful authority from H. M., or the lieutenant, or two justices of peace of any county, riding, or stewartry, by commission or otherwise, for so doing shall be prohibited, as dangerous to the peace and security of H. M.'s subjects and government; and every person present, or attending the same for the purpose of so training, &c., or who shall so train and drill any other person, or who shall aid and assist therein, shall be liable to transportation for not exceeding seven years, or to imprisonment for not more than two years, at discretion of the court in which such conviction is had; and every person attending or present at any such assembly, for the purpose of being or who shall there be so trained, &c. shall be liable to fine and imprisonment not exceeding two years, at like discretion, *id. s.* 1.

7. Any justice of peace, constable, or peace-officer, or person acting in their aid, may disperse any such unlawful assembly, and arrest and detain any person present at or aiding the same, and the justice arresting any such person, or before whom he shall be brought, may commit him for trial for such offence, under this act, unless he give sufficient bail for his appearance at the next assizes or general or quarter sessions of the peace, to answer to any indictment for such offence in *Eng.* and *Ire.*; and in *Scot.* he shall be arrested and dealt with according to the law of *Scot.* in a bailable offence, *id. s.*2.

8. The sheriffs and stewards depute, and their substitutes, justices of peace, magistrates of royal burghs, and all other inferior judges and magistrates, and all high and petty constables or other peace-officers, of any county, stewartry, city, or town in *Scot.* shall have the same powers for executing this act in *Scot.* as the justices, &c. as in *s.*2. *pl.*7. have in the rest of U. K., *id. s.*3.

9. Nothing in this act shall prevent any prosecution by indictment or otherwise for any offence within this act which might have been so prosecuted if this act had not been made, unless the offender has been convicted or acquitted thereof on prosecution under this act, *id. s.*4.

10. Any action brought against any justice, constable, peace-officer, or other person in *Eng.* or *Ire.* for any thing done in pursuance hereof, shall be commenced within six calendar months next after the fact, and the venue laid in the proper county where it was committed; and defendant may plead the general issue, giving this act and the special matter in evidence: and if such action is brought after the time so limited, or the venue is laid in any other place than as above, the jury shall find for the defendant; in which case, or if he has a verdict on the merits, or if plaintiff is nonsuit or discontinues after appearance, or has judgment against him on demurrer, defendant shall have double costs, *id. s.*5.

11. Every action brought against any person in *Scot.* for any thing done under this act, shall in like manner be commenced within six months after the fact, and in the court of session, and the defender may

plead the general issue, &c. as in *s.* 5. *pl.* 10. and if such action is brought after the limited time it shall be dismissed; in which case, or if the defender is assoilzied, or if the prisoner suffer the action to fall asleep, or a decision is given against him on the relevancy, the defender shall have treble costs, 60 *G.* 3. & 1 *G.* 4. *c.* 1. *s.* 6.

12. Prosecutions under this act shall be commenced within six calendar months from the offence committed, *id. s.* 7.

13. To AUTHORIZE JUSTICES of peace in certain disturbed counties (*see s.* 8. *pl.* 20.) to seize and detain arms collected or kept for purposes dangerous to the public peace, (till *25th Mar.* 1822. *s.* 10.) 60 *G.* 3. *c.* 2.

14. Any justice of peace, on information on oath of one or more credible witnesses that he or they believe that any pike, pike-head, or spear, is in the possession of any person, or in any house or place, or that any dirk, dagger, pistol, gun, or other weapon, is, for any purpose dangerous to the public peace, in possession of any person, or in any house or place, may issue his warrant to any constable or other peace-officer to seize the same; and he or any person in his aid may search for and seize the same in the possession of any person, or in any such house or place; and in case admission to the latter is refused or not obtained within a reasonable time after demanded, may enter the same by force by day or night, and detain in safe custody, in such place as such justice shall appoint, the arms so seized, unless the owner prove to satisfaction of such justice that they were not kept for any purpose dangerous to the public peace, *id. s.* 1.

15. Any person from whom such arms shall be so taken, as in *s.* 1. *pl.* 14. in case the justice on whose warrant they were taken shall on application refuse to restore them, may apply to the next general quarter-sessions of the peace for the county, riding, or division, (on giving the justice 10 days' notice of his application) for restitution of such arms or part thereof, and the sessions shall make such order for the restitution or safe custody thereof as on such application seems proper, *id. s.* 2.

16. Any justice, constable, peace-officer, or other person acting under a justice's warrant, or in aid of any such justice, &c. may arrest and detain every person found carrying arms in such manner and at such times as in the judgment of such justice, &c. shall afford just cause of suspicion that they are carried for purposes dangerous to the public peace, and the justice who shall arrest such person, or before whom he shall be brought under such warrant, may commit him for trial for a misdemeanor, unless he give such sufficient bail for appearance at next assizes or general or quarter-sessions, to answer to any indictment preferred against him in *Eng.*, and in *Scot.* he shall be arrested and dealt with according to the law of *Scot.* in a bailable offence, *id. s.* 3.

17. All the justices acting in and for the counties specified in *s.* 8. *pl.* 20. or in any proclamation to be issued under it, or any counties next adjoining thereto, shall have concurrent jurisdiction as justices in all cases as to executing the provisions hereof, or relating to preservation of public peace, as fully as if each justice was in the commission of the peace of each such county, and had duly qualified by law to sit therein, *id. s.* 4.

18. The sheriffs and stewards depute and their substitutes respectively, justices of peace, magistrates of royal burghs, and all inferior judges and magistrates, and all high and petty constables or other peace officers of any county, stewartry, city, or town, within *Scot.* shall have the same powers as the justices, &c. have in *Eng.*, *id. s.* 5.

19. Limitation for actions in *Eng.* for any thing done in pursuance hereof is six months; general issue may be pleaded, and defendant shall recover double costs on verdict or judgment, *id. s.* 6. Limitation of actions, &c. in *Scot.*, *id. s.* 7. [These sections precisely correspond with *ss.* 5, 6. of 60 *G.* 3. *c.* 1. *pl.* 10, 11.]

20. This act extends to the counties of *Lancaster* and *Chester*, to the West Riding of *Yorkshire*, to the counties of *Warwick*, *Stafford*, *Derby*, *Leicester*, *Nottingham*, *Cumberland*, *Westmorland*, *Northumberland*, *Durham*, *Renfrew*, and *Lanark*, the counties of towns of *Newcastle-upon-Tyne*, and *Nottingham*, and city of *Coventry*, and to such other counties and ridings of *G. B.* as H. M. from time to time, on representation of the justices in sessions, or of any general meeting of the lieutenancy of any county or riding, in consequence of any disturbance therein by any proclamation made by advice of privy council, shall declare to be so disturbed as to make it necessary to enforce this act therein, which shall then be in force there from the day specified in the proclamation, *id. s.* 8.

21. H. M. by advice of privy council, by proclamation, may declare that this act shall be no longer in force in any counties or riding herein specified, or to which the act may be extended, as in *s.* 8. *pl.* 20.; but this shall not prevent H. M. on such representation and advice as in *s.* 8. from declaring by proclamation such county, &c. to be again within its provisions, *id. s.* 9.

ARREST.

1. AN ACT WHEREBY DEFENDANT may recover his costs, being wrongfully vexed, 8 *El. c.* 2. (and recital in *s.* 1.)

2. When any person shall sue forth of K. B. any *latitat*, *alias*, or *pluries capias* against any person who shall be arrested thereon, or who shall appear at the return of any such writ and put in bail according to common order of the court, then if the party suing forth such writs do not within three days after such bail had and taken, put into such court his declaration against the party sued; or if after declaration put in plaintiff shall not prosecute the same with effect, but shall suffer his suit to be delayed or discontinued, or otherwise, shall be nonsuit in the same, then the judges of such court shall award to persons so vexed by such writs their costs and damages sustained on occasion of such writs, &c. to be paid by such plaintiffs, 8 *El. c.* 2. *ss.* 1, 2.

3. If any person shall cause another to be attached or arrested to answer any bill, plaint, action, or suit, in the Marshalsea court, or in any court in the city of *London*, or in any city, borough, town corporate, or other place where any privilege is used to hold plea of actions personal, and do not in all courts, having continuance, *de die in diem*, within three days after defendant shall be bailed or otherwise appear in court, by force of any arrest or attachment had and returned, and in all other courts, at the next sessions or court holden after such arrest, &c. and appearance of defendant, whereby such defendant shall be compelled or ought to appear, (unless a further day be specially given by court,) put in and exhibit his bill or declaration against such defendant, and do not, after declaration put in, prosecute his suit with effect, or shall suffer discontinuance or nonsuit therein, or delay his suit to vexation of defendant, then the court shall at their discretion award defendant his costs and damages sustained on such arrest, attachment, or suit, to be paid by such plaintiff, *id. s.* 3.

4. Every person who shall maliciously cause another to be arrested or attached to answer in any court, at suit of any fictitious person, or without assent of the person at whose suit such arrest, &c. shall be made, shall, on conviction by indictment, presentment, or testimony of two witnesses, or other due proof, suffer imprisonment for six months; and before delivered out of prison, shall pay to the party grieved treble his costs and damages occasioned by such arrest, &c. and also 10*l.* to the party in whose name such person was arrested, *id. s.* 4.

5. Persons to whom costs and damages are awarded under this act, may recover same by action of debt, bill, or plaint, in any court of record against such persons, their heirs, executors, or administrators, in which action, &c. no essoin, &c. shall be allowed, *id. s.* 5.

6. FOR PREVENTING vexatious and oppressive arrests, 13 *C.* 2. *S.* 2. *c.* 2. *s.* 1—4. [*The enactments* in these sections occasioned the clause of *ac etiam* to be devised in order to preserve the jurisdiction of K. B. over civil injuries, without force; see 3 *Bla. Com.* 287., *Tidd's Practice*, *7th ed.* 170. *6th ed.* 152.] See rest of the title and statute, EXECUTION. PRISON.

7. The ancient fundamental law in proceeding to arrests upon suits is, that the true cause of action be expressed in the process, *id. s.* 1.

8. No person arrested by colour of any process out of K. B. or C. P., *wherein the true cause of action is not particularly expressed*, and for which defendant is bailable, under 23 *H.* 6. *c.* 9. *s.* 3. (*see* SHERIFF.) shall be compellable to give security or bond for his appearance, in any penalty exceeding 40*l.*, and the sheriff shall admit to bail on such security given, *id. s.* 2.

9. Upon appearance entered in the term wherein such process is returnable, the bonds so given shall be discharged, and no amercements shall be estreated against any sheriff for want of appearance; and unless the plaintiff in such process shall put in his bill or declaration, in some personal action or *ejectione firmæ*, before the end of the term next following after appearance, nonsuit for want of declaration may be entered, and defendant shall have judgment to recover costs against such plaintiff, to be taxed as in 23 *H.* 8. *c.* 15. *s.* 1. (COSTS.) directed, *id. s.* 3.

10. This act shall not extend to arrests on *capias utlagatum*, attachment on *rescous*, or of privilege at suit of any privileged person, or for contempt issuing out of K. B. or C. P., but no sheriff or other officer shall discharge any person taken on any *capias utlagatum*, without *supersedeas* first had, and upon the said writs of attachment, such course shall be taken for security for appearance as has been used, *id. s.* 4.

11. To PREVENT CERTAIN malpractices of bailiffs and others employed in execution of process, 22 & 23 *C.* 2. *c.* 20. *s.* 9. [AMD. and EXT. 32 *G.* 3. *c.* 28. *s.* 1—4. This title is framed from the above-mentioned sections, and see 22 & 23 *C.* 2. *c.* 20. *s.* 10—13., and 32 *G.* 2. *c.* 28. *ss.* 5—12. PRISON and PRISONER, *s.* 13—25. INSOLVENT DEBTOR.]

12. No sheriff, under sheriff, bailiff, serjeant-at-mace, or other officer, shall convey any person arrested, or being in his custody, by virtue of any action, writ, process, or attachment, to any tavern, alehouse, or public victualling or drinking house, [or to the private house of any such officer, or of any tenant or relation of his, 32 *G.* 2. *c.* 28. *s.* 1.] without the consent of the party arrested, so as to charge him for wine, beer, ale, victuals, tobacco, or other liquor or things, but what he shall voluntarily call for nor shall cause him to [call or, 32 *G.* 2. *c.* 28. *s.* 1.] pay for such liquor or things, except what he shall particularly and freely ask for; nor shall [demand or, 32 *G.* 2. *c.* 28. *s.* 1.] take any greater sum, either directly or in-

directly, than what is by law allowed for any arrest, or for detaining or waiting till the party arrested has procured an appearance, found bail, agreed with the plaintiff, or be sent to the gaol belonging to the county or place where such arrest is, nor take any other reward for keeping such party out of prison than what he shall freely give; nor shall carry him to prison within 24 hours from the time of such arrest, unless he refuse to be carried to some safe dwelling house of his own nomination, within a city, borough, corporation, or market-town, if such person be there arrested, is within three miles of the place where such arrest is made, if made out of any city, &c. so as such dwelling house be not the house of the person arrested, and is within the county or liberty in which such person was arrested, and then such officer may carry the person so arrested, and refusing to be carried to such safe dwelling-house, to the gaol whither he may lawfully be sent under the process against him, 32 *G.* 2. *c.* 28. *s.* 1.,] 22 & 23 *C.* 2. *c.* 20. *s.* 9., as AMD. by 32 *G.* 2. *c.* 28. *s.* 1.

13. No sheriff, &c. as in last *pl.* shall take any other or greater sum for each night's lodging, or for a day's diet, or other expences of such arrested person, other than what shall be allowed by some order already made, or to be made by the justices at some general or quarter sessions for the county or place where such arrest shall be, who shall, with all speed, make some standing orders for ascertaining such charges within their respective counties, &c. and jurisdictions; [and may alter any orders in force for these purposes as they see fit, and shall cause a copy of such orders, and of every alteration thereof, signed by the clerk of peace, to be put up in some conspicuous place in the sessions-house, or other proper place, of every such county, &c. as such justices shall order, so as the same may be there seen and examined as occasion requires, 32 *G.* 2. *c.* 28. *s.* 2.] 22 & 23 *C.* 2. *c.* 20. *s.* 9., as AMD. and EXT. by 32 *G.* 2. *c.* 28. *s.* 2.

14. Every sheriff, under-sheriff, and bailiff of any liberty, and the secondaries and clerk, sitters in the compters in *London*, and all other persons entrusted with the execution of process, or who shall enter any actions, or make any warrant, or any writ or process, in order to have same executed, shall deliver a printed copy of the several clauses in this act relating to bailiffs, serjeants, and other officers and persons employed under them to execute any process, or who shall arrest any person within their respective sheriffwicks or jurisdictions, to every such bailiff, &c. and shall make it a part of the condition of every security or bond given to any sheriff, under-sheriff, or bailiff of any liberty, by any bailiff, serjeant-at-mace, or person employed to execute any such process under him, that every such bailiff, &c. shall show and deliver a copy of such clauses to every person he shall arrest and carry to any public or other house, where any liquor shall be sold, and shall permit every person so arrested, or any friend of his, to read over the same before any liquor or victuals be called for or brought to any person under arrest there; and if any bailiff, &c. offend in the premises, such offence, besides the breach of condition of such security, or bond, shall be deemed a misdemeanor in the execution of the process, and shall be punishable as such by virtue of this act, 32 *G.* 2. *c.* 28. *s.* 3.

15. Every sheriff, under-sheriff, or bailiff of any liberty, and keeper of any prison, and other person to whose custody any one shall be arrested, committed, or charged in execution, by virtue of any process, &c. shall permit such person, during his continuance in custody, or under arrest, to send for or have brought to him in the day time, any beer, ale, victuals, or other necessary food, from whence he pleases; and to use such bedding, linen, and other necessaries he has occasion for, or is supplied with, without purloining, detaining, or requiring him to pay for using the same, or putting any restraint on him in using thereof, or relating thereto, and no prisoners shall pay any thing in respect thereof to any sheriff, &c. or gaoler, *id.* *s.* 4., [and see 22 & 23 *C.* 2. *c.* 20. *s.* 10. s. p. PRISON and PRISONER.]

16. FOR PREVENTING vexatious arrests in small actions in *Wa.* and the counties palatine, 11 & 12 *W.* 3. *c.* 9. *s.* 2. *only.* [Framed from the preamble to this section.] *See* rest of statute, COSTS.

17. No sheriff or other officer within *Wa.* or the counties palatine, on any writ or process issuing out of the courts of *Westminster*, shall hold any person to special bail, unless affidavit be first made in writing, and filed in the court out of which such process is to issue, signifying the cause of action, and that the same is 20*l.* or upwards; [and *comm. semb.* denying any tender in bank of *Eng.* notes, 38 *G.* 3. *c.* 1. *s.* 8., &c.] and where the cause of action is 20*l.* or upwards, bail shall not be taken for more than the sum expressed in the affidavit, 11 & 12 *W.* 3. *c.* 9. *s.* 2.

18. FOR PREVENTING frivolous and vexatious arrests, 12 *G.* 1. *c.* 29., does not extend to *Scot.*, *id.* *s.* 5. [CON. by various acts, and REV. 13 *G.* 2. *c.* 18. *s.* 3. MADE PERP., 21 *G.* 2. *c.* 3. *s.* 1. AMD. 5 *G.* 2. *c.* 27. 19 *G.* 3. *c.* 70. 51 *G.* 3. *c.* 124., and CON., *with these two latter acts*, to the end of the session next after 1*st Nov.* 1823, by 57 *G.* 3. *c.* 101. *s.* 1.; also AMD. during restrictions on cash payments by the bank, (*viz.* till 1*st May*, 1823, see 59 *G.* 3. *c.* 49. *s.* 1.) by 37 *G.* 3. *c.* 45. *s.* 9. *c.* 91. *s.* 8. 38 *G.* 3. *c.* 1. *s.* 8. 43 *G.* 3. *c.* 18. *s.* 2.]

19. No person shall be held to special bail on any process issuing out of any court, [not in *Scot.* or *Ire.*, *s.* 4.] where the cause of action shall not have originally amounted to 15*l.* or upwards, exclusive of any costs incurred in suing for or recovering same, (except where the cause of action arises on any bill of exchange or promissory note, in which cases the parties liable thereon may be held to special bail, as if this act had not been made. (*viz.* for 10*l.*, *see* 19 *G.* 3. *c.* 70. *s.* 1.) 51 *G.* 3. *c.* 124. *s.* 1. [*The sums* originally fixed were 10*l.* in superior, and 40*s.* in inferior courts, 12 *G.* 1. *c.* 29. *s.* 1. EXT. to 10*l.* in inferior courts, 19 *G.* 3. *c.* 70. *s.* 1. All enactments authorising arrests in inferior courts for less than 15*l.*, (except on bills or notes) are repealed, 51 *G.* 3. *c.* 124. *s.* 3.]

20. Where the plaintiff's cause of action amounts to 15*l.* or upwards, affidavit thereof, [and that no offer has been made to pay the same in bank of *Eng.* notes, fractional parts of 20*s.* only excepted, 37 *G.* 3. *c.* 45. *s.* 9., *c.* 91. *s.* 8. 38 *G.* 3. *c.* 1. *s.* 8. 43 *G.* 3. *c.* 18. *s.* 2., *during restrictions on bank payments in cash*,] shall be made and filed, being sworn before any judge of the court, or commissioner authorised to take affidavits therein, or before the officer issuing the process or his deputy, for which shall be paid only 1*s.* over and above the stamp duties; and the sums specified thereon shall be indorsed on the back of the process for which sum so indorsed, the sheriff or other officer shall take bail, but if process shall issue for 15*l.* or more, without such affidavit and indorsement made, plaintiff shall not arrest defendant, but shall proceed as in non-bailable actions, 12 *G.* 1. *c.* 29. *s.* 2. [does not extend to *Scot.*, *id.* *s.* 5.]

21. During continuance of the restriction on payments by the bank of *Eng.* in cash (*continued till* 1 *May*, 1823, 59 *G.* 3. *c.* 49. *s.* 1.), no person shall be held to special bail upon any process issuing out of any court, unless the affidavit made for that purpose under 12 *G.* 1. *c.* 29. *ss.* 1, 2., shall not only contain the matters thereby required, but also that no offer has been made to pay the sum mentioned and sworn to therein, in notes of the governor and company of the bank of *Eng.*, expressed to be payable on demand, fractional parts of 20*s.* duly excepted; and if any process shall be issued, upon which any person might before this act have been held to special bail, and no such affidavit is made, no person shall be arrested on such process, but proceedings shall be had as if no such affidavit had been made to hold him to bail, as required by 12 *G.* 1. *c.* 29. *pl.* 23. and all provisions in that or any other act '*for preventing vexatious arrests*,' shall be applied to this act; provided that if such affidavit shall be made, on which any person might have been held to special bail before 37 *G.* 3. *c.* 91. was passed, and it shall be likewise therein sworn, that such offer of payment had been made, so that the person who might have been arrested and held to special bail upon such process, cannot by reason of such offers and of this act be so arrested, the court from which such process issued, or a judge thereof, may in a summary way order the defendant to cause notes of the bank of *Eng.* payable on demand to the amount of the sum for which he might have been so held to special bail before this act passed, to be deposited as such court or judge shall direct, to answer the demands of the plaintiff in such action; and if such deposit is not made within the time limited by such order after notice thereof, thereby directed to be given, then on affidavit thereof made and filed, such defendant may be arrested and held to special bail, as if this act had not been made, 37 *G.* 3. *c.* 45. *s.* 9., 37 *G.* 3. *c.* 91. *s.* 8. 38 *G.* 3. *c.* 1. *s.* 8. [*See Tidd, 7th ed.* 212, 213.]

22. In case of application to any court in *Westminster Hall* by any person held to special bail by virtue of any process of such court, to be discharged on common bail by reason of any defect in such part of the affidavit as negatives or is intended to negative any offer having been made to pay the sum therein mentioned in bank notes, such person shall not be entitled to such discharge, unless he at the same time make proof by affidavit that the whole sum for which he has been so held to bail, had been, or was before such holding to bail, offered to be paid either wholly in such notes, or partly in such notes, and partly in lawful money of this kingdom, 43 *G.* 3. *c.* 18. *s.* 2.

23. Where the cause of action does not amount to 15*l.* or upwards [see 51 *G.* 3. *c.* 124. *s.* 1. *pl.* 19.] exclusive of costs (except on bills and notes,) and plaintiff proceeds by way of process against the person, he shall not arrest the body of defendant, but shall serve him personally within the jurisdiction of the court with a copy of the process [as by 12 *G.* 1. *c.* 29. *s.* 1. provided in non-bailable actions, 51 *G.* 3. *c.* 124. *s.* 1.] thereon, [in the *English* tongue, and written in words at length in a legible hand and character, 5 *G.* 2. *c.* 27. *s.* 1.]; and if defendant does not appear at the return thereof, or within [four, 12 *G.* 1. *c.* 29. *s.* 1. *altered*, 5 *G.* 2. *c.* 27. s. 1. to] eight days after, then on affidavit of personal service made, [before any judge or commissioner of the court for taking affidavits, or before the proper officer for entering common appearances in such court, or his lawful deputy, 5 *G.* 2. *c.* 27. *s.* 1.] to be filed gratis, (*id. ibid. as well as* 12 *G.* 1 *c.* 29. *s.* 1.) [and in which the offer of bank of *Eng.* notes in payment (fractional parts of 20*s.* only excepted) should be negatived according to 38 *G.* 3. *c.* 1. *s.* 8. &c. *supra, comme semble*; see the words *process as aforesaid* in 12 *G.* 1. *c.* 29. *s.* 1., which process there referred to, is adopted as to *non-bailable actions* by 51 *G.* 3.

c. 124. *s.* 1. See above, and 8 *Stat.* 8*vo. ed.* 788. *note b, sed quære,*] may enter a common appearance, or file common bail for defendant, and proceed thereon as if the appearance had been entered or bail filed by defendant, 12 *G.* 1. *c.* 29. *s.* 1. as confirmed and amended by 5 *G.* 2. *c.* 27. *s.* 1., and 51 *G.* 3. *c.* 124. *s.* 1.

24. In non-bailable actions, no *special* writ [see 1 *Bar. & Ald.* 393.] nor process therein specially expressing the causes of action, shall be issued from any court to compel any person to appear in such court thereon; and all proceedings had on any such writ are void, 51 *G.* 3. *c.* 124. *s.* 1.

25. Every attorney or officer of such court issuing any such process shall forfeit 10*l.* to the party grieved, who may recover the same by action of debt or information in any court of record at *Westminster*, with full costs of suit without essoin, &c. or more than one imparlance allowed, 5 *G.* 2. *c.* 27. *s.* 5.

26. No attorney, bailiff, or other person shall charge on such defendant more than 5*s.* for serving copy of such process issuing from any superior court, or more than 1*s.* from any inferior court, *id. s.* 2.

27. In particular franchises and jurisdictions the proper officer shall execute process, *id. s.* 3.

28. On every copy of process so served, shall without fee be written an *English* notice to such defendant, of the meaning of such service, *viz.*

'*A. B.*, you are served with this process, to the intent that you may by your attorney appear in H. M.'s court of — at the return thereof, being — the day of —, [*as the case may be,*] in order to your defence in this action,' *id. s.* 4.

29. In actions in inferior courts for less than 15*l.*, exclusive of costs except in actions on bills or notes [see *ante pl.* 19.], copies of process shall be served, and proceedings had as in actions for less than 40*s.* in such courts under 12 *G.* 1. *c.* 29. *s.* 1. 19 *G.* 3. *c.* 70. *s.* 1. confirmed by 51 *G.* 3. *c.* 124. *s.* 3. Con. [till end of *Sept.* after 1 *Nov.* 1823.] 57 *G.* 3. *c.* 101. *s.* 1.

30. Where the cause of action in such courts (having jurisdiction) amounts to 15*l.* or upwards, the same affidavit shall be filed, and proceedings had as directed by 12 *G.* 1. *c.* 29. *s.* 2. *pl.* 20., 19 *G.* 3. *c.* 70. *s.* 2. and 51 *G.* 3. *c.* 124. *s.* 4.

31. All enactments heretofore passed for recovery of debts in certain jurisdictions, which may have authorized arrests for less than 15*l.*, exclusive of costs, (except on bills or notes, see *pl.* 19.) are repealed 51 *G.* 3. *c.* 124. *s.* 3. [so in 19 *G.* 3. *c.* 70. *s.* 3. as to debts less than 10*l.*]

32. In actions by original or other writ and summons or attachment thereupon, in any action against persons not having privilege of parliament, no *distringas* shall issue for default of appearance, but defendant shall be served personally with the summons or attachment, at the foot of which a notice to defendant of its meaning shall be written, [*see the form at the end of the section*]; but if it appear to the court or to a judge (of the court) from whom such process shall issue, or into which it is returnable in vacation, that defendant could not be personally served with such summons or attachment, and that such process had been duly executed at the abode of such defendant, the plaintiff may, by leave of court or order of such judge, sue out a writ of *distringas* to compel his appearance to be served personally if possible; or if he cannot be met with, written notice thereof [*see the form at the end of this section*] shall be left at his dwelling-house or other place where *distringas* is executed; and if such defendant do not appear at return of original or other writ, or of *distringas*, or in eight days after the return thereof, then on affidavit of personal service of summons, or attachment and notice at foot thereof, or of due execution of *distringas* and notice thereof made before any judge, or commissioner of affidavits of the court, or before proper officer for entering common appearances therein, or his deputy, and filed gratis, plaintiff may enter a common appearance for defendant, and proceed thereon as above, 51 *G.* 3. *c.* 124. *s.* 2.

'*C. D.* (*naming the defendant*) you are served with this process at the suit of *A. B.* [*naming the plaintiff or plaintiffs*] to the intent that you may appear by your attorney in H. M.'s court of — at *Westminster* at the return hereof, being the — day of —, in order to your defence in this action; and take notice, that in default of your appearance, the said *A. B.* will cause an appearance to be entered for you, and proceed thereon as if you had yourself appeared by your attorney.'

'In the court of — [*specifying the court in which the suit shall be depending,*] between *A. B.*, plaintiff, and *C. D.* defendant, [*naming the parties,*] take notice, that I have this day distrained upon your goods and chattels for the sum of forty shillings, in consequence of your not having appeared by your attorney in the said court at the return of a writ of —, returnable there on the — day of —; and that in default of your appearing to the present writ of *distringas* at the return thereof, being the — day of —, the said *A. B.* will cause an appearance to be entered for you, and proceed thereon as if you had yourself appeared by your attorney. *E. F.* [*the name of the sheriff's officer.*]

'To *C. D.*, the above-named defendant.'

34. For more effectual prevention of frivolous and vexatious arrests and suits, and to authorize levying poundage in certain cases, 43 *G.* 3. *c.* 46.

35. No person shall be arrested or held to special bail on process issuing out of any court within *Eng.* and *Ire.* for a cause of action not originally amounting to the sum for which he is now by law liable to be arrested, exclusive of any costs incurred in suing for or recovering the same or part thereof, 43 *G.* 3. *c.* 46. *s.* 1. [*Qu.* if this is in force as applicable to 51 *G.* 3. *c.* 124.?]

36. Any person arrested on mesne process within *Eng.* or *Ire.* may, in lieu of giving bail to sheriff, deposit in his hands, by delivering to him, his under-sheriff, or other officer appointed for that purpose, the sum indorsed on the writ by virtue of the affidavit to hold to bail in the action, together with 10*l.* to answer costs incurred up to and at return of the writ, and also any further sum paid for the king's fine on an original writ, and shall thereupon be discharged from that action; in which case the sheriff shall, at or before the return of the writ, pay into court the sum so deposited with him; and thereupon, in case defendant shall afterwards duly put in and perfect bail, the sum so deposited and paid into court shall, by order thereof, on like motion, be paid over to plaintiff, who shall be thereupon authorized to enter a common appearance, or file common bail for defendant, if he thinks fit; such payment to be made subject to such deductions, if any, from the 10*l.* deposited as above, as on taxation of plaintiff's costs, as well of the suit as of such application, is found reasonable, *id. s.* 2.

37. In all actions brought in *Eng.* and *Ire.*, wherein defendant is arrested and held to special bail, and in which plaintiff shall not recover the sum for which defendant is so arrested, defendant shall be entitled to costs of suit, taxed according to custom of the court, provided that it be made appear to their satisfaction, on motion, and hearing the parties by affidavit, that plaintiff had not probable cause for causing defendant to be held to special bail for such sum, and if they shall thereupon by rule direct such costs to be allowed to defendant; and plaintiff, on such rule made, shall be disabled from taking out execution for the sum recovered in any such action, unless it exceed, and then in such sum only as it exceeds, the amount of defendant's taxed costs; and if it is less than the amount of such taxed costs, then defendant, after deducting the money recovered in such action from such costs, may take out execution for the latter, as defendants may now by law have execution for costs in other cases, *id. s.* 3.

38. In all actions brought in *Eng.* or *Ire.* on any judgment recovered in any court in *Eng.* or *Ire.*, plaintiff shall not recover costs, unless the court, or a judge thereof, otherwise order, *id. s.* 4.

39. In every action in which plaintiff is entitled to levy under an execution against the goods of defendant, he may also levy poundage, fees, and expences of execution, above the sum recovered by the judgment, *id. s.* 5.

40. Every defendant arrested on mesne process out of any of H. M.'s courts of record at *Westminster* or *Dublin*, and imprisoned thereon after return thereof, may, in vacation-time only, and on due notice given to plaintiff's attorney, put in and justify bail before any justice or baron of the same court, who may, if he thinks fit, thereupon order a rule to issue for allowance of such bail, and further, order defendant to be discharged by *supersedeas*, or otherwise, according to practice of the court, as may be done by order of court in term-time, *id. s.* 6.

41. For amending the law with regard to the course of proceeding on indictments and informations in K. B. in certain cases, 48 *G.* 3. *c.* 58. [See *s.* 2. *tit.* Offence; *s.* 3. *tit.* Bail.]

42. Whenever any person is charged with any offence for which he may be prosecuted by indictment or information in K. B., not being treason or felony, and the same is made appear to any judge of the court, by affidavit or by certificate of an indictment or information filed against such person in that court for such offence, such judge may issue his warrant under his hand and seal, and thereby cause such person to be brought before him or some other judge of K. B., or some justice of peace, in order to his being bound to H. M., with two sufficient sureties, in a sum expressed in the warrant, conditioned to appear in such court at the time therein mentioned, and to answer to all indictments, &c. for any such offence; and if he neglect to become bound, such judge or justice may commit him to the common gaol of the county, city, or place where the offence was committed, or where he was apprehended, there to remain till bound as above, or discharged by order of the court in term-time, or of a judge thereof in vacation; and the recognizance to be thereon taken shall be returned and filed in such court, and continue in force till the acquittal, or, in case of conviction of such person, till he has received judgment, unless he is sooner ordered to be discharged, *id. s.* 1.

43. Where any person, either by such warrant of commitment, or by writ of *cap. ad resp.* issued out of K. B., is committed to or detained in gaol for want of bail, the prosecutor shall cause a copy of such indictment, &c. to be delivered to such person, or to the gaoler of the gaol wherein he is detained, with a notice thereon indorsed, that unless he shall, within eight days from delivery thereof, cause an appearance, and also a plea or demurrer, to be entered in that court to such indictment,

&c., an appearance and plea of *not guilty* will be entered thereto in name of such person; and if he thereupon neglect the same, the prosecutor, on affidavit of delivery of such copy, with such notice indorsed, to such person or gaoler, as the case may be, made before any judge or commissioner for affidavits of K. B., and filed in court, may cause appearance and plea of *not guilty* to be entered for defendant as above, and proceed thereon as if he had appeared and so pleaded; and if, on the trial, any defendant so committed or detained is acquitted, the judge before whom the trial is had, though not one of the judges of K. B., may order him to be forthwith discharged out of custody as to such commitment, 48 *G.*3. *c.*58. *s.*1.

ARSON.

(STATUTES *repealed and expired.*)

1. BURNING of houses, coal-mines, &c. excepted from general pardon, 20 *G.* 2. *c.* 52. *s.* 12. and *s.* 24. [EXP.]

2. MALICIOUS burning of houses, on refusal to comply with demands of money, made high treason, 8 *H.* 6. *c.* 6. [REP. by general words of 1 *Ed.* 6. *c.* 12.]

(STATUTES *in force.*)

1. TO PREVENT MALICIOUS burning of houses, stacks of corn and hay, 22 & 23 *C.* 2. *c.* 7. *ss.* 1—4. 6, 7. [*See rest of title and statute*, TRESPASS.]

2. Every person who shall, in the night-time, wilfully burn, or cause to be burnt or destroyed, any ricks of corn, hay, or grain, barns, or other houses, buildings, or kilns, or who shall wilfully kill or destroy any horses, sheep, or cattle of any person soever, is a felon, and shall suffer death, as in felony. *id. s.* 2.

3. No attainder under *s.* 2. shall work corruption of blood, *id. s.* 3.

4. The convict may elect to be transported beyond sea, to H. M.'s plantations; and the justices before whom he is convicted shall cause judgment of transportation to be entered against him, that he be so transported to some of H. M.'s plantations therein mentioned for seven years; in pursuance of which judgment, the sheriff of the county or city where he is convicted shall cause him to be safely conveyed and embarked for transportation; and if he return to this kingdom before seven years are expired, he shall suffer death as a felon, *id. s.* 4.

5. On complaint of the party injured in any such manner, any three or more justices for the county, city, or place where such offence is committed, (one being of the quorum,) shall enquire, as well by the oaths of 12 or more lawful men of the same county, as by examination of witnesses on oath, or by any lawful means, concerning such offence and offenders; and shall issue warrants for summoning jurors, and apprehending suspected persons; and shall take their examination touching the same; and shall also cause any other persons, likely to make discovery thereof, to appear before them, and give information on oath concerning the premises, (but no person so examined shall be proceeded against for any offence concerning which he is examined as a witness, and shall make true discovery thereof,) and such justices on refusal to appear or be examined after due summons, may commit the witness to the county gaol till he submit to be examined on oath touching such offence, *id. s.* 6.

6. No person punished under this act, shall be punished for the same offence by any other law; and shall be proceeded against within six months after the offence, *id. s.* 7.

ASSEMBLIES.

(STATUTES *repealed and expired.*)

1. AGAINST unlawful assemblies, and other offences contrary to former statutes, 11 *H.* 7. *c.* 3. [REC. and REP. 1 *H.* 8. *c.* 6.]

2. FOR PUNISHMENT of unlawful assemblies, and risings of H. M.'s subjects, 3 & 4 *Ed.* 6. *c.* 5.

3. AGAINST unlawful and rebellious assemblies, 1 *M. S.* 2. *c.* 12. [*semble* CON. 1 *El. c.* 16. BOTH EXP.]

4. AGAINST seditious words and rumours uttered against the Queen, 23 *El. c.* 2. [EXP.]

5. TO PREVENT and suppress seditious conventicles, 16 *C.* 2. *c.* 4. [EXP.]

6. FOR MORE effectually preventing seditious meetings and assemblies, 36 *G.* 3. *c.* 8. [REV. and CON. till six weeks after the next session, 41 *G.* 3. *U. K. c.* 30. *s.* 1. not to extend to *Ire.*, *id. s.* 2., but both EXP.]

(STATUTES *in force.*)

1. FOR THE MORE effectual suppression of societies established for seditious and treasonable purposes, and for better preventing treasonable and seditious practices, 39 *G.* 3. *c.* 79. *ss.* 1—22., *commonly called* Mr. *Pitt's act*. [AMD. as to *s.* 2. by 57 *G.* 3. *s.* 19. *s.* 27., and ENF. as to *s.* 15—20., by 60 *G.* 3. *c.* 6. *s.* 26—32., and as to *s.* 19. by 57 *G.* 3. *c.* 19. *s.* 20. For the method of recovering the penalties inflicted by 39 *G.* 3. *c.* 79., see *s.* 23—38. Justices power to mitigate 51 *G.* 3. *c.* 65. *s.* 2. Appeal against order of justices, *id. s.* 4., *tit.* PRINTING.]

2. All the societies of United Englishmen, United Scotsmen, United Irishmen, and United Britons, and the *London*, and all other corresponding societies, are suppressed and prohibited as being unlawful combinations against H. M.'s government and peace of his subjects, 39 *G.* 3. *c.* 79. *s.* 1.

3. All other societies soever, the members whereof shall, according to the rules thereof, be required to take any unlawful oath, within 37 *G.* 3. *c.* 123., or any oath not required by law, and every society the members whereof, or any of them, shall take or bind themselves by any such oath on becoming or in consequence of being members thereof, and every society the members of which shall take, subscribe, or assent to any test or declaration, not required by law or authorised as hereinafter mentioned, or where the names of the members, or any of them, are kept secret from the society at large, or having any committee or select body so appointed, that the members thereof are not known to be such by the society at large, or having any president, secretary, delegate, or other officer so appointed, that his appointment is not known to the society at large, or of which the names of all the members and of all committees of them are not entered in books open to inspection of the members at large, and every society, composed of different branches, acting distinctly from each other, or of which any part shall have any separate president &c. (as above,) or other officer elected for it, shall be deemed illegal societies, and every member thereof, or person corresponding with any such society, branch, committee, president, &c. or other officer or member thereof, as such, shall be guilty of an unlawful combination and confederacy, *id. s.* 2.

4. The 39 *G.* 3. *c.* 79. *s.* 2. shall not extend to any meeting or society of quakers, or to any meeting, &c. formed for religious or charitable purposes only, and where no other matter is discussed, 57 *G.* 3. *c.* 19. *s.* 27.

5. Nothing herein extends to any declaration to be taken, subscribed, or assented to by the members of any society, which is first approved and subscribed by two or more justices for the county, stewartry, riding, division, or place where such society shall ordinarily assemble, and registered with the clerk of the peace, or his deputy for such county or place, for which 1*s.* fee only shall be paid, but such approbation shall remain valid no longer than till the next general sessions for the county, &c. or place, unless on application it be confirmed by the majority of the justices present there, and if not so confirmed this statute shall extend to all acts of the society subsequent to holding such general session, 39 *G.* 3. *c.* 79. *s.* 3.

6. No former member of any such society shall be liable to penalties hereof, unless he act as such after this act passed, *id. s.* 4.

7. Nothing in this act shall extend to the meetings usually holden under the denomination of Freemasons' lodges, and in conformity to the rules of those societies, *id. s.* 5.

8. This exemption shall not extend to any such society, unless two of the members certify on oath (administered by any justice of the peace or magistrate) that such society or lodge has before this act been usually held under the denomination of a lodge of Freemasons, and in conformity to the rules prevailing among them in this kingdom, which certificate, duly attested by the magistrate before whom it was sworn, and subscribed by the person so certifying, and stating the denomination of such lodge, and the usual places and times of its meetings, and the names and descriptions of its members, shall be registered with the clerk of the peace for the county, &c. as in *s.* 3. *pl.* 5. or place where such lodge is usually held, on or before *25th March* annually, *id. s.* 6.

9. The clerk of the peace, or his deputy, in any such county or place, shall receive such certificate, and make such registry as above, and enrol the same among the records of such county, &c. as in *s.* 3. *pl.* 5. or place, and lay the same once a-year before the general session of the justices for such county, &c. or place, and the said justices, or a majority at any general sessions, may, if they think fit, on complaint to them on oath, by any one person, that the continuance of the meetings of any such lodges is likely to be injurious to the public peace, direct that the meetings of any such lodge, within such county, &c. or place, shall be discontinued, and any such meeting held notwithstanding orders of discontinuance, and before the revocation thereof by the like authority, shall be deemed an unlawful confederacy under this act, *id. s.* 7.

10. Every person who shall in the breach of the provisions hereof, be guilty of any unlawful combination herein described, may be proceeded against for such offence in a summary way, either before one or more justices for the county, &c. as in *s.* 3. *pl.* 5. or place where he is, or by indictment preferred in the county, &c. or place in *Eng.* wherein such offence shall be committed, or by indictment in the court of justiciary, or in any of the circuit courts in *Scot.*, if committed in *Scot.*; and every person convicted thereof, on the oath of one witness, shall be committed to the common gaol or

house of correction for such county, &c. or place, for three months, or shall be adjudged to forfeit 20*l.*, and if not forthwith paid into hands of such justice, &c. he shall by his warrant cause the same to be levied by distress and sale of the offender's goods, together with all costs attending the same, and for want of sufficient distress shall commit the offender to the common gaol or house of correction, as above, for not exceeding three calendar months, and every person convicted of any such offence on indictment may be transported for seven years, or imprisoned for not exceeding two years, as the court shall think fit, 39 *G.*3. *c.*79. *s.*8.

11. The justice or justices by or before whom any persons shall in pursuance of this act *s.*8. be convicted of any unlawful confederacy, may mitigate the above punishment to not less than one-third thereof, whether it be imprisonment or fine, *id. s.*9.

12. Any person prosecuted before any justices, &c. in a summary way for any offence against this act, and then convicted or acquitted, shall not afterwards be otherwise prosecuted for the same offence, and the converse, *id. s.*10.

13. Nothing herein shall prevent any prosecution by indictment or otherwise for any offence within this act, and which might have been so prosecuted had it not been made, unless the offender shall have been prosecuted for, and acquitted or convicted of, the same offence, save that no person shall be prosecuted for having been a member before this act, if he shall not have acted as such after the act passed, *id. s.*11.

14. Nothing herein shall discharge any person in custody at passing of this act, or who, having been in custody, shall have been discharged on bail or recognizance from any prosecution to which he might have been liable if this act had not been made, *id. s.*12.

15. Any person who shall knowingly permit any meeting of any society hereby declared to be an unlawful confederacy, or of any branch or committee thereof to be held in his house, shall for the first offence forfeit 5*l.*, and for any other such offence, after date of his first conviction, shall be deemed guilty of an unlawful confederacy in breach hereof, *id. s.*13.

16. Any two or more justices, acting for any county, &c. as in *s.*3. *pl.*5. or place, on evidence on oath that any meeting of any society hereby declared an unlawful confederacy, or that any meeting for any seditious purpose hath been held after passing this act, at any house or place licensed for sale of ale, wine, beer, or spirituous liquors, may declare the licence forfeited, and the keepers shall be liable to all penalties incurred after the date of such adjudication as if such licence had then expired, *id s.*14.

17. Every house, room, field, or other place in which any [person shall publicly read, or in which any, 60 *G.*3. *c.*6. *s.*26.] lecture or discourse shall be publicly delivered, or any public debate had on any subject for the purpose of raising money or other valuable thing from the persons admitted, or to which any person shall be admitted by payment of money, or by any ticket or token delivered, in consideration of money or other valuable, or in consequence of paying or giving, or having paid or given, or having agreed to pay or give any money or valuable, or where any money, &c. shall be received from any person admitted, either on pretence of paying for any refreshment or other pretence, or for any other cause or by any contrivance soever, [and every house, &c. or place opened or used as a place of meeting for the reading of books, pamphlets, newspapers, or other publications, and to which any person shall be admitted by payment of money, or by ticket, &c. as above, 39 *G.*3. *c.*79. *s.*15. *only,*] shall be deemed a disorderly house, unless previously licensed as in 39 *G.*3. *c.*79. *s.*18., or 60 *G.*3. *c.*6. *s.*29., *pl.*20. and the person by whom such house, &c. shall be opened, or used as aforesaid, shall forfeit 100*l.* for every day or time that it shall be so opened, &c. to any person suing for the same, and be otherwise punished as the law directs in cases of disorderly houses; and every person conducting the proceedings or acting as president, &c. thereat, or therein debating, [publicly reading, 60 *G.*3. *c.*6. *s.*26.] or delivering any lecture, &c. or furnishing any book, &c. as aforesaid, and also every person who shall pay, &c. or receive any money or thing for admission into any such house, &c. or place, or shall distribute or receive any such ticket or token as above, knowing such house, &c. or place to be so opened or used, shall forfeit 20*l.*, 39 *G.*3. *c.*79. *s.*15., and 60 *G.*3. *c.*6. *s.*26. [see 57 *G.*3. *c.*19. *s.*14. *but which seems* Exp. *See pl.*25.]

18. Every person who shall at any time hereafter act as master or mistress, or as having command or management of any such house, &c. or place, shall be deemed a person by whom the same is opened or used as above, and shall be punished as such, though not the real owner or occupier, 39 *G.*3. *c.*79. *s.*16., 60 *G.*3. *c.*6. *s.*27.

19. Any justice or justices of any county, &c. or place, who shall by information on oath, have reason to suspect that any house, &c. or place, or part thereof, is used for [publicly reading, 60 *G.*3. *c.*6. *s.*28.] or delivering lectures, or for public debate, [or for reading books, &c. or other publications contrary to this act, 39 *G.*3. *c.*79. *s.*17. *only,*] may go to such house, &c. or place, and demand admittance, and in case of refusal the same shall be deemed a disorderly house within both acts; and the person refusing admittance shall forfeit 20*l.*, 39 *G.*3. *c.*79. *s.*17., 60 *G.*3. *c.*6. *s.*28.

20. Two or more justices for the county, &c. or place where any house, room, or other building, is intended to be opened, for any of the purposes aforesaid, by writing under their hands and seals at their general [or quarter, 60 *G.*3. *c.*6. *s.*29.] sessions, or at a special session for that particular purpose, may grant a licence to any person desiring to open such house, &c. for the purpose of [publicly reading or, 60 *G.*3. *c.*6. *s.*29.] delivering for money, any such public reading, lectures, &c. on any subjects, the same being clearly expressed in such licence, [or for reading books, newspapers, or other publications, 39 *G.*3. *c.*79. *s.*18. *only,*] for which licence 1*s.* fee shall be paid; to be in force for one year and no longer, or for any less time therein to be specified; which licence the justices may, at any general sessions by their order, declare void, a copy whereof shall be delivered to the grantee of the licence, or left at the house, &c. for which it was granted, whereupon it shall be utterly void, 39 *G.*3. *c.*79. *s.*18., 60 *G.*3. *c.*6. *s.*29.

21. Any justice or justices of the county, &c. or place, may demand admittance to each licensed house at the time of [publicly reading, or 60 *G.*3. *c.*6. *s.*30. *only,*] delivering such lecture, &c. and in case of refusal, [*same enactments as in* 39 *G.*3. *c.*79. *s.*17., *and* 60 *G.*3. *c.*6. *s.*28. *pl.*19. *on similar occasions,*] *id. s.*19., *id. s.*30., [*See as to recovery* and application of pecuniary penalties and conviction under 60 *G.*3. *c.*6., *id. ss.*33—35., *pl* 68—71.]

22. Any two justices acting for any county, &c. or place, on evidence on oath, that any house, &c. so licensed and opened as aforesaid, is commonly used for the purpose, of [public reading or 60 *G.*3. *c.*6. *s.*32.] delivering there lectures of a seditious or immoral tendency, [or that such publications are there commonly kept or delivered to be read, 39 *G.*3. *c.*79. *s.*20. *only,*] may declare the licence forfeited, and it shall thereupon determine, 39 *G.*3. *c.*79. *s.*20., 60 *G.*3. *c.*6. *s.*32.

23. Every house, &c. licensed for sale of ale, beer, wine, or spirituous liquors, shall also be deemed a house, &c. licensed for the purpose of reading publications within this act, but any two or more justices for the county, &c. or place where such house, &c. shall be, upon evidence on oath, that publications of a seditious or immoral nature are usually distributed, for being read at such house, &c. may declare its licence for selling ale, &c. forfeited, 39 *G.*3. *c.*79. *s.*21.

24. Nothing in these acts shall extend to any lecture or discourses to be delivered in any university by a member thereof, or any person authorized by the chancellor, vice-chancellor, or other proper university officers, or to any lecture to be delivered in the public hall of any of the inns of court or chancery, by any person authorized by the benchers, or by the professors in *Gresham* College, [or to the professors in the college established for education for the *East India* civil service, or in the seminaries for their military service; or to any society of men incorporated by royal charter or statute, 60 *G.*3. *c.*6. *s.*31.] and no payment to any schoolmaster or other person, by law allowed to instruct youth, in respect of lectures delivered by him for the instruction of his scholars, shall be deemed a payment of money for admission to public lectures within these acts, 39 *G.*3. *c.*79. *s.*22., 57 *G.*3. *c.*19. *s.*20., 60 *G.*3. *c.*6. *s.*31. [The method of recovering the penalties given by 39 *G.*3. *c.*79. is provided, *ss.*35—38. Vide Printing; and of those given by 60 *G.*3. *c.*6., by *id. ss.*33—35., *pl.*68—71.]

25. For more effectually preventing seditious meetings and assemblies, 57 *G.*3. *c.*19. *ss.*23—39. [Rest is Exp. see *s.*22.]

26. It is not lawful for any person to convene or call together, or give any notice for convening, &c. any meeting of more than 50 persons; or for more than 50 persons to meet in any street, square, or open place in *Westminster* or *Middlesex*, within one mile from the gate of *Westminster-hall*, except such parts of the parish of *St. Paul, Covent Garden*, as are within that distance, [and except parish meetings of *St. John's* and *Margaret's*, see 60 *G.*3. *c.*6. *s.*23. *pl.*65.] for the purpose or on pretext of considering or preparing any petition or other address to H. M., or to both or either house of parliament, for alteration of matters in church or state, on any day on which both or either house of parliament shall meet or sit, or be summoned, adjourned, or prorogued, to meet or sit, nor on any day on which either of the courts of K. B., chancery, C P., or exchequer, or any judge thereof shall sit in *Westminster-hall*, and any assembly for the above purposes, of any persons assembled on any such day, shall be deemed an unlawful assembly; but nothing herein shall, by any construction, affect any meeting called or holden for election of members of parliament, or persons attending the same, or to any persons attending on business of either house, or of any such court, *id. s.*23.

27. All societies or clubs calling themselves Spenceans or Spencean Philanthropists, and all other societies or clubs, by whatever name or description the same are called or known, who hold and profess, or who shall hold and profess their objects and doctrines, shall be utterly suppressed, as being unlawful combinations and confederacies against

the government of H. M. and against the peace and security of his subjects, 57 *G.*3. *c.*19. *s.*24.

28. All the said societies, &c. and every other society now or hereafter established, the members whereof shall be required or admitted to take any oath or engagement which shall be an unlawful engagement within 37 *G.*3. *c.*123., and 52 *G.*3. *c.*104., or to take any oath not authorized by law; and every society, &c. the members whereof, or any of them, shall take or in any manner bind themselves by any such oath, &c. on becoming, or in order to become, or in consequence of being members of such society; and every society, &c. any member whereof shall be required or admitted to take, subscribe, or assent to, or shall take, &c. any test or declaration not authorized by law, in whatever manner such taking, &c. shall be performed, whether by words, signs, or otherwise; either on becoming, or in order to become, or from being a member of any such society; and every society, that shall appoint or employ any committee or delegates, representatives, or missionaries, to meet or communicate with any other society, or with any committee, delegates, &c. of such other society, &c. or to induce any persons to become members thereof, shall be deemed unlawful confederacies within 39 *G.*3. *c.*79., and may be prosecuted according to that act, and every person who, after passing this act, shall become a member of any such society, or shall act as a member thereof; or shall directly or indirectly maintain correspondence with any such society, committee, delegate, &c. or member thereof, as such, or who shall, by contribution of money or otherwise aid, abet, or support such society, or any members, &c. thereof, as such shall be deemed guilty of an unlawful confederacy, within 39 *G.*3. *c.*79., *pl.*1. and shall be proceeded against according to that act, *id. s.*25.

29. Nothing in this act shall extend to any society of freemasons in conformity to the rules prevailing in such societies, provided such lodges shall comply with the regulations of 39 *G.*3. *c.*79. relating to such lodges; nor to any declaration to be taken, subscribed, or assented to by the members of any society, the form of which shall have been first approved and subscribed by two justices, and confirmed by the major part of them at a general or quarter sessions of the peace, pursuant to that act; nor shall extend to any meeting or society of the people called quakers; or to any meeting or society formed for purposes of a religious or charitable nature only, and in which no other matter or business shall be discussed, *id. s.*26.

30. Any person who shall knowingly permit any meeting of any society hereby declared to be an unlawful confederacy, or of any branch or committee thereof, to be held in any house or apartment, building, or other place to him belonging, or in his occupation, shall for the first offence forfeit 5*l.*, and for any offence after date of his conviction for such first offence, be deemed guilty of an unlawful confederacy, in breach of this act, *id. s.*28.

31. Two justices, on evidence on oath that any meeting hereby declared to be an unlawful confederacy, or any meeting for any seditious purpose hath been held at any house, room, or other place licensed for the sale of ale, beer, wine, or spirituous liquors, with the knowledge of the person keeping such place, may adjudge the licence forfeited; and the person so keeping such house shall, after date of adjudication and notice thereof, be subject to all penalties for any act done after that day, which he would be subject to if such licence had then expired, *id. s.*29.

32. All penalties exceeding 20*l.* incurred in *Eng.*, *Wa.*, or *Ber.*, may be recovered by action of debt at *Westminster*, and in *Scot.* in the court of session; and it shall be sufficient to declare in *Eng.* and conclude in *Scot.* that "the defendant is indebted to plaintiff in the sum of *l.* (the sum demanded in such action) being forfeited by an act made in the 57th year of the reign of *G.*3., intituled," [*state title of act*]; and plaintiff or pursuer, if he recover, shall have full costs; and any pecuniary penalty not exceeding 20*l.*, and for the recovery whereof no provision is before contained, may be recovered before any justice (or justices) in in a summary way; and in case it is not forthwith paid, such justice shall, by warrant directed to any constable or other peace-officer, cause the same to be levied by distress and sale, with costs; and if no sufficient distress can be had, shall commit the offender to the common gaol or house of correction, for not exceeding six nor less than three calendar months; but no person shall be sued for any pecuniary penalty, unless such prosecution or action be brought within three calendar months, *id. s.*30. All penalties when recovered shall be applied, one moiety to the plaintiff or to the informer, and the other moiety to H. M., *id. s.*31.

33. Any action brought against any justice in *Eng.*, constable, peace-officer, or other person, for any thing done in pursuance hereof, shall be commenced within three calendar months, and the venue be laid in the proper county; also the defendant may plead the general issue; and if brought after the time limited, or the venue laid in any other place, then the jury shall find a verdict for defendant; and in such case, or if they find a verdict for defendant on the merits, or if the plaintiff shall be nonsuit or discontinue, or have judgment against him on demurrer, defendant shall have double costs, *id. s.*32.

34. Every action or suit in *Scot.* shall in like manner be commenced within three calendar months, and the defender under like circumstances shall have treble costs, 57 *G.*3. *c.*19. *s.*33.

35. Convictions by any justices and adjudications of forfeitures of licences, in pursuance of this act, shall be in the several forms set forth in the *schedule*, *id. s.*34.

36. Nothing in this act shall take away any provision already made by law, for suppression or punishment of any offence described herein, *id. s.*35. And no person shall be prosecuted under this act for having been before 31*st March*, 1817, a member of any society or club declared hereby to be an unlawful confederacy, if he shall not have acted as a member after that time; but nothing in this act shall extend to prevent any prosecution, by indictment or otherwise, for any offence within the meaning thereof, which might have been so prosecuted if it had not been made; provided that no person convicted or acquitted of any offence against this act shall be again prosecuted for the same offence; and nothing herein shall extend to discharge any person in custody at the passing this act, or who, having been in custody, shall have been discharged on bail or recognizance, from any prosecution which might have been had against him, if this act had not been made, *id. s.*36.

37. In case any prosecution commenced for any offence against 39 *G.*3. *c.*79. or this act, either by action or information before any justice or justices as in *s.*30. *pl.*32. the attorney-general in *Eng.*, or lord-advocate in *Scot.*, may order such action, &c. to be stayed; and in case of any judgment or conviction, any secretary of state, by order under his hand, may stay the execution thereof, or mitigate or remit any fine or part thereof, *id. s.*37.

38. Where any house, shop, or other building whatever, or any part thereof, shall be destroyed or in any manner damaged, or where any fixtures thereto attached, or any furniture, goods or commodities whatever, which shall be therein, shall be destroyed, taken away, or damaged, by the act of any riotous or tumultuous assembly of persons, or of any person or persons engaged in or making part of such riotous, &c. assembly, the inhabitants of the *city or town*, if it be a county of itself, or is not within any hundred, or otherwise the inhabitants of the hundred in which such damage shall be done, shall yield full compensation in damages to the persons injured, which damages may be demanded and recovered under 1 *G.*1. *c.*5., *id. s.*38. [*see* further on this head, RIOT.]

39. This act shall not extend to *Ire.*, *id. s.*39.

40. FOR MORE EFFECTUALLY preventing seditious meetings and assemblies, 60 *G.*3. *c.*6. *ss.*1—25. 33—40., [*ss.*26—32. are *in pari materiâ* with, and re-enact 39 *G.*3. *c.*79. *s.*15., &c. and are placed with those enactments, *ante pl.*17—22.; but this act expires at the end of the session next after 24 *Dec.* 1824.; see *s.*40. *pl.*74.]

41. No meeting of any description of persons exceeding fifty, (other than a meeting of any county or division thereof, called by the lord-lieutenant, governor, or custos rotulorum, or the sheriff of such county, or by the sheriff or steward depute, or substitute, or convener of the county or stewartry where it is holden, or by five or more acting justices of the county, &c. or place where such meeting is holden, or any meeting of any riding or division of a county having different ridings, &c. called by five or more justices thereof; or any meeting called by the major part of the grand jury of the county where such meeting shall be held at the assizes for the county, or of any city, borough, or town corporate, called by the mayor or other head-officer thereof; or any meeting of any ward or division of any city called by the alderman or other head-officer of such ward or division, or any meeting of any corporate body) shall be held for the purpose or on pretext of deliberating on any public grievance, or on any matter of trade, manufacture, business, or profession, or on any matter in church or state: or of considering or agreeing to any petition, complaint, declaration, resolution, or address on the subject thereof, unless in the parish or (where a parish is divided into townships, having separate overseers of the poor,) then in the township within which the persons calling such meeting shall usually dwell; nor unless notice in writing of the intention to hold such meeting, and time and place of holding it is delivered personally to some justice residing in or near such parish or township, and usually acting for the division in which it is situate, *six* days at least before such meeting is proposed to be holden, nor unless it is subscribed by seven householders at least, usually resident within the parish, &c. where such meeting shall be proposed to be holden, nor unless the respective abodes and descriptions of such persons be inserted in such notice, *id. s.*1.

44. The justice to whom such notice is delivered, may alter the time and place of meeting fixed in such notice, or either of them, and may fix any other convenient time, not more than *four* days after, and any other convenient place within the same parish or township, in which case he shall notify in writing every such alteration, and either give such notification to the person delivering the notice, or leave it within *two* days after delivery of such notice, at the specified abode of any one of the *seven* subscribers thereof, which meeting, if held, shall not

be held at any other time or place than those so fixed, 60 *G.* 3. *c.* 6. *s.* 2.

45. No meeting held at the original (or altered time or place,) shall be adjourned to any subsequent time, or other place, and if so holden by way of an adjourned meeting for deliberating, as in *s.* 1. *pl.* 41. is an unlawful assembly, *id. s.* 3.

46. No person, (except justices of peace, sheriffs, undersheriffs, constables, or other peace officers, or persons acting in their aid) shall attend any meeting whatever exceeding 50 persons, holden for the purposes in *s.* 3. unless such person (where the meeting is held for any county, riding, division, or stewartry) is a free, copy, or householder, heritor, or inhabitant, usually residing in the county, &c. for which the meeting is holden, or a freeman or member of the corporation, (if the meeting be of any corporate body,) or an householder or inhabitant, usually resident, or freeholder or copyholder having 50*l. per annum* in lands, of which he has been 12 months in possession, in the city, borough, or town corporate, parish or township, (as the case may be), within and for which any such meeting is holden; but nothing herein shall extend to any member of parliament attending such meeting in any county or place for which he shall be serving in parliament, nor to any voter for any city, borough, or place, attending any meeting thereof called by the head officer, *id. s.* 4.

47. Every person not qualified, as in *s.* 4. *pl.* 46. who shall attend any meeting for the purposes specified in *s.* 3. shall be punished by fine, and not exceeding 12 months imprisonment, at discretion of the court in which he is convicted, *id. s.* 5.

48. All justices, sheriffs, mayors, and head officers within their respective jurisdiction, where any meeting for the purposes in *s.* 3. specified, is holden or proposed to be holden, may proceed to the place of meeting, and there do all things which the case may require, or the law enable to be done; and may require and take the assistance of any number of constables, or other peace officers within the district or place in which such meeting is held, and of other persons in their aid when necessary, *id. s.* 6.

49. Every meeting held in pursuance of such notice, which notice shall purport, that any matter by law established may be altered, otherwise than by authority of king, lords, and commons, in parliament assembled, or shall tend to stir up the people to hatred or contempt of H. M., his heirs, or successors, or of the government and constitution of the realm as by law established, is an unlawful assembly, *id. s.* 7.

50. If any person shall attend any meeting held for the purposes in *s.* 3. *pl.* 45. specified, contrary to the provisions hereof, any one or more justices, or the sheriff or under-sheriff of any county, or the mayor, or head officer, or any justice of a city, or town corporate within which it is held, may make *or cause to be made* proclamation in H. M.'s name, as in *s.* 9. *pl.* 51. commanding every person unlawfully attending such meeting immediately and peaceably to depart therefrom, and every such person not so departing within a quarter of an hour is guilty of felony, and may be transported for not exceeding seven years, *id. s.* 8.

51. The order and form of proclamation is thus, *viz.*: the justice, sheriff, &c., or *other person* authorized as in *s.* 8. *pl.* 50. to make the same, shall among, or as near the persons assembled as he can safely come, with a loud voice command, or cause to be commanded silence, while he makes, or causes to be made proclamation as follows:

'Our sovereign lord the king chargeth and commandeth every person here assembled, who is not a [freeholder, heritor of —, freeman of —, member of —, householder of —, or inhabitant usually residing, or freeholder in —, or copyholder in —, *naming the county, riding, division, stewartry, city, borough, town, body corporate, parish, or township, as the case may be*], or who is not entitled to attend this meeting, immediately to depart from this meeting to his lawful business. God save the King,' *id. s.* 9.

52. When any such proclamation has been made, any person lawfully attending such meeting may apprehend any person not entitled to attend, who shall not, on making such proclamation forthwith depart, and may carry him before any justice of the county, city, &c. within which such meeting is held, *id. s.* 10.

53. Any one or more justices for any county, or the sheriff or undersheriff thereof, or any mayor, head-officer, or justice of any city, or town corporate, within which any meeting shall be held, or persons shall assemble to hold any meeting contrary to this act, or where any persons not entitled to attend shall not depart for a quarter of an hour after such proclamation made, may make proclamation in H. M., name, as in *s.* 12. *pl.* 54. to command all persons there assembled to disperse and peaceably to depart to their habitations or lawful business, and if 12 or more such persons continue together for half an hour after such proclamation made, every person so continuing is guilty of felony, and may be transported for seven years, *id. s.* 11.

54. The order and form of making the following proclamation is the same as in *s.* 9. *pl.* 51.

'Our sovereign lord the king chargeth and commandeth all persons here assembled, immediately to disperse themselves and peaceably to depart to their habitations, or to their lawful business. God save the King.' *id. s.* 12.

55. If one or more justices present at any meeting requiring such notice, shall think fit to order any person or persons attending the same in any manner contrary to this act, or who shall thereat proceed to propound or maintain any proposition for altering any thing by law established, otherwise than by authority of king, lords, and commons, assembled in parliament, or shall wilfully or advisedly make any proposition, or hold any discourse for the purpose of stirring up the people to hatred or contempt of the person of H. M., his heirs, or successors, or of the government and constitution as by law established, to be taken into custody, and dealt with according to law; and if any such justice or peace officer acting under his order are forcibly obstructed in taking such persons into custody, proclamation shall be made as in *s.* 12. *pl.* 54., after which any 12 or more persons continuing together are guilty of felony, and may be transported for seven years, 60 *G.* 3. *c.* 6. *s.* 13.

56. Every person who shall, with force and arms, wilfully oppose, or in any manner hinder or hurt any justice, or other person authorized to make proclamation, as in *s.* 8. *pl.* 50., or person acting in aid of either of them, who shall begin to proclaim, or be endeavouring to make either proclamation as above, whereby it is not made; and all persons so assembled to whom any such proclamation should or ought to have been made if not so hindered, who shall, to the number of 12 or more continue together, and not disperse in half an hour after such hindrance, having knowledge thereof; and every person who shall wilfully hinder or hurt, or endeavour to hinder, &c., any justice or other magistrate, peace officer, or person acting in their aid, in apprehending or detaining any person in execution of this act shall be guilty of felony, and liable to seven years' transportation, *id. s.* 14.

57. If any of the persons assembled at any meeting held contrary to this act, or which shall become an unlawful assembly under the same, shall happen to be killed or hurt in dispersing, apprehending, or detaining them by reason of their resistance thereto, every such justice, sheriff, undersheriff, mayor, head-officer, magistrate, constable, peace-officer, and person aiding them, shall be indemnified, *id. s.* 15.

58. Nothing herein extends to meetings wholly holden in rooms, *id. s.* 16.

59. Nor to meetings in any county, stewartry, &c., or place returning any M. P. after the issuing and before return of any writ for election for such county, &c., or place, *id. s.* 17.

60. No person shall attend any meeting soever held for any purpose in *s.* 3. *pl.* 45. specified, armed with any gun, pistol, sword, dagger, pike, bludgeon, or offensive weapon, on pain of fine and imprisonment (not exceeding two years) at discretion of the court before which he is convicted; but this does not extend to justices, sheriffs, &c. as in *s.* 15. *pl.* 45. attending the same, *id. s.* 18.

61. No person shall attend, proceed to, be present at, or return from any meeting holden for any purpose or pretext in *s.* 3. *pl.* 57. specified, with any flag, banner, or ensign, or displaying any device, badge, or emblem, or with music, or in military array or order, on like pain, as in *s.* 18. *pl.* 60. *id. s.* 19.

62. Sheriffs and stewards-depute and substitute, justices of peace, magistrates of royal burghs, and all other inferior judges and magistrates, and all constables and peace officers of every county in *Scot.* shall have the same powers in *Scot.* as justices and peace officers under this act in other parts of U. K., *id. s.* 20.

63. Justices in general or quarter sessions (where expedient for preventing tumultuous meetings) may divide any parish or township within their jurisdiction, having a population not exceeding in their judgment 20,000 inhabitants, into two or more divisions, for all the purposes of this act, and may assign the boundaries thereof; a registry of which divisions and boundaries shall be entered with the clerk of the peace of the county or division in which such parish, &c. is situate, and a duplicate thereof shall be transmitted to the churchwardens and overseers, or to the minister and elders, or kirk session of the parish, &c. so divided, to be kept with the books thereof; and copies thereof shall be put up, and in case of removal replaced on the church door; and each division shall be deemed a separate parish or township within this act, but shall not contain a population which consists in the judgment of such justices of less than 10,000 persons, *id. s.* 21.

64. Every extra-parochial place is a parish or township within this act, *id. s.* 22.

65. Any meeting may be held under this act in the parishes of *St. John* and *St. Margaret, Westminster*, within one mile of the gate of *Westminster-Hall* [see 57 *G.* 3. *c.* 19. *s.* 23. *pl.* 26.], except in *Old* or *New Palace Yard*, during sitting of parliament, *id. s.* 23.

66. Nothing herein shall legalize any notice, meeting, or act done thereat in pursuance of such notice, or the attendance of any person, which would be contrary to law if this act had not been made, *id. s.* 24.

67. Or prevent any prosecution for any offence within this act which might have been prosecuted before its passing, unless the offender has been previously prosecuted under this act, *id. s.* 25.

68. All penalties exceeding 20*l.* incurred under this act in *Eng.* or *Ire.* may be recovered by action of debt in any H. M.'s courts of record

at *Westminster* and *Dublin* respectively, and in *Scot.* in court of session, and it shall be sufficient to declare in *Eng.* and *Ire.*, and in *Scot.* to conclude, that defendant is indebted to plaintiff or pursuer in the sum of — *l.* (being the sum demanded by such action), being forfeited by an act made in the 60th year of the reign of his present majesty, intituled, "an act [*inserting the title*]," and if plaintiff recovers in the action he shall have full costs, and any pecuniary penalty hereby imposed not exceeding 20*l.*, for recovery of which no provision is above contained, may be recovered before any justice for the county, &c. or place where it is incurred, or the person having incurred it shall happen to be, in a summary way, and if not forthwith paid, such justice shall, by warrant under hand and seal directed to any constable or other peace officer, cause it to be levied by distress and sale of offender's goods, together with all costs thereof, and if no sufficient distress can be had, shall commit the offender to the common gaol or house of correction for such county, &c. or place for not exceeding six nor less than three calendar months; provided that no person shall be prosecuted or sued for any pecuniary penalty hereby imposed unless the prosecution be commenced or action brought within three like months, 60 *G.3. c.6. s.33.*

69. All pecuniary penalties hereby imposed shall, when recovered either by action in any court or summarily before any justice, be applied one moiety to the plaintiff or informer, and the other to H. M., *id. s.34.*

70. The justice or justices by whom any offender is convicted under this act, shall cause the conviction to be made out thus, *viz.*

'Be it remembered, that on this — day of — in the — year of the reign of —, *A.B.* of — is duly convicted before me (*or* us, *as the case may be,*) — of H.M. justices of the peace for — in pursuance of an act passed in the 60th year of the reign of K. *Geo.* the third, intituled, "An act [*set forth the title*], for that the said *A.B.* after the passing of the said act on — at — did, contrary to the said act [*here specify the offence against the act, as the case may be*], wherefore I, [*or* we, *as the case may be*], the said — do adjudge, that the said *A.B.* do pay the sum of — as a penalty for his said offence.' *id. s.35.*

71. Actions brought against any justice or other person in *Eng*, or *Ire.* for any thing done in pursuance hereof, must be commenced within six calendar months, the venue being local, defendant may plead general issue, giving this act and the special matter in evidence; and if the action is not so brought, or venue not so laid, the jury shall find for defendant; in which case, or if he has a verdict on the merits, or if plaintiff is nonsuit or discontinue after appearance, or has judgment against him on demurrer, defendant shall have double costs, *id. s.36.*

72. Every such action in *Scot.* shall be brought within six calendar months in the court of session, and defendant may plead that the matter complained of was done in pursuance of this act, which with the special matter may be given in evidence, and if not so brought shall be dismissed; in which case, or if defendant is assoilzied, or the prisoner shall suffer suit to fall asleep, or if decision is against him on the relevancy, defender shall have double costs, *id. s.37.*

73. No person shall be prosecuted under this act for any offence against it, except within six calendar months of the fact, *id. s.38.*

74. Act commences within *London* and 20 miles thereof from 24th *Dec.* 1819, in all other parts of the kingdom from *3d Jan.*, 1820, for five years from the *24th Dec.*, 1819, and till the end of the then next session, *id. s.40.*

ATTAINT. *See* JURY.

(STATUTE *expired.*)

1. FOR WRITS of attaint to be brought against jurors for untrue verdicts, 11 *H.7. c.24.* [CON. 12 *H.7. c.2.* 19 *H.7. c.3.* 11 *H.8. c.11.* ALL EXP.]

(STATUTES *in force.*)

1. ATTAINT SHALL BE granted upon inquests in plea of land or of any thing touching freehold, 3 *E.1. c.38.*

2. ATTAINT SHALL BE had as well in plea real as personal, and it shall be granted to the poor who affirm that they have nothing whereof to to make fine, and to others by easy fine, 34 *E.3. c.7.*

3. A WRIT OF ATTAINT will lie as well on the principal as on the damages in writs of trespass, and the chancellor may grant such writs without speaking to the king, and in all cases, whether the damages be paid or not, 1 *E.3. st.1. c.6.*; so in trespass moved with or without writ if the damages adjudged pass 40*s.*, 5 *E.3. c.7.* and whatever the damages may be, 28 *E.3. c.8.*

4. ATTAINTS for false verdicts given in the city of *Lincoln* shall be tried in the county of *Lincoln*, 13 *R.2. st.1. c.18.* [SUPERSEDED by 3 *H.5. st.2. c.5.* which see *next pl.*]

5. ATTAINTS for false verdicts given in the county of the city of *Lincoln* shall be tried in the county of *Lincoln*, 3 *H.5. st.2. c.5.*

6. In assizes, juries and other inquests to be taken before the mayor and bailiffs, or the sheriffs of the county of the city of *Lincoln* between party and party, if any do complain of false oath made by such assizes, &c. a writ of attaint shall be granted to him directed to the sheriff of the county of *Lincoln*, and into K.B. or C.P., the record shall be sent by writ, and the sheriff of the county of *Lincoln* shall array a panel of the jury of such attaint of the people of the county of *Lincoln*, and H.M.'s justices shall take such jury notwithstanding such city is made a county of itself, *id. ibid.* [NOTE, by the recital of this act it appears that the castle and ward of *Lincoln*, and the walls and ditches of the same are not within the city. See the charter, 11 *H.4.*]

7. FOR PUNISHING false pleas in writs of attaint against jurors, 11 *H.6. c.4.*

8. Plaintiffs in attaint shall recover damages and costs against jurors, 11 *H.6. c.4. s.1.*

9. FOR REGULATING proceedings in writs of attaint, 15 *H.6. c.5.* [Old practice in attaint recited, 15 *H.6. c.5. s.1.*] AMD. 18 *H.6. c.2.*

10. CONCERNING perjury and punishment of untrue verdicts, 23 *H.8. c.3. s.1.* [CON. 33 *H.8. c.17.*, 37 *H.8. c.23.*; REV. and MADE PERP. 15 *El. c.25.*]

11. On untrue verdict before judges of record, extending to 40*l.* value, but not concerning jeopardy of man's life, the party grieved shall have a writ of attaint against every juror, and against the party having judgment on such verdict; and summons, re-summons, and distress infinite shall be awarded therein against the petit and grand jury and the party; the number and qualification of such jurors being the same as is now in attaint; [*viz.* a freehold estate of 20 *marks* per ann. *out of ancient demesne*, 23 *H.8. c.3. s.2.*, 15 *H.6. c.5. s.1.* and *comm. semb.* out of the *cinque ports*, 15 *H.6. c.5. s.1.*; and see the former qualifications for jurors in attaint of 20*l. per ann.* freehold as above, *id. ibid.*, and of 20*l. per ann.* in gavelkind lands, 18 *H.6. c.2.*, and that jurors not so qualified should be challenged by plaintiff, 15 *H.6. c.5. s.1.*, and that the act did not extend to cities or boroughs, *id. s.3.*]

12. Open proclamation shall be made in court on the distress so delivered of record as above, 15 days being given between the *teste* and return of such distress, which shall be made on the lands of the grand jury, 23 *H.8. c.3. s.2.* [and no sheriff, bailiff of franchise, or coroner in attaints of plea of land of 40*s.* or more yearly value, or in detinue for deeds concerning the same, or in personal actions of 40*l.* value or upwards, shall return into court less issues than 40*s.* at the first, 100*s.* at the second, and the double at every other writ of distress against the jurors so impannelled, on penalty of 10*l.* to H.M., and 10*l.* to the plaintiff, 15 *H.6. c.5. s.1.*] *see* 23 *H.8. c.3. s.5. pl.19.*

13. If the party defendant, or the petit jury, or any of them, do not appear, the grand jury shall be taken against the defaulters; but if any of the petit jury appear, the plaintiff [may challenge jurors not qualified, 15 *H.6. c.5. s.1.*, *qu. if now exp.?*] shall assign the false serement [oath] of the first untrue verdict, and the jury have no other answer, (if the writ, process, &c. are good, and if plaintiff has not been nonsuit, discontinued, or had judgment against them in the same attaint,) except the general issue, that they swore truly, and the party shall plead that they gave true verdict, or other sufficient bar; and 24 of the grand jury shall then enquire whether the first jury gave true verdict or no, 23 *H.8. c.3. s.2.*

14. On foreign plea pleaded by any such defendant, the judgment, if against him, shall be final, but shall not prejudice the other defendants, 15 *H.6. c.5. s.2.*

15. Where there are not sufficient qualified jurors in the shire or place where the attaint taken, a *tales* shall be awarded into the next shire, 23 *H.8. c.3. s.7.* [*semble* superseding, 15 *H.6. c.5. s.4.*, and the penalty by the sheriff of 10*l.* to H. M. and 10*l.* to the plaintiff for neglect therein].

16. Attaint shall be had according as in this act ordained, to all grieved by untrue verdicts of any inheritance in descent, reversion, or remainder, or of any freehold in reversion or remainder, 23 *H.8. c.3. s.7.*

17. The penalty on every petty juryman attainted is 20*l.* each; one moiety whereof shall be levied to use of H. M. by *ca. sa.*, *fi. fa.*, or *elegit*, or action of debt, and the other moiety to the use of the party suing the attaint, 23 *H.8. c.3. s.3. and s.8.*

18. They shall be also severally fined at discretion of the justices; are disabled from their oaths; shall not be accepted in any court; and the plaintiff in attaint succeeding after plea pleaded shall have judgment to be restored to what he has lost, with damages and costs, *id. s.4.*

19. Outlawry or excommunication of plaintiff shall not be pleaded; day shall be given as in dower, [*see* ACTION (REAL),] without essoin, &c. [*see* old regulation of giving day, 5 *E.3. c.6.*]; and on default of appearance by grand jury or any of the *tales*, on first distress, defaulter forfeits 20*s.*; on the second, 40*s.*; and on every other, 5*l.*; and the attaint is maintainable while two jurors live, 23 *H.8. c.3. s.5.* [*See as to* the sheriff's return, 15 *H.6. c.5. s.1. pl.11.*]

20. Where false verdict is given in personal action for less than 40*l.*, the same remedy is given by attaint; but grand juror's qualification is five marks a-year out of ancient demesne, [*Qu.* if also out of cinque ports? *see s.2.* above,] or 100 marks in goods and chattels; and each juror's

penalty on such conviction is 5*l.* in moieties to H. M. and informer, with fine, as in *s.* 4., 23 *H.* 8. *c.* 3. *s.* 6.

21. Plaintiff, on nonsuit or discontinuance, shall be fined at discretion of the justices, *id. s.* 7.; but this, on their release, shall not affect other plaintiffs, *id. s.* 8.

22. Attaints must be sued in K. B. or C. P., which may award a trial at *nisi prius* [and see same enactment, 5 *E.* 3. *c.* 6.], and every petty juror may appear by attorney, *id. s.* 8.

23. Judgment of restitution to the party suing, and execution for the same to be had, and like judgment for defendant or tenant to be discharged of restitution as before this act, in case of a grand attaint hath been used, *id. s.* 8.

24. Writ of attaint shall conclude after the *teste*, with a "*per statutum.* 23 *H.* 8.," *&c. id. s.* 9.

25. Attaints may be sued in *London*, either on this statute, or on the *London act*, 11 *H.* 7. *c.* 21. *id. s.* 10.

ATTORNIES AND SOLICITORS.

(STATUTES *repealed and expired.*)

1. FOR REGULATION of attornies, 4 *H.* 4 *c.* 18. [*semb.* EXP. and virtually REP. by 2 *G.* 2. *c.* 23., *&c. infra. pl.* 22.]

2. FOR EMPOWERING certain religious persons to make attornies in hundred courts, 3 *H.* 5. *st.* 2. *c.* 2. [CON. 9 *H.* 6. *c.* 10. *semb.* EXP. and see 15 *H.* 6. *c.* 7. *infra. pl.* 11.]

(STATUTES *in force.*)

1. EVERY freeman that oweth suit to the county, tithing, hundred, or wapentake, or to a court baron, may make an attorney to do those suits for him, 20 *H.* 3. *Stat. Merton, c.* 10.

2. PERSONS impleaded before the justices of C. P., or K. B., or before justices assigned to take assizes, or in any county before sheriffs, or in any court-baron, may make a general attorney to sue for them in all pleas in the circuit of justices moved against them during the circuit; which attorney shall have full power in all pleas moved during the circuit, till the plea be determined, or his master remove him, yet shall they not be thereby excused from serving in juries and assizes before such justices, 13 *E.* 1. (*West. Sec.*) *c.* 10. *s.* 2.

3. NEITHER THE barons of exchequer, nor our justices, shall receive any attornies, but in pleas that pass before them, in benches and places where assigned by us; and their clerks and officers shall receive none; and if they do, the admission shall be void, saving to the chancellor, and chief justices to admit them as heretofore, *Stats. incert. temp.* xi. 1. *vol.* 8*vo. ed.* 401.

4. FOR REGULATION of attornies, 4 *H.* 4. *c.* 18.

5. All attornies shall be examined by the justices, and by their discretion put into the roll, and those who are by them approved, shall swear truly to serve in their offices, and make no suit in a foreign county; and the other attornies shall be put out by like discretion of the justices, and their masters shall have notice thereof, lest they be prejudiced thereby, and as any die or cease, the justices shall appoint others, being virtuous, learned, and sworn as above; and any attorney notoriously found in default shall forswear the court, and never after be received to make suit in any court of H. M.; and this ordinance shall be holden in the exchequer, at discretion of the treasurer and barons, *id. ibid.*

6. FOR ALLOWING defendants to make attornies, in writs of *præmunire facias*, 7 *R.* 2. *c.* 14. [see 15 *H.* 6. *c.* 7. *pl.* 11.]

7. They who depart the realm with H. M.'s. licence, being of good fame, may, before their departure have a patent from the chancellor, (with advice of the justices), enabling them to make general attornies to answer for them in writs of *præmunire* as in other writs and plaints, in which case express mention shall be made at all times of writs and plaints of *præmunire*, and those attornies may make attornies under them, 7 *R.* 2. *c.* 14.

8. NO STEWARD, bailiff, or minister of lords of franchises who have return of writs, shall act as an attorney therein, 4 *H.* 4. *c.* 19.

9. CONCERNING reversal of outlawries in certain cases, 7 *H.* 4. *c.* 13.

10. Persons openly known to be impotent and infirm and outlawed, may be examined by any justice of C. P. or K. B. or baron of exchequer, who may in their discretion record their attorney in this case, but in writs of *ca. sa.*, the common law shall hold place, *id. ibid.*

11. ALL PERSONS, religious and secular, may, under their seals, make their attornies general to plead for them in every hundred and wapentake within the realm, and every steward, bailiff, or minister of any hundred, &c. doing contrary thereto shall forfeit 10*l.* to H. M., 15 *H.* 6. *c.* 7.

12. EVERY attorney who hath not his warrant entered of record in all his suits wherein process of *capias* and *exigent* is awardable the same term in which the *exigent* is awarded, or before and upon that be attainted by examination of any judge of the same court, shall forfeit for every offence 40*s.* to the king, 18 *H.* 6. *c.* 9. [see rest of the statute, *tit.* APPEARANCE. *pl.* 4.]

13. THERE SHALL BE but six common attornies in *Norfolk*, six in *Suffolk*, and two in *Norwich*, to be admitted by the two chief justices, on penalty of 20*l.* to offenders, to be enquired of by justices of peace, 33 *H.* 6. *c.* 7. [*sed quære* if EXP.]

14. TO REGULATE the delivering in of warrants of attorney, 32 *H.* 8. *c.* 30. *ss.* 2, 3., 18 *El. c.* 14. *s.* 3., 4 & 5 *A. c.* 16. *s.* 3. [see rest of these statutes, JEOFAILS.]

15. All attornies shall deliver their warrants of attorney to the proper officer, to be entered of record for every suit in which they are attornies in or before the same term of which the issue is entered of record, on penalty to H. M. of 10*l.* for every default therein, 32 *H.* 8. *c.* 30. *s.* 2. with imprisonment at discretion of the court, *id. s.* 3.

16. All attornies in any court of record shall deliver in the warrant of attorney to be entered and filed according to law, on pain to forfeit 10*l.*, one moiety to H. M., and the other to the officer to whom the warrant should be delivered, and to suffer imprisonment by discretion of the court, 18 *El. c.* 14. *s.* 3.

17. Plaintiff's attorney shall file his warrant of attorney with the proper officer of the court where the cause is pending the same term he declares, and defendant's attorney shall file his warrant the same term he appears, under the penalties in former statutes, 4 & 5 *A. c.* 16. *s.* 3. [Practice is otherwise, *Tidd, 7th ed.* 109., see the last two *pl.*, and 25 *G.* 3. *c.* 80. *ss.* 13. 17. STAMPS (ATTORNEY).

18. FOR REFORMING the multitudes and misdemeanors of attornies and solicitors at law, and to avoid unnecessary suits and charges at law, 3 *Jac.* 1. *c.* 7.

19. No attorney, solicitor, or servant to any, shall be allowed by his client fees given to counsel, or for copies, unless he have tickets thereof signed by such as receive such fees; and he shall also give to his client true bills of all the charges of suit under his own hand, before he can charge him with payment thereof; and if he delay his client's suit for gain, or demand by his bill allowance for money which he has not disbursed, the latter shall recover against him costs and treble damages, and he shall be for ever disabled from being an attorney or solicitor, *id. s.* 1.

20. None shall be admitted attornies in courts of record but such as have been brought up therein, or otherwise well practised in soliciting causes, and found skilful and of honest disposition; and none but such shall hereafter be suffered to solicit causes in such courts, and no attorney shall suffer another to follow a suit in his name on pain that each of them shall forfeit 20*l.* to be divided between the king and party grieved, and the attorney shall be disabled from being such, *id. s.* 2., [and see 2 *G.* 2. *c.* 23. *s.* 5., *pl.* 27. and *s.* 10., *pl.* 36.]

21. IF ANY PERSON convicted of forgery, or of wilful and corrupt perjury, shall practise as an attorney, solicitor, or agent in any suit, in any court of law or equity in *Eng.* [not extending to *Scot. s.* 3.], the judges of the courts where such suit is brought shall, on complaint or information thereof, examine the matter in a summary way in open court, and if his offence is proved shall cause him to be transported for seven years, as felons in other cases are transported, 12 *G.* 1. *c.* 29. *s.* 4, 5. [See rest of this statute, *tit.* ARRESTS, *pl.* 29, &c. COURTS (INFERIOR.)]

22. FOR BETTER REGULATION OF attornies and solicitors, 2 *G.* 2. *c.* 23. (*semble* superseding 4 *H.* 4. *c.* 18.) [CON. 12 *G.* 2. *c.* 13. *s.* 3., 22 *G.* 2. *c.* 46. *s.* 2. MADE PERP. 36 *G.* 2. *c.* 19. *s.* 75. AMD, 6 *G.* 2. *c.* 27. *s.* 2., 12 *G.* 2. *c.* 13. *ss.* 4—10., 22 *G.* 2. *c.* 46. *ss.* 3—19., 23 *G.* 2. *c.* 26. *s.* 15., 25 *G.* 3. *c.* 80. *ss.* 10—12., 49 *G.* 3. *c.* 28. PUBLIC Clause, *s.* 2.]

23. No person shall act as an attorney, or sue out process, or carry on or defend any action or proceeding in the name of any other person in the courts of K. B., C. P., or exchequer, or of the duchy of *Lancaster*, or in the great sessions in *Wa.*, or in the counties palatine of *Chester*, *Lancaster*, and *Durham*, or in any other court of record in *England*, wherein attornies have been accustomably admitted and sworn, unless he shall take the oath in *s.* 13. *pl.* 24., 2 *G.* 2. *c.* 23. *s.* 1.

24. The judges of the said courts, or any one or more of them shall, before they admit such person to take the said oath, examine and inquire touching his capacity; and if they are satisfied of his due qualification, shall administer to him the oath in *s.* 13. *pl.* 24. *viz.*

'I, A B, do swear that I will truly and honestly demean myself in the practice of an attorney, acording to the best of my knowledge and ability: So help me God,' *id. s.* 13.;

and after that shall cause him to be admitted an attorney in such court, and enrolled without fee, other than 1*s.* for administering the oath; which admission shall be written on parchment, in *English*, in a common legible hand, and signed by the judge, (the *lawful stamp*, being first impressed thereon), and shall be delivered to such person, *id. ss.* 2. 6.

25. No person shall act as a solicitor, or sue out process, &c. in the name of any other person in any court of equity, *viz.* either in chancery. court of equity, or exchequer chamber, court of the *duchy chamber of*

ATTORNIES AND SOLICITORS.

Lancaster at *Westminster*, or courts of the counties palatine, or in any other inferior courts of equity in *Eng.*, unless he take the oath in *s.* 14. *pl.* 26., and shall be admitted and enrolled in such courts where he shall act as solicitor, 2 *G.* 2. *c.* 23. *s.* 3.

26. The master of the rolls, two masters in chancery, the barons of exchequer, chancellor of the duchy, and judges of the other courts of equity, or any one or more of them, shall before they admit any person to take such oath, examine and enquire touching his capacity, and if satisfied therein, shall administer to him the oath in *s.* 14.; *viz.*

'I, A B, do swear that I will truly and honestly demean myself in the practice of a solicitor according to the best of my knowledge and ability: So help me God,' *id. s.* 14.;

and shall cause him to be admitted a solicitor in such court of equity, and his name to be inrolled as such without any fee, other than 1*s.* for administering the oath; which admission shall be written on parchment in *English* in a common hand, and signed by such master of the rolls, &c. whereon a *proper stamp* shall be first impressed, and shall be delivered to the person admitted, *id. ss.* 4. 8.

27. No person shall act as an attorney or sue out process, &c. as in *s.* 1. *pl.* 43. in the name of any other person in any courts of law, unless he have been bound by contract in writing to serve as a clerk for five years to an attorney duly sworn or admitted in some or one of the above courts; and that such person, during such five years, shall have continued in such service; and also, unless such person after expiration of such five years shall be examined, sworn, admitted, and inrolled as herein required, *id. s.* 5. [similar provisions for courts of equity, *id. s.* 7.]

28. Every person so bound shall within three months after date of such contract, cause an affidavit to be made and sworn of the actual execution of such contract by such attorney or solicitor and by himself, in which affidavit shall be specified their respective names and places of abode with the date of such contract, which affidavit shall be filed within such three months in the court where such attorney or solicitor hath been inrolled with the proper officer, who shall sign a memorandum of the day of filing such affidavit at the back or bottom thereof, 22 *G.* 2. *c.* 46. *s.* 3.

29. No person so bound shall be admitted an attorney or solicitor in any court, before such affidavit so marked shall be openly read therein, *id. s.* 4.

30. The following officers shall file such affidavits; viz. in chancery, the senior clerk of petty bag-office, or deputy; in K. B., the chief clerk or deputy; in C.P., the clerk of the warrants or deputy; in exchequer, the king's remembrancer or deputy; in duchy chamber of *Lancaster* at *Westminster*, the chief clerk or deputy; in counties palatine of *Chester*, *Lancaster*, and *Durham*, and in great sessions of *Wa.*, the respective prothonotaries and their deputies, *id. s.* 5.

31. Every such officer or deputy filing such affidavit, shall keep a book for entry of the substance thereof, specifying the names and abodes of the attorney or solicitor, and clerk, and of the person swearing the affidavit, and days when sworn and filed, with the date of the articles; every such officer taking 2*s.* 6*d.* only for filing, and the books may be searched in office hours without fee, *id. s.* 6.

32. No attorney or solicitor shall retain any clerk bound as in 2 *G.* 2. *c.* 23. *s.* 5. *pl.* 27., after discontinuing, or during such time as he shall not actually practise as an attorney or solicitor, *id. s.* 7.

33. Every person so bound shall continue and be actually employed by such attorney or solicitor, or his agent, in their proper business during such term, *id. s.* 8.

34. And before admission shall file, with the proper officer, an affidavit, of himself or his master, of such actual service during such term, *id. s.* 10.

35. Where such attorney or solicitor, to whom any such person is so bound, shall die, or discontinue practice, or if such contract shall, by consent of parties, be cancelled, or in case such clerk shall be legally discharged by any rule or order of the court in which such master shall practise, before expiration of such term, and such clerk shall be bound by another contract in writing to serve, and shall accordingly serve, in manner above-mentioned, as clerk to any other practising attorney or solicitor, during the residue of such five years, then such service shall be deemed as good as if the clerk had continued to serve his original master for the same term, so as an affidavit be made and filed of the execution of such second or other contract within the time and in like manner as before directed concerning the original contract, *id. s.* 9., *and* 2 *G.* 2. *c.* 23. *s.* 12.

36. Any attorney in any such court of law, or solicitor in any such court of equity, with consent of any attorney in any of the other courts in writing signed by such attorney, and in the name of such attorney, may sue out process, or carry on or defend any action or proceeding in such court, notwithstanding he is not sworn or admitted an attorney thereof, 2 *G.* 2. *c.* 23. *s.* 10. [see 3 *J.* 1. *c.* 7. *s.* 2. *pl.* 20.]

37. Nothing herein shall authorize any judge to admit any greater number of attornies than allowed by the ancient usage of the court, 3 *J.* 1. *c.* 7. *s.* 11.

38. No attorney or solicitor shall have more than two articled clerks at one time, *id. s.* 15.

39. The prothonotaries of C.P., of the courts of the counties palatine, and of great sessions in *Wa.* and secondary of K. B., may have three clerks at one time; who, after having served a five years' clerkship, may be examined, admitted, and enrolled attornies, &c., as in *s.* 2. *pl.* 22. *id. s.* 16.

40. If any sworn attorney of any of the said courts of law shall knowingly permit any other person to prosecute or defend any action in his name, not being a sworn attorney or solicitor, the person convicted thereof shall be disabled to act as an attorney, and his admittance is void, *id. s.* 17. [*Quære*, if the application is made to the court in a summary way, as in 22 *G.* 2. *c.* 46. *s.* 11. *pl.* 68.]

41. The proper officers [see them enumerated, 22 *G.* 2. *c.* 46. *s.* 5. *pl.* 30.] of the superior courts of law and equity, and such officers of the inferior courts of law and equity as the judges thereof shall appoint, shall without fee enrol the name of every person admitted an attorney or solicitor in those courts under this act, and the time when admitted, in alphabetical order; to which rolls all persons shall have free access without fee, *id. s.* 18.

42. Any person admitted an attorney in any of the courts in *s.* 1. *pl.* 23. mentioned, may be admitted a solicitor in all or any of the courts of equity in *s.* 3. *pl.* 25., without fee for the oath, or stamp on the parchment of admission, if the examiners in *s.* 4. *pl.* 25. are satisfied with his capacity to act as such solicitor, *id. s.* 20.

43. Any person admitted a solicitor in any of the courts of equity in *s.* 3. *pl.* 25. may be admitted in all or any such courts, or in inferior courts of equity, without fee for the oath, or stamp on the parchment of admission, if the examiners in *s.* 4. *pl.* 26. are satisfied with his capacity to act therein, *id. s.* 21.

44. Any person sworn, admitted, and enrolled a solicitor, in any court of equity at *Westminster*, under 2 *G.* 2. *c.* 23. may be admitted an attorney of K. B. or C. P. without fee for oath, or stamp on the parchment of admission, if the judges of those courts, or any one of them, shall on examining him as in 2 *G.* 2. *c.* 23. *s.* 2. *pl.* 24. be satisfied that he is duly qualified to act as an attorney, 23 *G.* 2. *c.* 26. *s.* 15.

45. Any person admitted an attorney in any of the courts of record at *Westminster*, may be admitted to practise as such in any inferior court, provided he be qualified to be so admitted according to the usage thereof, 6 *G.* 2. *c.* 27. *s.* 2.

46. Every process for arrest and every writ of execution, or some label annexed, and every warrant on such process, shall before service or execution be subscribed or indorsed with the name of the attorney, clerk in court, or solicitor, by whom such process &c. is sued out; and where such attorney, &c. is not the person immediately employed by the plaintiff in the suit, then also with the name of the person so immediately employed; and every copy of any writ served upon any defendant shall, before service, be subscribed with the name of the attorney or solicitor immediately employed, 2 *G.* 2. *c.* 23, *s.* 22.

47. Warrants made out on any such process shall not be vitiated by want of such indorsement, but such process and execution, and all proceedings thereon, shall be valid, provided the writ whereon such warrant is made out be regularly subscribed or indorsed; and every sheriff or other officer who shall make out any such warrant without subscribing or indorsing the name of the attorney, clerk in court, or solicitor, who sued out the same, shall forfeit 5*l.*, to be assessed as a fine by the court, out of which such process shall issue, one moiety to H. M., and the other to the party grieved, 12 *G.* 2. *c.* 13. *s.* 4.

48. No attorney or solicitor shall maintain any action for fees, charges, or disbursements, at law or in equity, till the expiration of one month after he shall have delivered to the party charged, or left for him at his dwelling house or last place of abode, a bill of such fees, &c., written in a common legible hand, and in *English*, (except law terms, and names of writs,) and in words at length, (except times and sums), and subscribed by his own hand, 2 *G.* 2. *c.* 23. *s.* 23., 12 *G.* 2. *c.* 13. *s.* 5. [*and see old* regulation, 3 *J.* 1. *c.* 7. *s.* 1. *pl.* 19.]

49. Every attorney, *clerk in court*, and solicitor, may write his bill of fees, &c. with such abbreviations as are commonly used in the *English* language, 12 *G.* 2. *c.* 13. *s.* 5.

50. And upon application of the party chargeable by such bill, or of any authorized person on his behalf, to the chancellor, master of the rolls, or to any of the said courts, or to a judge or baron of the court in which the business contained in the bill, or the greatest part thereof in value has been transacted, and upon submission to pay the sum, which on taxation shall appear to be due, the chancellor, &c. may refer such bill, (though no action is pending touching the same,) to be taxed by the proper officer, without any money being brought into court; and if the attorney or solicitor, or party chargeable by such bill, having due

notice, neglect to attend such taxation, the officer may proceed to tax the bill *ex parte*, (pending which reference no action shall be commenced touching the said demand,) and on taxation of such bill the party shall pay to the attorney or solicitor, or to any person by him authorized, that shall be present at such taxation, or to any other person as the court shall direct, the sum found due, which payment shall be in discharge of the bill; and in default thereof, the attorney or solicitor shall in like manner be liable to an attachment, or process of contempt, or such other proceeding at the party's election, as he would have been subject to had this act not been made; and the said courts shall award the costs of such taxation to be paid by the parties according to its event, *viz.* if the bill taxed be less by one-sixth than that delivered, the attorney, &c. shall pay the costs; but if it be not less, the court in their discretion shall charge the attorney or client in regard to the reasonableness or unreasonableness of such bills, 2 *G.* 2. *c.* 23. *s.* 23.

51. The 2 *G.* 2. *c.* 23. *s.* 23. does not extend to bills of fees and disbursements due from any solicitor, attorney, or clerk in court, to another solicitor, &c. which remain as before that act, 12 *G.* 2. *c.* 13. *s.* 6.

52. Every person who, in his own or another's name, shall sue out any process, or prosecute or defend any action, suit, or proceedings in any courts of law or equity, as an attorney or solicitor, for or in expectation of fee or reward, without being admitted and enrolled, shall forfeit 50*l.*, to the use of the prosecutor, and cannot maintain any action for his fees or disbursements therein, 2 *G.* 2. *c.* 23. *s.* 24.

53. The penalties inflicted by this act may be recovered by action of debt, bill, plaint, or information, in any of the courts of record at *Westminster*, or in the counties palatine, or in great sessions of *Wa.*, or at assizes or quarter sessions for the county or division where the offence is committed, by any person suing for same, within 12 months after the offence, in which action, &c. no essoin, &c. and but one imparlance shall be allowed, nor shall it be removed before judgment, or stayed by *certiorari*, *habeas corpus*, or other writ, *id. s.* 25.

54. Nothing herein shall extend to the examination, swearing, admission, or enrolment of the six clerks, or their sworn clerks, or the waiting clerks of the six clerks, or the cursitors of chancery, or clerks of petty bag office, or to the clerks of the king's coroner and attorney, [*see next pl.*] or of the filacers in K.B. or C.P., or of the attornies of the court of duchy-chamber of *Lancaster*, or of exchequer at *Chester*, or of the mayor and sheriffs-court of *London*, who may be admitted, &c. and practise as before this act, *id. s.* 26.

55. Clerks of the king's coroner, and attorney of K.B. [*vulg. vocat.* master of crown office, *Tidd*, 7th ed. 37.] regularly admitted as such clerks, may be admitted to practise as attornies in K.B., and in any other of the courts, in 2 *G.* 2. *c.* 23. *s.* 1. *pl.* 23. *comm. semb.* mentioned, in the name and with the consent in writing of some sworn attorney thereof, signed by him as in *s.* 27. *pl.* 56., &c. of that act provided. 49 *G.* 3. *c.* 28. *s.* 1.

56. Nothing in these acts shall extend to the examination, &c. as in *s.* 26. *pl.* 54. of the attornies or clerks of the offices of the king's or treasurer's remembrancer of the pipe, or of pleas in the court of exchequer at *Westminster*, who may be approved, sworn, admitted, and practise in such court of exchequer; or may practise in any other court of record above-mentioned, in the name and with the consent of some sworn attorney in such court, (being in writing signed by him,) and any person enrolled an attorney or solicitor in any of the above courts, may practise and solicit in the said respective offices as has been heretofore done, 2 *G.* 2. *c.* 23. *s.* 27. 22 *G.* 2. *c.* 46. *s.* 19. S. P.

57. Nothing in this act shall extend to the examination, &c. as in *s.* 26. *pl.* 54. of the solicitors of the treasury, customs, excise, post-office, salt or stamp duties, or of any other branch of the revenue, or of the city of *London*, or of the assistant to the council for affairs of admiralty and navy, who may be admitted and practise in their respective offices only, as before this act, *id. s.* 28.

58. But none of the six clerks, or of the other persons enumerated in 2 *G.* 2. *c.* 23. *ss.* 26—28. *pl.* 54—57., 22 *G.* 2. *c.* 46. *s.* 19. *pl.* 56. shall be permitted, in his own or another's name, to sue out any writ or process, or commence, carry on, or defend any action or proceedings in any of the said courts, for fee or reward, as a solicitor or attorney, except as in *s.* 12. *pl.* 60., unless he shall, for the purposes of this act, cause his name to be enrolled in the court in which he is such clerk, &c. or in the court in which he shall so prosecute or defend any such suit, &c. with the proper officer; and shall annually, during such time as he shall practise, obtain a certificate marked with the proper stamp, according to the place of his residence, as directed with respect to sworn attornies or solicitors, on pain of like penalties and incapacities, as in *s.* 7. of this act, 25 *G.* 3. *c.* 80. *s.* 10. [*See rest* of this statute, STAMPS (ATTORNEY).]

59. No officer or clerk of any of the courts aforesaid, [*semble* those referred to in the last *pl.*] except those in *s.* 12. *pl.* 60. excepted, shall in his own or any other's name, sue out any writ or process, or commence, carry on, or defend any suit or other proceedings therein, for or in expectation of reward as a solicitor, &c. unless such officer or clerk shall cause his name to be enrolled or registered in the court in which he is such officer, or in that in which he shall so commence, &c. such suit, &c. with the proper officer therein, and shall annually, during such time as he shall so practise, obtain a proper certificate, [*as in pl.* 58. *to the end,*] 25 *G.* 3. *c.* 80. *s.* 11.

60. Nothing herein shall subject to payment of the stamp duties *hereby* imposed on certificates of attornies or solicitors, any officer or clerk of any of the courts referred to in *s.* 10. *pl.* 58. who is charged with land-tax in respect of his office in such court, by reason of his being employed in the management of any suit or other proceeding therein, relating to the business of his office only, and wherein such officer is not also employed by the party to such suit, &c. or by any solicitor, &c. for or in expectation of reward over the fee payable to such officer in respect of his office, *id. s.* 12.

61. Any person admitted a sworn clerk in the six clerks' office, or articled to serve as a clerk for five years to a sworn clerk therein, and acting in such service for three years or more, and then being admitted and acting as a waiting clerk, during the residue of the five years, may be admitted a solicitor in equity, as in 2 *G.* 2. *c.* 23. *s.* 8. *pl.* 26. 22 *G.* 2. *c.* 46. *s.* 16.

62. If the sworn clerk to whom such clerk is articled dies, or if the articles are vacated by consent of both parties, or if the clerk is legally discharged by rule or order of chancery, before the five years are expired, then if the clerk by contract in writing, be bound to and shall actually serve as a clerk to any other such sworn clerk, or to any other solicitor, such service is as good as if performed with original master, *id. s.* 17.

63. No such sworn clerk shall have more than two clerks, including the clerk entered on the roll kept by the secretary of the master of the rolls, *id. s.* 18.

64. Every person not admitted as an attorney or solicitor as above, who shall commence, defend, or carry on any action or other proceedings in the county court in any county of *Eng.* shall, for every offence forfeit 20*l.*, recoverable with costs by the party who shall sue for the same in any court of record, within 12 months after the offence, 12 *G.* 2. *c.* 13. *s.* 7.

65. Quakers who have served clerkships, and are in other respects qualified as above, may be admitted and enrolled as attornies or solicitors, on taking their solemn affirmation, instead of the oaths in 2 *G.* 2. *c.* 23. *s.* 13. or 14. *pl.* 24, 26. *id. s.* 8.

66. No attorney or solicitor shall during his confinement in any prison, or within the rules thereof in his own name, or in that of any other, sue out any writ or process, or commence or prosecute any suit in any courts of law or equity; and all proceedings therein shall be void and he, and any other attorney, &c. permitting him to commence any suit in his name shall be struck off the roll, and incapacitated from acting as such in future, *id. s.* 9.

67. Nothing herein shall prevent any attorney, &c. so confined, from carrying on any suit commenced before his confinement, *id. s.* 10.

68. If any sworn attorney or solicitor shall act as agent for any person not qualified to act as an attorney, &c. or shall suffer his name to be made use of on the account, or for the profit of an unqualified person, or shall send any process to such person, thereby to enable him to appear, or practise in any respect as an attorney, &c. knowing him not to be qualified, then, on complaint thereof in a summary way, proved on oath to the satisfaction of the court from whence any such process issued, the offending attorney shall be struck off the roll, and for ever disabled to practise as an attorney or solicitor, and the court may commit the unqualified person so practising as above to the prison of the court for not exceeding one year. *id. s.* 11.

69. No person shall act as a solicitor, attorney, or agent, or sue out any process at any general, or quarter sessions of the peace within this kingdom in any matter criminal or civil, unless he shall have been admitted an attorney of one of the courts of record at *Westminster*, and enrolled according to law, and unless he shall so continue entered on the roll at the time of his acting in the above capacity, but every person who shall so act, not being admitted and enrolled as above, shall incur a penalty of 50*l.* to be recovered by action of debt, bill, plaint, or information, in any court at *Westminster*, by any person who will sue within 12 months after the offence, with treble costs, and any attorney who shall permit any person not so admitted to make use of his name in the above courts shall forfeit 50*l.*, to be recovered in like manner, *id. s.* 12.

70. Nothing herein shall deprive the attornies of the duchy of *Lancaster*, or of the courts of great sessions of *Wa.* or the county of the counties palatine from acting in their respective jurisdictions, *id. s.* 13.

71. No clerk of the peace, under-sheriff, or their deputies respectively shall act as a solicitor, attorney, or agent, or sue out process at any general or quarter sessions to be held for the county or place where he shall execute his office, under penalty of 50*l.* to be recovered as in *s.* 12. *pl.* 69. *id. s.* 14.

72. To AMEND the several acts for regulation of attornies and solicitors, 1 & 2 *G.*4. *c.*48. *ss.*1, 2. and *s.*4. [see *s.*3. in NOTARY PUBLIC.]

73. After 8*th June* 1821, in case any person who has taken, or shall take the degree of bachelor of arts, or of law, at either of the universities of *Oxford*, *Cambridge*, or *Dublin*, shall at any time after taking his degree be bound by contract in writing to serve as a clerk for three years to an attorney, solicitor, or six-clerk, duly sworn and admitted according to 2 *G.*2. *c.*22. and 7 *G.*2. *Ir. c.*5. or this, or any other act in force for regulation of attornies and solicitors, in some or one of the courts of law or equity in those acts mentioned, and shall continue for three years in such service, during the whole of which time he shall continue and be actually employed by such attorney, solicitor, or six-clerk, or his agent, in the proper business of an attorney or solicitor, and shall cause an affidavit, or being a quaker, a solemn affirmation also, of himself, or of his master, to be duly made and filed, that he has actually so served and been employed during the whole term of three years, as required by 2 *G.*2. *c.*23., 22 *G.*2. c.46., and 7 *G.*2. *Ir. c.*5. with respect to persons required by those acts to serve for five years, shall be qualified to be sworn, or take his solemn affirmation, and be admitted and enrolled as an attorney or solicitor respectively, according to the nature of his service, in the respective courts of law or equity, as fully as any person having been bound and served five years, is qualified to be sworn, or take affirmation, and to be admitted or enrolled under the above, or any other act for regulation of attornies or solicitors in *Eng.* any thing in any of those acts notwithstanding, *id. s.*1.

74. After such 8*th June*, if any person who now is or hereafter shall be bound by contract in writing to serve as such clerk, as in *s.*1. *pl.*73. for five years in manner mentioned by any act now in force relating to service of persons intended to be admitted as attornies or solicitors in *Eng.* or *Ire.* shall actually be and continue as pupil to any practising barrister, or person practising as a certificated special pleader in *Eng.* or *Ire.* for any part of that term, not exceeding one year, the judge or other sufficient authority to whom he shall apply to be admitted as attorney or solicitor as above, on affidavit or affirmation of such clerk, and such barrister or special pleader to be duly made and filed, and on being satisfied that such applicant had actually been and continued with, and had been employed as pupil by such practising barrister or special pleader as above, but not otherwise, may admit him as attorney or solicitor in like manner as is now done in cases where the clerk has served part of his clerkship with the agent of the person to whom he had been bound, *id. s.*2.

75. Nothing herein extends to any person who has taken or shall take such degree of bachelor of arts, unless his degree is taken within six years after his first matriculation in either of the universities in *s.*1. *pl.*73. nor to any person who shall take, or has taken such degree of bachelor of law, within eight years after it; nor to any person bound by contract in writing to serve as a clerk to any attorney, solicitor, or six-clerk under this act, unless so bound within four years next after the day of his taking such degree, *id. s.*4.

ATTORNMENT.

1. ALL GRANTS or conveyances, by fine or otherwise, of any manors or rents, or of the reversion or remainder of any messuages or lands, shall be good without attornment of the tenants, 4 & 5 *A. c.*16. *s.*9.

2. But no such tenant shall be damaged by payment of rent to any such grantor or conusor, or by breach of any condition for non-payment of rent, before notice given him of such grant by the grantee or conusee, *id. s.*10.

3. ALL ATTORNMENTS of tenants to strangers, of any hereditaments within *Eng.*, *Wa.*, or *Ber.*, shall be void, and the possession of the lessors shall not be affected thereby; provided that nothing herein shall affect any attornment made pursuant to some judgment at law, or decree or order of a court of equity, or made with consent of the lessor, or to any mortgagee after the mortgage is forfeited, 11 *G.*2. *c.*19. *s.*11.

AUCTION AND AUCTIONEER.

1. FOR GRANTING to H. M. certain duties on licences to be taken out by all persons acting as auctioneers, and on all lands, houses, goods, and other things sold by auction, 17 *G.*3. *c.*50. *ss.*5—15. [See rest of the statute, STAMPS.] ALTD., AMD., and ENF. by 19 *G.*3. *c.*56.; 27 *G.*3. *c.*13. *ss.*35, 36. and *sched.* (F.); 28 *G.*3. *c.*37. *ss.*19, 20.; 29 *G.*3. *c.*63. *ss.*1—3.; 30 *G.*3. *c.*26.; 32 *G.*3. *cc.* 11, 41.; 38 *G.*3. *c.*54. *ss.*2, 3.; 41 *G.*3. (U.K.) *cc.*42, 91. *s.*8.; 42 *G.*3. *c.*93. *ss.*1—3. 14, 15.; 43 *G.*3. *c.*69. *s.*1. and *sched.* (A.) *tit.* Auction; 43 *G.*3. *c.*130.; 45 *G.*3. *c.*30. *s.*1. and *sched.* (A.) *tit.* Auction; 47 *G.*3. *S.*2. *c.*65; 51 *G.*3 *c.*95.; 55 *G.*3. *cc.*30, 142.; and 59 *G.*3. *c.*32.

I. *Duties on Things sold by Auction, being all under the Excise.*
II. *Exemptions of certain Sales from Auction Duty.*
III. *Duties on Licences to be taken out by Auctioneers.*
IV. *Exemptions (as to Venders of Gold and Silver Manufactures only).*
V. *General Regulations.*

I. *Duties on Things sold by Auction.*

	DUTY. £	s	d.
FOR EVERY 20*s.* of the purchase-money arising or payable by virtue of any sale at auction in *G.B.* of any interest in possession or reversion, in any lands, tenements, or hereditaments, and any share or shares in the capital or joint stock of any corporation or chartered company, and of annuities or sums charged thereon, and of any ships and vessels, and of reversionary interests in public funds, and of plate or jewels; *and so* in proportion for greater or less sum of such purchase-money, [*see this regulation first made*, 19 *G.*3. *c.*56. *s.*5.] by 43 *G.*3 *c.*69. *sched.* (A) *tit.* AUCTION	0	0	6
ADDITIONAL, by 45 *G.*3. *c.*30. *sched.* (A) *tit. id.*	0	0	1
FOR EVERY 20*s.* of the purchase-money arising, &c. by virtue of sale by auction in *G.B.* of furniture, fixtures, pictures, books, horses and carriages, and all other goods and chattels, and so in proportion for any greater or less sum of such purchase-money, 43 *G.*3. *c.*69. *sched.* (A) *tit.* AUCTION	0	0	10
ADDITIONAL, 45 *G.*3. *c.*30. *sched.* (A) *tit.* AUCTION	0	0	2
FOR EVERY 20*s.* of the purchase-money arising, &c. by auction for benefit of growers or first purchasers respectively of sheep's wool, the growth or produce of any part of the *U.K.* 55 *G.*3. *c.*142. *s.*1.	0	0	2

This reduced duty on wool sold by auction shall be recovered and applied, in *G.B.* and *Ire.* respectively, in the same manner as the other auction duties; and all sales by auction thereof are liable to all regulations of other sales, 55 *G.*3. *c.*142. *s.*2. [*see* 54 *G.*3. *c.*82. *sched. tit.* Exemptions, IRELAND, (AUCTION.)]

[The duties to be paid by the auctioneer, agent, factor, or seller by commission, 43 *G.*3. *c.*69. *sched.* (A)]

II. *Exemptions of certain Sales from Auction Duty.*

1. SALES BY AUCTION of estates or chattels, made by order of the court of chancery or exchequer; or of great sessions in *Wa.*; or by any order or decree of the courts of session or exchequer in *Scot.*; or of the *East India* or *Hudson's Bay* companies; or of the commissioners of customs or excise, board of ordnance, or commissioners of the navy or victualling offices; or by the sheriff, for the benefit of creditors, in execution of judgment; or of goods distrained for rent, or non-payment of tithes: so of effects of bankrupts sold by assignees; of goods imported by way of merchandize from any *British* colony in *America*, the same being of the growth, produce, or manufacture of such colony, on the first sale thereof on account of the original importer, to whom they were consigned, and by whom they were entered at the custom-house, so as such sale be made within *twelve* months after importation; [*but coffee* may be sold duty free at any time while it remains warehoused, under 43 *G.*3. *c.* 132., by 52 *G.* 3. *c.*53. *s.*1.] so of ships or their cargoes condemned as prize, and sold for the benefit of the captor; so of ships or goods wrecked or stranded, sold for the benefit of the insurers or proprietors; so of any goods damaged by fire, and sold for the benefit of the insurers, or by trustees of *Scotch* insolvents appointed under 12 *G.*3. *c.*72.; so of any auction to be held on account of the lord or lady of the manor, for granting any copyhold or customary messuages, lands, or tenements for the term of a life or lives, or any number of years; so of any auction for the letting or demising any messuages, lands, or tenements for the term of life or lives, or any number of years, to be created by the person on whose account such auction shall be held; so of the sale of any wood, coppice, produce of mines or quarries, or materials for working the same; or of any cattle and live or dead stock, or manufactured produce of land, so as such sale of woods, coppices, produce of mines or quarries, cattle, corn, stock, or produce of land be made whilst they continue on the lands producing the same, and by the owner of such lands, or proprietor of or adventurer in such mines or quarries, or by their steward or agent, 17 *G.*3. *c.*50. *ss.*11—13., 19 *G.*3. *c.*56. *ss.*13—15. [as AMD. by 52 *G.*3 *c.*53. *s.*1.]

2. Piece goods wove or fabricated in this kingdom, and sold by auction on account of the manufacturer or first purchaser, entire in the piece or quantity as taken from the loom, in lots of the price of 20*l.* or upwards, 29 *G.*3. *c.*63. *s.*1.

3. Such exemption shall not take place, unless the sale is carried on at same place, entered at next excise-office, and unless the goods are openly shewn at the time and place of sale, *id. s.*2.

4. The auctioneer shall, at every such public sale, besides the bond now given on receiving his licence, [see 42 *G.*3. *c.*93. *s.*14., and 43 *G.*3.

AUCTION AND AUCTIONEER.

*c.*130. *s.*1. *infra, pl.*4..] shall give further bond in 5000*l.*, with two sureties, to H.M., to be taken by any two commissioners of excise or their appointee, that he will, within 14 days after every such sale, deliver at the next excise-office an account of the lots sold, of the price of each lot, with the amount of the money bid at such sale; and that he will not sell by auction any goods woven out of this kingdom, or woven in this kingdom, if not sold in the entire piece, and in lots, and on the account as in *s.*1. *pl.*2., without paying the proper duty, 29 *G.*3. *c.*68. *s.*3.

5. If it appear that the obligee has acted contrary to the true intent of such bond, the excise commissioners may put it in suit, *id. s.*4.

6. Goods imported from *Yucatan* in *South America*, 30 *G.*3. *c.*26. *s.*1.

7. Whale oil, 32 *G.*3. *c.*41.

8. Elephant oil, (*viz.* oil produced from sea-cows or sea-elephants,) 41 *G.*3. (U.K.) *c.*42.

9. Whalebone, ambergris, and head-matter; all skins of seals and other sea animals; elephants' teeth, palm-oil, dying-wood, drugs, and other articles for dyers' use; all mahogany and other unmanufactured wood for the use of cabinet-makers and other manufacturers, imported in *British* ships from *Africa* [or *America*, 42 *G.*3. *c.*93. *s.*3.], or any *British* settlement abroad, shall be free of excise duty on the first sale thereof by auction, by or for the account of the original importer to whom the same were consigned, and by whom they were entered at the custom-house, so as such sale be made within *twelve* months after such goods are imported, and the same be sold by a licensed auctioneer, 32 *G.*3. *c.*41.

13. Corn and grain of every sort, flour and meal, and all beef, pork, hams, bacon, cheese, and butter, imported into *G. B.* shall be free of duty on the first sale thereof by auction, on account of the original importer to whom the consignment and by whom entry was made, so as such sale be made within 12 months after importation by some duly licensed auctioneer, 41 *G.*3. (U.K.) *c.*91. *s.*8.

16. West India produce brought into the *West India* docks in the port of *London*, and whereof entry is not made in seven days after arrival (according to 42 *G.*3. *c.*113. *ss.*15, 16.), shall, when sold by order of the *W.I.* Dock Co. directors to pay customs, duties, and charges, be exempt from auction duty, 47 *G.*3. *s.*2. *c.*65.

17. Sales by auction of any estates or chattels of H.M. made by order of the commissioners appointed under 55 *G.*3. *c.*55. [Crown Property, &c.] are exempted from auction duty, 55 *G.*3. *c.*55. *s.*12.

III. *Duties on Licences to be taken out by Auctioneers.*

	DUTY. £.	*s.*	*d.*
On every licence to be taken out by every auctioneer, 43 *G.*3. *c.*69. *sch.*(A) *tit.* Licences - - - -	0	6	0
Additional, 55 *G.*3. *c.*30. *sch.* (A) *tit. id.* (continued to *5th July* 1822, 59 *G.*3. *c.*32.) - - -	0	6	0
(Besides the following duties, if he sell gold or silver plate.)			
On every licence to be taken out by every person trading in, vending, or selling any gold and silver plate or any goods or wares in which any quantity of gold exceeding 2 *dwts.* and under 2*oz.* weight, or any quantity of silver exceeding 5 *dwts.* and under 30 *oz.* weight in any one separate ware or piece of goods, shall be manufactured, 43 *G.*3. *c.*69. *sch.*(A.) *tit.* Licences - - - -	2	6	0
Additional, 55 *G.*3. *c.*30. *sch.* (A) *tit. id.* (expiring *5 July* 1822, 39 *G.*3. *c.*32. - - - - -	2	6	0

IV. *Exemptions (from the Duties on Venders of Gold and Silver manufactures only.)*

1. No person trading in or selling gold or silver watches, and not selling any gold and silver plate, &c. as above, shall be liable to the duty of 2*l.* 6*s.* by 55 *G.*3. *c.*30. granted, 59 *G.*3. *c.*32. *s.*2. [*Quære*, this does not appear to exempt them from the old duty under 43 *G.*3. *c.*69.]

2. To obviate disputes touching the quantity or weight of gold or sliver contained in any piece of goods, all goods sold or offered for sale, or taken in pawn, or delivered out as gold and silver respectively shall be deemed such within 43 *G.*3. *c.*69. and 55 *G.*3. *c.*30., 59 *G.*3 *c.*32. *s.*3.

V. *General Regulations.*

1. No person shall act as an auctioneer or seller by commission at the sale of, or shall sell any estate, goods, or effects soever, by outcry, knocking down of hammer, candle, lot, panel or other mode of sale by auction, or whereby the highest bidder is deemed the purchaser, without first taking out a licence, in which his true name and abode shall be specified, and paying for the same the duties above mentioned, besides other duties to which he may be liable for trading in or selling any gold or silver plate; which licences, if taken out within the limits of the *London* chief excise office for selling within such limits, or in any other part of *Eng.* or *Wa.*, shall be granted under the hands and seals of two or more commissioners, or of such persons as they shall appoint, and the duties shall be paid at such chief office; and if taken out without those limits for selling by auction also out of them, they shall then be granted by the collectors and supervisors of excise of the district, and the duty shall be paid to the collector granting the same, 19 *G.*3. *c.*56. *s.*3.

2. The same regulations are in force where a licence *is taken out* within limits of chief office of excise in *Scot.*, and the same distinction exists between licences so taken out, and those taken out in any part of *Scot.* out of those limits, *id. ibid.*

3. Such licence shall be renewed annually, 10 days at least before expiration of 12 calendar months, after taking it out or paying down the duties at the above mentioned times and place; and every person not licenced, who shall offer to sell by auction without a licence or without renewing same yearly, shall, if the offence is committed within the limits of the *London* chief excise office, forfeit 100*l.*, and 50*l.* if without those limits, *id. s.*4.

4. Every auctioneer acting in that capacity within the limits of the *London* chief excise office, shall, on recovering his licence, give security by bond to H.M., *viz.* himself in 1000*l.*, and two sureties in 200*l.* each, to be taken by the commissioners of excise, or their officers appointed to deliver out the licences conditioned to deliver within 28 days after each sale, to the proper officer at the said chief excise office, an exact account in writing of the total amount of money bid at each sale; of the several articles sold, with the prices of each and what articles were bought in by the owner or by his direction in writing, witnessed by the latter, and shall at the same time pay the duties then due; which money he may return out of the produce arising by such sale or deposit made, or otherwise recover the same by action against his employer, 19 *G.*3. *c.*56. *s.*7., 42 *G.*3. *c.*93. *s.*14., 43 *G.*3. *c.*130. *s.*1., [The 43 *G.*3. *c.*130. *s.*1. amends the mistake of 100*l.* for 1000*l.*, in 42 *G.*3. *c.*93. *s.*14., by inserting 1000*l.*]

5. Every auctioneer or his clerk at the sale, shall make oath to the truth of such account before such commissioners, or one of them, or before such person as they shall appoint, and if the auctioneer giving such bond shall neglect to deliver in his account, or to make payment of the duties, or if it shall appear that the account delivered in was not just, or that the auctioneer has acted contrary to the bond and this act, the said commissioners may cause such bond to be put in suit, unless they find cause to forbear, and in case of a verdict against defendant, such licence shall be void, 19 *G.*3. *c.*56. *s.*7.; 17 *G.*3. *c.*50. *s.*6.

6. Any auctioneer acting as such in G.B., without the limits of such chief office, shall give like security by bond, himself in 500*l.* and two sureties in 50*l.* each, to be taken by commissioners of excise in *Eng.* and *Scot.* respectively, or by any two of them, or their officer appointed for that purpose, or by the excise collectors, conditioned to give a like account, and make payment of the duties within six weeks after each sale; and every regulation for securing, &c. the duties in the chief excise office in *London*, shall be observed in all others parts of *G. B.*, 42 *G.*3. *c.*93. *s.*15., 19 *G.*3. *c.*56. *s.*8., 17 *G.*3. *c.*50. *s.*7.

7. The commissioners may deliver up the bond, if the obligor has acted according to this act for the year of his licence, but if the contrary, may prosecute the same, (unless they find sufficient cause to forbear,) and if a verdict is given against defendant, his licence is void, and he himself is disabled from ever after having such a licence, and is liable to penalties for acting under colour thereof, 17 *G.*3. *c.*50. *s.*6.

8. The duties shall be charged on the auctioneer immediately after knocking down the hammer or other closing of the bidding, 19 *G.*3. *c.*56. *s.*2.

9. And shall be paid when the account of the sales is delivered, 19 *G.*3. *c.*56. *s.*7., 17 *G.*3. *c.*53. *s.*6.

10. Auctioneers not paying the above duties in legal time, shall forfeit double the duty unpaid; and if in 14 days after conviction and execution issued, no sufficient goods shall be found whereon to levy the whole penalty, and it remain unpaid at end of that time, or if any breach of the bond is committed, then the commissioners of excise may put the bond in suit against him and his sureties, (unless they find sufficient cause to forbear same,) and if the verdict or judgment be against him, his licence is void, 38 *G.*3. *c.*54. *s.*2.

11. If auctioneer makes any overpayment on account of auction duty, he may, within 12 months after, lay complaint before commissioners of excise, or justices of peace, within whose respective jurisdiction such sale was made, who, after hearing the same and the evidence of witnesses on oath, may relieve him of the overpayment, 38 *G.*3. *c.*54. *s.*3. [The *payment* of this sum appears provided for, 51 *G.*3. *c.*95. *s.*1. *pl.*18.]

12. Auctioneer may make it a condition of sale that the duty or any part thereof, shall be paid by the purchaser over and above the price bidden, and on refusal to pay such duty on demand by auctioneer, the bidding is void, 17 *G.*3. *c.*50. *s.*8.

13. Agreements between buyer and seller or other person touching payment of the duties are good, so as they do not extend to lessen the full duty to be paid, *id. s.*9.

14. Every auctioneer selling by auction within limits of chief excise office in *London*, shall deliver at the chief office of excise a *two* days' notice in writing, signed by him, specifying the day when the auction will begin, and shall then, or in 24 hours after, also deliver a catalogue signed by himself or his known clerk, enumerating all the articles to be sold at such auction; and every auctioneer selling by auction in any part of *G. B.* without those limits, shall give a like notice *three* days before sale begun, to the collector of excise of the walk, or to the nearest excise office, with a catalogue in the like time, on 20*l.* penalty for selling by auction without these requisites, 19 *G.3, c.56. s.9.*

15. Every auctioneer shall, within 28 days after the day specified in notice as the day of any sale *within* the limits of such chief excise office, deliver at the same in *London* a declaration in writing sworn to by himself or acting clerk, expressing whether the sale took place or not, or whether any article in the catalogue was bid for or sold; and if he has given such notice of any sale *without* such limits, a like declaration shall be made in like manner, in six weeks after the day fixed for the sale, to the collector of excise of the walk, on penalty of 50*l.* for neglect or refusal, to be recovered or mitigated by any laws of excise, or by action of debt, or information in the courts at *Westminster*, or in exchequer in *Scot.*; one moiety to H. M, and the other to the informer, 32 *G.3. c.11. s.1.*

15. Any auctioneer, acting as such, in *Eng.* or *Wa.* out of the limits of the chief excise, &c. and not being prepared to deliver in such account to the collector of excise in whose walk such notice was delivered, and sale by auction made, may deliver in his account, in six weeks after such sale, at the chief excise office in *London*, with a true copy of the notice and catalogue by him before delivered to the collector, on penalty of 20*l.* for neglect in delivery of either of the latter, 19 *G. 3. c. 56. s.* 10.

16. Where sale is rendered void, in 12 months after, for want of title in the beneficial owner, the auctioneer who has paid the duty, or such owner, may lay complaint before the commissioners of excise or justices of peace of place where the sale was made, (or if the sale is rendered void after 12 months, then in 3 months after discovery of the want of title,) who, after hearing the same and the evidence of witnesses on oath, may relieve the party of any overpayment, 28 *G. 3. c. 37. s.* 19. 19 *G. 3, c. 56. s.* 11. [*Note, no* express limitation of time for receiving complaints, as in 54 *G.3. c.82. s.21., for Ire.*]

18. The above commissioners and justices of peace respectively, shall then grant their warrant to the proper collector of excise, requiring him to pay out of the auction duties, to the party so relieved, the full sum so proved to have been overpaid, 51 *G. 3. c. 95. s.* 1,

19. Every auctioneer selling any estates or effects seized by sheriff or under-sheriff, for benefit of creditors in execution of any judgment obtained, shall specify in his catalogue the particular estates and effects to be sold, and the exact sum to be levied under such execution; and the sheriff, &c. shall sign every catalogue, and certify at the foot thereof, that the articles enumerated were really the property of the defendant, and were actually seized in execution of judgment had against him, 19 *G. 3. c. 56. s.* 16.

20. So, in sales of brankrupts' effects, the catalogue shall specify the articles to be sold, and the assignee or assignees shall sign the same, and certify that the articles enumerated were really the property of the bankrupt at time of suing forth the commission, *id. ibid.*

21. Where the real owner of any estate or effects, put up to sale by auction, shall become the fair purchaser by his own or agent's bidding, the commissioners and collectors of excise respectively shall make allowance to him of the duties on such bidding, 17 *G. 3. c. 50. s.* 10., 19 *G. 3. c. 56. s.* 12.

21. But a notice in writing, signed by the owner or by his agent actually employed in managing the sale, and by the intended bidder declaring that the latter is appointed by the former, and has agreed to bid at the sale on behalf of the seller, must be given to the auctioneer before such bidding, and verified by his oath as to the fairness of the transaction to the best of his knowledge; and on any dispute as to whether such purchase by the owner was not made by collusion, or to lessen the full sum paid, the proof of the fairness of the transaction shall lie on the auctioneer, and in case of failure in such proof, or in case of unfair practice, no such allowance as in last *pl.* shall be made, 19 *G. 3. c.56. s.* 12., 28 *G.3. c.37. s.* 20., 42 *G.3, c.93. ss.* 1, 2., & 17 *G.3. c.50. s.* 10.

22. A like notice, verified in like manner, and subject to the same rules, shall be given where the steward or known agent of the owner buys in for him, 42 *G. 3. c.* 93. *s.* 1.

23. No such allowance shall be made unless such notice is produced by the auctioneer to or left with the proper collector or officer of excise, *id. s.* 2.

24. These respective catalogues, so signed and certified, shall be produced by every auctioneer, with his account, to the proper officer of excise hereby appointed to record the latter, before it shall be passed or allowed, with a penalty of 20*l.* on the sheriff or assignees respectively for false insertion in such catalogues of estates, not the property of the debtor or bankrupt, or for neglecting to certify therein the true sum to be levied on certifying a false sum, 19 *G.3. c.56. s.*16.

25. Every auctioneer employed to sell goods damaged by fire, and sold by order of and for the benefit of the insurers, shall specify the particular goods to be sold in the catalogue, which shall be signed by the insurer or insurers, certifying that the sale is really for their benefit, which catalogue, so signed, shall be produced by the auctioneer to the like proper officer, before he is permitted to pass his account under penalty of 20*l.* on the insurers for any false insertion of other goods or omission to insert in the catalogue the real goods sold, 19 *G.3. c.56. s.*17. [see the exemption from auction duty in case of sales of goods damaged by fire, *pl.*1.]

26. The penalties imposed by these acts, and by 42 *G.3. c.*93., to be recovered or mitigated by such means as any such penalties may be recovered or mitigated by any excise laws, or by action of debt or information in courts at *Westminster*, or of exchequer in *Scot.*, and to go one moiety to H. M. and the other to the informer, 17 *G.3. c,*50. *s.*15., 19 *G,3. c.56. s.*18., and 43 *G.3. c.*130. *s.*2.

AULNAGE.

(STATUTES *repealed and expired.*)

1. ALL CLOTHS sold shall be measured by H. M.'s aulnager, 25 *E.3. st.*4. *c.*1. *Stat. de Pannis*, [CONF. 3 *R.* 2, *c.*2. REP. *comme semb.* by 11 & 12 *W.3. c.*20. *s.*2.]

2. FOR PERMITTING the aulnage of cloths to be farmed, 4 *H.*4. *c.*24. [virtually REP. *as above, pl.*1.]

3. CLOTHS not to be tacked together till aulnager's seal set on them, 11 *H.*4. *c.*6. [CON. 13 *H,*4. *s.*4., REP. 5 & 6 *E.*6. *c.*6. *s.*39., that act REP. 49 *G.3. c.*109. *s.*1.]

4. FOR SEALING of cloth with wax at both ends notwithstanding 4 *E.*4. *c.*1., and for letting aulnage duties to farm, 17 *E.*4. *c.*5. [REP. 5 & 6 *E.*6. *c.*6. *s,*50., and 11 & 12 *W.*3. *c.*20, *s.*2.]

5. FOR AULNAGERS' fees in *Lancashire*, 8 *El. c.*12. *ss.*1—4. [REP. 11 & 12 *W.3. c.*20. *s.*2.]

(STATUTE *in force.*)

Subsidy and aulnage duties of old and new draperies, and of all woollen manufactures whatsoever in *Eng., Wa.* and *Ber.*, are abolished, and shall cease at expiration of the Duke of *Richmond*'s two grants thereof for 60 years, from 18 *Dec.*, 16 *C.*2., 11 & 12 *W.*3. *c.*20, *s.*2., [see 57 *G,*3, *c.*109, to like effect *for Ire.*]

AVOWRY.

1. THE ACTS for avowries, 7 *H.*8, *c.*4., 21 *H.*8. *c.*19., [and recitals in *s.*1. of both acts.]

2. Recoverers in a recovery, their heirs and assigns, may distrain for rents, services, and customs, and make avowry or justify the same; and may maintain *quære impedit* for advowsons appendant to manors and lands so recovered, if any disturbance thereof is made, 7 *H,*8, *c.*4. *s.*2.

3. Every avowant, and other person, making avowry or cognizance, or justifying as bailiff to any other person in replevin or second deliverance for any rent, custom, or service, [or for damage feasant 21 *H.*8. *c.*19. *s.*3.] if the avowry, &c. is found for him, or if plaintiff is otherwise barred shall recover such damages and costs as the plaintiff would have done, had he recovered therein, 7 *H.*8. *c.*4. *s.*3., and 21 *H.*8. *c.*19. *s.*3.

4. If the lord distrain on any manors, lands, or tenements for any such rents, customs, or services, and replevin thereof is sued, he may avow, or his bailiff may make cognizance or justify for taking the distresses on such lands, &c. so holden, as in lands, &c. within seignory, alleging therein such lands to be holden of him, without naming any person certain to be tenant thereof, or making avowry, &c. on any person certain, and so in writs of second deliverance, 21 *H.*8. *c.*19. *s.*2.

5. The said plaintiff and defendant in writs of *replegiare*, or second deliverance, shall have like pleas and *aid prayers*, in such avowries, &c. (except pleas of disclaimer), as if the avowry, &c. had been at common law, *id. s.*4.

6. And shall have like joinder of persons in aid to either party, as at common law might join in *replegiare*, or second deliverance, as well with as without process, with like pleas, (except of disclaimer), and advantages as at common law, *id. s.*5.]

7. FOR MORE SPEEDY and effectual proceeding upon distresses and avowries for rent, 17 *C.*2. *c.*7. and recital in *s.*1. [EXT. to the C. P. of the counties palatine of *Lancaster* and *Durham*, to the great sessions for the county palatine of *Chester*, and of *Wales*, 19 *C.*2. *c.*5.]

8. Where plaintiff in *replevin* is nonsuit before issue joined in any courts at *Westminster*, and the defendant makes a suggestion in nature of an avowry, or cognizance for such rent to ascertain the court of the cause of distress, the court shall on his prayer award a writ to the sheriff,

to inquire by the oaths of 12 men, as to the sum in arrear at the time of distress taken, and the value of the goods or cattle distrained; and thereupon 15 days' notice of the sitting of such inquiry shall be given to plaintiff or his attorney; and on return of such inquisition, the defendant shall have judgment to recover the arrears of rent, if the goods distrained amount to that value, or if not, for so much as the value of the goods distrained amounts to, with full costs of suit, and execution by *fi. fa.*, *elegit*, or otherwise, as by law required, 17 *C.* 2. *c.* 7. *s.* 2.

9. If plaintiff is nonsuit after cognizance or avowry made, and issue joined, or if verdict is against him, then the same jurors shall at prayer of defendant inquire concerning the amount of the arrears, and the value of the goods distrained, and thereupon defendant shall have judgment for such arrears, or for so much thereof as the goods, &c. distrained amount to, with like costs and execution, *id. ibid.*

10. If judgment in any of the above courts be given on demurrer for the avowant or cognizant for rent, the court shall on defendant's prayer award a writ to inquire of the *value of the distress*, and on the return thereof, the avowant shall have a like judgment and execution for the rent alleged in his avowry to be in arrear, if the goods distrained amount to that value; and if they shall not, then for their amount with costs, *id. s.* 3.

11. In all the above cases where the value of any distress is not found to equal the full value of the arrears distrained for, the party to whom they are due, his executors or administrators may from time to time distrain again for the residue thereof, *id. s.* 4.

12. DEFENDANTS IN replevin may avow, or make conusance generally, that the plaintiff in replevin, or other tenant of the lands whereon such distress was made, enjoyed the same under a grant or demise at such a certain rent during the time wherein the rent distrained for incurred, which rent was then and still remains due, or that the place where the distress was taken was parcel of such certain tenements held of such honor, lordship or manor, for which tenements the rent, relief, heriot, or other service distrained for was at the time of such distress, and still remains due, without further setting forth the grant, tenure, demise, or title of such lessors, or owners of such manor, and if the plaintiff in such action shall become nonsuit, discontinue his action, or have judgment against him, the defendant in replevin shall recover double costs, 11 *G.* 2. *c.* 19. *s.* 22.

BAIL.

(STATUTE *expired.*)

MAINPERNORS to satisfy the plaintiff for delay, where the defendant keepeth not his day, 7 *R.* 2. *c.* 77. [EXP.]

(STATUTES *in force.*)

1. WHICH prisoners be mainpernable and which not. The penalty for unlawful bailment, 3 *E.* 1. *c.* 15. [CONF. 1 & 2 *P. & M. c.* 13. *s.* 2. False personating bail felony without clergy, 21 *J.* 1. *c.* 26.]

2. Prisoners outlawed, abjurers of realm, provers, those taken with the manour, breakers of the king's prison, thieves openly defamed, those appealed by provors, (so long as the provors are living), those taken for house-burning, for false money, or for counterfeiting the king's seal, persons excommunicate, taken at the request of the bishop, or for offences manifest, or traitors to the king, shall not be bailable; but such as be indicted of larceny by enquests before sheriffs or bailiffs, or of light suspicion, or for petty larceny under 12*d.* (if not guilty of larceny aforetime), or guilty of receipt of felons, or of commandment, or force, or of aid in felony done, or guilty of any other trespass, for which one ought not to lose life or member, and persons appealed by provor after the death of the provor, shall be bailable by sufficient surety, whereof the sheriff shall be answerable, and if the sheriff or any other let persons not bailable go by surety, and be thereof attainted, he shall lose his fee and office for ever; and if any under-sheriff, constable, or any other bailiff of fee do so, contrary to the will of his lord, they shall be imprisoned three years, and make fine at the king's pleasure; and if any withhold prisoners bailable, after they have offered sufficient surety, he shall pay grievous amerciament to the king; and if he take reward for it, he shall pay the prisoner double, and make fine to the king, 3 *E.* 1. *c.* 15.

3. FOR BAILING persons suspected of felony, 1 *R.* 3. *c.* 3. *s.* 1. [AMD. 3 *H.* 7. *c.* 3.]

4. Every justice in every shire, city, or town, shall let persons arrested for felony to bail, 1 *R.* 3. *c.* 3. *s.* 1. [REP. 3 *H.* 7. *c.* 3. *s.* 3.]

5. Justices of peace in every shire, city, or town, or two of them (whereof one to be of the quorum) shall let any prisoners arrested for suspicion of felony mainpernable by the law, that have been imprisoned, to bail or mainprize unto the next general sessions or gaol delivery, and shall certify the same to such sessions or gaol delivery on pain to forfeit 10*l.*, 3 *H.* 7. *c.* 3. *s.* 1.

6. Sheriffs, bailiffs of franchises, and others keeping gaols or prisoners for felony, shall in like manner certify the names of every such prisoner in their keeping, or to them committed, to the next gaol-delivery in every county or franchise, where any such gaol is there to be kalendered before the justices of deliverance, whereby they may proceed to make deliverance, on pain for every default of 100*s.*, *id. s.* 2.

7. APPOINTING AN order to justices of the peace for the bailment of prisoners, 1 & 2 *P. & M. c.* 13. and recital in *s.* 1. [See also 2 & 3 *P. & M. c.* 10. *tit.* FELONY.]

8. No justice of peace shall let to bail or mainprize any person which for any offence committed by him is by 3 *E.* 1. *c.* 15. *pl.* 2. declared not bailable, 1 & 2 *P. & M. c.* 13. *s.* 2.

9. Any persons arrested for manslaughter, or felony, or suspicion thereof, being bailable by the law, shall not be let to bail or mainprize, but by the justices in open sessions, or by two justices, one whereof to be of the quorum, and both shall be present together, which bailment they shall certify under their hands at the next general gaol delivery for the county, *id. s.* 3.

10. Such justices, when any prisoner is brought before them for manslaughter or felony *before any bailment*, &c. shall take the examination of the prisoner, and information of them that bring him of the fact thereof, and put the same in writing; which examination, with the bailment, they shall certify to such gaol delivery, 1 & 2 *P. & M. c.* 13. *s.* 4.

11. Every coroner, when any inquisition before him found, whereby any person is indicted for murder or manslaughter, or as accessary to same before the fact, shall put in writing the effect of the evidence given to the jury before him, and as well such coroner as such justices shall bind by recognizance or obligation, all such as do declare any thing material to prove such offences or felonies, or to be accessary to the same to appear at the next general gaol delivery for the county, &c. where trial shall be, there to give evidence against party indicted, and he shall certify such evidence and bond, together with the inquisition or indictment before him found, at or before such trial, and such justices shall certify such bond before them taken, as in case of bailments; and if any justice or coroner shall offend herein, then the justices of gaol delivery for the shire shall, on proof thereof by examination, fine such justices and coroner in their discretion, and estreat the same in the regular way, *id. s.* 5.

12. Justices of peace and coroners within *London* and *Middlesex*, and in other cities, boroughs, and towns corporate of this realm, and *Wa.* shall let to bail felons and prisoners as heretofore usual, and shall also take examination and bonds upon every bailment by them made, and certify the same to the next gaol delivery, within the shire, city, &c. of their several jurisdictions, on pain of forfeiture, as *s.* 5. *pl.* 11., *id. s.* 6.

13. Every *habeas corpus* or *certiorari* for the removing of a prisoner shall be signed by the chief justice, or one of the justices of the court out of which it issues, on pain of 5*l.* to be forfeited by the writer to H. M., *id. s.* 7.

14. FOR TAKING special bails in the country on actions and suits depending in the courts of K. B., C. P., or exchequer at *Westminster*, 4 *W. & M. c.* 4.

15. The chief and other justices of K. B., or any two of them, whereof the chief justice shall be one; the chief and other justices of C. P. or any two of them, whereof the chief justice shall be one; and the chief and other barons of the exchequer, or any two of them, whereof the chief baron to be one, shall, by commission under the seals of the respective courts impower any persons other than attornies and solicitors in *Eng.*, *Wa.*, and *Ber.*, to take and receive all recognizances of bails in any action depending in any of such courts, in such form and by such recognizance or bail-piece, as such justices and barons have used to take the same; which recognizance and bail-piece so taken shall be transmitted to some one of the justices or barons of the court where the action shall be depending, and which, on affidavit made of the due taking thereof by some person who was present, such justice or baron shall receive on payment of the usual fees to the said judges, clerks, and other officers of the courts, and which recognizance or bail-piece shall be of like effect as if the same were taken, *de bene esse* before any such justices and barons, and for the taking of which the person so empowered shall be entitled to 2*s.*, *id. s.* 1.

16. Such justices and barons shall make such rules, &c. for justifying of such bails, and making the same absolute, as they think meet, so as the cognizors be not compelled to appear in person in any of such courts to justify themselves, but the same may be determined by affidavit duly taken before such commissioners, who shall take the same and also examine the sureties on oath touching the value of their estates, unless such cognizors do live within *London* or *Westminister*, or 10 miles thereof, *id. s.* 2.

17. Any judge of assize in his circuit shall take every such recogniz-

ance of bails, as any person may be willing to acknowledge, which being transmitted as in *s.* 1. *pl.* 15., shall (without oath) be received as aforesaid on payment of the usual fees, 4 *W.& M. c.* 4. *s.* 3.

18. Every person who shall, before any person empowered under this to take bail, represent or personate any other person, whereby the person so represented may be liable to the payment of any sum for debt or damages recovered in the same suit or action, wherein such person is represented as if they had really acknowledged the same, shall on conviction be adjudged a felon and suffer death, and incur the forfeitures incident to other felonies, *id. s.* 4. [*see also* 21 *J.* 1. *c.* 26.]

19. IF ANY PERSON shall be arrested by any process issuing out of the courts of record at *Westminster* at the suit of any common person, and the sheriff or other officer takes bail from such person so arrested, such sheriff, &c. shall at the request and cost of the plaintiff or his attorney, assign to him the bail, bond, or other security taken from such bail by indorsing the same, and attesting it under his hand and seal in the presence of two witnesses, which may be done without any stamp; provided the assignment so indorsed be duly stamped before action brought on such bond; and if such bond, &c. so taken be forfeited, the plaintiff in such action, after such assignment made, may bring an action thereon in his own name, and the court may by rule give such relief to the plaintiff or defendant in the original action and to the bail, as shall be agreeable to justice; and such rule of court shall have the effect of a defeazance to such bail bond, 4 & 5 *A. c.* 16, *s* 20.

20. FOR REQUIRING officers taking bail in the king's suit to assign the bail-bonds to the king, 48 *G.* 3. *c.* 58. (*s.* 3.) [see rest of the title and act, COURTS, (*K.B.*)]

21. Every person who shall be arrested by any writ of *capias ad respondendum* issuing out of any court of record at *Westminster*, or out of any superior court of record of either of the counties palatine, or out of the courts of great sessions in *Wa.*, at the suit of H.M.; and the sheriff or other officer shall take bail from such person, such sheriff or officer at the request and costs of the prosecutor shall assign to H.M. the bail-bond by indorsement, and attesting it under his hand and seal in the presence of two witnesses, which may be done without stamp; provided the assignment is duly stamped before any suit commenced thereon; and if such bail-bond shall be forfeited, such process shall thereupon issue as on bonds originally made to the king, and court in which such bond is put in suit may give such relief to the defendant as is agreeable to justice, *id. s.* 3.

22. TO FACILITATE the progress of business in the court of K.B. in *Westminster-hall*, 57 *G.* 3. *c.* 11.

23. Any one of the judges of K.B. at *Westminster*, may, when occasion requires, sit apart from the other judges thereof, in some place in or near to *Westminster-hall*, for adding and justifying special bail in causes depending in K.B., whilst the other judges of such court are proceeding in dispatch of other business thereof in bank, in its usual place of sitting; and proceedings so had by and before one of such judges so sitting apart for those purposes, shall be as good in law, as if the same were had before the court assembled in its usual place of sitting, *id. ibid.*

BANKER.

(STATUTE *expired.*)

TO EXEMPT bankers and others from the penalties contained in 52 *G.* 3. *c.* 138. [*s.* 5. for making notes on paper with white letters on a dark ground, on or before 1*st Nov.* 1816.] 53 *G.* 3. *c.* 139. EXP.

(STATUTES *in force.*)

1. FOR THE BETTER prevention of the forgery of the notes and bills of exchange of persons carrying on the business of bankers, 41 *G.* 3. U.K. *c.* 57. [*see* 11 *G.* 1. *c.* 9. *s.* 6., 45 *G.* 3. *c.* 89. FORGERY.]

2. Every person who shall in *G.B.* or *Ire.* make or cause to be made or knowingly assist in making or using any frame, mould, or part thereof, for making paper, with the name or firm appearing visible in the substance of the paper, of any person, corporation, or other banking company, or partnership, carrying on the business of bankers, without an authority in writing for that purpose, or who shall manufacture, vend, expose to sale, or publish, or cause to be manufactured, &c. any paper of such description as aforesaid, or who shall, without such authority, by any art or means procure, or knowingly assist in procuring the name or firm of any such person, corporation, &c. to be visible in the substance of the paper, whereon the same shall be printed, shall on conviction, for the first offence be imprisoned for not less than six months, or more than two years, and for the second shall be transported for seven years, *id. s.* 1.

3. Every person who shall in *G. B.* or *Ire.* engrave, cut, etch, scrape, or by any other means make, or who shall procure to be engraved, &c. or knowingly assist in engraving, &c. in or upon any plate, any bill of exchange, promissory or other note for the payment of money or any part thereof, purporting to be the bill, &c. of any such person, corporation, &c. without an authority in writing, duly granted; or who shall use any such plate for the making of any such bills or notes without such authority; or who shall without such authority have in custody any such plate, or who shall wilfully publish, &c. any such bills or notes, or part thereof, shall suffer like punishment as in *s.* 1. *pl.* 2., *id. s.* 2.

4. Every person who shall in *G. B.* or *Ire.* by any means engrave, &c. as in *pl.* 3. or trace with a hair stroke, or other mode, on any plate, any of the subscriptions subjoined to any bill or note for the payment of money of any such person, corporation, &c., to be payable to bearer on demand, or who shall have in his possession any plate with the hair-strokes or other delineation of any subscription traced thereon, subjoined to any such bill or note, and shall not be able to prove that such plate came into his possession without his knowledge, shall, on conviction, for the first offence be imprisoned for not less than 12 months, or more than three years, and for the second be transported for seven years, *id. s.* 3.

BANK OF ENGLAND.

1. FOR GRANTING rates, &c. on tonnage of ships, and on beer, and ale, and other liquors, for securing certain recompenses and advantages to such person as shall voluntarily advance 1,500,000*l.* towards carrying on the war against *France*, 5 & 6 *W.& M. c.* 20. *s.* 19—33. [AMD. 8 & 9 *W.* 3. *c.* 20. *s.* 20—37, 45—49, 52., 9 & 10 *W.* 3. *c.* 5. *s.* 4., 12 & 13 *W.* 3. *c.* 12. *s.* 14., 7 *A. c.* 7. *s.* 1—7. 55—65. 72., 3 *G.* 1. *c.* 8. *s.* 38, 39. 43—45., 15 *G.* 2. *c.* 13. *s.* 3—14. PUBLIC Clause, *s.* 14., 19 *G.* 2. *c.* 6. 21 *G.* 3. *c.* 60. *s.* 10—14. PUBLIC Clause, *s.* 14. EXPL. as to advances to government, 33 *G.* 3. *c.* 32. *s.* 6, 7. and see now as to such advances, 59 *G.* 3. *c.* 76.]

2. Amount of bank stock as allowed by 5 & 6 *W.& M.* .20. *s.* 19. by 8 & 9 *W.* 3. *c.* 20. *s.* 20. was £ 1,200,000 and

ENCREASED by 7 *A. c.* 7. *s.* 1. to - - -	£ 4,402,343
——— 15 *G.* 2. *c.* 13. *s.* 6. *pl.* 5. - - -	1,600,000
——— 19 *G.* 3. *c.* 6. - - - - -	986,000
Total,	£ 6,988,343

[As to the general powers of encreasing the stock, 3 *G.* 1. *c.* 8. *s.* 45. *pl.* 50.]

3. Their majesties may appoint persons to take subscriptions before 1*st Aug.* 1694, by any persons being natives or foreigners, for raising and paying into the receipt of the exchequer, 1,200,000*l.*; and the yearly sum of 100,000*l.* shall be applied to the use of such subscribers, 5 & 6 *W.& M. c.* 20. *s.* 19.

4. Bank stock enlarged by new subscriptions, (*s.* 20.) to be computed before 24*th July*, 1697; old and new members to settle the capital stock before 24*th July*, 1697, or the lord chancellor shall adjust the same before 24*th Aug.* 1697; capital stock to be made up to 1,200,000*l.*, and the overplus divided (*s.* 21.); commissioners appointed to take new subscriptions before 24*th July*, 1697, (*s.* 22.); four-fifths of the new subscription shall be answered by giving tallies and orders upon the certain taxes, and the other fifth by bank bills and notes (*s.* 23.); 8 *per cent.* shall be allowed for interest on such tallies, and so brought in (*s.* 24.); interest payable to the bank, on so many tallies as they already possess, shall be augmented to 8 *per cent.* (*s.* 25.); the new subscribers shall be incorporated with the old, and united to the bank (*s.* 26.); the interest due on tallies, &c. so subscribed, shall be accepted as so much principal money, (*s.* 29.); after completing the subscriptions, the interest on such tallies, and the said yearly fund of 100,000*l.*, granted by *s.* 19. *pl.* 3. shall be divided amongst the members, (*s.* 32.) 5 & 6 *W.* 3. *c.* 20.

5. The bank may take in subscriptions from such persons, upon such terms, and at such times as they shall think proper, for enlarging their present capital, to any sum not exceeding the further sum of 1,600,000*l.* additional stock; and the persons who shall subscribe and pay any sums, shall be members of and incorporated with the governor and company of the bank of *Eng.* (*s.* 6.); the capital stock so increased shall be transferable in the same manner as the original capital stock, and shall be free from all taxes, and the transfers thereof shall not be liable to any higher stamp or other duties, than are now payable for transfers of the present stock, 15 *G.* 2. *c.* 13. *s.* 6, 7.

6. Their majesties may, by letters patent, appoint in what manner the 1,200,000*l.*, and the yearly 100,000*l.*, or part thereof, may be transferred to such persons as shall accept of the same, and incorporate such subscribers to be one body corporate, by the name of "The Governor and Company of the Bank of *Eng.*," and to have perpetual succession, and a common seal, and they and their successors shall, by the name aforesaid, be able to have, purchase, receive, and retain lands, tenements, and hereditaments, and may also grant, demise, aliene, or dispose of the same, and by the same name may sue and be sued in all courts, or any other

BANK OF ENGLAND.

place, and may do all things by such name, that to them shall appertain, but subject to redemption, 5&6 *W.*3. *c.*20. *s.*20.

7. If the whole 1,200,000*l.* is not advanced, the subscribers to have 8 *per cent.* on the sum really advanced, and on repayment of the sum advanced, and all arrears of interest thereon; and on one year's notice at any time after 1*st Aug.*, 1705, [1710, by 8&9 *W.*3. *c.*20. *s.*27.] such corporation shall cease and determine, *id. s.*21. 8&9 *W.*3. *c.*20. *s.*27.

8. So much of 5&6 *W.&M. c.*20. *s.*21. and 8&9 *W.*3. *c.*20. *s.*27., as determines the fund of 100,000*l.*, and the corporation of the bank shall be Rep., and such corporation shall remain for ever, and always enjoy the entire fund of 100,000*l.* out of the excise duties, together with perpetual succession, and all powers and advantages secured to them by the said acts, all which are hereby confirmed, 7*A. c.*7. *s.*5.

9. Provided, that on 12 months' notice after 1732, and on payment of all principal and interest due to them on orders, tallies, &c. such yearly fund shall cease, (*s.*6.) and on payment of all sums and all interest due, and on redemption of the annuity hereby granted to the bank, then such corporation shall cease, 7*A. c.*7. *s.*7. [Rep. 12*A. st.*1. *c.*11. *s.*23., 15*G.*2. *c.*13. *s.*3.]

10. The proviso in 7*A. c.*7. *s.*5&6. contained, shall be Rep., and the bank shall remain a corporation and enjoy such yearly fund of 100,000*l.* for ever, but such subject to the powers of redemption hereinafter contained, 12*A. st.*1. *c.*11. *s.*23.

11. Proviso for the redemption of such fund, (*s.*24.) and on its redemption the bank shall determine, (*s.* 25.) 12*A. st.* 1. *c.*11. [Rep. 15*G.*2. *c.*13. *s.*3.]

12. The provisos in 7*A. c.*7. *ss.*6, 7., and 12*A. st.*1. *c.*11. *ss.*24, 25., and all other acts for determining the fund of 100,000*l.*, on the notices and payments in the said act mentioned, shall be Rep., and the corporation and fund shall remain for ever, and enjoy all other abilities, and advantages, whereunto they are entitled, and all which are hereby confirmed, together with the privilege of exclusive banking, 15*G.*2. *c.*13. *s.*3.

13. Provided that on payment of all sums for principal and interest due to the bank, and on one year's notice after 1*st Aug.* 1764, the yearly fund of 100,000*l.* shall cease, *id. s.*4. [*See* 21*G.*3. *c.*60. *s.*13. *pl.*58.]

14. The treasury shall, without farther warrant, direct their warrants yearly for the payment of the said 100,000*l.* to the contributors of the said 1,200,000*l.* and the auditor of receipt of exchequer, and all other officers of the exchequer, shall issue the monies without fee, and under the penalties inflicted upon any officer for diverting any money appropriated by this act, 5&6 *W.*3. c.20. *s.*22.

15. The corporation so to be made shall not borrow under their common seal any farther sum than 1,200,000*l.* so that they shall not at any one time owe more, unless by act of parliament, upon funds agreed in parliament; and if any more shall be borrowed under the common seal, every member of such corporation shall, in their private capacities, be liable in proportion to their several shares, to the repayment of such monies with interest: and in such case an action of debt may be maintained in any of the courts of record at *Westminster*, by the creditors, to whom any such security under the common seal of the corporation shall be made, against all or any of the members of the corporation, in proportion to their shares, wherein judgment may be recovered, as if security were given in their private capacities, any agreement to the contrary notwithstanding, *id. s.*26. [*See* 8&9 *W.*3. *c.*20. *s.*30. *pl.*26., and 3*G.*1. *c.*8. *s.*39. *pl.*47.]

16. The corporation shall not trade, or suffer any person in trust for them to trade with any of the effects of the corporation, in the buying or selling of any merchandise or goods; and every person so trading, or by whose order such trading shall be made, shall forfeit treble the value of the goods and merchandise traded for, to such person as will sue for the same, in the courts of record at *Westminster*, *id. s.*27.

17. But the corporation may deal in bills of exchange, and in buying or selling bullion, gold or silver, or in selling goods pawned to them, and not redeemed within three months after the time, or such goods as shall be the produce of lands purchased by the corporation, *id. s.*28.

18. All bills obligatory and of credit, under the seal of the corporation, may, by indorsement thereon under the hand of the proprietors, be assigned, and the assignee may sue in his own name, *id. s.*29.

19. If the governor, or other members of the corporation to be established, shall, upon account of the corporation, purchase any lands or revenues belonging to the crown, or lend to their majesties any money by way of anticipation on any part of the revenue, other than such part only on which a credit of loan shall be granted by parliament, then the said governor or members so consenting to lend, shall forfeit treble the value of such sum lent, one-fifth to the informer, to be recovered in any court of record at *Westminster*, and the residue to be disposed of by parliament, *id. s.*30.

20. Nothing in 5&6 *W.&M. c.*20. *s.*30. *pl.*47. shall subject the bank to any penalty for advancing any money to pay bills of exchange accepted by, or by the direction of the treasury, and made payable at the bank, but not specifically lent on the credit of any branch of the revenue, 33*G.*3. *c.*32. *s.*6.

21. Provided an account of all money so advanced or lent shall be annually laid before parliament, *id. s.*7. [*See now* 59*G.*3. *c.*76.]

22. Amerciaments, fines and issues against such corporation, upon account of any suits to be brought against them, shall not be pardoned. And if such be estreated into the exchequer, the officers of the exchequer may, out of the yearly sum of 100,000*l.*, detain so much as such amerciaments, fines or issues amount unto, 5&6 *W.*3. *c.*20. *s.*31.

23. If any person shall obtain a judgment against the corporation, and shall bring execution thereupon unto the officers of the exchequer, then such officers shall pay the sum in the execution mentioned, to the plaintiffs or their assigns, and detain so much of the yearly sum of 100,000*l.* as the debt shall amount unto, *id. s.*32.

24. Any member of the house of commons may be a member of this corporation, the 5&6 *W.&M. c.*7. *s.*57. notwithstanding, *id. s.*33.

25. During the continuance of this bank, no other bank, or fellowship in nature of a bank, shall be erected or permitted by act of parliament, 8&9 *W.*3. *c.*20. *s.*28.

26. The bank may borrow by bills (over 1,200,000*l.* to which they were at first limited) any sum not exceeding the sum subscribed, under an obligation of paying the said bills in money upon demand; and in default thereof, on demand made at the bank between nine and twelve in the forenoon, and the default proved by affidavit in writing before one of the barons of the exchequer, the said bills to be paid at the exchequer, out of the first money due unto the bank, other than the fund of 100,000*l. per ann.* But these bills shall be distinguished from the debts contained within the said 1,200,000*l.* and expressed to be made by virtue of this act, *id. s.*30. [See 5&6 *W.*3, *c.*20. *s.*26. *pl.*15. and 3*G.*1. *c.*8. *s.*38. *pl.*48.]

27. The capital stock and fund of the bank shall be exempt from taxes, *id. s.*31.

28. Bank stock shall be adjudged in all courts of law and justice to be personal and not real estate, and shall go to the executors or administrators of any person dying possessed thereof, and not to his heirs, *id. s.*33.

29. No contract or agreement made, either by word of mouth or in writing, for buying or selling of any bank stock, or for transferring, &c. the property thereof, either in trust or otherwise, shall be good in law or equity, or binding on either party, unless the same is actually registered in the books of the bank by the officer thereunto appointed within seven days, and actually transferred within 14 days next after the same was made, *id. s.*34.

30. No act of the bank shall forfeit the stock thereof, but the same shall remain safe and entire, but subject to their debts, *id. s.*35.

31. It shall be felony without clergy to forge or counterfeit the common seal of the bank, or any sealed bank-bill, or any bank-note, or to alter or erase such bills or notes, *id. s.*36.

32. The officers of the exchequer shall keep accounts of all monies appropriated to the bank, either upon the fund of 100,000*l. per ann.* or any other parliamentary funds, or for tallies belonging to the bank; and shall duly direct, record, and make payment thereof, under the penalty of loss of place, incapacity, and double damages, *id. s.*37.

33. In case of judgment of forfeiture given against the bank, the yearly payments out of the exchequer, and all the estate belonging to the bank, shall be vested for three years in 24 persons, to be chosen by the bank, who shall have power to receive, sue for or recover the monies due to the bank, as if no such judgment had been given, and to pay and discharge the debts and contracts due at the time of such judgment. After which, the surplus shall be divided amongst the several members. And then the said yearly payments shall be vested in the particular members, in proportion to a list thereof to be made by the said trustees, and shall be assignable in a book to be kept by the auditor of the receipt, *s.* 45.

34. The bank may employ a clerk to copy the docquets of any extents, judgments, &c. in any the offices of the several courts of record at *Westminster*, paying as for a search only, *id. s.*46.

35. No member of the bank shall be adjudged a bankrupt, by reason of his stock in the bank, nor shall the stock be subject to foreign attachment by the custom of *London* or otherwise, *id. s.*47.

36. The monies received out of the exchequer for the bank shall be divided among the members proportionably, for their particular use, once in four months, [6 calendar months, 9&10 *W.*3. *c.*3. *s.*4.] 8&9 *W.*3. *c.*20. *s.*48. [*and see pl.*39.]

37. The debts of the bank shall never exceed their capital stock, under penalty of subjecting the several members, so far as their dividends received will extend, to satisfy the debts to any persons, who may recover the same with treble costs, *id. s.*49. [*see ante, pl.*15., 7*A. c.*7. *s.*65. *pl.*45.]

38. In all future elections not above two-thirds of the directors of the preceding year shall be chosen, *id. s.*52.

39. The governor and company of the bank of *Eng.*, until they have been repaid all monies which they shall lend upon this act, for or in part

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of 420,000*l.* being the last part of 820,000*l.* authorized to be borrowed, with interest for such 420,000*l.* after the rate of seven *per cent.* shall not be obliged to make dividends of the monies to be received by them by virtue of any tallies or orders subscribed into their stock in pursuance of 8&9 *W.*3. *c.*20. but at such times only as shall be ordered by a general court, 12&13 *W.*3. *c.*12. *s.*14.

40. There shall be added to the stock of the bank 2,201,171*l.* 10*s.*, which before such addition consisted only in the like sum; so that the whole capital stock now shall amount to 4,402,343*l.*, and the new subscribers shall be incorporated with the present members of the bank, and be taken to be one body politic and corporate, by the name of "The Governor and Company of the Bank of *England*," 7 *A. c.*7. *s.*1.

41. The said capital stock shall be assignable in the same manner as the original stock, *s.*2. [*see* 15 *G.*2. *c.*13. *s.*7. *pl.* 5.]

42. The bank is to pay into the exchequer 400,000*l.* before 25*th Aug.* 1709, *id. s.*3.

43. The stock and funds of the bank, and the interest of every member therein, shall be exempted from taxes, and shall be deemed a personal estate, and shall not be liable to foreign attachment, *id. s.*62.

44. The original fund of 100,000*l.* before mentioned, and all profit, benefit and advantage arising out of the management of such corporation, the charges of managing the business of the bank only excepted, shall be applied to the uses of all the members of the bank, according to their respective interests, *id. s.*63. (*see* 2 *B.&A.* 620.)

45. The bank may at any time reduce their capital stock by dividends, taking care that the total of their debts do not exceed the value of their capital; and in case the governor and company by any dividend shall reduce their capital, without proportionably reducing the total of the debts, so that the value of their capital shall not be sufficient to answer their debts; in such case, the particular members who shall receive such dividend, shall be severally liable, so far as the shares by them received will extend, to pay the debts which shall remain due to any persons who may sue for the same, (besides treble costs,) by action of debt, or upon the case, &c. *id. s.*65. [*see* 8&9 *W.*3. *c.*20. *s.*49. *pl.*37.]

46. The said governor and company may call in any sums of money which they, in a general court, shall think necessary, to be paid by their members proportionably, which shall have before been divided out of the said capital of 4,402,343*l.* And in case any member shall neglect to pay his share at the times appointed by notice in the *London Gazette*, and fixed upon the *Royal Exchange*, the governor and company may stop the dividends of such members, and also the transfers of their shares, and charge the defaulters with interest at six *per cent.*; and in case the principal and interest be not paid in three months, they may sell the stock of such defaulters, to pay the same, *id. s.*72. [*see* 3 *G.*1. *c.*8. *s.*45. *pl.* 50.]

47. The bank, as they shall see cause, may call for, from their members, in proportion to their respective interests in the capital stock, any sums of money, as in a general court shall be judged necessary; and all executors, &c. shall be indemnified in paying the same: and if any member shall neglect to pay his share of the monies so called for, at the time appointed by notice in the *London Gazette*, and fixed upon the *Royal Exchange*, the bank may not only stop the dividend of such member, and apply the same towards payment of the money so called for, but also stop the transfers of the share of every such defaulter, and charge him with an interest of *5l. per cent. per ann.* for the monies so by him omitted to be paid, till payment thereof; and if the principal and interest shall be three months unpaid, the bank shall sell so much of such defaulter's stock as will satisfy the same, rendering the overplus to the proprietors; and the bank may, in a general court, when they shall adjudge their affairs will admit thereof, cause any sum of money, so called in, to be divided amongst the then members, in proportion to their respective shares in the capital stock, 3 *G.*1. *c.*8. *s.*38.

48. The bank may borrow money on any contracts, &c. under their common seal, or upon credit of their capital stock, at such interest as they shall think fit, though it exceed the interest allowed by law, and give such security as shall be to the satisfaction of the lenders; and they may contract with any persons, upon such terms as they shall find necessary, for the better enabling them to perform such things as they are to do in pursuance of this act, and take subscriptions from such persons for that purpose; and such contracts, &c. shall not be chargeable with stamp-duties, *id. s.*39. [*see* 5&6 *W.*3. *c.*20. *s.*26. *pl.*15.; 8&9 *W.*3. *c.*20. *s.*30. *pl.*26.]

49. No member of the bank, for any thing in this act contained, shall be disabled from being a parliament man, or liable to be a bankrupt, *id. s.*43. [*see* 15 *G.*2. *c.*13. *s.*8. *pl.* 53.]

50. The bank may, in a general court, make such addition to their capital stock (in regard to their undertaking to discharge exchequer bills of 2,000,000*l.*, herein mentioned) as they shall think fit; and so much as shall be so declared shall be deemed capital stock, and the members of the bank, who shall have a share in such stock, may transfer the same in the method, &c. prescribed by any statute or charter now in force for assignments, 3 *G.*1. *c.*8. *s.*45.

51. Transfers of bank stock shall not hereafter be made liable to any higher duties than are now payable for the same, *id. s.*51.

52. No other bank shall be established or allowed by parliament, and no body corporate whatsoever, or any other persons united in partnership exceeding the number of six persons, in *Eng.*, shall borrow or take up any sum of money on their bills or notes payable at demand, or at any less time than six months, during the continuance of such privilege to the bank, who shall remain a corporation, with such privilege of exclusive banking subject to redemption in the terms in *ss.*3, 4. *pl.* 12, 13., aforesaid, 15 *G.*2. *c.*13. *s.*5.

53. No person, in respect of his being governor, deputy-governor, director, manager, or member of the said company, or for having any share therein, or for any thing to be by him done in the affairs of the said corporation, shall be disabled from serving as a member of parliament, or be subject to any penalty for not qualifying himself to execute his trust in the affairs of the said corporation, as persons who take any place of profit or trust are subject unto, or be liable to be a bankrupt, *id. s.*8. [*see* 3 *G.*1. *c.*8. *s.*43. *pl.* 49.]

54. If any person shall forge, counterfeit, or alter any bank note, bank bill of exchange, dividend warrant, or any bond or obligation under the common seal of the said company, or any indorsement thereon, or shall offer or dispose of any such forged, &c. note, &c., or demand the money therein contained of the said company, or any their servants, knowing such note, &c. to be forged, &c. with intent to defraud the said company or any other person, every person so offending and convicted shall be deemed guilty of felony, and shall suffer death, *id. s.*11. [*see* 13 *G.*3. *c.*79. *pl.* 70., 1 *G.*4. *c.*92. *pl.*118.]

55. If any officer or servant of the said company, intrusted with any note, bill, dividend warrant, bond, deed, or any security, money, or other effects, belonging to the said company, or having any bill, &c. of any other person deposited with the said company, or with him as a servant of the said company, shall secrete, embezzle, or run away with any such note, &c. or any part of them, every officer or servant so offending and convicted, shall be deemed guilty of felony, and shall suffer death, *id. s.*12.

56. Whenever a court of directors is summoned, and the governor and deputy-governor shall happen to be absent for two hours after the usual time of proceeding to business, the directors then met being at least thirteen, may choose a chairman and proceed to business, and their proceedings shall be as valid as if the governor or deputy-governor were present, 15 *G.*2. *c.*13. *s.*13. [*see* 24 *G.*2. *c.*4. *ss.*21, 22. *pl.*67.]

57. The bank of *Eng.* shall continue one body corporate and politic, and shall for ever enjoy the entire yearly sum of 100,000*l.*, together with perpetual succession and privilege of exclusive banking, and all other privileges to which they are entitled, subject to such directions as are in former acts, and their charters contained, and the redemption hereafter mentioned, 21 *G.*3. *c.*60. *s.*10.

58. No other bank than the bank of *Eng.* shall be established by parliament, and no body corporate or other persons united in partnership, exceeding six in number, shall in *Eng.* borrow or take up any money on their bills or notes payable at demand at less time than six months, during the continuance of such exclusive banking by such governor and company, who shall remain a corporation, subject to redemption, the following terms, viz. in one year's notice after 1 *Aug.* 1812, and on repayment of the 3,200,000*l.* by this act borrowed, and all arrears of the 100,000*l. per ann.*, and all principal and interest due to them on such tallies, exchequer orders, bills, or parliamentary funds, to which they may be entitled when such notice is given, *id. s.*12. [*See* as to making bills, &c. by persons in partnership, 6 *A. c.*23. *s.*9. 7 *A. c.*7. *s.*61. 3 *G.*1. *c.*8. *s.*44. BILLS AND NOTES.]

59. Any vote or resolution of house of commons signified by the speaker in writing, and delivered at public office of the said governor, &c. shall be deemed good notice under this act, 3 *G.*1. *c.*8. *s.*55. 15 *G.*2. *c.*13. *s.*10., 21 *G.*3. *c.*60. *s.*13.

60. TO REGULATE the qualifications of the elections of the governor, deputy-governor, directors, and others of the bank of *Eng.*, 6 *A. c.*32.

61. All such sums as the bank shall hereafter call in from their members for the circulation of exchequer bills, issued under 5&6 *A. c.*13. EXP., shall, as received, as far as 1,001,771*l.*, 10*s.*, be taken and deemed as the capital principal stock for the qualifying any person to be elected governor, deputy-governor, or director, or to vote at general courts, *id. s.*1.

62. Nothing herein shall restrain the bank from calling in from their members any further sums, which they are entitled by the said act to do, *id. s.*2.

63. TO DISABLE any person to be governor, deputy-governor, or director of the bank of *Eng.*, and a director of the *East India* company at the same time, 9 *A. c.*7. *s.*11.

64. In future elections of governor, deputy-governor, or directors of the bank of *Eng.* and *East India* company, all persons who shall be elected governor, deputy-governor, or director of the bank, shall, for the years for which elected, be deemed incapable of being elected a director of the *East India* company; and every person elected a director of the *East India* company, shall, during the year for which chosen, be incapable of being governor, deputy-governor, or a director of the bank, 9 *A. c.* 7. *s.* 11.

65. To ENABLE the bank of *Eng.* and others to lend money on *South Sea* stock, 12 *A. st.* 2. *c.* 3. *s.* 10.

66. The bank and all other persons, natives, or foreigners, or corporations, may advance such sums to the *South Sea* company as they think fit on the credit of *South Sea* stock, and subject to such conditions and redemptions, and with such agreements, as in 10 *A. c.* 19. contained, 12 *A. st.* 2. *c.* 3. *s.* 10.

67. FOR ENABLING the bank of *Eng.* to hold general courts and courts of directors in the manner herein mentioned, 24 *G.* 2. *c.* 4. *ss.* 21, 22.

68. The governor and company, in any general court, may transact any business without administering the oaths and affirmation, or subscribing the declaration appointed by their charter, unless required thereto by nine or more of the proprietors, qualified to vote, then present, *id. s.* 21.

69. When any court of directors shall be met according to summons, and shall be satisfied that the governor or deputy-governor will not be present, so as to hold such court, or in case such governor, &c. is absent after the usual time of proceeding to business, such court may choose a chairman, who may also preside at a general court of any then summoned, and proceed to business, and their transactions shall be as valid as if such governor, &c. had been present, *id. s.* 22. [*See further*, 15 *G.* 2. *c.* 13. *s.* 13. *pl.* 56.]

70. FOR THE MORE effectual preventing the forging of the notes, or bills of the bank of *Eng.* and for preventing the obtaining a false credit by the imitation of the notes and bills of the said bank, 13 *G.* 3. *c.* 79. [AMD. 52 *G.* 3. *c.* 138. *ss.* 5, 6. for rest of this title and act, TOKENS.] [Bankers and others exempted from the penalties of this act for any infringement of its provisions before 1*st Nov.* 1816. 53 *G.* 3. *c.* 139. EXP.] [*See* as to the forgery of bank notes, 41 *G.* 3. (U.K.) *c.* 39., 45 *G.* 3. *c.* 89. *tit.* FORGERY, and as to the imitation of the new bank notes, 1 *G.* 4. *c.* 92. *pl.* 118.]

71. Every person, other than the officers, workmen, servants, or agents of the bank of *Eng.* to be authorized and appointed for such purpose by the bank, and for their use only, who shall make, or use, or cause to be made or used, or shall knowingly assist in the making or using, or without being so authorized, shall knowingly have in his custody, without lawful excuse, the proof whereof shall lie on the party accused, any frame, mould, or instrument for making paper, with the words, "bank of *Eng.*" visible in the substance, or shall make, or cause to be made, or knowingly assist in the making of paper with such words so visible in the substance, or if any person, except as before excepted, or who shall by any contrivance procure the words, "bank of *Eng.*" to appear visible in the substance of any paper whatever, or knowingly assist therein, shall be adjudged a felon, and suffer death without clergy, 13 *G.* 3. *c.* 79. *s.* 1.

72. Every person not so authorized, who shall engrave, cut, etch, or scrape in mezzotinto, or who shall procure to be engraved, &c., or knowingly assist in engraving, &c. upon any plate of metal, or mixture of metals, or upon wood or other material, any promissory note, inland bill, or bill of exchange, or blank promissory note, &c. or part of a promissory note, &c., containing the words, "bank of *Eng.*" or "bank post bill," or any words expressing the amount, or part thereof, in white, on a black ground, or shall use any such plate so engraved, &c. or any other instrument in the making any such promissory note, inland bill, or bill of exchange, or blank promissory note, &c. or part of such a note, &c., and every person without being so authorized, who shall knowingly have in his custody any such plate or instrument, or shall knowingly and wilfully alter or publish any such promissory note, inland bill, or bill of exchange, shall, on conviction, be committed to the common gaol of the county or place where the offence was done, for not exceeding six months, *id. s.* 2.

73. This act shall not extend to persons who, being possessed of any such notes, shall only carry the same to the issuers, drawers, acceptors, or indorsers thereof respectively, or who shall use means to compel the payment thereof, *id. s.* 3.

74. Every person who shall engrave, cut, etch, scrape, or by any other means make, or shall procure to be engraved, &c. or shall knowingly assist in the engraving, &c. in or upon any plate of copper, or other metal, or mixed metals, or wood or other material, or upon any plate, any words, or figures, or characters, the impression of which shall resemble, or be apparently intended to resemble the whole, or any part of the notes of the bank of *Eng.* called bank notes, or bank post bills, or shall contain any word or number, figure, or character in white, on a dark ground, without authority in writing from the bank, to be produced and proved by the party accused, or shall (without such authority) use any such plate, wood, or other material so engraved, &c. or shall use any other instrument or device, for making or printing upon paper, or other material, any words, &c. which shall be apparently intended to resemble the whole or part of any such notes or bills, or any word, &c. in white, on a dark ground, or if any person shall, without such authority, knowingly have in his custody any such plate, instrument, or device, or shall wilfully utter, publish, or dispose of any paper, or other material, containing any such words, &c., or shall knowingly or willingly have in his custody or possession any such paper, or other material, with any such words, &c. as aforesaid, (without lawful excuse, the proof whereof shall lie on the party accused), shall, on conviction according to law, be adjudged a felon, and be transported for 14 years, 52 *G.* 3. *c.* 138. *s.* 5.

75. This act shall not apply to any paper or writing whatsoever, other than such as resemble such notes or bills, containing an impression from any plate, or other device, with white letters on a dark ground, which were previous to the passing of this act in any person's custody, *id. s.* 6. EXP.

76. To REMOVE DOUBTS respecting promissory notes of the bank of *Eng.* for payment of sums under 5*l.*, 37 *G.* 3. *c.* 28. [EXP. as to *ss.* 2, 3.]

77. All promissory and other notes for the payment of money issued by the bank, payable to bearer, notwithstanding they shall be issued for sums under 5*l.*, shall be good in law, *id. s.* 1.

78. FOR CONFIRMING and continuing for a limited time the restriction contained in the minute of council of the 26*th February* 1797, on payments of cash by the bank, 37 *G.* 3. *c.* 45. [CON. 37 *G.* 3. *c.* 91. AMD. and CON. 38 *G.* 3. *c.* 1. *these three acts* CON. 42 *G.* 3. *c.* 40., 43 *G.* 3. *c.* 18., 44 *G.* 3. *c.* 1., 54 *G.* 3. *c.* 99., 55 *G.* 3 *c.* 28., 56 *G.* 3. *c.* 40., 58 *G.* 3. *c.* 37., and 59 *G.* 3. *c.* 49. *s.* 1. *until* 1*st May* 1823, and the bank prohibited from paying any notes in cash under certain notices given by them, 59 *G.* 3. *c.* 23., which is CON. until 1*st May* 1823, by 59 *G.* 3. *c.* 49. *s.* 1. and further provision for the resumption of cash payments MADE. 59 *G.* 3. *c.* 49. *ss.* 1—9. 1 & 2 *G.* 4. *c.* 26. *ss.* 1—3. 5.] *See* the rest of these last two acts, COIN.

79. "Whereas it was deemed expedient by minute of privy council, of 26*th Feb.* 1797, to restrain the bank from making payments in cash, and whereas the bank, in pursuance thereof, had forborne so to do, and it is necessary to confirm the said minute, and indemnify the bank, and others concerned therein," be it enacted, that all acts done by the governor and company of the bank of *Eng.*, in pursuance of said minute, shall be confirmed, and all persons concerned in doing them indemnified, and all suits, &c. touching any matter discharged by this act shall be void, 37 *G.* 3. *c.* 45. *s.* 1.

80. The bank shall not issue any cash in payment of any demand, except according to this act; and during the continuance of such restriction on cash payments, no action or suit shall be prosecuted against the bank, to compel payment of any note of the bank payable on demand, or otherwise, than on demand, which they are willing to exchange for any note of equal amount, payable on demand; or to compel the payment of any sum by the bank which they are willing to pay in their own notes, expressed to be payable on demand; and the bank, during the continuance of such restriction, may apply to the court wherein any such action shall be brought, to stay proceedings therein in a summary way; and in case such action shall be brought to compel payment of bank of *Eng.* notes payable on demand, the bank may apply to such court to stay, and such court shall stay all proceedings therein, until the expiration of the time hereby limited for the continuance of such restriction; and, on like application, in case of any such action to compel payment of any such notes, payable otherwise than on demand of any other debt, such court shall stay all proceedings therein, on payment of such sum as shall appear justly due, or which might be recovered in such action, by delivery of bank of *Eng.* notes for the amount, payable on demand, if the party is willing to accept the same in such notes, but if not, such court shall order all such proceedings to be stayed until the expiration of such restriction; provided, that where it is necessary, in order to ascertain the amount of any demand on the bank, that any proceedings should be had, such court may permit such proceedings to be had for such purpose, in a summary way, as the case may then require, and as shall be consistent with such restriction, provided that no costs shall be recovered against the bank in any such actions, unless the court shall be of opinion that the same was necessary for ascertaining the amount of the demand, or the title thereto, and in such case the court may direct payment of such costs by the bank, in bank of *Eng.* notes, payable on demand, if the party is willing to accept them, but if not, then the court shall stay all proceedings to compel payment of such costs, until the expiration of such restriction, 37 *G.* 3. *c.* 45. *s.* 2. 37 *G.* 3. *c.* 91. *s.* 1. 38 *G.* 3. *c.* 1. *s.* 1.

81. This act shall not restrain the bank from issuing of cash in payment of debts under 20*s.*, or in payment of so much of any larger debt as shall be a fractional part of 20*s.* over and above the residue of the debt; nor from issuing cash for service of the army, navy, or ordnance, in pursuance of an order in council, stating the special purpose for which the same is required, and the necessity thereof, all which orders

shall be laid before both houses of parliament, within three days after date thereof, if sitting, and if not, within three days after the sitting of parliament, 37 *G.*3. *c.*45. *s.*3., 37 *G.*3. *c.*91. *s.*2., 38 *G.*3. *c.*1. *s.*2.

82. Provided that the bank shall not, during such restriction, issue any money in cash, or in notes, by way of loan, for the public service, [except to an amount not exceeding 600,000*l.* on the credit of exchequer bills, issued by virtue of an act of this session, for raising 18 millions by annuities; 37 *G.*3. *c.*45. *s.*4.] [except on credit of any duties to be imposed by any act of this present session of parliament for continuing duties on malt, granting an aid to H. M. by land tax, and any other advance authorized by acts passed during such restriction, 38 *G.*3. *c.*1. *s.*3.] 37 *G.*3. *c.*45. *s.*4., 37 *G.*3. *c.*91. *s.*3., 38 *G.*3. *c.*1. *s.*3.

83. During the continuance of such restriction, the bank may accept from any person any sums in cash, not under 500*l.*, in exchange for bank of *Eng.* notes of equal amount, upon engaging to pay to such person cash for such notes payable on demand, to an amount not exceeding three-fourths of the sum so paid in, and in such proportions and intervals as such engagement shall express, and the bank may pay the same accordingly, 37 *G.*3. *c.*45. *s.*5., 37 *G.*3. *c.*91. *s.*4., 38 *G.*3. *c.*1. *s.*4.

84. The bank, notwithstanding such restriction, may advance to persons dealing as bankers in *London*, *Westminster*, and *Southwark*, in cash, any sums not exceeding 100,000*l.* in the whole, to be paid to such persons, at such times and in such manner, as the bank shall deem fit, 37 *G.*3. *c.*45. *s.*6., 37 *G.*3. *c.*91. *s.*5., 38 *G.*3. *c.*1. *s.*5.

85. The bank, on application made on behalf of the treasurer of the bank of *Scot.*, or of the cashier of the royal bank of *Scot.*, may issue to such treasurer or cashier respectively, for the sole use of such banks, such sums in gold or silver as may be required, not exceeding 25,000*l.* for each bank, 37 *G.*3. *c.*45. *s.*7., 37 *G.*3. *c.*91. *s.*6., 38 *G.*3. *c.*1. *s.*6.

86. All payments in bank of *Eng.* notes payable on demand, made during such restriction, shall be deemed payments in cash, if made and accepted as such, 37 *G.*3. *c.*45. *s.*8., 37 *G.*3. *c.*91. *s.*7., 38 *G.*3. *c.*1. *s.*7.

87. Regulations for negativing a tender in bank of *Eng.* notes on an affidavit to hold to special bail, 37 *G.*3. *c.*45. *s.*9., 37 *G.*3. *c.*91. *s.*8., 38 *G.*3. *c.*1. *s.*8. [*See* the section at length, ARREST, *pl.*21.]

88. During the continuance of such restriction, all sums which shall become payable for any part of the public revenue shall be accepted by the collectors, &c. of the same in bank of *Eng.* notes payable on demand, fractional parts of 20*s.* only excepted, 37 *G.*3. *c.*45. *s.*10., 37 *G.*3. *c.*91. *s.*9., 38 *G.*3. *c.*1. *s.*9.

89. The bank may, during the continuance of this act, issue cash in payment of any debt or demand whatsoever, or of any part thereof, on giving four days' notice to the speaker of the house of commons, of such their intention; [which notice such speaker shall insert in the *London Gazette*, and affix a copy thereof to the *Royal Exchange* in *London*, 37 *G.*3. *c.*45. *s.*11.] [specifying the description of such debt; which notice such speaker shall insert in the *London Gazette*, 37 *G.*3. *c.*91. *s.*10., 38 *G.*3. *c.*1. *s.*10.,] 37 *G.*3. *c.*45. *s.*11., 37 *G.*3. *c.*91. *s.*10., 38 *G.*3. *c.*1. *s.*10.

90. The bank of *Eng.* shall not make any payment in gold coin of the realm, either of fractional sum under 5*l.*, or for any notes dated prior to 1*st Jan.* 1817, 59 *G.*3. *c.*23. *s.*1.

91. Between 1*st Feb.* and 1*st Oct.* 1820, the bank shall pay their notes payable on demand in standard gold, for notes tendered to an amount of not less than the value of 60 *oz.* of gold, calculated at the rate of 4*l.* 1*s. per oz. id. s.*2. EXP.

92. Between 1*st Oct.* 1820, and 1*st May*, 1821, the bank shall pay their notes payable on demand in standard gold, for notes tendered to an amount of not less than the value of 60 *oz.* of gold, calculated at the rate of 3*l.* 19*s.* 6*d. per oz., id. s.*3. EXP.

93. After 1*st May*, 1821, and before 1*st May*, 1823, whenever any person shall tender any bank of *Eng.* notes payable on demand, to an amount of not less than the value of 60 *oz.* of gold, calculated at the rate of 3*l.* 17*s.* 10½*d. per oz.*, and shall require the same to be paid in standard gold, the bank shall accordingly pay the same to such person in gold of the fineness declared by law to be the standard for the gold coin of the realm, the same having been first assayed and stamped at H. M.'s mint in *London*, as shall, at the said rate *per oz.*, be equal to the amount of the notes so presented, 59 *G.*3. *c.*49. *s.*4. [*See now*, 1 & 2 *G.*4. *c.*26. *s.*1. *pl.*99.]

94. But the bank may, between 1*st Feb.* and 1*s Oct.* 1820, make payments at any rate less than 4*l.* 1*s.*, and not less than 3*l.* 19*s.* 6*d. per oz.*, and, between 1*st Oct.* 1820, and 1*st May*, 1821, may pay at any rate less than 3*l.* 19*s.* 6*d.*, and not less than 3*l.* 17*s.* 10½*d. per oz., id. s.*5. EXP.

95. The bank shall not be compelled to pay or deliver such gold, except in ingots or bars of the weight of 60 *oz.* each, assayed and stamped as in *s.*4. *pl.*93. aforesaid, *id. s.*6.

96. The bank of *Eng.* may pay any fraction less than 40*s.* of any sum so demanded above the value of 60 *oz.*, in the lawful silver coin of the realm, *id. s.*7.

97. The bank may, if they see fit, at any time after the 1*st May*, 1822, pay or exchange the lawful coin of the realm for any of their notes payable on demand, notwithstanding this act, 59 *G.*3. *c.*49. *s.*8. [*see pl.* 99.]

98. The bank shall from henceforth, until 1*st May*, 1823, cause a proper account in writing to be taken and attested by the proper officer, of the average amount of all promissory notes and bills of the bank which shall be in circulation during every week, from *Monday* until *Saturday*, both inclusive, distinguishing the respective denominations and values of the several notes and bills, and the average amount of the notes and bills of each denomination and value so in circulation, and cause such account to be transmitted and delivered to one of the clerks of the privy counsel on *Tuesday* in each week; and the bank shall, in like manner, cause an account to be taken and attested of the average amount of all promissory notes and bills of the bank which shall be in circulation during each quarter, ending 5*th July*, 10*th Oct.*, 5*th Jan.*, and 5*th April* in each year, until 1*st May*, 1823, distinguishing the denominations, values and average amount thereof, as aforesaid, and cause such account to be published in the *London Gazette* within one week after the end of each quarter, *id. s.*9.

99. The bank may, if they see fit, pay any of their notes, or any debt or demand to which they may be liable, in the current coin of the realm, the 59 *G.*3. *c.*49. notwithstanding, 1 & 2 *G.*4. *c.*26. *s.*1.

100. But in all cases where the bank shall offer to pay any such note, debt or demand in such coin, the party to whom the same is due shall not demand payment thereof in ingots or bars of gold, as by the recited act is directed, *id. s.*2.

101. Nothing herein shall extend to deprive any bearer of any bank of *Eng.* note or notes payable on demand, and which the bank shall not propose to pay current coin, to demand payment thereof at any time before 1st *May*, 1823, in ingots or bars of standard gold of 60 oz. each, of 3*l.* 17*s.* 10½*d.* for every ounce, as by the recited act directed, *id. s.*3.

102. The bank, as often as any of their notes shall be offered in exchange of 1*l.* notes or for legal gold coin, shall pay on demand to the bearer the amount of notes so offered, either in 1*l.* notes of the bank or in the legal coin of the realm, at the option of the bank, *id. s.*5.

103. FOR THE MORE effectual preventing the forgery of bank notes, bank bills of exchange, and bank post bills, 41 *G.*3. (U.K.) *c.*39. [This act, with the exception of *s.*2. which is EXP., is verbatim with 45 *G.*3. *c.*89. *s.*3—7., which *see*, *title* FORGERY.] (*See* 13 *G.*3. *c.*79. *pl.*70., 1 *G.*4. *c.*92., *pl.*118.)

104. FOR PREVENTING any note or bill of the bank of *Eng.* from being received for any smaller sum than the sum therein specified, and for staying proceedings upon any distress by tender of such notes, 51 *G.*3. *c.*127. *ss.*2—5., not to extend to *Ire.*, *s.*5. [EXT. to *Ire. and* AMD. 52 *G.*3. *c.*50. *ss.*5—10. CON. 52 *G.*3. *c.*50. 53 *G.*3. *c.*5. 54 *G.*3. *c.*52. during the continuance of the restriction on payments in cash by the bank, *viz.* till 1st *May* 1823. For the rest of this act, *see* COIN.]

105. No Person shall, by any means whatever, receive or pay any notes or bills of the bank of *Eng.* for less than the amount expressed therein, except discount on such notes or bills as shall not be payable on demand; and every person who shall so offend, shall be deemed guilty of a misdemeanor, 51 *G.*3. *c.*127. *s.*2.

106. No person shall, by any means whatever, receive or pay in *G. B.* any notes or bills of the bank of *Eng.*, or receive or pay in *Ire.* any note or bill of the bank of *Ire.* for less than the amount made payable thereby, except only discount on such notes or bills as shall not be payable on demand; and every person who shall offend herein shall be guilty of a misdemeanor, and being thereof duly convicted, shall be subject to a fine of double the amount specified in such bill or note, and shall suffer imprisonment for not exceeding two months, 52 *G.*3. *c.*50. *s.*5.

107. In case any person shall proceed by distress or poinding to recover from any person any rent or sum due, such person may tender [in such case in *G. B.* 52 G.3. *c.*50. *s.*6.] notes of the bank of *Eng.* [or in *Ire.* notes of the bank of *Ire.*, 52 *G.*3. *c.*50. *s.*6.] payable on demand to the amount so due, [together with costs of such distress, 52 *G.*3. *c.*50. *s.*6.], either alone or together with lawful money to the person in whose behalf such distress or poinding is made, or the officer making the same; and in case such tender is accepted or refused, the goods taken shall be forthwith returned to the party so distrained, &c. unless the party distraining or poinding and refusing to accept such tender shall insist that a greater sum is due, and then such parties shall proceed in the usual way; but if it shall appear that no more was due than was tendered, the party who tendered shall have costs of all subsequent proceedings; provided that the person to whom such rent or sum is due, shall have all such other remedies to recover the same exclusive of the distress or poinding [and of ejectment for any forfeiture incurred by none payment of rent, 52 *G.*3. *c.*50. *s.*6.] as he was entitled to at the time of making such distress or poinding if such person shall not accept such tender; provided that nothing herein shall effect the right of any such person to replevy, in case, without making any such tender he shall so think fit, 51 *G.*3. *c.*127. *s.*3., 52 *G.*3. *c.*50. *s.*6.

108. Every person who shall, in *Scot.*, commit any offence hereby constituted a misdemeanor, shall be liable to be punished by fine and imprisonment, or either of them, as the judge who shall try such offender shall direct, 51 *G.*3. *c.*127. *s.*4. [but *see pl.*111.]

109. In all cases where any sum is ordered, decreed, or adjudged to be paid by any court of law or equity, in the U.K., or by usage or practice thereof is allowed to be paid for staying proceedings by any party to any other party, or into any court, or into the hands of any officer of any court; such payments in *G.B.* in bank of *Eng.* notes, and in *Ire.* in bank of *Ire.* notes, payable on demand to the amount therein expressed, shall be deemed good in law; and in all cases where any money is payable out of any such courts, or by any officer thereof in discharge of his duty, payment of such sums by such officers in *G.B.* in bank of *Eng.* notes, and in *Ire.* in bank of *Ire.* notes payable on demand, shall also be deemed good in law, 52 *G.*3. *c.*50. *s.*7.

110. In all cases where any sum of money is directed to be levied in execution of any judgment or decree whatever by any process of any court of law or equity, or under any distress or proceeding for the recovery of rent, or of any penalty recoverable by distress and sale of goods, the levying officer shall accept, if in *G.B.*, such bank of *Eng.* notes, or if in *Ire.* such bank of *Ire.* notes payable on demand, to the amount in such notes expressed in payment of the sum directed to be levied; and such officer shall not be compellable to pay the sums so levied into any court, or to any person otherwise than, if in *G.B.*, in such notes of the bank of *Eng.*, and if in *Ire.* in such notes of the bank of *Ire.*; and after such levying as aforesaid, no person shall, by any further proceedings, compel the levying of such sums, or so much thereof as shall be paid in such notes, *id. s.*8.

111. In all such cases, every person paying any such notes into any court, or into the hands of the officer of any court as aforesaid, or to any person levying money under any distress, or under the authority of any court, shall, if required, indorse the notes so paid, and also specify the causes, proceeding, or distress, under which the same were paid, and shall also verify the same to be notes of the bank of *Eng.* if in *Eng.*, or of the bank of *Ire.* if in *Ire.*, as the case may be, by affidavit stating them to be such notes to the best of the party's knowledge and belief; and every person so indorsing such notes, shall be liable to pay to the person to whom the same were paid out of any court, or by any such officer, or under any distress, the full amount of any such notes as may prove to be forged, *id. s.*9., and every person who shall commit in *Scot.* any offence hereby constituted a misdemeanor, shall be liable to like fine and punishment as in *Eng.*, *id. s.*10.

112. To ESTABLISH further regulations respecting advances by the bank of *Eng.* for the public service, and the purchase of government securities by the bank, 59 *G.*3. *c.*76.

113. The governor and company of the bank of *Eng.* shall not lend or advance to H.M. any sum whatever, upon the credit of any exchequer or treasury bills, or other government securities, or otherwise, without the express permission of parliament, *id. s.*1.

114. When any application for any advance for the public service authorized by parliament is to be made, the same shall be made in writing by the first lord of the treasury, or by the chancellor of the exchequer, to the governor, or deputy-governor of the bank, to be by them laid before the court of directors, and a copy of all such applications made in the course of every year, ending *5th Jan.*, together with a copy of the minutes of the proceedings of such court, on such application, and the answer of the court thereto shall be laid before both houses of parliament by the proper officer of the bank, within 14 days after *5th Jan.* in each year, if parliament is then sitting, or otherwise, within 14 days after the then next sitting, *id. s.*2.

115. But this act shall not prevent the bank from purchasing exchequer or treasury bills, or other government securities, which they may now do, or from advancing at the receipt of the exchequer, any sum not exceeding what shall be necessary to make good the deficiency of consolidated fund, at the close of any quarter ending on *5th Ap.*, *5th July*, 10*th Oct.*, or *5th Jan.*, on the credit of any exchequer bills under the 57 *G.*3. *c.*48. and 59 *G.*3. *c.*19., issued by the treasury, *id. s.*3.

116. When any exchequer or treasury bills, are in the course of payment, on the credit of which the bank had previously advanced money, and which are in their hands, the bank may, in lieu of such bills, accept others granted towards the supplies of the year on which such bills so in a course of payment shall have been charged, *id. s.*4.

117. The bank shall, from time to time, cause an account in writing to be taken and attested by the proper officer, of the amount of all exchequer or treasury bills, or other government securities which have been purchased by the bank, on which any sum shall have been advanced for the public service by the bank, in each year ending *5th January*, showing whether any and what amount of such bills, &c. before the making up of such accounts, have been paid off, and what amount thereof shall then be in their hands, and lay the same before both houses of parliament at the times in *s.*2. *pl.*114. stated, *id. s.*5.

118. FOR THE further prevention of the forgery or counterfeiting bank notes, 1 *G.*4. *c.*92. [*see* 13 *G.*3. *c.*79. *pl.*70.]

119. Whereas the bank of *Eng.* have formed a new plan for printing bank notes, in which the groundwork will be black, or coloured, or black and coloured line work, and the words *bank of Eng.* will be placed at the top in white letters upon a dark ground, such ground containing white lines intersecting each other, and the sum of each note in the body thereof will be printed in black and red register work, and the back of the note will distinctly show the whole contents, except the number and date, in order to prevent the imitation thereof, be it enacted, that every person, (other than the servants and agents of the bank, to be appointed by them, and for their use only,) who shall engrave, cut, etch, scrape, or by any other art or device make, or who shall cause to be engraved, &c., or shall knowingly assist in the engraving, &c. in or upon any plate of copper, or other metal, or mixture of metal, or upon wood or other materials, or on any plate whatsoever, for the purpose of producing an impression of all, or any part of a bank note, or blank bank note of the bank of *Eng.* of the description aforesaid, without an authority in writing from the bank, or who shall use any such plate, or any other instrument or contrivance for printing any such bank note, blank bank note, or part of a bank note of such description, or who shall, without such authority, knowingly and without lawful excuse have in custody any such plate or instrument, or who shall knowingly utter or publish any such blank bank note, or part of such bank note, shall be a felon, and be transported for 14 years, *id. s.*1.

120. Every person who shall engrave, cut, etch, scrape, or by any other art or device make, or cause to be engraved, &c., or who shall knowingly assist in the engraving, &c. in or upon any plate of copper, or other metal, or mixtures of metal, or upon wood or other materials, or on any plate whatsoever, any line work, as or for the ground-work of a promissory note or bill of exchange, the impression taken from which shall be intended to resemble the ground-work of a bank of *Eng.* note of the description in *s.*1. *pl.*119. or any device, the impression taken from which shall contain the words *bank of Eng.*, in white letters on a dark ground, either with or without white or other lines therein, or which shall contain in any part the sum of such note or bill, in black and red register work, or which shall show the reversed contents of a note or bill, or of any part thereof, or which shall contain any word, figure, character or pattern, intended to resemble the whole or part of the matter or ornament of any bank note of the description in *s.*1. *pl.*119. or which shall contain any word, number, figure, or character in white, on a dark ground either with or without white or other lines therein intended to resemble the amount in the margin or other part of a bank of *Eng.* note, without an authority in writing from the bank, to be produced and proved by the party accused; and every person who shall without such authority use any such plate, or other instrument or contrivance for the making or printing upon paper or other material, any word, figure, character, or pattern intended to resemble the whole or part of the matter or ornaments of any such note of the description in *s.*1. *pl.*119., or any word, figure, &c. in white on a dark ground, either with or without white, or other lines apparently intended to resemble the sum in the margin, or other part of a bank of *Eng.* note, and every person who shall without such authority have in his custody any such plate or instrument, or shall knowingly and wilfully utter or publish, &c. any paper or other material containing any such words, figures, characters, or patterns, or shall knowingly have in custody any paper or other material, containing any such words, &c. (without lawful excuse, the proof whereof shall lie on the person accused) shall be a felon, and be transported for 14 years, *id. s.*2.

121. All notes of the bank of *Eng.* of the description in *s.*1. *pl.*119. wherein the name of any authorized signer of such notes shall be impressed by machinery provided by the bank, shall be deemed as valid, as if they were subscribed in the hand-writing of such signers, and shall be deemed bank notes within all the laws and statutes, and be described as bank notes in all indictments and proceedings whatsoever, *id. s.*3.

BANKS OF RIVERS, &c.

1. TO PREVENT THE cutting or breaking down the bank of any river or sea bank, 6 *G.*2. *c.*37. *s.*5. [CON. by 10 *G.*2. *c.*32. *s.*2., 17 *G.*2. *c.*40. *s.*4., 24 *G.*2. *c.*57. *s.*3. MADE PERP. 31 *G.*2. *c.*42. *s.*3.]

2. Every person who shall unlawfully and maliciously break, or cut down the bank of any river, or any sea bank, whereby lands shall be overflowed or damaged, shall on conviction be adjudged guilty of felony, and shall suffer death without clergy, 6 *G.*2. *c.*37. *s.*5.

3. FOR MORE EFFECTUAL punishment of persons removing materials used for securing marsh, or sea walls, or banks, 10 *G.*2. *c.*32. *s.*5.

4. If any person shall unlawfully cut off, draw up, or remove and carry away any piles, chalk, or other materials driven into the ground, and used for securing any marsh, or sea walls, or banks: any justice residing near the place, on complaint or information on oath by him

administered, may summon the accused, or issue his warrant to apprehend and bring before him the party so accused or suspected, and on his appearance, or neglect to appear, may proceed to examine the matter, and on due proof by confession or oath of one witness, determine the same, and convict the offender, who shall thereupon forfeit 20*l.* one moiety to the informer, and the other to the overseer for the use of the poor of the parish, to be levied by distress and sale of his goods, and for want of sufficient distress such justice shall commit him to the house of correction to hard labour for six months, 10 *G.*2. *c.*32. *s.*5.

5. FOR MORE EFFECTUALLY preventing the cutting of starr or bent, 15 *G.*2. *c.*33. *ss.*6—8.

6. If any person shall by day or night, without the owner's consent, cut, pull up, or carry away any starr or bent planted on the sandhills, on the north-west coasts of *Eng.* especially of *Lancashire*, to prevent them from being blown on the adjacent lands, any justice of the county or place where the offence is committed, on complaint or information on oath, may summon, and in default of appearance issue his warrant to apprehend, and on proof by his confession, or on oath of one witness, may convict the accused, who shall thereupon forfeit 20*s.* one moiety to the informer, and the other to the owner of the sand-hills, to be levied by distress and sale of goods by warrant of such justices, and in default thereof, the justice shall commit the offender to the house of correction to hard labour for three months; and every such offender, a second time convicted, shall be committed to the house of correction for one year, there to be whipped and kept to hard labour, *id. s.*6.

7. If any starr or bent be found in the possession of any person within five miles of any such starr, bent, or sand-hills, such person being convicted as in *s.*6. shall be deemed the cutter and puller therefrom, and shall forfeit 20*s.* one moiety to the owner of the sand-hills, to be levied as above, and for want of sufficient distress, shall be committed to the house of correction to hard labour for three months, *id. s.*7.

8. Nothing in this act shall restrain any person from the exercise of any ancient prescriptive right to cut starr or bent on the sea coasts in *Cumberland*, *id. s.*8.

BANKS FOR SAVINGS.

1. TO ENCOURAGE the establishment of banks for savings in *Eng.*, 57 *G.*3. c.130. PUBLIC *Act*, *s.*28. [AMD. 58 *G.*3. *c.*48., 1 *G.*4. *c.*83.]

2. If any number of persons who have formed or shall form any society in *Eng.* for the purpose of establishing any institution in the nature of a bank, to receive deposits of money for the benefit of the persons depositing the same, and to accumulate the produce of so much as shall not be required by the depositors, their executors, or administrators, to be paid in the nature of compound interest, and to return the whole or part of such deposit and the produce thereof to the depositors, &c. deducting only out of such produce the necessary expences of the bank, according to such rules as shall have been established for that purpose, but deriving no benefit from any such deposit or the produce thereof, shall be desirous of having the benefit of this act, such persons shall cause the rules, orders, and regulations of such institution, to be entered and filed in manner herein-after directed, and thereupon shall be entitled to the benefit of this act, 57 *G.*3. *c.* 130. *s.* 1.

3. No such institution shall have the benefit of this act unless the rules, &c. shall be entered in a book to be kept by an officer of such institution, and which book shall be open at all seasonable times for the inspection of the persons making deposits; and unless such rules, &c. shall be fairly transcribed on parchment, and such transcript deposited with the clerk of the peace for the county or place wherein the institution is, which transcript shall be filed by such clerk with the rolls of the sessions, without fee; but nothing herein shall prevent any alteration in such rules, &c. or the making of new ones, but such new rules, &c. alterations, or amendments, shall not be in force until the same shall be entered in such book, and a transcript deposited with such clerk of the peace as aforesaid, 57 *G.*3. *c.* 130. *s.*2.

4. No such institution shall have the benefit of this act, unless it is a rule thereof that no treasurer, trustee, or manager, or persons having control in the management, shall derive any benefit from any deposit made therein, but that the depositor shall have the sole benefit of such deposit and the produce thereof, except such salaries, allowances, and other necessary expences provided by the rules for managing the same, and for remuneration of their officers, exclusive of the treasurer, trustees, and managers, and who shall not have any benefit whatsoever therefrom beyond their actual expences for the purposes of such institution, *id. s.*3.

5. All rules, &c. made and in force for the management of any such institution duly entered in such book, and deposited with such clerk as in *s.*2. *pl.*3., shall be binding on the several members and officers of such institution and the depositors therein, all of whom shall be deemed to have notice of such rules by such entry and deposit, and such entry, or the transcript of such rules deposited with such clerk, or a copy thereof proved to be true, shall be evidence of such rules, and no *certiorari* shall be brought to remove such rules into any court of record, and every copy of such transcript shall be made without fee, except only the actual expence thereof, and shall be stamp-duty free, 57 *G.*3. *c.*130. *s.*4.

6. Whenever a transcript of the rules of any institution requiring the benefit of this act, and the 57 *G.*3. *c.*130. has been deposited with the clerk of the peace pursuant to the said act, the same shall be signed by two trustees thereof, and be by such clerk laid before the general or quarter sessions holden next after, and such justices then present, after due examination thereof, may reject such parts thereof as shall be repugnant to the acts, or allow and confirm the transcript, or such parts thereof as shall be conformable to them; provided that such justices shall signify such rejection by the words "rejected," or "disapproved," written opposite such rule, and signed by the chairman of such sessions; and such rules as shall be so rejected, shall not be in force from the time of such rejection; provided such clerk do, within ten days next after such rejection or disapproval, give notice thereof in writing to the two trustees by whom the transcript shall be signed, 58 *G.*3. *c.*48. *s.*17.

7. In case the managers shall receive any deposit from or for the benefit of any person under the age of 21 years, the managers may pay to such person his share, notwithstanding his or her incapacity, 57 *G.*3. *c.*130. *s.*5.

8. Any friendly society may subscribe the whole or any part of the funds of such society through their treasurer, steward, or other officer, into the funds of any institution which shall take the benefit of this act, and which shall be willing to receive the same, under such terms as shall be specially provided for that purpose by the rules of such institution; provided that the receipt of the treasurer or other officer of such friendly society shall be a sufficient discharge, and the institution in which such deposit shall be made shall not be responsible for any misapplication of any such money, stock, or security, *id. s.*6.

9. The trustees of any charitable institution or society in *Eng.* may subscribe the whole or any part of their funds through their treasurer, steward, or other officer, into the funds of any saving bank, provided the majority of the trustees of such saving bank shall consent to receive the same, and under such conditions as they may provide; provided that the receipt of the treasurer or other officer of such charitable institution or society for any money, stock in the public funds, or other security paid, transferred, or delivered, according to the requisition of such treasurer, &c. apparently authorised to require such payment, &c. shall be a good discharge for the same; and the saving bank receiving such deposit shall not be responsible for the misapplication of any such money, &c. or for any want of authority in the party receiving such payment, &c. 1 *G.*4. *c.*83. *s.*12.

10. If any treasurer or other officer or person who shall be entrusted with the receipt or custody of any money deposited for the purposes of such institution, or any dividend accruing thereby, shall be required by the rules to become bound with sureties for the due execution of his trust in the sum by such rules required, such security shall be given by bond to the clerk of the peace, or to the town clerk of the place, without fee; and in case of forfeiture, the persons authorised by the rules shall sue on such bond in the name of such clerk at the cost and for the use of the institution, fully indemnifying such clerk from all costs in respect of such suit, and no such security so given shall be liable to stamp-duty, 57 *G.*3. *c.*130. *s.*7.

11. All money, goods, effects, securities for money, or other obligatory instruments, evidences, or muniments, and all other effects, and all rights and claims belonging to such institution, shall be vested in the trustees for time being for use thereof, and of the respective depositors therein, their executors or administrators, and on the death or removal of any trustees, shall vest in their successors for the same estate, interest, and trusts, without any conveyance whatever, except transfers of stocks and securities in the public funds of *G. B.*, and also shall, for all the purposes of suit, criminal and civil, at law and in equity, be deemed, and in all proceedings be stated to be the property of the trustees of such institution, in their names, without further description; and such persons shall bring and defend any action or prosecution, civil and criminal, in law or equity, touching such property, right, &c. belonging to such institution, and shall in all such cases sue and be sued in their own names as trustees of such institution, without further description; and no such suit or prosecution shall abate by the death or removal of any of such trustees, but the same shall be proceeded in by the successor in the names of the persons commencing the same, and such successors shall pay and receive like costs as if such suit, &c. had been commenced in their names for the benefit of or to be reimbursed by such institution, *id. s.*8.

12. No trustee or manager of any such institution shall place any money deposited by any depositor therein, or any interest arising therefrom in

the hands of any banker, or on any personal security, except such sums as shall necessarily remain in the hands of the treasurer to answer the exigences of such institution, 57 *G.*3. *c.*130. *s.*9.

13. The trustees of any institution taking the benefit of this act, may pay into the bank of *Eng.* any money, not less than 50*l.*, to the account of the commissioners for the reduction of the national debt, upon the declaration of two of such trustees that such monies belong exclusively to the institution paying the same; and the cashiers shall receive all such monies, and place the same into a new account, to be raised in the names of such commissioners, in the books of the bank, to be denominated "The Fund for the Banks for Savings," *id. s.*10.

14. Previous to any payment being made into the bank of *Eng.*, the person applying for that purpose shall, in all cases, produce to the officers of such commissioners in *London*, an order in the form marked A., [*new form given in lieu*, 58 *G.*3. *c.*48. *sched.* A.] under the hands of two trustees of the institution making the payment; and on the production of such order to such officer, he shall grant his certificate in the form marked B. [*new form given*, 58 *G.*3. *c.*48. *sched.* B.], and he shall thereupon grant debenture, *id. s.*11. [REP. as to issuing debenture and new provisions, 1 *G.*4. *c.*83. *s.*1. *pl.*39.]

15. The said commissioners shall cause all the monies paid into the bank in pursuance of this act to be invested in the purchase of bank annuities in their names, and to be carried to the separate account before provided; and the interest thereon shall, in like manner, be invested in the purchase of bank annuities, *id. s.*14.

16. The debentures issued under this act shall not be transferable, but shall continue the property of the institution on whose account originally issued, and until paid off, *id. s.*15.

17. No debenture, nor any order by this act required of the trustees, shall be subject to any stamp-duty whatever, and if any such debenture shall be lost or destroyed, such commissioners, upon satisfactory proof and good security given, shall direct the officer to grant a duplicate debenture, under the regulations aforesaid, *id. s.*16.

18. If any order or declaration produced to such officer, for the purpose of paying monies into the bank to the account of such commissioners, shall contain any matter which shall be false or untrue, then the sum so paid shall be forfeited to the commissioners, *id. s.*17.

19. An account of all monies received by the commissioners for national debt, from trustees of institutions, shall be by them annually, on 25*th March*, laid before parliament, or within 14 days after the commencement of the then next session, if parliament not then sitting, *id. s.*18.

20. The privilege of paying money into the bank, and of receiving debentures for the same, shall be restricted to such institutions only, which shall by some rule provide, that the sums paid by one person in one year, and applied to the purchase of the aforesaid debentures, shall not exceed 100*l.* in the first year, and 50*l.* in every year afterwards, in the whole, from each depositor, except in cases where friendly societies shall become depositors; and the commissioners for the reduction of the national debt, previous to such payment, shall require the production of such rule, certified by two trustees, and any other proof they may think necessary, *id. s.*19. [*see pl.*36.]

21. On every change of a trustee, the preceding trustee or trustees, their executors or administrators, shall forthwith transfer all stocks and annuities belonging to such institution in the public funds to their successors, or to their successors and any continuing, trustees as the case may be, so as to vest the same in them; and in case any sale or transfer of any part of such stocks shall be directed according to the rules of the institution, the same shall be made by the trustee in whose name the same shall stand, or by some person by such trustee, duly authorized by letter of attorney duly executed, and where such sale shall be made under any such letter, such letter shall not be subject to the stamp-duty, *id. s.*20.

22. All persons who shall receive any part of the money, or effects, or funds of any such institution, or shall in any way be intrusted with the management thereof, or of any securities relating to the same, their executors, administrators and assigns, shall, on demand made pursuant to an order of the committee of such institution, or of any other delegated authority, or at any general meeting of the managers thereof, give in his account to such committee, &c. or to such other person appointed to receive them, to be examined and allowed or disallowed by such committee or managers, and shall, on like demand, pay over all monies remaining in his hands, and assign and transfer or deliver all securities, effects, or funds taken or standing in their names, or being in their custody, to such persons as aforesaid; and in case of any neglect so to do, the trustees of such institution may exhibit a petition to the general or quarter sessions for the county or place, and the justices there shall proceed thereon in a summary way, and make such order thereon on hearing all parties as shall seem meet, and which shall be final; and all assignments, sales and transfer, made in pursuance of such order, shall be good, 57 *G.*3. *c.*130. *s.*21.

23. No member of any friendly society shall, by reason of such person becoming a depositor in any such institution, be considered as liable to any penalty or disability, declared by the rules of such friendly society, 57 *G.*3. *c.*130. *s.*22.

24. In case any depositor in the funds of any institution taking the benefit of this act shall die, leaving any sum in such funds, or any dividends due thereon exceeding 20*l.*, the same shall not be paid to any person, as his representative, but upon probate of the will or letters of administration; provided, where the whole estate or effects of any such deceased depositor, for which any such probate or letters shall be granted, shall be under the value of 50*l.*, no stamp-duty shall be chargeable thereon, nor upon any legacy or residue thereof bequeathed, nor upon any share of the estate or effects to be paid under such probate or letters; provided that, in every such case, the person claiming such probate or letters free of stamp-duty, shall exhibit to the court, or person granting the same, a certificate of the amount of the share and interest of any deceased depositor therein; which certificate shall be granted in the form settled by the rules of the institution, and signed by such persons as shall be directed therein; and every such certificate shall be taken as evidence of the amount or value of such shares and interests of such deceased depositor, *id. s.*23.

25. In all cases where the whole estate and effects of any deceased depositor, in respect of which any letters of administration may be granted pursuant to 57 *G.*3. *c.*130. *s.*23. *pl.* 24., shall be under 50*l.* no stamp-duty shall be charged on the administrator's bond for the due administration of the effects, nor upon any affidavit or document connected therewith, but the same shall be free of stamp-duty in like manner, and under the like regulations as in such act provided, with respect to such letters of administration; and no receipt, draft, or order, nor any appointment of any agent, nor any certificate or revocation of such appointment, nor any other instrument or document by that or this act required, shall be subject to any stamp-duty, 1 *G.*4. *c.*83. *s.*16.

26. In case any depositor in any such institution shall die, leaving a sum in the funds thereof, which with the interest shall not amount to 20*l.*, the trustees or managers shall, if no will is proved, or letters of administration taken out within six calendar months after his death, pay the same according to the rules of such institution; and if no such rules on that behalf, they shall pay and divide the same amongst the persons entitled, according to [22 & 23 *C.*2. *c.*10., 29 *C.*2. *c.*30.] the statutes of distributions, 57 *G.*3. *c.*130. *s.*24.

27. The payment or transfer of any money or securities by any such institution, to any persons having such letters or probate duly granted, and appearing to be in force, shall be valid with respect to any demand of any other person, as the lawful representative of such depositor, against such institution, or the treasurer, trustees, or managers thereof, but such representatives shall have a remedy for money, &c. so paid, &c. against the party who received the same, *id. s.*25.

28. Whenever any trustees or managers of any saving bank shall, after the expiration of six months from the decease of any depositor, have paid and divided any sum not exceeding 20*l.* amongst the persons appearing to them entitled to the effects of such deceased intestate depositor, according to the statute of distributions, such payments shall be valid with respect to any demand of any other person as next of kin to such deceased intestate depositor, or as his lawful representative against the funds of such saving-bank, or the treasurer, trustees, or managers thereof; but such next of kin or representative shall have remedy against the persons who received the same, 1 *G.*4. *c.*83. *s.*17.

29. No power, warrant, or letter of attorney granted by any person, as a trustee of any institution established under this act, for the transfer of any share in the public funds standing in his name, nor any such power, &c. given by any depositor to any other person authorizing him to make any deposit of any sum on his behalf, or to sign any document required by the rules to be signed, or to receive back any sum deposited therein, or any interest thereon, nor any receipt given for any dividends in any public stock, or interest of exchequer bills, nor any receipt, nor any entry in any book of receipts for deposits by any depositor, his executor or administrators, assigns or attornies, from the funds of such institution, shall be liable to stamp-duties, 57 *G.*3. *c.*130. *s.*26.

30. No arbitration bond or bond of reference, nor any award, order, or determination of any arbitrator or umpire, made under the general rules of any institution, filed as required by 57 *G.*3. *c.*130. *s.*2. *pl.*3., shall be subject to any stamp-duty, 58 *G.*3. *c.*48. *s.*18.

31. Where provision is made by any rule of any such institution filed as *s.*2. *pl.*3. required, for reference by arbitration of any matter in dispute between such institution, or any person acting under them, and any depositor therein, or any executor, administrator, next of kin, or creditor of any deceased depositor, or any person claiming to be one such, then the same shall be preferred to an arbitrator named, according to such rules, &c. and whatever award, &c. he shall make according to such rules, &c. shall bind all parties and be conclusive, 57 *G.*3. *c.*130. *s.*27.

32. The schedules to 57 *G.*3. *c.*130. annexed shall be Rep., and in all cases where by such act the forms thereto annexed marked A. and B. are required to be used, the forms hereto annexed marked A. and B. shall be used instead, 58 *G.*3. *c.*48. *s.*1.

33. The commissioners for the reduction of the national debt upon the application of the trustees of any saving banks, in manner herein-after mentioned, may in lieu of paying off the principal and interest of any such debentures in money, cause their agents (being also cashiers,) to transfer such an amount of either 3 *per cent. consolidated or reduced* bank annuities, or bank annuities of 3*l.* and 10*s. per cent.*, as shall by computation produce, as herein-after directed, the like amount in money as the amount of the principal and interest of such debentures, out of any account standing in the names of the commissioners into the names of any two of the trustees, whenever the same shall be required in the order of the trustees, in lieu of paying such debentures in money, *id. s.*6.

34. Before any such annuities shall be transferred from the account of the commissioners, such annuities shall be first converted into money by the computation of the officer, according to the average price of either of such three stocks at the option of the trustees as expressed in their order, which shall be exhibited at the office of such commissioners under any act now in force, on the day of the delivery of the order, such price being the average price on the day preceding, *id. s.*7.

35. Whenever any 3 *per cent.* consolidated or reduced bank annuities, or 3*l.* and 10*s. per cent.* bank annuities, shall be required by such trustees to be transferred, such officer shall grant his certificate for that purpose, according to the form marked F 2. to this act annexed, a duplicate whereof shall be transmitted by such officer to the bank of *Eng.*; and upon production and delivery of the said certificate at the bank, the agent of the commissioners shall transfer from such commissioners the amount and description of stock therein stated into the names of two trustees of such saving bank, as shall be described in such certificate, *id. s.*10.

36. The privilege of paying money into the bank, and of receiving debentures for the same, shall be restricted to such institutions only, which shall, by their rules, provide that the sums paid by any person who shall pay by ticket or number, without disclosing his name, shall not exceed 10*l.* in one year; and the commissioners for the reduction of the national debt, previous to the payment of any sum into the bank, shall require the production of such rule certified under the hands of two of the trustees or managers, and any other proof which they may think necessary, *id. s.*14., [*see pl.*20.]

37. The privilege of paying money into the bank, and of receiving debentures for the same, shall be extended to such institutions as may have been established previous to the passing of 57 *G.*3. *c.*130., or who may have since formed or may hereafter form their rules according to such act and this act; and the trustees of such institutions may invest any funds already accumulated, in debentures, in manner authorized by the acts, *id. s.*15.

38. In cases where any banks for savings have been or shall be established in any town, and other smaller banks in the neighbourhood, as branch banks thereof, and such branch banks shall pay any sums into the bank in any such town, as a central bank, the trustees of such central bank may pay into the bank, in manner prescribed by 57 *G.*3. *c.*130. *s.*10. *pl.*13., along with the monies belonging to such central bank, any sum belonging to such branch bank; provided that the treasurers of such branch banks shall certify to the treasurer of such central bank, that the amount contributed by one subscriber to such branch bank in one year, does not exceed the proportions required by *s.*14. *pl.*36., of this act, *id. s.*16.

39. So much of 57 *G.*3. *c.*130. and 58 *G.*3. *c.*48., or either of them, whereby the issuing of any debenture by the commissioners for the reduction of the national debt, is required upon payment of money into the bank of *Eng.* to their account by the trustees of any saving bank, and also so much as relates to the renewal of such debentures, or to the payment of the principal or interest of such debenture, or to the transferring of any bank annuities in lieu of paying off the same, [57 *G.*3. *c.*130. *ss.*12, 13., and 58 *G.*3. *c.*48. *ss.*2—5. 7—9. 11, 12.] shall be Rep. 1 *G.*4. *c.*83. *s.*1.

40. On the payment of any money into the bank of *Eng.*, to the account of the commissioners of the national debt, by the trustees of any saving bank, under the 57 *G.*3. *c.*130. *s.*10. *pl.*13. and 58 *G.*3. *c.*48. *ss.*14—16. *pl.*36—38., as therein directed, the officer of such commissioners shall issue a receipt signed by one of the cashiers of the bank, for the amount of such payment, carrying interest at the rate of 3 *per cent. per diem*, from the day of payment inclusive, and payable with the principal at the bank whenever required, or drawn for as hereby directed, and such receipt shall be dated on the day of such payment, and be in the form directed by such commissioners, and the principal and interest of all sums mentioned in such receipt, shall be payable out of the money standing in the name of such commissioners in the books of the bank, 1 *G.*4. *c.*83. *s.*2.

41. All interest payable on any money mentioned in any such receipt, upon 20*th Nov.* and 20*th May* in each year after the date thereof, shall be computed by the officer of such commissioners, and be yearly placed to the credit of the saving bank which paid such money, within 30 days after, and shall be carried to the account of such saving bank, and thenceforth carry interest as principal so paid into the bank; and a receipt in the form approved of by such commissioners shall be signed by their officer, and issued by him half-yearly, within 30 days after the 20*th Nov.* and *May*, (and which shall be dated on the 21*st Nov.* or *May*,) for the amount of such interest; provided that no interest shall be computed on the fractional part of a pound of the half-yearly balance in the books of such commissioners, on account of any saving bank, on 20*th Nov.* or *May*; and provided the managers and trustees of any saving bank may direct that all interest payable to any depositor in such saving bank, shall twice in a year be calculated by such trustees, and be carried to his credit, and become principal and carry interest as other principal money deposited in such bank, *id. s.*3.

42. Before the trustees of any saving bank, shall make any order or draft for payment by the said commissioners of money under 57 *G.*3. *c.*130., or 58 *G.*3. *c.*48., or this act, they shall make and execute an appointment under the hands and seals of four of them, and attested by two managers, authorising some person named therein to be agent for receiving all money required by such trustees to be paid by such commissioners, and such appointment shall be produced by such agent to the officer of such commissioners, 14 days prior to the payment of any sum on account of any such saving bank, and be deposited with such officer, and such appointment shall be made in such form and under such regulations as shall be directed by such commissioners or their officer, *id. s.*4.

43. The trustees of any savings bank by whom any such appointment is made and executed, or their survivors, may revoke the same by any certificate or other instrument under hand and seal, attested by two managers, and in such form and under such regulations as shall be approved by such commissioners or their officer; and in case of the death of all such trustees, except one, such survivor, together with any others of the trustees, not exceeding four; and in case of the death of them all, any others of such trustees, not exceeding four, shall make and execute a like appointment, appointing the same or another person to be such agent, and such revocation, and his appointment shall be produced to the officer of such commissioners within 14 days at the least before the payment of any sum to the person therein named, and shall remain with such officer, *id. s.*5.

44. The trustees of any saving bank may (by order or draft in writing signed by two of them and attested by two others, or two managers, or two witnesses, according to the form directed by such commissioners,) require the whole or part of the principal sum standing in the books of such commissioners to their credit, to be paid to the agent named in some such appointments, as in *s.*4. *pl.*42., and lodged with the officer of such commissioners, and then in force, and such draft or order shall be addressed to such commissioners, and on production of the same to such officer he shall, within five days after, indorse thereon, and sign an order in the form directed by such commissioners for the payment of the sum required, together with the interest due on the same up to the day preceding the date of such order of such officer, and which order of such officer shall, before it is issued, be entered and countersigned by the clerk making such entry, and addressed to the cashier of the bank of *Eng.* who shall pay the amount to the party mentioned in such order of the trustees, and whose signature shall be a good discharge to the bank, and all payments made under such orders shall be deemed payments made by such commissioners to such trustees according to the numerical order and priority of date in which the original receipts for money deposited on account of such saving banks have been issued to the trustees, as in *s.*2. mentioned, *id. s.*6.

45. If one of such trustees who made and executed such appointment as in *s.*4. shall appear in person at the office of such commissioners, and require payment of any money which might be received by the agent named in such appointment, and if he shall produce a draft or order signed by two trustees, and if his identity is satisfactorily ascertained, the officer of such commissioners may pay the sum required by such draft to him in like manner as to such agent, *id. s.*7.

46. All sums due on the 20*th Nov.* 1820, or the 20*th May* 1821, or in any subsequent year, for interest upon any debenture issued under 57 *G.*3. *c.*130. or 58 *G.*3. *c.*48., before 1*st Aug.* 1820, and outstanding on any such days, shall, within thirty days, be placed to the credit of the respective saving banks on whose account they were issued, and the interest shall be consolidated with that which shall accrue on every 20*th Nov.* or 20*th May* on all sums then standing on the account of such saving banks under this act, 1 *G.*4. *c.*83. *s.*8.

47. The trustees of any saving bank on whose account any such outstanding debentures have been issued [by order under the hands of two

of them in the form directed by such commissioners, and on production of the debenture to which such order shall refer, severally indorsed with the names and under the hands of the same two trustees who shall sign such order) may, at any time, draw on such commissioners for the payment in money of the whole or any part of the principal sum contained therein, together with the interest due thereon, and such trustees may, in lieu of receiving the whole of such principal and interest, or part thereof, in money, accept from the officer of such commissioners a receipt for the whole or any part of the same under this act, dated either on or after the 21*st Dec.* 1820, and such officer shall indorse such order of the trustees for payment of such debenture in money, or issue a receipt carrying interest at *3d. per cent. per diem.* (according to this act) for the sum required by the trustee's orders, and the money contained in such receipt shall be carried to the account of such trustees as if the same had been an original deposit under this act, and shall be subject to all the regulations of this act, and of 57 *G.*3. *c.*130. and 58 *G.*3. *c.*48. as hereby altered, and all debentures so paid or exchanged shall be cancelled and void, 1 *G*4. *c.* 83. *s.*9.

48. Receipts may be given for money due on renewed debentures, if required between 1*st Aug.* and 21*st Dec.* 1821, *id. s.*10. EXP.

49. Nothing herein contained shall prevent the trustees of any saving bank from receiving payment in stock of any one or more debentures which may be outstanding at the time when this act passed, according to the regulations of 57 *G.*3. *c.* 130. and 58 *G.*3. *c.*48. if they require the same, *id. s.* 11.

50. In all cases where any joint stock or property of the depositors in any saving bank in *Eng.* may be increased by any change of stock, or by any rate of interest paid on any debentures or receipts, beyond the rate of interest payable to such depositors by the original rules, &c. of such bank, or by other means, the trustees of any such saving bank may make such rules, &c. for the application of the increased stock or property amongst such depositors, either by way of increased interest or by bonus or increase of capital, or by both, as such trustees, and managers at any general meeting duly convened shall think proper, and such trustees and managers at any other general meeting so duly convened may revoke or annul any such rules, &c. relating thereto, and make others as they think fit, *id. s.*13.

51. Whenever the sum to be drawn by the trustees of any saving bank shall amount to 2000*l.* or more, the draft or order shall be signed by not less than four of them, and their respective signatures shall be separately attested by one manager of such saving bank, or some other credible persons, and any manager or person attesting the signature of one shall not attest that of another of such four trustees, *id. s.*14.

52. In case any debenture issued under 57 *G.*3. *c.*130. or 58 *G.*3. *c.*48. shall be or has been lost, destroyed, or defaced, the commissioners for the reduction of the national debt on the application of two trustees on behalf of the saving bank, on whose account such debenture was originally issued, and on proof or oath, or otherwise to the satisfaction of such commissioners of the date, contents, and value, and of the circumstances of the loss, &c. thereof, may order their officer to issue to such applicants, on giving such security as may be required, a receipt carrying interest, as in *s.*2. *pl.*40., for a sum equal to the principal and interest due on the debenture so lost, &c. and such sum shall be carried to the account of such trustees as if it was an original deposit under this act, and shall be subject to the regulations thereof, and of the acts aforesaid, *id. s.*15.

53. All the regulations and provisions of this act relative to money paid into the bank of *Eng.* and debentures issued on account thereof, shall be applicable to payments so made and debentures issued under 59 *G.*3. *c.*128. for friendly societies, *id. s.*18. [*see* FRIENDLY SOCIETY.]

54. The commissioners for the reduction of the national debt may employ clerks to execute this act, and the 57 *G.*3. *c.* 130. and 58 *G.*3. *c.*48., and the treasury may pay them out of the supplies granted for the year any reasonable allowances for their labour, and may likewise pay all necessary charges incurred by the executors of this and the said acts, *id. s.*19.

55. This act and 57 *G.*3. *c.*130. and 58 *G.*3. *c.*48. to be deemed one act, *id. s.*20.

BANKRUPT.

(STATUTES *repealed and expired.*)

1. FOR THE relief of creditors by making compositions with their debtors in case two-thirds in number and value agree, 8*&*9 *W.*3. *c.*18. [REP. 9*&*10 *W.*3. *c.*29.]

2. TO PREVENT frauds frequently committed by bankrupts, 4*&*5 *A. c.*17. [EXPL. 5*&*6 *A. c.*22. CON. 7 *A. c.*25. EXP.]

3. TO EMPOWER commissioners in commissions of bankrupts issued since 24*th June* 1706, and on or before 26*th June* 1716, to make certificates for bankrupts, and the lord-chancellor, lord-keeper, or commissioners of the great-seal, or two judges to confirm the same, notwithstanding 4*&*5 *A. c.*17. and 5*&*6 *A. c.*22. are expired, and continue a clause in a former act for adjusting accounts between bankrupts and their debtors, 3 *G.*1. *c.*12. EXP.

4. FOR BETTER preventing frauds committed by bankrupts, 5 *G.*1. *c.*24. [CON. 11 *G.*1 *c.*29. *s.*1. 13 *G.*1. *c.*27. *s.*2. EXP.]

5. FOR THE relief of bankrupts where certificates were not allowed by 5 *G.*1. *c.*26. *which is* EXP. 3 *G.*2. *c.*29. EXP.

(STATUTES *in force.*)

1. AGAINST such persons as do make bankrupts, 34*&*35 *H.*8. *c.*4. [NOTE. This act does not appear to be acted upon, and most of its provisions are incorporated in 13 *El. c.*7., *which see pl.*17, *and see also* 5 *G.*2. *c.*30. *pl.*58.]

2. "Whereas divers persons, craftily obtaining great substance of other men's goods, do suddenly flee to parts unknown, or keep their houses, not minding to restore to their creditors their debts;" be it ENACTED, that the lord chancellor, or keeper of the great seal, the lords treasurer, president, privy seal, and other of H. M.'s privy council, the chief justices of either bench, or 3 of them, whereof the lords chancellor, treasurer, president, or privy seal to be one, on complaint in writing by any persons grieved concerning the premises, shall, under this act, take such orders, as well with the bodies of such offenders, as also with the lands, tenements, fees, annuities, and offices which they have in fee-simple, fee-tail, term of life or years, or in the right of their wives, according to such offenders' interest therein, and also with their money, goods, and debts wheresoever found or known, and shall cause such their lands, fees, goods, debts, &c. to be searched and appraised and make sale of the same, or otherwise order, for the true satisfaction of their creditors, *viz.* to each such creditor in proportion to his debt, and all things done by such lords in writing, signed by them, under this act, shall be good in the law against such offender, his heirs and executors for ever, as though the same had been done by him by writing enrolled in H. M.'s courts of record, 34*&*35 *H.*8. *c.*4. *s.*1.

3. If after any such offence done, and complaint thereof made, any party grieved suspecting any of the goods or debts of such offender to be in custody of any person, or any person to be indebted to such offender, do make relation thereof to such lords, then such lords shall, by virtue hereof, convent afore them by any process they think fit all persons so suspected, and on their appearance shall examine them on oath touching such matters; and if such persons shall not disclose the truth, then on proof thereof made by witness, examination, or otherwise, such persons shall forfeit the value of all goods by them concealed, to be recovered by such means as such lords shall deem proper, and shall go to, and amongst the creditors, in satisfaction of their debts, in the rate aforesaid, *id. s.*2.

4. Every person who shall keep his house, or flee to parts unknown, or who fraudulently by covin or collusion shall demand any debt, or other thing, of any such offender, other than such as he can prove to be due before such lords, shall forfeit double the value of such demand, to be levied, recovered, and employed as in *s.*2. *pl.*3., *id. s.*3.

5. Every person who keeping his house, or flying to parts unknown, with intent to delay or defraud his creditors, shall by collusion suffer any other person to recover against him any debt, &c. without just cause, proceeding *bonâ fide*, then on complaint thereof made, such lords shall convent afore them such recoverer, and on proof of such collusion, all the goods of such offender so recovered shall be chargeable towards payment of the debts of his creditor, so always as such false recoveries shall not be in force, or any execution therein had, of, or upon any goods, or lands of such offender, until all his just debts be full paid, and nevertheless after such payment, as well the body of such offender, as his lands and goods, shall be liable to the execution of such recovery, *id. s.*4.

6. If any person indebted shall withdraw out of the realm into any foreign country, with intent to defraud his creditors, then on complaint in writing concerning the premises made, such lords shall award proclamations to be made in such places as to them seems meet, commanding such offender, in H. M.'s name, to return into the realm and yield his body to such lords, or one of them; and if such person, within 3 months next after he shall have knowledge of such proclamation, do not repair and yield his body as aforesaid, then he shall be deemed out of the king's protection, and also all his goods, lands and debts, shall be, by the order of such lords, distributed amongst his creditors in equal rates, and every person who shall willingly hold to embezzle or convey any such person, his goods, out of this realm, shall suffer such imprisonment and pay such fine to H. M. as such lords deem fit, *id. s.*5.

7. If the debts of any of the creditors of any such offenders be not fully satisfied, such creditors may have their remedy for the recovery of the residue of the same against such offender by such means as they might afore this act, and such creditors shall only be barred

under this act, of such portion only of such debts as shall be paid unto them, by such lords as aforesaid, 34 & 35 *H.* 8. *c.* 8. *s.* 6.

8. TOUCHING ORDERS for bankrupts, 13 *El. c.* 7. [AMD. 1 *J.* 1. *c.* 15. *s.* 1. [which is EXT. 56 *G.* 3. *c.* 137.] further AMD. 21 *J.* 1. *c.* 19., which is in part REP. as to *s.* 2. 10 *A. c.* 15. and EXPL. as to how far certain persons, being members of certain public companies, are liable to the bankrupt laws, 13 & 14 *C.* 2. *c.* 24., and as to certain cases of partnership, 10 *A. c.* 15., *see now* 5 *G.* 2. *c.* 30. *pl.* 58.]

9. Every merchant or other person using or exercising the trade of merchandize by way of bargaining, exchange, re-change, bartry, chevisance, or otherwise, in gross or in retail, or seeking his trade of living by buying and selling, and being subject born of this realm, or any of H. M.'s dominions, or denizen, who shall hereafter depart the realm, or begin to keep his house, or otherwise absent himself or take sanctuary, [*sanctuary abolished*, 21 *J.* 1. *c.* 28. *s.* 7.] or suffer himself to be arrested for any debt or other thing not grown or due for money delivered, ware sold, or any other just and lawful cause or good consideration, or who shall suffer himself to be outlawed, or yield his body to prison, [or who fraudulently shall procure himself to be arrested, or his goods or money attached or sequestered, 1 *J.* 1. *c.* 15. *s.* 2.] or depart from his dwelling-house, [or who shall make any fraudulent grant or conveyance of his lands, tenements, or goods, to the intent that his creditors, being subjects born as aforesaid, may be [defrauded of 13 *El. c.* 7. *s.* 1.] [defeated or delayed the recovery of 1 *J.* 1. *c.* 15. *s.* 2.] their just debts, [or, being arrested for debt, shall after such arrest lie in prison [six months, 1 *J.* 1. *c.* 15. *s.* 2. [2 months, 21 *J.* 1. *c.* 19. *s.* 2] or more, upon that arrest or on any other arrest or detention in prison for debt, 1 *J.* 1. *c.* 15. *s.* 2.] shall be accounted a bankrupt, 13 *El. c.* 7. *s.* 1., 1 *J.* 1. *c.* 15. *s.* 2.

10. The like commissions directed by 13 *El. c.* 7. to be issued against any bankrupt therein, as described for their lands, tenements, fees, offices, annuities, goods, and debts, shall be pursued against such property of any bankrupts herein described according to the intent of such act, 1 *J.* 1. *c.* 15. *s.* 3.

11. Every person using the trade or merchandize by way of bargaining, &c. or seeking his living by buying and selling, or that shall use the trade of a scrivener, receiving other men's monies or estates into his trust or custody, who shall either by himself or others, obtain any protection other than such as shall be lawfully protected by the privilege of parliament, or shall prefer to H. M., or any of his courts, any petition or bill, thereby endeavouring to compel his creditors to accept less than their just debts, or to procure time or longer day of payment than what was given by their original contract, or [being indebted to any person in 100*l.* shall not pay the same within 6 months after due, and the debtor be arrested for the same, or within 6 months after an original writ sued out to recover such debt and notice thereof given, REP. 10 *A. c.* 19. *s.* 1.] or being arrested for debt shall afterwards lie in prison 2 months or more on that or any other arrest for debt, [or being arrested for 100*l.* shall, after such arrest, REP. 10 *A. c.* 15. *s.* 1.] escape out of prison, [or procure his enlargement by putting in common or hired bail, REP. 10 *A. c.* 15. *s.* 1.] shall be accounted a bankrupt, and in cases of arrest, or lying in prison for debt, from the time of the first arrest, 21 *J.* 2. *c.* 19. *s.* 2.

12. The like commissions, orders, benefits, and remedies, which are provided by 13 *El. c.* 7., and 1 *J.* 1. *c.* 15., against bankrupts, or concerning their lands, goods, and debts, shall be pursued against persons herein expressed to be bankrupts, and their lands, &c. as if made bankrupts by such acts, 21 *J.* 1. *c.* 19. *s.* 3.

13. And the like orders, &c. provided by this act against bankrupts and their lands, &c. or the discovery thereof, shall be had against persons declared by 13 *El. c.* 7., and 1 *J.* 1. *c.* 15., to be bankrupts, and against their lands, &c. as if made bankrupt by this act, *id. s.* 6.

14. This act, and all other acts heretofore made against bankrupts, shall extend to strangers born, as well aliens as denizens, as effectually as to natural born subjects, both to make subject to the bankrupt laws, as also to make them capable of the benefits thereof, *id. s.* 15.

15. No persons whatsoever, who shall adventure or put in any money in the *East India Company* or *Guinea Company*, or into any joint stock by them to be raised for carrying on their trade, or into any stocks for carrying on the *Royal Fishing Trade*, and shall receive their dividends in fish, goods, or merchandizes, in specie, and shall sell or exchange the same, shall by reason thereof be esteemed a merchant or trader within the statutes for bankrupts, or be liable to the same, 13 & 14 *C.* 2. *c.* 24. *s.* 3. [*see* 5 *G.* 2. *c.* 30. *s* 39, 40. *pl.* 101, 102.]

16. Provided that such persons who shall so trade in any other way than in such companies and *Royal Fishing Trade*, shall be liable to the statutes for bankrupts by reason thereof as fully as if this act had never been made, *id. s.* 4.

17. The lord chancellor of *Eng.*, or lord keeper of the great seal, on every complaint to him made in writing against any such person being bankrupt, shall, by commission under the great seal, name and assign such persons as he deems fit, who, or the most part of whom, shall, by virtue of this act and such commission, take, by their discretion, such order with the body of such person wheresoever found, as well by imprisonment as also with all his lands, tenements, hereditaments, freehold and copyhold, which he shall have in his own right before he became a bankrupt; and also with the land, &c. he shall have purchased for money or otherwise jointly with his wife or children to his only use, or of or for such use as such offender then shall have in the same, which he may lawfully depart withal, or with any person in trust for such offender, and also with his money, goods, and debts, wheresoever found, and cause such lands, &c. fees, annuities, offices, goods, and debts, to be searched and appraised, and by deed indented, enrolled in one of H. M.'s courts of record, to make sale of such lands, tenements, and hereditaments, and of all deeds, writings, and evidences, touching only the same belonging to such offender or debtor, and also of all fees, annuities, offices, and goods, or otherwise to order for the true payment of such creditors, rate and rate alike, according to the quantity of their debts, and all orders, sales, and bargains done by such persons so authorized shall be good in law against such offender or debtor, his wife, heir, children, and such person, as by such joint purchase with such offender, shall have any estate or interest in the premises, and against all others claiming under such offender by any act done after his bankruptcy, and also against lords of the manors whereof such copyholds are holden, their heirs, successors, and assigns, 13 *El. c.* 7. *s.* 2.

18. Every person to whom any such sale of such copyhold or customary lands shall be made, shall, before he enters or takes the profits of the same, compound with the lords of manors of whom holden for the fees accustomed to be paid therefore; and, after such composition, such lords at the next court holden for such manor, shall not only duly grant unto the vendees upon request, the same lands by copy of court roll of the same manors for such estate as to them shall be so sold, reserving the ancient rents and services, but also in the same court admit them tenants of the same, and receive their fealty accordingly, *id. s.* 3.

19. Such of the commissioners as shall put such commission in execution shall, on request by the bankrupt, not only make a true declaration to him of the bestowing of his lands, debts, goods, &c. so paid to their creditors, but also make payment of the overplus to him, his executors, administrators, or assigns; and such bankrupt, after the full satisfaction of his creditors, shall have power to recover the residue of the debts to them owing, 13 *El. c.* 7. *s.* 4. 1 *J.* 1. *c.* 15. *s.* 15.

20. If after such act or offence committed, and complaint thereof made to such commissioners so appointed as in *s.* 2. *pl.* 17. by any party grieved in the premises, suspecting any of the goods or debts of such offender to be in the custody of any person, or any person to be indebted to such offender, do make relation thereof to such commissioners, they shall call before them by such means as they think fit, all persons so suspected, and on their appearance examine them, as well on oath as otherwise, touching such suspicions for the knowledge of such goods and debts, 13 *El. c.* 7. *s.* 5.

21. If such persons upon such examination do not declare the whole truth of such things, as they shall be examined on, to their knowledge, or deny to swear, then such persons upon due proof thereof to be made before such commissioners, or the most part of them, by witness, examination, or otherwise, shall forfeit double the value of all such goods and debts so concealed, and not wholly declared to be levied by such commissioners of the lands, &c. and goods of such person by such means as in *s.* 2. *pl.* 17. limited for the principal offender; and such forfeitures shall be employed to and for the payment of such creditors in such rate as in *s.* 2. declared, *id. s.* 6. [*See* as to the power of imprisonment of any such offender, 1 *J.* 1. *c.* 15. *s.* 10. *pl.* 34.]

22. If, at any time before or after, such persons shall keep their houses, depart the realm, or otherwise absent themselves, or suffer themselves to be arrested, outlawed, or yield their bodies to prison, any persons do fraudulently by collusion, claim, recover, or detain any debts, goods, lands, or tenements, by writing, trust, or otherwise, which were or shall belong to such offender, other than such he can prove to be due of right for money paid, wares delivered, or other just consideration, before such commissioners, and the same to proceed *bonâ fide*; such person shall forfeit double as much he shall so claim or detain, to be levied, and recovered, and employed as in *s.* 6. *pl.* 21. *id. s.* 7. [*See* as to concealing trust estates, &c. 5 *G.* 2. *c.* 30. *s.* 21. *pl.* 81.]

23. If the creditors of any such bankrupt shall happen to be satisfied and paid their debts, and there shall then remain any overplus of such forfeitures of such double values, one moiety thereof shall be paid by such commissioners to H. M., and the other shall go to such commissioners, to be by them distributed amongst the poor within the hospitals in every city, town, or county, where any such bankrupt shall happen to be, *id. s.* 8.

24. If any such person so indebted shall withdraw himself from his usual mansion-house, then on complaint thereof made to such commissioners or the more part of them, they shall award five proclamations in H. M.'s name upon five sundry market days in such place near where-

the bankrupt commonly dwelt, commanding him to return and yield his body before such commissioners at the time and place by such proclamation appointed, and if such person do not according to such proclamation repair and yield his body as aforesaid, he shall be deemed out of H. M.'s protection; and every person who shall willingly help to hide or convey, or receive, or detain secretly any person so demanded, shall suffer such imprisonment, and pay such fine to H. M., as the chancellor (being thereof informed by such commissioners) shall deem convenient, 13 *El. c.* 7. *s.* 9.

25. If the creditors of such offenders, who so depart the realm, keep their houses, or otherwise absent, or withdraw themselves, or suffer themselves to be arrested or outlawed, or yield themselves to prison, be not fully paid, or otherwise contented for their debts by the means before specified, they shall have their remedy for the recovery and levying of the residue thereof against such offenders in like manner as before this act; and such creditor shall only be barred by virtue of this act of such part of their debts as shall be paid to them by order of such persons as aforesaid, and no more, *id. s.* 10. [*But see now* 5 *G.* 2. *c.* 30. *s.* 9. *pl.* 68.]

26. Provided, that if any person declared bankrupt under this act, shall afterwards purchase any lands, &c. offices, fees, or goods, or that any lands, &c. offices, &c. shall revert to him, being bankrupt, before his debts be fully satisfied, paid, or otherwise agreed for, then such lands, &c. offices, &c. shall be by such commissioners bargained, sold, and extended towards the payment of his creditors, in such like manner as other his lands, &c. which he had when first declared bankrupt, might have been, *id. s.* 11.

27. This act shall not extend to any land, &c. free or copy, which shall be assured by any such person before he became a bankrupt, so always that such assurance be made *bonâ fide*, and to the use of the bankrupt only, or of his heirs; and that the party to whose use the same shall be made, be not at or before such assurance made privy or consenting to the fraudulent purpose of the bankrupt to deceive his creditors, *id. s.* 12.

28. Any creditors of such bankrupt within four months after such commission sued forth, and until distribution made by the commissioners for the payment of the bankrupt's debt, shall partake and join with the other creditors that sued forth the same for satisfaction of their debts, they so coming in contributing to the charge of such commission; and if such creditors do not come in within four months, such commissioners shall have power to distribute, 1 *J.* 1. *c* 15. *s.* 4. [*See now* 5 *G.* 2. *c.* 30. *s.* 25. *pl.* 85.]

29. If any person so becoming bankrupt shall convey to any of his children or other person, any manors, lands, &c. offices, fees, annuities, leases, goods, or transfer his debts to another's name; except the same shall be purchased, conveyed, or transferred for, or on the marriage of any of his children with the parties named, being of years of consent, or for some valuable consideration, the commissioners, or the major part of them, to be appointed on this behalf [*under* 13 *El. c.* 7. *s.* 2. *pl.* 17.] shall bargain, sell, grant, convey, demise, or otherwise dispose thereof, in like manner as if such bankrupt had been actually seized thereof, or the debts were in his own name, of the like estate and interest to his own use at such time as he became bankrupt; and every such grant, &c. shall be good in law against the offender, his heir, executors, administrators, assigns, and children, and persons, as shall be subject to this act, and against all other persons claiming by, from, or under such offender, or the persons to whom such conveyance shall be made by him, or by his procurement, *id. s.* 5.

30. Such commissioners may call before them, or the major part of them, such bankrupt, and if on lawful warning left, or made in writing at three several times at the dwelling-house where such bankrupt, his wife, or family, for the most part of his abode, did lodge or remain within one year next before he became bankrupt, such bankrupt shall not appear before the commissioners, they may order him to be proclaimed a bankrupt at any public place they deem fit, warning him to appear before them at some appointed time, and if on five such proclamations so made, such bankrupt shall not appear before such commissioners, they may award a warrant to such persons as they deem fit, to apprehend and bring him before them wheresoever found, in place privileged or not, to be examined by them, *id. s.* 6.

31. Such commissioners may examine the offender touching the lands, tenements, goods, debts, bills, bonds, books of account, and such other things as may tend to disclose his estate, or secret grants, conveyances, and eloining of his lands, &c. goods and debts, *id. s.* 7.

32. If such offender shall refuse to answer fully every interrogatory so ministered unto him, the commissioners may commit him to some imprisonment, until he shall better conform himself, *id. s.* 8.

33. If on such examination such bankrupt shall commit perjury tending to the hurt of his creditors of 10*l.* or more, he shall be indicted thereof in any of H. M.'s courts of record, and on conviction shall stand in the pillory for two hours, and have one ear nailed thereto, and cut off, 1 *J.* 1. *c.* 15. *s.* 6.

34. If any person, known or suspected to have, or detain any part of the lands, &c. goods, or debts, of such bankrupt, or to be indebted to him, shall, after warning given to come before the commissioners to be examined according to 13 *El. c.* 7. *ss.* 5. 6., refuse so to do, or shall not come at the time appointed, having no lawful impediment, (such as shall be admitted by such commissioners, and signified to them at the time of assembling,) or on a second such warning, shall not come, having no such lawful impediment, as aforesaid, or being come shall refuse to be sworn, and to answer such interrogatories as shall be administered unto him, according to such act, or this act, then such commissioners may commit all persons so refusing to be sworn and answer, to such prison as they deem fit, and also direct their warrants to such persons as they deem fit, to apprehend such person as shall refuse to come before them, and bring him before them, to be so examined, and on his refusal to come or to be examined, may commit him to such prison as they deem proper, there to remain without bail, until he shall submit to be so examined, *id. s.* 10.

35. Such witnesses so sent for shall have their costs and charges allowed them in the discretion of such commissioners, the same to be borne rateably by the creditors, according to their debts, and if any person, other than the bankrupt shall either by subornation, unlawful procurement, or other means, or by his own consent, commit perjury, by his deposition to be taken before such commissioners, or the more part of them, then such person, and all persons that shall corruptly procure such wilful perjury shall be indicted thereof in any of H. M.'s courts of record, and on conviction shall incur such forfeiture, and receive such punishment as by 5 *El. c.* 9. limited for such offences, *id. s.* 11.

36. Sums forfeited under this act, shall be sued for and recovered by the creditors only, or any of them that will sue for same by action of debt, or information, &c. in any court of record, and the sums so recovered, after deducting the costs, shall be divided amongst the creditors towards payment of their debts, *id. s.* 12.

37. The commissioners of bankrupts, or the greater part of them, shall have power to grant and assign or otherwise order or dispose of all debts due, or to be due to or for the benefit of such bankrupt by what persons soever due, or in what form soever to the use of the creditors, and the same disposition of such debts shall vest the property in the persons to whom it shall be assigned by the commissioners, as fully as if the bill, bond, statutes, recognizances, judgment, or contract, whereupon such debts shall arise, had been made to the persons to whom the same shall be so assigned; and after such assignment, neither the bankrupt, nor any other to whom such debt shall be due, shall recover the same, nor make discharge thereof; neither shall the same be attached as the debt of the bankrupt, or such other person, according to the custom of the city of *London*, but the party to whom the same shall be assigned, shall have remedy to recover the same, in the name of the person to whom the same shall be so assigned or ordered, as the party himself might have had, *id. s.* 13.

38. Provided that no debtor of the bankrupt be hereby endangered for the payment of his debt *bonâ fide* to such bankrupt, before he shall know that he is a bankrupt, *id. s.* 14.

39. No persons or bodies corporate, joint stock, or other companies having in their custody or possession any goods or effects belonging to any person who shall become bankrupt shall be endangered by reason of the delivery thereof, truly and *bonâ fide*, to such person, or his order, before they knew or understood that such person was become bankrupt, 56 *G.* 3. *c.* 137. *s.* 1.

40. In all cases where it shall be proved that any person acting on the behalf of any such bodies or companies, in the paying of any debt, or in the delivery of any goods or effects, understood or knew that the person to whom such debt was paid, or such goods or effects delivered had become bankrupt, such body or company shall be deemed to have understood and known the same, *id. s.* 2.

41. If any action is brought against any commissioner authorized under 13 *El. c.* 7. *pl.* 17. or any other person having authority under any commission authorizing such commissioner for any thing done by force thereof, and of this act, they may plead not guilty, or otherwise justify that the act complained of was done by authority of this statute, and of 13 *El. c.* 7. without expressing other matter of circumstance in such acts contained, and without showing their commission authorizing the same, and the plaintiff may reply *de injuriâ*, 1 *J.* 1. *c.* 15. *s.* 16.

42. And on issue joined, the same shall be tried by verdict of twelve men, and on the trial the whole matter shall be given on both parties in evidence, and if verdict shall pass in such issue for the defendant he shall have his costs, *id. s.* 16.

43. If after any such commission issued and dealt in by the commissioners, the bankrupt shall happen to die before distribution of his estate and effects under this act, and 13 *El. c.* 7. or either of them, such com-

missioners shall nevertheless proceed as if he were living, 1 *J.* 1. *c.* 15. *s.* 17.

44. All statutes and laws heretofore made against bankrupts, and for relief of creditors, shall be beneficially construed for the relief, &c. of the creditor, 21 *J.* 1. *c.* 19. *s.* 1.

45. "Whereas by former laws the commissioners have power to examine bankrupts and persons suspected of detaining bankrupt's goods, but some doubts have been made whether they can examine bankrupt's wives," (*s.* 5.): be it ENACTED, that after such time as any person shall by such commissioners be declared a bankrupt, such commissioners may examine on oath the wife of such bankrupt for the discovery of the estate and goods of such bankrupt concealed or disposed of by such wives, or by any other person, and that such wives shall incur the same danger and penalty for not coming before such commissioners, or for refusing to be sworn and examined, or for not disclosing the truth upon such examinations as by such former laws has been made and provided in like cases, *id. ss.* 5, 6.

46. Every bankrupt who shall, on his examination before such commissioners, be found fraudulently or deceitfully to have conveyed away his goods, lands, offices, fees, or other estate, to the value of 20*l.* to hinder the execution of this or any other statute relating to bankrupts, or to defraud his creditors, and shall not on such examination discover, (and if it lie in his power) deliver such estate so fraudulently or deceitfully conveyed away, or by his means detained from such commissioners, unto them, or who cannot show to them that he has sustained some casual loss, whereby he is disabled to pay what he then owed, shall be indicted for such fraud or abuse at the assizes or general sessions holden for the county or place where he shall become bankrupt, and if on such indictment such bankrupt is convicted, he shall be set in the pillory for two hours, and have one of his ears nailed thereto and cut off, *id. s.* 7. [*see* as to embezzlement, &c. of effects or books, 5 *G.* 2. *c.* 30. *s.* 1. *pl.* 59.]

47. In execution of such commission such commissioners or any person appointed by them by their warrants under hand and seal, may break open the house, chambers, shop, warehouses, doors, trunks, or chests of such bankrupt, where any of his goods or estate shall be suspected to be, and seize upon and order the body, goods, ready money, and other estate of such bankrupt as by former bankrupt laws appointed, whether it be by imprisonment or otherwise, as such commissioners shall think fit, *id. s.* 8.

48. Such commissioners shall examine on oath or by any means they think proper, any person for the discovery of the truth of the several debts due to all such creditors as shall seek relief under the commission, and all creditors having security for their debts by judgment, statute, recognizance, specialty with or without penalty, or other security, or having no security, or having made attachments in *London* or other place by virtue of any custom of the goods of such bankrupt whereof there is no execution or extent executed on any lands, &c. goods, or other estate of such bankrupt before he became bankrupt, shall not be relieved on any such judgment, &c. for any more than a rateable part of their just debts with the other creditors without respect to any penalty or greater sum contained therein, *id. s.* 9.

49. If it shall happen any the lands, goods, debts, or other estate of any bankrupt to be extended after his bankruptcy by any person under pretence of his being an accountant, or any way indebted to the king, such commissioners shall examine on oath whether such debt were due to such accountant upon any bargain or contract originally made betwixt such accountant and the bankrupt, the said debtor or accountant, and his servants, and if it was made originally to, and with any other person than such debtor or accountant, or for the trust of any other person, such commissioners may order and dispose of all such lands, goods, and debts so excluded for the use of the creditors, and such orders shall be available against such extent, and all persons claiming thereunder, and the persons to whom such lands and goods so extended shall be bargained, sold, or assigned by such commissioners, shall have good remedy to recover the same against such person who shall detain the same, *id. s.* 10.

50. If any person who shall become bankrupt shall, at the time of his bankruptcy, have by consent of the owner in his possession, order, or disposition, any goods whereof he shall be the reputed owner, and take on himself the sale or disposition thereof as owner thereof, such commissioners may cause the same to be sold for the benefit of the creditors as fully as any other part of the estate of such bankrupt, *id. s.* 11.

51. Such commissioners shall by deed indented, and enrolled within six months after the making thereof, in some of H. M.'s courts of record at *Westminster*, grant, bargain, sell, and convey any manors, lands, &c. whereof any bankrupt is or shall be seized of any estate in tail, possession, reversion, or remainder, and whereof no reversion or remainder is in H. M. of the gift of H.M., his progenitors, or heirs, to any person for the relief of the creditors of such bankrupts, and all such grants, &c. shall be available in law to such persons and their heirs against such bankrupts and their issue, and against all persons claiming from or under such bankrupts after he shall become bankrupt, and against all persons whom such bankrupt by common recovery or other means might cut off from any remainder, reversion, rent, profit, title, or possibility, in such manors, lands, &c. 21 *J.* 1. *c.* 19. *s.* 12.

52. If any person who shall become bankrupt, shall at any time convey or assure any lands, tenements, hereditaments, goods, or other estate, unto any person, upon condition of redemption on a day to come, by payment of money or otherwise, such commissioners, or the major part of them, shall, before the time of the performance of the condition, assign, under their hands and seals, such person as they shall deem fit to make tender of money or other performance, according to the nature of such contract, as fully as the bankrupt might have done; and after such tender or performance, such commissioners may dispose of such lands, &c. so granted, &c. on condition to and for the benefit of the creditors, as fully as they may dispose of any other estate of such bankrupt, *id. s.* 13.

53. No purchaser for a good and valuable consideration, shall be impeached under this or any other act, against bankrupts, unless the commission be sued forth against such bankrupt within five years after he shall become a bankrupt, *id. s.* 14.

54. The discharge of any bankrupt by force of any act relating to bankrupts, from the debts due by him at time of his bankruptcy, shall not be construed to discharge any other person, who was then partner with such bankrupt, or then stood jointly bound, or had any joint contract with such bankrupt for the same debts, from which he was so discharged; but such partners, &c., obligors, and joint contractors, shall remain liable to pay such debts, and perform such contracts, as if such bankrupt had never been discharged, 10 *A. c.* 15. *s.* 3.

55. FOR EXPLAINING and making more effectual the several acts concerning bankrupts, 7 *G.* 1. *st.* 1. *c.* 31.

56. "Whereas merchants take bills, bonds, promissory notes, or other securities for their monies, payable at future days," be it ENACTED that all persons who shall give credit on such securities to any persons who shall become bankrupt, on a good and valuable consideration *bonâ fide* for money, or other thing whatsoever which shall not be payable at or before the time of such person's becoming bankrupt, shall be admitted to prove their several bills, &c. as if they were payable presently, and not a future day; and they shall be entitled to a proportionable share of such bankrupt's estate with the other creditors, deducting only a rebate of interest, and discounting such securities payable at a future time, at the rate of *5 per cent. per ann.* for what he shall so receive, to be computed from the actual payment thereof, up to the time when such security would have been due, *id. s.* 1.

57. Such bankrupts shall be discharged from all such securities, and shall have the benefit of all acts in force concerning bankrupts, as fully as if such money was due before the bankruptcy, (*id. s.* 2.); proviso that such creditors shall not be petitioning creditors, *id. s.* 3. [REP. 5 *G.* 2. *c.* 30. *s.* 22. *pl.* 82.]

58. TO PREVENT the committing of frauds by bankrupts, 5 *G.* 2. *c.* 30. [CON. 9 *G.* 2. *c.* 18. *s.* 2., 16 *G.* 2. *c.* 30., 24 *G.* 2. *c.* 57. *s.* 8., 31 *G.* 2. *c.* 35. *s.* 2., 4 *G.* 3. *c.* 36., 12 *G.* 3. *c.* 57., 16 *G.* 3. *c.* 80., 21 *G.* 3. *c.* 29. *s.* 8., 26 *G.* 3. *c.* 80. *s.* 2., 28 *G.* 3. *c.* 24. *s.* 2., 34 *G.* 3. *c* 57., and MADE PERP. 37 *G.* 3. *c.* 124.; AMD. 19 *G.* 2. *c.* 32. (*called Sir John Barnard's Act*). 24 *G.* 2. *c.* 57. *s.* 8—10., 46 *G.* 3. *c.* 135. (*Sir S. Romilly's Act*), 49 *G.* 3. *c.* 121., which is not to extend to *Scot. id. s.* 15., and REP. as to the punishment of death inflicted by *s.* 1. of this act, 1 *G.* 4. *c.* 115.].

59. If any person shall become bankrupt within the meaning of the bankrupt acts, [*see pl.* 9—16.] and against whom any commission of bankrupt, under the great seal, [*see pl.* 17.] shall issue, whereunder he shall be declared bankrupt, shall not, within 42 days after notice in writing left at his usual place of abode, or on personal notice, in case he shall be then in prison, and on notice given in the *London Gazette* that such commission hath been issued, and of the time and place of a meeting of the commissioners, or the major part of them, surrender himself to such commissioners, and sign such surrender, and submit to be examined on oath or affirmation, by such commissioners, and in all things conform to the statutes now in force against bankrupts, and also on his examination fully and truly disclose all his effects and estates real and personal, and how and to whom, or upon what consideration, and at what times, he disposed of or assigned any of his goods, estate, or effects (and all books, papers, and writings relating thereto) of which he was possessed or any ways interested, or which any person hath in trust for his use, at any time before or after such commission, or whereby such person or his family may derive any advantage, benefit, or profit, except only such part of his estates and effects as have been disposed in the way of his trade, and except such monies as have been laid out in his ordinary family expenses, and also upon such examination deliver up to such commissioners such part of his, the said bankrupt's goods, estate, and effects, and all books, papers, and writings relating thereto, as at the time of such examination shall be in his power (the necessary wearing apparel of himself, his wife, and children only excepted), that then such bankrupt, in case

of any default and wilful omission in not so surrendering and submitting to be examined, or in case he shall embezzle, or remove, or conceal any part of his estate, real or personal, to the value of 20*l.*, or any books of account, papers, or writings relating thereto, with intent to defraud his creditors, and being thereof convicted by indictment or information, shall be deemed guilty of felony, and suffer as in cases of felony without clergy, or of any statute in relation to felons; and in such cases such felon's goods and estate shall go and be divided amongst his creditors seeking relief under such commission, 5 *G.*2. *c.*30. *s.*1. [REP. as to the punishment of death, and transportation for life, or for such term, not being less than seven years, as the court shall adjudge, or in case the court shall think fit, imprisonment only, or imprisonment and hard labour for seven years in the common gaol, house of correction, or penitentiary house substituted instead, 1 *G.*4. *c.*115. *ss.*1, 2.]

60. Such commissioners shall appoint within such 42 days for the bankrupt to surrender and conform as aforesaid, not less than three meetings, the last of which shall be on the forty-second day hereby limited for such bankrupt's appearance; and three weeks' notice shall be given in the *Gazette* of the time and place of such meetings, 5 *G.*2. *c.*30. *s.*2.

61. The lord chancellor may enlarge the time for such person surrendering himself, and discovering his effects, not exceeding 50 days, computed from the end of forty-two days; so as such order for enlarging the time be made six days before the time on which such person was to surrender himself, and make such discovery as in *s.*1. aforesaid, *id. s.*3.

62. Every such bankrupt, after assignees shall be appointed, shall deliver upon oath, or affirmation, before one of the masters of chancery, or justice of peace, unto such assignees, all his books of accounts and writings, not seized by the messenger of the commission, or not before delivered up to the commissioners, and then in his power, and discover such as are in the power of any other person that any ways concern his estate; and every such bankrupt not in prison, shall, after such surrender, attend such assignees, upon reasonable notice in writing given to him, or left at his usual abode, in order to assist in making out the accounts of his estate, *id. s.*4.

63. Such bankrupt having so surrendered, shall, at seasonable times before the expiration of such 42 days, or such further time as shall be allowed to finish his examination, as in *s.*3. *pl.*61. be at liberty to inspect his books, papers, and writings, in the presence of such assignees, or of some person appointed by them, and to bring with him two persons, and to make out such extracts and copies from thence as he thinks proper, the better to enable him to make full and true disclosure of his estate and effects, and in order thereto such bankrupt shall be free from all arrests or imprisonments of any of his creditors in coming to surrender, and from his actual surrender to the commissioners for such 42 days, or such further time as shall be allowed him to finish his examination, provided such bankrupt was not in custody at the time of such surrender or submission to be examined; and in case such bankrupt shall be arrested for debt, or on any escape warrant, coming to surrender to the commissioners, or after such surrender, within the time aforesaid, then on producing such summons or notice under the hands of such commissioners or assignees to arresting officer, and verifying such signatures, and giving a copy thereof, he shall be discharged forthwith, and every officer who shall detain such bankrupt, after producing and verifying such summons or notice, shall forfeit to such bankrupt 5*l.* for every day he shall detain him, to be recovered by action of debt, in any court of record at *Westminster*, in the name of such bankrupt, with full costs, *id. s.*5.

64. In case any bankrupt is in prison at the time of issuing any such commission, and is willing to surrender, and submit to be examined, according to this act, and can be brought before such commissioners and creditors for that purpose, the expence thereof shall be paid out of such bankrupt's estate and effects; but in case such bankrupt is in execution, or cannot be brought before the commissioners, then the acting commissioner shall attend such bankrupt in custody and take his discovery, as in other cases, and the assignees shall appoint one person to attend such bankrupt, and to produce to him his books, papers, and writings, in order to prepare his last discovery and examination, a copy whereof the assignees shall apply for, and the bankrupt shall deliver to them, or their order 10 days before such last examination, *id. s.*6.

65. Every bankrupt in custody at the time of his last examination, although charged in execution, shall be brought up to be examined in the same manner as when in custody on mesne process, and the gaoler is hereby indemnified for bringing him up on the commissioners' warrant, 49 *G.*3. *c.*121. *s.*13.

66. All persons so become bankrupt, who shall, within the time limited by this act, surrender to the acting commissioners, and in all things conform as in this act directed, shall be allowed, out of the neat produce of all the estate received in the following percentage, *viz.*

5*l.*	If, after such allowance made, such estate shall produce enough to pay the creditors in the pound,	10*s.*	and so as such allowance does not in the whole exceed		200*l.*
7*l.* 10*s.*		12*s.* 6*d.*			250*l.*
10*l.*		15*s.*			300*l.*

which allowance shall be paid by the assignee of the commissioners; and every such bankrupt shall be discharged from all debts owing by him at the time of his bankruptcy; and if such bankrupt shall afterwards be arrested or impleaded for any debt due before his bankruptcy, he shall be discharged on common bail, and may plead in general that the cause of such action or suit did accrue before he became a bankrupt, and may give this act and the special matter in evidence; and the certificate of such bankrupt's conforming, and the allowance thereof according to this act, shall be sufficient evidence of the trading, bankruptcy, commission, and other proceedings precedent to obtaining such certificate; and a verdict shall thereupon pass for defendant, unless the plaintiff can prove that such certificate was obtained unfairly and by fraud, or can state any concealment by such bankrupt to the value of 10*l.*; and if a verdict pass for the defendant, and the plaintiff shall be nonsuited, or judgment be given against him, the defendant shall recover his full costs, 5 *G.*2. *c.*30. *s.*7. [*See as to the* notice of intention to dispute the bankruptcy, &c. 49 *G.*3. *c.*121. *s.*10. *pl.*124.]

67. Provided that if the neat proceeds of such bankrupt's estate do not produce enough to pay the creditors, who have proved their debts, 10*s.* in the pound on their respective debts, after all charges first had and deducted, then such bankrupt shall not be allowed 5 *per cent.* out of such estate, but only so much as the assignees and such commissioners shall think fit to allow, not exceeding 3 *per cent. id. s.*8.

68. Provided that if a commission of bankruptcy shall issue against any person who shall have been discharged by virtue of this act, or shall have compounded with his creditors, or delivered to them his estate and effects, and been released by them, or discharged by any insolvent act, then the bodies only of such persons shall be free from arrest under this act, but his future estate and effects shall remain liable to his creditors as before this act, his tools of trade, necessary household-goods and furniture, and necessary wearing-apparel of himself, his wife and children only excepted, unless his estate shall produce, clear of all charges, sufficient to pay every creditor under the commission 15*s.* in the pound on their respective debts, *id. s.*9. [*See* as to the allowance of certificate to a bankrupt, assignee of another bankrupt, 49 *G.*3. *c.*121. *s.*6. *pl.*120.]

69. No discovery, on oath or affirmation, made by any bankrupt of his estate and effects, pursuant to this act, shall entitle him to its benefits, unless the major part of such commissioners shall, in writing under their hands and seals, certify to the lord chancellor that such bankrupt had made a full discovery of his estate, and in all things conformed to this act, and that there does not appear any reason to doubt the truth of such discovery, or that the same is not a full discovery of all such bankrupt's estate and effects; and also unless four parts in five in number and value of the creditors of such bankrupt, who shall be creditors for not less than 20*l.* respectively, and who have duly proved their debts under the commission, or some other person by them duly authorized, shall sign such certificate, and testify their consent to such allowance and certificate, and to such bankrupt's discharge under this act, to be also certified by such commissioners, but who shall not certify the same till they have proof by affidavit or affirmation in writing of such creditors, or of the person by them authorized signing for them, and of the authority by which any such person was authorized to sign such certificate for any creditor, which affidavit or affirmation, together with such warrant or authority to sign, shall be laid before the lord chancellor, with such certificate, in order for allowing and confirming the same; and unless such bankrupt shall make oath or affirmation in writing, that such certificate and consent of creditors was obtained fairly and without fraud; and unless such certificate shall afterwards be allowed and confirmed by the lord chancellor, or by such two justices of K.B., C.P. or barons of exchequer at *Westminster*, to whom the consideration of the certificate shall be referred by the lord chancellor; and any of the creditors of such bankrupt may be heard before such respective persons aforesaid against the making and confirmation of such certificate, and no commissioner shall sign such certificate until four parts in five in number and value of such creditors have signed, *id. s.*10. [*See* as to letter of attorney from creditor residing abroad 24 *G.*2. *c.*57. *s.*10. *pl.*112.]

70. The signature and consent of three parts in five in number, and value of the creditors of the bankrupt, who shall be creditors for not less than 20*l.* respectively, and who have proved their debts under the commission, or some other person by them duly authorized, to the allowance and certificate and discharge of such bankrupt, shall be as available for his benefit as such signature of four parts in five in number and value would have been before the passing of this act, and such signature, &c. of three parts in five, as aforesaid, shall be sufficient

to authorize all acts to be done by the lord chancellor, and the commissioners in such commission, and all others for the benefit of the bankrupt, which under any prior act of parliament would have been authorized by the signature, &c. of four parts in five, in number and value of such persons, 49 *G.* 3. *c.* 121. *s.* 18.

71. All bonds, bills, contracts, and other security whatsoever made or given by any bankrupt or other person unto or to the use of or in trust for any creditor, or for the security of any debt, or part thereof, due at the time of his bankruptcy, between the time of his becoming bankrupt, and his discharge, as a consideration to consent to or sign any such allowance or certificate shall be void; and the monies thereby secured, shall not be recoverable, and the party sued on such contracts may plead the general issue, and give this act, and the special matter in evidence, 5 *G.* 2. *c.* 30. *s.* 11.

72. The benefits of this act shall not extend to any bankrupt who shall on the marriage of any of his children have advanced above 100*l.* value, unless it can be proved by the bankrupt's books, or otherwise, by oath or affirmation before the major part of the commissioners, that he had at the time thereof, over and above the value so advanced remaining in goods, debts, ready money, or other estate, real and personal, sufficient to pay in full all his debts, or who shall have lost in any one day 5*l.* or in the whole 100*l.* within 12 months next preceding his bankruptcy in playing cards, dice-tables, billiards, tennis, bowls, shovel-board, or in or by cock-fighting, horse, or foot-races, or other pastime or game, or by bearing a share in wagers, or by betting on the side or hands of such as do play, ride, act, or run as aforesaid, or within one year before he shall have lost 100*l.* by contracts for the purchase, sale, refusal, or delivery of any stock of any company or corporation, or any shares in the public funds, or government securities, where such contract was not to be performed within the week from the time of making the same, or where the stock, &c. bought was not actually transferred, &c. in pursuance thereof, *id. s.* 12.

73. Where any bankrupt who has obtained his certificate from the commissioners, and which has been allowed and confirmed as in *s.* 10. *pl.* 69., shall be taken in execution, or detained in prison, for any debt due before his bankruptcy, by reason that judgment was obtained before such certificate was allowed, &c. a judge of the court, wherein judgment was so obtained, on production of such certificate allowed and confirmed, shall order any sheriff, bailiff, or gaoler, who has such bankrupt in his custody, under such execution to discharge him without paying any fee, and such gaoler, &c. is hereby indemnified for so doing, *id. s.* 13.

74. Upon certificate made under the hands and seals of such commissioners, that such commission is issued, and such person proved to become bankrupt, any judge of K. B., C. P., or baron of exchequer, or any justice of peace for *Eng.*, *Wa.*, and *Ber.*, shall, on application made, grant his warrant, under hand and seal, for arresting such persons, and committing them to the gaol of the county, where such person shall be taken, there to remain until removed by order of such commissioners by warrant under hand and seal, and the gaoler shall receive such person, and forthwith give notice to commissioner in such commission named thereof, who shall forthwith send a warrant to such gaoler for delivering such bankrupt to some person in such warrant named, who shall bring him to the commissioners to be examined, and make such discovery as in *s.* 1. *pl.* 59., and such commissioners, by such or another warrant, may take and seize the goods and effects of such bankrupt, the necessary wearing apparel of himself, his wife, and children excepted, and his books, papers, or writings then in his custody, or that of any other person in any prison whatsoever, *id s.* 14.

75. If any such person so apprehended shall, within the time allowed by *ss.* 1, 2. *pl.* 59, 60., submit to be examined, and conform in all things, as if he had surrendered, as by act required, he shall nevertheless have the benefit of this act, as if he had voluntarily surrendered himself, *id. s.* 15.

76. The major part of the commissioners may examine by word of mouth, or by interrogatories in writing, such bankrupt and such persons duly summoned before or present at any meeting of such commissioners, touching all matters relating to the person, trade, dealing, estate and effects of such bankrupt, and any act of bankruptcy by him committed, and reduce into writing the answers of such verbal examinations, which examination so taken down, the party examined shall sign and subscribe; and in case any such bankrupt or persons shall refuse to or shall not fully answer to satisfaction of the commissioners all lawful questions so put to them, or shall refuse to sign his or their examinations so reduced into writing, (not having any objection to the wording thereof, or otherwise to be allowed by the commissioners,) such commissioners by warrant under hand and seal may commit him to any prison, there to remain until such person shall submit and answer fully, and sign such examinations, *id. s.* 16.

77. When any such persons shall be so committed for refusing to answer, or for not fully answering questions or interrogatories put to them, such questions shall be specified in the warrant of committal, *id. s.* 17.

78. If any persons so committed by such commissioners under this or any other act concerning bankrupts, shall bring any *habeas corpus* to be discharged, and on return thereof it shall appear that the warrant was insufficient, by reason whereof the party might be discharged, the court or judge before whom such party shall be brought by *habeas corpus*, shall by rule, order, or warrant, commit such person to the same prison until he shall conform as aforesaid, unless it shall appear to such court or judge, that all lawful questions put to the party have been fully answered; or in case such committal was for not signing such examination, unless it shall appear to such court or judge, that such party had a good reason for refusing to sign the same, and every keeper of any gaol, or gaoler who shall wilfully suffer such bankrupt or person to escape from prison, or go without the walls or doors thereof until discharged as aforesaid, shall forfeit 500*l.* on conviction, by indictment or information to the use of his creditors, 5 *G.* 2. *c.* 30. *s.* 18.

79. Such gaoler shall, on request of any creditors of such bankrupt who has proved his debt under such commission, and on producing a certificate thereof, under hands of the commissioners, (which such commissioners shall grant *gratis*), forthwith produce such person so committed to any such creditors, requesting the same, and every such gaoler who shall refuse to show, or shall not forthwith produce such person so committed, and being in his actual custody at such time, shall forfeit for such his wilful neglect and refusal 100*l.* for the use of the creditors, to be recovered by action of debt in the courts of record at *Westminster*, in the names of the creditors so requesting to see such prisoner, *id. s.* 19.

80. All persons who shall at any time after time allowed to such bankrupt to surrender and conform voluntarily, come and make discovery to the assignees, or the commissioners of any part of such bankrupt's estate, not before come to the knowledge of the assignees, shall be allowed five *per cent.* and such further reward as the assignees and major part of the creditors in value present at any meeting shall think fit, to be paid out of the neat proceeds of such bankrupt's estate, which shall be recovered by such discovery, and shall be paid to the person so discovering the same by the assignees, who shall be allowed the same in their account, *id. s.* 20.

81. All persons who shall have accepted of any trust, and shall wilfully conceal any estate, real or personal of such bankrupt from the creditors, and shall not within 42 days after such commission issued, and notice given in the *London Gazette*, disclose such trust and estate in writing to one of the commissioners or assignees, and likewise submit to be examined by such commissioner if required, and truly discover the same, shall forfeit 100*l.* and double the value of the estate so concealed to the use of the creditors, to be recovered by action of debt in the courts of record at *Westminster*, in name of the assignees of such commissioners, with full costs to either party, *id. s.* 21.

82. So much of 7 *G.* 1. st. 1. *c.* 31. as prevents such creditors as in *s.* 1. *pl.* 56. of that act mentioned, from petitioning for a commission against any bankrupt shall be Rep. and such persons allowed so to do, *id. s.* 22.

83. No commission of bankrupt shall issue upon petition of any creditor, unless the debt of the creditor, or of two or more persons, being partners petitioning for the same, shall amount to 100*l.* or upwards, or unless the debt of two creditors amounts to 150*l.* or upwards, or of three or more to 200*l.* or upwards, and unless the petitioning creditor shall, before the same is granted, make an affidavit or affirmation in writing before a master in chancery, (which oath or affirmation he is hereby empowered to administer, and which shall be filed with the proper officer), of the truth of such debts, and likewise give bond to the lord chancellor in the penalty of 200*l.* conditioned for proving of their debts, as well before the commissioners as upon trial at law, if such commission shall be contested, and also for proving the party a bankrupt at the time of taking out such commission, and further therein to proceed as herein directed; and if such debts shall not be really due, or if after such commission taken out, the party cannot be proved a bankrupt, when the same was issued, but if, on the contrary, it shall appear that such commission was taken fraudulently or maliciously, the lord chancellor may, on petition of the party grieved, examine into the same, and order satisfaction to him for the damages sustained, and if there shall be occasion, may assign such bond to such party so petitioning, who may sue in his own name thereon, *id. s.* 23.

84. If any bankrupt shall, after commission issued against him, pay to the party suing out the same, or otherwise deliver goods, or any other satisfaction or security for his debt, so that such party shall privately have more in the pound than any other creditors, such payment or delivery shall be deemed such an act of bankruptcy, whereby on due proof thereof such commission may be superseded, and the lord chancellor shall award to any other creditor petitioning another commission, and such person so taking such goods, or other satisfaction, shall forfeit his whole debt and all he has so received, and he shall deliver up the the same, or the full value, to such person as the commissioners, acting

under the new commission, shall appoint in trust to be divided amongst the other creditors, according to their respective debts, 5 *G.* 2. *c.* 30. *s.* 24.

85. The petitioning creditor obtaining any commission, shall at his own costs prosecute the same, until the assignees shall be chosen of such bankrupt's estate and effects; and the commissioners named as such commission shall, at the meeting for the choices of assignees, ascertain such costs, and, by writing under their hands, direct the assignees to pay the same out of the first money or effects of such bankrupt that shall be got in, and every creditor may prove his debt, under any such commission, without paying any contribution on account of such debt, *id.* *s.* 25.

86. The commissioners, or any commission of bankrupt, or the major part of them, shall forthwith, after they have declared the person against whom such commission issued, a bankrupt, cause a notice thereof to be given in the *London Gazette*, and appoint a time and place for the creditors to meet, which within the city of *London*, or the bills of mortality, shall be in the *Guildhall*, [Rep. as to *Guildhall*, and new buildings to be erected, 1 & 2 *G.* 4. *c.* 95. *s.* 1. *pl.* 145.] in order to choose assignees of the estate and effects of such bankrupt; and at such meeting they shall admit creditors who live remote from such place of meeting to prove their debts by affidavit or affirmation, and also permit any person duly authorized by letter of attorney from such creditors' oath or affirmation being made of the due execution thereof, either before a master in chancery, ordinary, or extra-ordinary, or before the commissioners *viva voce*, (which they shall administer) and in case of creditors who reside abroad, such affidavit or affirmation to be made before a magistrate of the place where they reside, and shall, together with such letter of attorney, be attested by a notary public, to vote in the choice of such assignees, instead of such creditors, and the commissioners, or the major part of them, shall assign such bankrupt's estate and effects unto such persons as the major part, in value of such creditors, according to the debts then proved shall choose; and the assignees so chosen shall keep one distinct book of account, wherein shall be entered all sums or other effects, got in or received out of such bankrupt's estate to which every creditor who shall have proved his debt, shall at all times have free resort for inspection, *id.* *s.* 26.

87. Provided no creditor nor other person on his behalf shall be permitted to vote in the choice of assignees, whose debt shall not amount to 10*l.* or upwards, *id.* *s.* 27.

88. Where it shall appear to such commissioners that there hath been mutual credit given by, or mutual debts between the bankrupt and any other person, at any time before his bankruptcy, such commissioners, or such assignees, shall state the account between them, and set one debt against another, and what shall then appear to be due on either side shall be claimed, and paid on either side respectively, *id.* *s.* 28. [*see* 46 *G.* 3. *c.* 135. *s.* 3., 49 *G.* 3. *c.* 121. *s.* 1. *pl.* 115.]

89. Every person who shall before the acting commissioners, in any commission of bankrupt, by affidavit or affirmation exhibited to them, depose or affirm that any sum is due to him from any bankrupt which is not really due, or that more is due than really is, knowing the same not to be due, and that such oath, &c. is false, shall, on conviction by indictment or information, suffer the pains and penalties inflicted by statutes now in force against wilful perjury, and forfeit double the sum so sworn or affirmed to be due, to be recovered as other forfeitures are upon penal statutes after conviction, and which shall be equally divided amongst all the creditors, *id.* *s.* 24. [*see* 24 *G.* 2. *c.* 57. *s.* 9, 10. *pl.* 111, 112.]

90. Such commissioners, when they see cause, may immediately appoint one or more assignees of the estate, &c. or part thereof, who may be removed at the meeting of the creditors, for the choice of the assignees if they, or major part in value of them, (whose debts amount respectively to 10*l.* or more) then present, and of persons duly authorized as in *s.* 26. *pl.* 86. aforesaid deem fit; and such assignees, who shall be so removed, shall deliver up and assign all the estate and effects of such bankrupt, which came to their possession, or was assigned to them by such commissioners, unto such other assignees so chosen, and which shall as effectually vest in such new assignees as if the first assignment had been made to them by the commissioners, and every such first assignees, who shall refuse or neglect by 10 days next after notice given of the choice of new assignees, and of their consent to accept such assignment signified to them in writing under their hands to make such assignment and delivery, shall respectively forfeit 200*l.*, to be divided amongst the creditors towards satisfaction of their debts, in such manner as the estate of such bankrupt ought to be divided and to be recovered by action of debt or information in any of the courts of record at *Westminster* by such person as the commissioners, or the major part of them, shall appoint to sue for same with full costs, and wherein no privilege, protection, &c. or more than one imparlance shall be allowed, *id.* *s.* 30.

91. "Whereas it may become necessary that assignments to be made pursuant to the choice of creditors should be vacated, and new ones made of the debts and effects unreceived and not disposed of by the then assignees to other persons chosen by the creditors:" be it enacted, that the lord chancellor, on petition of any creditors, may make such order therein as he thinks fit; and if a new assignment shall be ordered, such debts, effects, and estate of such bankrupt shall be thereby legally vested in such new assignees, who may sue for same in their own names, and discharge any action or suit, or give any acquittance for such debts as effectually as the former assignees might have done, in case no new assignment had been made; and such commissioners shall cause public notice to be given in the two *London Gazettes* that immediately follow the removal of such assignee and the appointment of the new one, that such assignee is removed, and such other appointed in his stead, and that persons indebted to such bankrupt's estate do not pay any such debt to any such assignee so removed, 5 *G.* 2. *c.* 38. *s.* 31.

92. Before the creditors proceed to the choice of assignees, the major part in value of the creditors then present, shall direct in what manner, how, and with whom, and where the monies received out of the bankrupt's estate shall be paid in, and remain until divided amongst the creditors as hereby directed, to which rule such assignees shall conform as often as 100*l.* is received, and shall be indemnified for so conforming, *id.* *s.* 32.

93. If the major part of the creditors of any bankrupt shall not, before they proceed to choose assignees, direct in what manner, how, and with whom, and where the monies arising from the bankrupt's estate shall be placed, according to 5 *G.* 3. *c.* 30. *s.* 32., *pl.* 92. the major part of the commissioners shall, after the assignees have been chosen, and at the same meeting, make such direction, and the assignees shall conform to their order as often as 100*l.* is received by them from such estate, and shall be and are hereby indemnified for so doing, provided such commissioners shall not direct it to be paid into their or their solicitor's hands, or into any banking-house or house of trade where they or their solicitor are concerned as partners or otherwise, 49 *G.* 3. *c.* 121. *s.* 3.

94. If such assignees shall retain in their hands, or otherwise employ for their benefit, any money part of such bankrupt's estate contrary to this act, and of 5 *G.* 3. *c.* 30., they shall be charged in their accounts interest at the rate of 20*l.* *per cent. per annum*, on all money so retained for the time it is so retained contrary to said acts, and the commissioners shall charge such assignees with such sum accordingly, *id.* *s.* 4.

95. Persons so chosen assignees shall, after the expiration of four months, and within twelve months from the time of issuing such commission, cause 21 days' notice to be given in the *Gazette*, of the time and place the commissioners and assignees intend to meet to make a dividend, at which time the creditors, who have not before proved their debts, shall prove the same; which meeting for the city of *London*, and all places within the bills of mortality, shall be at *Guildhall*, [*see pl.* 86.] and upon every such meeting, the assignees shall produce to the commissioners and creditors then present, just accounts of all their receipts and payments touching such bankrupt's estate, and of what shall remain out-standing, and the particulars thereof, and shall, if the creditors require the same, be examined on oath, or affirmation before such commissioners touching the truth of such account, and in such account such assignees may retain all money paid by them in prosecuting such commission, and all other just allowances; and the commissioners shall order such part of the neat produce of the said bankrupt's estate in the hands of the assignees as they shall think fit, to be divided amongst the creditors, and shall make such order for a dividend in writing, and shall cause one part of such order to be filed amongst the proceedings under the commission, and shall deliver unto each of the assignees a duplicate of such order, which order shall contain an account of the time and place of making such order, and the sum total of the debts proved, and of the money remaining in the hands of the assignees, and how much in the pound is then ordered to be paid; and the assignees in pursuance of such order, and without any deed of distribution, shall forthwith make such dividend, and take receipts in a book from each creditor, for his share of the dividend, and such order and receipt shall be a full discharge to such assignee, for what he shall pay pursuant to such order, 5 *G.* 2. *c.* 30. *s.* 33.

96. The assignees, with the consent of the major part in value of the creditors present at any meeting pursuant to notice in the *Gazette*, may submit any difference between such assignees and any person whatsoever, by reason of any matter relating to such bankrupt, or his estate, to the determination of arbitrators to be chosen by the assignees and the major part in value of such creditors, and the party with whom they have such difference, and shall perform the award of such arbitrators, or otherwise compound the matter in difference, in such manner as the assignees with such consent shall think fit; and the same shall be binding on all the creditors of such bankrupt, and the assignees are hereby indemnified for what they shall fairly do according to such direction, *id.* *s.* 34.

97. Any assignees so chosen may, with like consent as in *s.* 34. *pl.* 96. of the creditors present at a meeting held for that purpose, pursuant to such notice as in *s.* 34. aforesaid, make composition with any persons, debtors,

or accountants to such bankrupt, where the same shall be reasonable, and take such part as can be gotten in full discharge of such debts and accounts. *5 G. 2. c. 30. s. 35.*

98. After such bankrupt has obtained his certificate and the same shall be confirmed as in *s. 10. pl. 69.* directed, he shall be obliged to give his attendance upon notice in writing given to him, or left at his usual abode, by the assignees thereby requiring him to attend them, in order to settle any account between such bankrupt and any debtor or creditor of his estate, or to attend any court of record to be examined touching the same, or for such other business as may be necessary for getting in such bankrupt's estate and effects, for which attendance he shall have *2s. 6d. per diem*, to be paid by such assignees out of his estate, and in case such bankrupt shall refuse to attend or to assist in such discovery without good cause to be shown to the commissioners to be by them allowed, (such assignees making proof thereof, upon oath or affirmation, before the commissioners), the commissioners shall issue a warrant to such persons as they shall think proper, for apprehending such bankrupt, and him to commit to the county gaol, there to remain in close custody until he shall conform to the satisfaction of the commissioners, and be by them or the order of the lord chancellor, or by due course of law, discharged; and such gaoler shall keep such person in close custody, within the walls of the prison, under the penalties in *s. 19. pl. 79.* mentioned for suffering such prisoners to escape, *id. s. 36.*

99. Within 18 months after the issuing of any such commission the assignees shall make a second dividend, in case the estate was not wholly divided upon the first, and shall cause notice to be inserted in the *Gazette*, of the time and place the said commissioners intend to meet to make a second dividend, and for the creditors who shall not before have proved their debts to come and prove the same; and at such meeting every assignee shall produce upon oath or affirmation his accounts, and what upon the balance shall appear to be in his hands, shall by like order of the commissioners be forthwith divided; which second dividend shall be final unless any suit shall be depending, or any part of the estate standing out that cannot be disposed of, or that the major part of the creditors shall not have agreed to be sold, or unless some future estate of the bankrupt shall afterwards come to the assignees, in which case the assignees shall, as soon as may be, convert such future estate into money, and shall, within two months after, by the like order of the commissioners, divide the same, *id. s. 37.*

100. No suit in equity shall be commenced by assignees, without the consent of the major part in value of the creditors present at a meeting pursuant to notice in the *Gazette*, *id. s. 38.*

101. Bankers, brokers, and factors, shall be liable to the statutes concerning bankrupts, *id. s. 39.*

102. No farmer, grazier, or drover, or receiver-general of taxes, shall be entitled as such to the benefits given by this act, or be deemed a bankrupt, *id. s. 40.*

103. Upon petition of any person, the lord chancellor may order commissions, depositions, proceedings, and certificates, relating to any bankruptcy, to be entered of record; and in case of the death of the witnesses proving such bankruptcy, or in case such commissions or other things shall be lost, a copy of the record of such commissions or things, signed and attested as herein is mentioned, may be given in evidence to prove such commissions and bankruptcy, or other things; and all certificates which have been allowed and entered of record, or a true copy of every certificate signed and attested as herein is mentioned, shall and may be given in evidence in any courts of record, and without further proof taken to be a bar and discharge against any action by any creditor of such bankrupt, for any debt contracted before the issuing of such commission; unless any creditor of the person that hath such certificates shall prove that such certificate was fraudulently obtained, in which case costs shall be allowed to either party as in common cases, and the lord chancellor shall appoint a place near the inns of court where the matters aforesaid shall be entered of record, where all persons shall be at liberty to search, and the lord chancellor shall, by writing, appoint a proper person, who shall (by himself or deputy, to be approved by the lord chancellor by writing) enter of record such commissions and other things, and have the custody of the entries thereof; and also appoint such fee for his labour therein, as the lord chancellor shall think reasonable, not exceeding what is usually paid in like cases; and the person so to be appointed, and his deputy, shall continue to enter of record all the matters aforesaid, and to have the custody of the same so long as they shall behave themselves well; and shall not be removed but by order in writing under the hand of the lord chancellor, on good cause therein specified, *id. s. 41.*

104. And in case such person shall die or be removed, the lord chancellor shall, by writing, appoint another person to enter the same of record, who shall have the custody of the entries thereof and receive the like fee for his labour therein, *id. s. 41.*

105. There shall not be paid out of the estate of the bankrupt any monies for expenses in eating or drinking of the commissioners or of any other persons at the times of the meeting of the commissioners or creditors; and no schedule shall be annexed to any deed of assignment of the personal estate of such bankrupt from the commissioners to the assignees; and if any commissioner shall order such expence to be made, or eat or drink at the charge of the creditors, or out of the estate of such bankrupt, or receive above 20*s.* each commissioner for each meeting; every such commissioner shall be disabled to act in any commission of bankrupts, *5 G. 2. c. 30. s. 42.*

106. The commissioners shall not be capable of acting until they respectively shall have taken an oath to the effect following, viz.

'I, *A. B.* do swear that I will faithfully, impartially, and honestly, according to the best of my skill and knowledge, execute the several powers and trusts reposed in me as a commissioner in a commission of bankrupt against —— and that without favour or affection, prejudice or malice. So help me God.' *id. s. 43.*

which oath any two of the commissioners may administer to each other, and they shall keep a memorial thereof signed by them among the proceedings on each commission, *id. s. 44.*

107. No commission of bankrupt shall abate by the death of H. M. but shall continue in force; and if it shall be necessary to renew any such commission, by reason of the death of the commissioners, or any other cause, such commission shall be renewed, and but half the fees usually paid shall be paid for such renewed commission, *id. s. 45.*

108. All bills of fees or disbursements demanded by any solicitor employed under any commission of bankrupt, shall be settled by one of the masters of chancery, and what such master shall certify as due, shall be paid and no more, and the master who shall settle such bill, shall have for his care in settling the same, as also for his certificate thereof, 20*s.* *id. s. 46.*

109. No *bonâ fide* creditor of any bankrupt for goods *bonâ fide* sold to such bankrupt, or for any bill of exchange *bonâ fide* drawn, negociated, or accepted by such bankrupt in the usual course of trade, shall be liable to refund to the assignees of such bankrupt's estate, any money which, before the suing forth of such commission, was *bonâ fide* and in the usual course of trade received of such bankrupt, before the person receiving had notice that he was become a bankrupt or insolvent, *19 G. 2. c. 32. s. 1.* [*see 46 G. 3. c. 135. s. 1. pl. 113., 49 G. 3. c. 121. s. 2. pl. 118.*]

110. The obligee in any bottomry, or *respondentiâ* bond, and the assured in any policy of insurance, made upon valuable consideration *bonâ fide*, shall be admitted to claim; and after the loss or contingency has happened, to prove their debt and demands in respect of such bond or policy, in like manner as if the loss or contingency had happened before the issuing of the commission of bankruptcy against such obligor or insurer; and shall have a proportionable dividend of such bankrupt's estate; and every person against whom any commission of bankruptcy shall be awarded, shall be discharged of the debt owing on every such bond and policy, and shall have the benefit of the statutes against bankrupts, in like manner as if such loss or contingency had happened, and the money due in respect thereof had become payable before the time of the issuing of such commission, *id. s. 2.*

111. Where any person shall fraudulently swear, or depose, or affirm before the commissioners named in any commission of bankruptcy, or by affidavit or affirmation exhibited to them, that a sum is due to him from any bankrupt, which shall not be so in fact, and shall in respect of such fictitious debt sign a certificate for such bankrupt's discharge, then, unless such bankrupt shall before such discharge is signed by the commissioners, by writing signed by him, and delivered to one of such commissioners or one of his assignees, disclose such fraud and object to the debt, such certificate shall be void, and such bankrupt shall not be entitled to be discharged or to have any of the benefits by *5 G 2. c. 30.* conferred. *24 G. 2. c. 57. s. 9.* [*see 5 G. 2. c. 30. s. 29. pl. 89.*]

112. Where any creditor of a bankrupt resides in foreign parts, his letter of attorney, attested by a notary public, shall be sufficient evidence of the power of the person thereby authorized to sign such certificate, *id. s. 10.*

113. In commissions of bankrupt hereafter to be issued, all conveyances by, all payments by and to, and all contracts and other dealings by and with any bankrupt, *bonâ fide*, made and entered into more than two calendar months before the date of the commission, shall, notwithstanding any prior act of bankruptcy, be good and effectual as if no such prior act of bankruptcy had been committed, provided the persons so dealing with such bankrupt had not, at the time of such conveyance, &c any notice of any prior act of bankruptcy by such bankrupt, or that he was insolvent, or had stopped payment, *46 G. 3. c. 135. s. 1.*

114. All persons with whom any bankrupt shall have *bonâ fide* contracted any debts before the date and suing forth commission, which if contracted before any act of bankruptcy might have been proved under such commission, shall notwithstanding any prior act of bankruptcy committed by the bankrupt, be admitted to prove such debts, and stand creditors under such commission, as if no such prior act of bankruptcy had been committed; provided such creditors had not, at the time when

such debts were contracted, any notice of such prior act of bankruptcy, 46 *G.*3. *c.*135. *s.* 2.

115. In all cases where, under commissions of bankrupt hereafter to be issued, it shall appear that there has been mutual credit given, or mutual debts between the bankrupt and another person, one debt or demand may be set off against another, notwithstanding a prior act of bankruptcy committed before such credit was given, or such debt contracted; provided such credit be given two calendar months before the date and suing forth of such commission, and provided the person claiming the benefit of such set-off had not, at the time of such credit, given any notice of such prior act of bankruptcy committed by the bankrupt, or that he was insolvent, or had stopped payment; provided that the issuing of a commission against such bankrupt although the same shall be afterwards superseded, or the striking the docket for the purpose of issuing a commission, whether the same shall thereupon actually issue or not, shall be deemed notice of a prior act of bankruptcy for the purposes of this act, if an act of bankruptcy had been committed when such commission was issued or such docket struck, 46 *G.*3. *c.*135. *s.* 3. [REP. as to that which makes the striking of the docket notice of a prior act of bankruptcy, 49 *G.*3. *c.*121. *s.*1.] [*see* 5 *G.*2. *c.*30. *s.* 28. *pl.* 88.]

116. All persons who shall be duly found bankrupts under any commission of bankrupt, shall, on obtaining their certificates, be discharged from all debts by this act made provable under the same, and shall have the benefit of all acts in force concerning bankrupts, as if such secret acts of bankruptcy were committed prior to contracting such debts, 46 *G.*3. *c.*135. *s.* 4.

117. No commission of bankruptcy shall be avoided by reason of any act of bankruptcy committed by the persons, or any of them, against whom such commission issued prior to the contracting of the debt of the petitioning creditors, or any of them, if they had no notice thereof when the debt was contracted, but the same shall be valid, *id. s.* 5.

118. All executions and attachments against the lands and tenements, or goods of the bankrupt *bonâ fide* executed more than two calendar months before the date and issuing of the commission of bankruptcy shall be valid, notwithstanding any prior act of bankruptcy had been committed; provided that at the time of levying the same, the person at whose suit such execution, &c. issued, had no notice of such prior act of bankruptcy committed by the bankrupt, or that he was insolvent, or had stopped payment; provided that the issuing of a commission, although afterwards superseded, shall be deemed notice of an act of bankruptcy, having been committed when the commission issued, 49 *G.*3. *c.* 121. *s.* 2.

119. The commissioners shall in no case declare a dividend upon admission only of a certain sum in the hands of the assignees, but shall require them to deliver on oath a statement in writing of all monies received by them respectively, on what accounts, and how employed, and shall examine the same, compare the receipts with the payments, and ascertain the balances that have been from time to time in their hands, and enquire why sums appearing to be in hand are retained; and thereupon shall declare a dividend on the remaining sum, specifying in their order the sum allowed to be retained, and why so allowed, and not divided, *id. s.* 5.

120. In case a commission of bankrupt shall issue against any person who is an assignee of the estate of any bankrupt, and who is at that time indebted to such estate in 100*l.*, or upwards, for money in his hands as assignee, and wilfully retained or employed for his own benefit, the certificate of conformity, when obtained by such bankrupt assignee, shall only free such assignee from arrest and imprisonment, but his future estate and effects shall remain liable for so much of his debt to such bankrupt's estate as shall not be paid by dividends under such commission, together with lawful interest for the whole debt, the tools of trade, necessary household goods, furniture, and wearing apparel of such bankrupt, his wife and children only excepted, *id. s.* 6. [*see as to* allowance of certificate on a second commission against the same person, 5 *G.*2. *c.* 30. *s.* 9. *pl.* 68.]

121. On application by the assignees, or any five or more of the creditors, who have proved their debts under the commission or notice given to the assignees of such intended application, the commissioners may, when it shall appear beneficial to the bankrupt's estate, direct the whole or part of such monies as have been paid in for the purpose of division amongst the creditors, or have been retained to answer any claim duly entered on the proceedings under such bankruptcy, or any dividends ordered to be retained by the assignees, to be invested in exchequer bills for benefit of such creditors and claimants, and shall also direct with whom and where such exchequer bills shall be kept, and may cause them to be sold when it may be proper, and direct the proceeds thereof to be laid out again in exchequer bills, to be applied to the benefit of such creditors and claimants as such commissioners deem fit, subject however to the control of the lord-chancellor, *id. s.* 7.

122. In cases of commissions hereafter to be issued, where at time of issuing the same, any person shall be surety or liable for any debt of the bankrupt; such person, if he has paid the debt or any part thereof in discharge of the whole, (although the same may have been paid after such commission issued,) and the creditor shall have proved his debt, shall stand in the place of such creditor, and if such creditor has not proved, such person may prove his demand in respect to such payment as a debt under the commission, not disturbing the former dividends, and may receive dividends proportionably with the other creditors, although he became so liable after an act of bankruptcy committed by such bankrupt; provided, that such person had not, when he became so liable, any notice of any act of bankruptcy by such bankrupt committed, or that he was insolvent or had stopped payment; provided, that the issuing of a commission, although afterwards superseded, shall be deemed notice, and every person, against whom any such commission shall be awarded and who shall obtain his certificate, shall be discharged of all demands at the suit of every such person having so paid, and being hereby enabled to prove, or to stand in the place of such creditor with regard to his debt on such suretyship or liability, in like manner as if such person had been creditor before the bankruptcy for the whole debt for which he was surety or was so liable, 49 *G.*3. *c.*121. *s.*8.

123. Every person who shall give credit to any persons, who shall become bankrupt upon a valuable consideration *bonâ fide* for any money which is not due at the time of, or before such bankruptcy shall be admitted to prove their debts, and be entitled to receive proportional dividends equally with other creditors out of such bankrupt's estate deducting only thereout a rebate of interest, for what they so receive, at the rate of *5 per cent. per ann.* under commissions in *Eng.*, and *6 per cent. per ann.* in like cases in *Ire.*, to be computed from when received, up to the time when payable by contract, *id. s.*2.

124. In actions brought by or against any assignees, the commission of bankrupt and the proceedings of the commissioners under the same, shall be evidence to be received of the petitioning creditors' debt, and of the trading and bankruptcy of such bankrupt, unless the other party shall, before pleading thereto, if deft., or before issue joined, if plt., give notice in writing to such assignee, that he intends to dispute such matters or any of them; and where such notice is given, if such assignee shall prove the matter disputed, or the other party admit it, the judge before whom the cause is tried, shall grant a certificate thereof, if he deems it fit, and such assignee shall be entitled to the taxed costs occasioned by such notice, and such costs shall, if the assignee has a verdict, be added to his costs, and if the other party shall obtain a verdict, shall be deducted from the costs of such other party, which he would otherwise receive, *id. s.*10. [*See* 5 *G.*2. *c.*30. *s.*7. *pl.*66.]

125. In suits in equity instituted by or against assignees, such commission and proceedings under same shall be evidence, to be received of the like facts as in *s.*10. against all the other parties to such suits, unless such parties, some or one of them shall within ten days after rejoinder in the cause, give notice in writing to the assignee of their intention to dispute such matters; and where such notice shall be given, if the assignee shall prove the matter disputed, the taxed costs occasioned thereby shall be paid by the parties giving such notice to the assignee, and the service of such notice may be proved by affidavit on the hearing of the cause, *id. s.*11.

126. No action shall be brought by any creditor who has proved any debt under the commission against the assignees, for any dividend declared by the commissioners thereunder; but where the assignees refuse or omit to pay such dividends, the creditors shall petition the lord chancellor for payment thereof, who shall, on hearing such petition, not only order payment of such dividend, but also in all cases where justice requires shall order payment of interest for the time such dividend was withheld, and of costs, *id. s.*12.

127. Creditors, who have brought any action, or instituted any suit against any bankrupt for any demands which arose prior to his bankruptcy, or which might be proved as a debt under any commission issued against him, shall not prove a debt under such commission, or have any claim entered on the proceedings under it, without relinquishing such action or suit, and all benefit from the same, and the proving or so claiming a debt under any commission by any creditor, shall be deemed an election to take the benefit of such commission with respect to such debt; provided such creditor shall not be liable to pay the costs of the bankrupt or his assignees in such action or suit; and provided, that where any such creditor has brought any action or suit against such bankrupt jointly with another person, his relinquishment of such action, &c. shall not affect such action, &c. against such other person, *id. s.*14.

128. All persons who shall effect any policy of insurance upon ships, goods, or other effects, with any person as subscriber or underwriter who shall become bankrupt, shall be admitted to prove any loss, to which such bankrupt is liable in respect of his subscription, although the party effecting the policy is not the party beneficially interested in such ships, goods, &c.; provided the party really interested is not in that part of U.K. where the commission issued, under which such loss is to be proved, *id. s.*16.

129. Any annuity creditor of any bankrupt, whether secured by bond or covenant, or bond and covenant, or however else, and whether there shall or shall not be or have been any arrears of such annuity at or before the bankruptcy, may prove under the commission as a creditor to the value thereof, which value such commissioners shall ascertain, and the certificate of every bankrupt, under whose commission such proof shall be or might have been made, shall be a discharge of such bankrupt from all demands in respect of such annuity, and the arrears and future payments thereof, in the same manner as such certificate would discharge all other debts proved under such commission, 49 *G.*3. *c.*121. *s.*17.

130. In all cases where a commission of bankrupt shall be sued forth against any person who is entitled to any lease or agreement for a lease, and the assignees shall accept the same, and the benefit therefrom, as part of the bankrupt's estate and effects, the bankrupt shall not be deemed liable for the rent accruing due after such acceptance, or for the non-performance or non-observance of the covenants, &c. therein contained; provided that in all such cases the lessor or person agreeing to make such lease, his heirs, executors, administrators or assigns, if the assignees decline on being required so to do, to determine whether they will or will not so accept the same, may apply by petition to the lord chancellor, praying that they may either so accept or deliver up the lease, or agreement for a lease, and possession of the premises demised or intended to be demised, who shall make such order therein as shall seem just, and which shall bind all parties, *id. s.*19.

131. For more effectually securing the payment of the debts of traders, 47 *G.*3. *S.*2. *c.*74.

132. When any person, being at the time of his death a trader, within the meaning of the bankrupt laws, shall die seised of or entitled to any estate or interest in lands or hereditaments or other real estate which he shall not by his will have charged with or devised subject to the payment of his debts, and which would have been assets for the payment of specialty debts, in which the heirs were bound, the same shall be assets to be administered in courts of equity for the payment of both simple contract and specialty debts, and the heirs at law and devisees of such debtor shall be liable to all the same suits of all creditors, whether on simple contract or specialty as heretofore in case of creditors by specialty in which the heirs were bound; provided that in the administration of assets by courts of equity under this act, all creditors by specialty in which the heirs are bound, shall be paid their full debts before the simple contract creditors are paid any part of their debts, 47 *G.*3. *S.*2. *c.*76. *s.*1.

133. This act shall not repeal the 33 *G.*2. [*Ir.*] *c.*14., *id.s.*2.

134. For preventing inconveniencies arising in cases of merchants and such other persons as are within the description of the statutes relating to bankrupts being entitled to privilege of parliament, and becoming insolvent, 4 *G.*3. *c.*33. [Amd. 45 *G.*3. *c.*124. *s.*1—2,7—8.,] [*for the rest of this statute, see* Parliament.] 52 *G.*3. *c.*144.

135. Any single creditor, or any two or more creditors being partners, whose debts shall amount to 100*l.* and upwards, or any two creditors whose debts amount to 150*l.* and upwards, or any three or more creditors whose debts amount to 200*l.* and upwards, of any person deemed a merchant, banker, broker, factor, scrivener, or trader within the description of the acts relating to bankrupts having privilege of parliament, may at any time, upon affidavit made and filed on record in any of H.M.'s courts at *Westminster* by such creditor or creditors, that such debt or debts is or are justly due to him or them respectively, and that he or they verily believe that such debtor, is such merchant, banker, &c. within the said acts, sue out of the same court summons or an original bill and summons against such merchant, banker, &c. and serve him with a copy thereof; and if such merchant, banker, &c. shall not within 2 months after personal service of such summons, [affidavits of the debt or debts being duly made and filed,] pay, or secure, or compound for such debt or debts to the satisfaction of such creditor or creditors, or enter into bond in such sum, with two such sureties, as any of the judges of the court whence such summons issued shall approve, to pay such sum as shall be recovered in such action, together with all costs therein given, he shall be deemed a bankrupt from the time of service of such summons, and any creditor may sue such commission against such person, and proceed thereon as against other bankrupts, *id. s.*1.

136. If any such merchant, banker, &c. shall commit any act of bankruptcy, any creditor may sue out commission of bankrupt against him, and the commissioners may proceed in usual manner notwithstanding privilege of parliament, *id. s.*3.

137. Nothing in this act shall subject any person entitled to the privilege of parliament to arrest during the time of such privilege, except in cases made felony by acts relating to bankrupts, *id. s.*4.

138. When any summons, or original bill and summons shall be sued out against any person deemed a merchant, banker, &c. within the description of the acts relating to bankrupts having privilege of parliament, and such affidavit duly made and filed, and such bond entered into by such merchant, banker, &c. as in 4 *G.*3. *c.*33. *s.*1. *pl.*135. mentioned: such merchant, banker, &c. shall within 2 months after the personal service of such summons, cause an appearance to be entered to such action in the proper court, and on default shall be adjudged a bankrupt from time of the service of such summons, and the creditors may sue out a commission, and proceed thereon as in case of other bankrupts, 45 *G.*3. *c.*124. *s.*1.

139. When any decree or order is pronounced in any cause depending in the courts of chancery or exchequer at *Westminster*, or any order is made in the matter of bankruptcy or lunacy against any person being a merchant, banker, broker, factor, scrivener, or trader, within the meaning of the statutes relating to bankrupts having privilege of parliament, thereby ordering such person to pay any money to any person, or into the bank in name of the accountant-general of the court of chancery in trust in any cause depending there, or in the matter of such bankruptcy or lunacy, or to the deputy remembrancer of the exchequer, in trust as aforesaid, and such order is disobeyed, the same having been duly served, then the party interested in enforcing the payment of such money, may apply to the court where such decree or order was pronounced, or in the matter of such bankruptcy or lunacy, to fix a peremptory day for payment of such money pursuant to the terms of such order or decree, and such day shall be appointed accordingly by an order made in such cause, and if such merchant, banker, &c. having privilege of parliament, being personally served with such order eight days before the day appointed for payment of such money, shall neglect to pay the same, he shall be deemed a bankrupt from the time of the service of such last mentioned order, and the creditors may sue out a commission and proceed thereon as against other bankrupts, *id. s.*7.

140. Provided that this act shall not subject any person entitled to privilege of parliament to be arrested during term of such privilege, but such persons shall continue to be exempt, as if this act had not been made, *id. s.*8.

141. Whenever a commission of bankruptcy shall be awarded against a member of the house of commons, and under which he shall be declared bankrupt, such member shall be and remain during 12 calendar months, from the time of issuing of such commission, incapable of sitting and voting in the house of commons, unless within such period such commission is superseded, or the creditors proving under same are paid in full all their debts; provided that debts disputed by such bankrupt shall be considered for the purposes of this act paid, if he shall within such time enter into bond with two sureties, to be approved by the commissioners under the commission, to pay such sums as shall be recovered in any proceeding at law or in equity concerning such debt, together with such costs as may be given in the same, 52 *G.*3. *c.*144. *s.*1.

142. If such commission shall not be superseded within such time, or the debts so satisfied as in *s.*1., then the commissioners, or the major part of them, named in such commission, shall immediately after the expiration of such time, certify the same to the speaker of the house of commons, and thereupon the election of such member shall be void, and such speaker during any recess, whether by prorogation or adjournment, immediately on receiving the same, shall cause notice to be given in *The London Gazette*, and in 14 days after insertion of such notice therein, shall issue his warrant to the clerks of the crown, to make out a new writ for electing another member in room of such as shall so vacate his seat; provided that such speaker shall not issue his warrant for such purposes unless such certificate shall have been delivered to him so long before the next meeting of the house for dispatch of business, as that the writ for the election may issue before the day of such next meeting of the house, *id. s.*2.

143. Provisions of the 24 *G.*3., *sess.* 2. *c.*26., concerning the issuing of writs for elections during the vacancy of the office of speaker, or his absence out of the realm, shall be extended to this act, *id. s.*3.

144. To repeal so much of 5 *G.*2. *c.*30. *s.*26. as requires the meetings of the commissioners of bankrupt, to be holden in the *Guildhall* of the city of *London*, and for building offices in the said city, for the meetings of the commissioners, and for the more regular transaction of business in bankruptcy, 1 & 2 *G.*4. *c.*95. Public clause, *s.*22.

145. After recital of the appointment of *William Courtenay*, *Stephen R. Lushington*, *Matthew Wood*, *Thomas Wilson*, and *Henry Wrottesley*, esquires, by H.M. to be trustees to treat for the purchase of land, and to erect the buildings wherein the commissioners of bankrupts are to meet, and of the agreement made between them and the city of *London*, and of the provision in 5 *G.*2. *c.* 30. *s.*26. such provision is Rep. (*id. s.*1.) but shall nevertheless continue in force until notice signed by the chancellor is inserted in the *London Gazette*, that such buildings are completed, and shall be called, "The Court of Commissioners of Bankrupts," (*id. s.*2.,) and from the time fixed in such notice, all public meetings under commissions of bankrupt in *London*, and all places in the bills of mortality, as well there fixed by such commissioners, as also all meetings of creditors under commissions which are held in

pursuance of advertisement, shall be holden within the buildings referred to in such notice, 1 & 2 *G.*4. *c.*95. *s.*3.

146. The said ground, and all the buildings thereon, shall be vested in the said *William Courtenay*, &c. their heirs and assigns for ever, in trust for H. M., and that such ground and buildings may be applied to the purposes of this act, subject to such regulations as to the occupation thereof as the chancellor shall direct, *id. s.*4.

147. When the said *William Courtenay*, &c. or any future trustee to be appointed as herein directed, shall die, or be desirous to be discharged from, or be incapable to act as a trustee under this act, and when the number of such trustees is reduced to three, the chancellor, by writing under his hand, may appoint another person in their stead, *id. s.*5.

148. On such new appointment, such ground and buildings shall be conveyed so as to become legally vested in the surviving and new appointed trustees, or the new ones only, if no survivors, and their heirs and assigns for ever, upon the trusts in *s.*4. *pl.* 146., declared, and such new trustees shall have all the same powers as those in whose places they are appointed to act, (*id. s.*6.,) such contract and purchase so made as in the recital to *s.*1. *pl.* 145. mentioned, confirmed, (*id. s.*7.) the expences attending the erection of the buildings, the purchase of the land, &c. to be paid by the trustees out of the money advanced by the treasury to them, (*id. s.*8.) and such trustees shall have, (subject to the regulations of the chancellor,) the direction of such buildings, for the occupation thereof, and for keeping the same in repair, and insured from loss by fire, (*id. s.*9.) and such buildings shall not be occupied as a residence, except by a registrar and housekeeper, and shall be used only for the said public purposes, *id. s.*10.

149. The lord chancellor may appoint a proper person to the office of registrar of the meetings of the commissioners of bankrupts, who shall be resident in such part of the buildings as the commissioners shall direct, and who shall also have an office in some convenient public part of the said buildings, and whose duty it shall be to attend in his office from 10 till 4 in the afternoon, and also during the setting of any commission of bankrupt, or the continuance of any meeting in bankruptcy holden in any part of such building, and during such other times as the lord chancellor shall direct, and such registrar shall keep a daily journal and registry of meetings in bankruptcy holden within such buildings, in which he shall enter the names of the bankrupt, the solicitor to the commission, the messenger, and number of the list of the commissions to which the commission is directed, and the names of the assignees, the hours of meeting, and the time to which any such meeting is adjourned, and a minute of the nature or purpose for which such meeting was held, and the amount of any dividend declared thereat, and the solicitor or clerk to the commission shall furnish the necessary information in writing, and the registrar shall also keep a book containing an entry or notice of all meetings which are appointed by public advertizement, either of the commissioners or creditors, which book shall be kept open in the office of the said registrar for public inspection during office hours without fee, and he shall also receive all fees and payments made payable under this act, and when such fees shall amount to 100*l.*, he shall pay the same into the bank of *Eng.* under an order of the court of chancery, in the name of the accountant-general, to an account entitled "Fund arising from fees in bankruptcy," to be invested in the 3 *per cents* in the name of the accountant-general with all accumulations thereof, to be carried to the like account, and such registrar shall, when required by the chancellor, or any two of the said trustees, render an account of his receipts and payments and money actually in his hands; and once yearly, between *5th April* and *5th July* (without being required) give a just account of all monies received and paid by him during the year, which account shall be audited and settled by the chancellor or his nominee, *id. s.*11.

150. Such registrar shall, before he acts in execution of his office, give security to the satisfaction of the court for his duly accounting for, and paying over to the accountant-general monies received by him, and shall take and subscribe in open court the oaths of supremacy and abjuration, and also an oath for the faithful execution of this office, *id. s.*12. [*See the* form in the act itself, which it was not deemed necessary to insert here.]

151. The lord chancellor may appoint a proper person to be housekeeper who shall reside in the buildings, *id. s.*13.; and may remove the said registrar and housekeeper, when, by permanent sickness, misconduct, or other cause, he or she shall be deemed incompetent to discharge the duties of the office, *id. s.*14.

152. There shall be paid to the said registrar a salary of 200*l.*, and to the housekeeper 50*l.* per year, and also a further sum of 50*l.* towards the expenses of a servant, besides coals and candles, *id. s.*15.

153. There shall be taken from the bankrupt's estate the following fees, viz. for each meeting under each commission holden within such buildings by way of fee 10*s.*, and to the registrar for each such meeting 1*s.*, and for every search out of office hours made in such registry, unless by or by the order of the commissioners, 1*s.*, to be paid by the party searching, which fee of 10*s.* shall be received and accounted for by the registrar under this act, and be in full satisfaction for the use of such buildings, 1 & 2 *G.*4. *c.*95. *s.*16.

154. No meeting of the commissioners or creditors called by public advertizements under any commission of bankrupt, shall be held within the city of *London* except in such buildings, unless otherwise specially directed in writing by the major part of the commissioners named in such commission, *id. s.*17.

155. How the money to be received under this act shall be applied, *id. s.*18.; and in case the fees hereby directed are found insufficient to their purposes, the chancellor may encrease them to any sum not exceeding 20*s.* for each meeting, *id. s.*19.; and when the expenses under this act have been repaid, the fees shall be reduced, *id. s.*20.

156. The commissioners acting under any commission of bankrupt may direct the messenger acting under their authority, to take into custody any person who shall be guilty of any riot or disturbance, or who shall interrupt the said commissioners in the exercise of their duty, and have such person taken before any alderman, or magistrate acting in the commission of the peace, to be dealt with according to law, and the warrant of such commissioners shall be a full indemnity to the messenger for so doing, *id. s.*21.

BARRACKS.

(STATUTES *repealed, expired, &c.*)

1. FOR VESTING in *barrackmaster-general* estates held for barrack-service, with power to sell the same with consent of treasury, 45 *G.*3. *c.*69. [REP. virtually by 48 *G.*3. *c.*122., and 57 *G.*3. *c.*9.]

2. FOR VESTING all estates and property occupied for barrack-service, in the commissioners for the affairs of barracks, and for granting them certain powers, 48 *G.*3. *c.*122. [REP. virtually, 58 *G.*3. *c.*9. *s.*1.]

(STATUTES *in force.*)

1. FOR INVESTING certain commissioners appointed for examination of accounts, and expenditure relating to the office of *barrackmaster-general*, with necessary powers for that purpose, 47 *G.*3. *S.*1. *c.*13. [AMD. 48 *G.*3. *c.*89.]

2. Recital, that two commissioners were appointed by H. M.'s warrant of 18*th Sept.* 1806, to enquire into expenditure of money received by O. de Lancy, as superintendant-general of barracks, or as barrackmaster-general, or for service of barrack department, or by other person on his account, and to state all accounts relating to said receipt or expenditure, and to enquire into all contracts for building stores, &c. for such service, with the reasons why they were not performed, and to examine warrants and vouchers produced to verify such accounts; the commissioners so named shall meet in such places within the U.K. as they think fit, with or without adjournment; and persons shall attend them with all necessary books, papers, &c. or records, at the times and places appointed by their precept; the commissioners allowing them reasonable costs at their discretion, *id. s.*1.

3. They shall take oath before chancellor of exchequer, or master of the rolls, for faithful execution of their powers, previous to exercising them, *id. s.*5. [*Where the* form of oath is added.]

4. They may examine all persons summoned, as in *s.*1., on oath or affirmation, administered by any one of them, *id. s.*2.

5. Persons so summoned refusing to appear or to be sworn, or affirm, to answer questions, or produce any accounts, books, papers, writings, or records in their possession, relating to the subjects of the commissioner's inquiry, may be fined at discretion of court of exchequer, on application to the court by the commissioners or attorney-general, *id. s.*3.

6. Prisoners in any prison of U.K. may be brought up by *habeas corpus*, awarded by judge of K.B C.P. or baron of exchequer of the coif, to appear before the commissioners for examination, *id. s.*4.

7. Persons wilfully giving false evidence before commissioners on oath or affirmation, are subject to the punishments of perjury, *id. s.*6.

8. H. M. may appoint any person, not an M.P., to supply a vacancy in the above commission, and all powers of the act are vested in him after taking the oath of office appointed in *s.*5., *id. s.*7.

9. Commissioners shall have all the powers as to the examination of and control over accounts, and as to public and sub-accountants with which commissioners for auditing public accounts are invested, by 25 *G.*3. *c.*52., 39 *G.*3. *c.*83., 45 *G.*3. *c.*55., 46 *G.*3. *c.*141., 47 *G.*3. *st.*2. *c.*39., 48 *G.*3. *c.*89. *s.*3., but shall not present for declaration any account of a public or sub-accountant, or person set *in super*, or other person examined by them, 48 *G.*3. *c.*93. *s.*3.

10. The commissioners from time to time, as the examination of the account is completed, shall transmit to the treasury a statement specifying the articles in charge, and discharge thereof, and the sums disallowed by them therein; and the treasury (if they approve the statement of such account,) shall transmit them to the "*commissioners of*

public accounts," with their warrant to the latter to prepare same for declaration; who shall thereupon so make up the same, without farther examination, unless it be thought necessary by them; in which case they must report their opinion to the treasury, and proceed in such examination; and shall set sums *in super*, which ought to be so set on the persons specified in such statements, or in the treasury warrant accompanying them, unless on further examination, as above, it appear to them that they ought not to be so set; and shall do all acts for declaration of such accounts, and for putting in charge all persons liable thereto, as public or sub-accountants, in order to secure the sums due to H. M. thereon, as if the said accounts had been originally examined, and statements thereof made by them, 48 *G.*3. *c.*89. *s.*1.

11. When it appears to the barrack-commissioners appointed under 47 *G.*3. *S.*1. *c.*13., that any persons ought to account for public money or stores, the commissioners shall transmit their names to the treasury, with the reasons for their opinion, that they should be made public accountants, and (if the treasury agree thereto,) they shall issue their warrant to the commissioners, or to commissioners for auditing public accounts, to require such persons to deliver their accounts regularly attested, within reasonable time limited, as if they had been returned *in super*, in any account declared before H. M.'s chancellor of exchequer, and commissioners shall proceed to examine and transmit such accounts as in *s.*1., *id. s.*2.

12. Actions against commissioners or other persons for any thing done under this act, must be within six calendar months; general issue may be pleaded, and the act and special matter given in evidence; if plaintiff is nonsuited, suffers discontinuance, or if there is judgment for defendant, the latter has treble costs, 47 *G.*3. *S.*1. *c.*13. *s.*8.

13. For vesting all estates and property occupied for barrack service, in the comptroller of the barrack department, and for granting him certain powers, 57 *G.*3. *c.*9.

14. All messuages, lands, tenements, and hereditaments, except copyholds, vested in barrack commissioners by 48 *G.*3. *c.*122. and all other such premises since purchased, or to be purchased or built for or by the comptroller of the barrack department, shall be vested in such comptroller, and his successor in constant succession, in trust for H. M., for the public service, 57 *G.*3. *c.*2. *s.*1. (*and see* old regulation, 48 *G.*3. *c.*122. *s.*1., 45 *G.*3. *c.*69. *s.*1.

15. Premises are so vested, on the same terms as which they are now held, 57 *G.*3. *c.*9. *s.*2. (*See* old regulation, 48 *G.*3. *c.*122. *s.*2.)

16. Comptroller with consent of treasury, certified by hand-writing of one of their secretaries may sell or let any such premises, either by public auction or private contract, and do any other act in relation to them which shall be deemed beneficial to public service, and no contract shall be impeached, on account of no offer having been first made to owner of adjacent lands, 57 *G.*3. *c.*9. *s.*2. (*See* Rep. regulations, 48 *G.*3. *c.*122. *s.*3., and 45 *G.*3. *c.*69. *s.*2.)

17. Purchase money of such premises shall be paid by purchaser to bank of *Eng.*, and there placed to the account of the existing comptroller, or under other directions of treasury, and the receipt of any cashier of the bank shall be a sufficient discharge, 57 *G.*3. *c.*9. *s.*3. (and see 48 *G.*3. *c.*122. *s.*4., 45 *G.*3. *c.*69. *s.*3.)

18. The comptroller, styled, "*The comptroller of the barrack department*," may bring or defend actions in relation to such premises, or stores, &c. goods and chattels belonging thereto, or for any breach of contract made for barrack service, or relating to any of the affairs under his management, which shall not abate by his death, resignation, or removal, 57 *G.*3. *c.*9. *s.*4. (*See* 48 *G.*3. *c.*122. *s.*5. Rep.)

19. The comptroller, deputy-comptroller, or assistant inspector-general of barracks, or any justice or magistrate, may administer oaths, and take affidavits to verify accounts and other matters relating to that department, 57 *G.*3. *c.*9. *s.*5. [*See* old regulation, 48 *G.*3. *c.*122. *s.*6.]

20. Money standing in name of comptroller at his death, resignation, or removal, shall rest in the comptroller for the time being, and after appointment of another comptroller in the latter, and so in succession, 57 *G.*3. *c.*9. *s.*6. [*See* old regulation, 48 *G.*3. *c.*122. *s.*7.]

21. Letters and packets addressed to *comptroller of barrack department*, on business relating to his office, or sent by him, or his deputy on such business, shall be free from postage, letter being under cover, with, "*pursuant to act of parliament*," and "*barrack office*," printed on same, with the name of the comptroller, his deputy, or other appointee, whose nomination for this purpose shall be certified to post-office, written under same, 57 *G.*3. *c.*9. *s.*7.

22. Every such comptroller, deputy, or clerk, sending under any of such covers, any writing, &c. not relating to the duties of the department, shall forfeit 100*l.* with full costs, to any person suing by action of debt, &c. or information in the courts at *Westminster*, without essoin, &c. or more than one imparlance allowed, one moiety to go to informer, and the other to H. M., *id. s.*8.

23. Bodies politic or corporate, feoffees and trustees, for charitable, or other purposes, tenants for life, and in tail, husbands, guardians, trustees, attornies, &c. or infants, lunatics, femes covert, &c. or other persons otherwise disabled to convey, may convey any lands, &c. to the comptroller, or contract for enfranchisement of copyhold, sale of reversions, grants of leases, &c., 57 *G.*3. *c* 9. *s.*9.

24. Purchase money shall be paid into the hands, or in the name of the deputy remembrancer of exchequer for the benefit of the owners of lands, thus under disability, &c. and shall be by him signed and certified to the barons of exchequer; which certificate shall be filed of record in the three courts of exchequer in *Westminster*, *Edinburgh*, and *Dublin*, and a true copy thereof, signed by the deputy remembrancer, shall be evidence for the purposes in *s.*11.; the money shall be paid by the deputy remembrancer into the banks of *Eng.*, *Scot.*, or *Ire.*, as the case requires; and on filing his certificate, the lands, &c. are vested in the comptroller for H. M.'s use, *id. s.*10.

25. One or more of the barons of exchequer in *Westminster*, *Edinburgh*, or *Dublin*, of the degree of the coif, on reading the certificate directed in *s.*10. and receiving any further satisfaction deemed necessary, and on motion on behalf of the parties interested, may make orders for the application of the principal and interest of such purchase money, either by paying the same or part thereof to them, or by placing it in the funds, or on government or real securities, or for paying the dividends or interest thereof, or for laying out the principal in other lands, to be settled to the same uses, to which the sold property stood settled, at the payment of the purchase money and otherwise concerning the disposal of such money, and its interest for benefit of the parties, or appointing trustees for any such purposes, *id. s.*11.

26. On death or removal of such deputy remembrancer, all such stocks and securities vested in him, shall vest in his successor, without assignment or transfer, and all monies received as in *s.*10. *pl* 24. shall be paid over to the latter, *id. s.*12.

27. The powers hereby given to the deputy remembrancer shall vest in H. M.'s remembrancer executing the office in person, *id. s.*13.

BASTARD.

(Statute *repealed.*)

1. To prevent the destroying and murdering of bastard children, 21 *J.*1. *c.*27. [Rep. 43 *G.*3. *c.*58. *s.*3. which *see* Felony.]

(Statutes *in force.*)

1. He is a bastard who is born before the marriage of his parents, 20 *H.*3. *c.*9.

2. To the kings writ of bastardy, the bishops sought that one born before, as well as one after matrimony, should be legitimate, and the nobles answered they would not change the laws of the realm, 20 *H.*3. *c.*9.

3. Proclamations before a writ be awarded to the bishop to testify bastardy, 9 *H.*6. *c.*11. (and *s.*1, 2.)

4. Where any plea shall be depending in which bastardy shall be alledged against any person party to the same, and thereupon an issue joined, which by law is to be certified by the ordinary, the judges where such plea is depending, before any writ of certificate pass out of the same court to the ordinary, shall make out a remembrance under their seals at the suit of the demandant, tenant, plaintiff, or defendant, reciting such issue so joined, and certifying to the chancellor that thereupon proclamation be made in the chancery by three months once in every month, that persons pretending any interest to object against the *mulier* may sue to the ordinary to whom writ of certificate shall be directed, to make their allegations and objections as the law of the church requireth; and such chancellor having notice of such remembrance and issue joined, and on request of the demandant or tenant, plaintiff or defendant, shall make such proclamation, and shall certify the same to the court where such plea is depending, and the judges of such court before proclamation made in the chancery shall make one like proclamation openly in court, and again after writ of proclamation returned by the chancellor, and shall then award such writ of certificate to certify on the issue joined, and if any writ of certificate be made or granted before all such proclamations made and certified, then such writ and the certificate of the ordinary thereupon shall be void, 9 *H.*6. *c.*11.

5. For setting the poor on to work and to avoid idleness, 18 *El. c.*3. [Con. 3 *C.*1. *c.*4., and indefinitely, 16 *C.*1. *c.*4. Asid. 13 & 14 *C.*2. *c.*12. *ss.*19—20. 6 *G.*2. *c.*31. *s.*4. *The law of* bastardy Expl. and Asid. 3 *C.*1. *c.*4. *s.*15., 49 *G.*3. *c.*68., 54 *G.*3. *c.*170. *s.*8.] [*and see* 50 *G.*3. *c.*51., and as to the legal settlements of bastards born in workhouses, 20 *G.*3. *c.*36. *tit.* Poor.]

6. Two justices of peace, whereof one is of the quorum, in the parish where any bastard is born, on examination of the cause may make order in their discretion, as well to punish the mother and reputed father as for the relief of the parish, and may make order for the keeping of such bastard, by charging such mother or father with the payment of money

weekly, or other sustentation for the child, and if after notice of such order by them subscribed the mother or reputed father shall not observe the same, they may be committed to the common gaol without bail, except they give surety to perform such order, or else personally to appear at the next general sessions and to abide the order there made, if any is made, and if not to abide the order before made, 18 *El. c.*3.

7. All justices of peace within their several limits, and in their sessions, may do and execute all things concerning, 18 *El. c.*3. that by justices in the several counties are by such act limited to be due, 3 *C.*1. *c.*4. *s.*15.

8. THE CHURCHWARDENS and overseers of the poor of any parish where any bastard child is born, may seize so much of the goods and chattels, and of the annual rents and profits of the lands of the putative father and lewd mother as may be ordered by any two justices towards the discharge of the parish, to be confirmed at sessions for the bringing up and providing for such child, and the sessions may order such goods to be sold, and the profits of such lands to be received, or so much thereof as they think fit, by such churchwardens, &c. 13 & 14 *C.*2 *c.*12. *s.*19. (*Qu.* EXP.)

9. Persons sued for any thing done under this act may plead the general issue, and if a verdict shall pass for the defendant, or if the plaintiff is nonsuited or discontinues, the defendants shall have treble costs, *id. s.*20. [for rest of this act, see POOR, VAGRANT.]

10. No justice of peace shall send for any woman in order to examine her concerning her pregnancy, or compel any woman to answer questions concerning the same before she has been delivered, and one month after, 6 *G.*2. *c.*31. *s.*4.

11. Every person who shall be adjudged the reputed father of any bastard child shall be chargeable with the payment of all reasonable charges incident to the birth of such child, and also to all costs of his own apprehension and of the order of filiation, which costs shall not exceed 10*l.*, and all such charges and costs shall be ascertained on oath before the quarter sessions making the order of filiation, 49 *G.*3. *c.*68. *s.*1.

12. If any single woman shall declare herself with child, and that such child is likely to be born a bastard, and to be chargeable to any parish or extra-parochial place, and shall, in an examination to be taken in writing on oath before any justice of any county, or place wherein such parish, &c. shall lie, charge any person with having gotten her with child, such justice, on application made by any substantial householder of such extra-parochial place, or the overseer of the poor of such parish, may issue out his warrant for the apprehension of the person so charged, and for bringing him before such justice or any other justice of such county or place, and such justice shall commit such person to the common gaol or house of correction of the county or place, unless he give security to indemnify such parish or place, or enter into a recognizance with sufficient surety to appear at the next general or quarter sessions for such county or place, to abide and perform such order as shall then be made in pursuance of 18 *El. c.*3. unless one such justice shall have certified in writing under his hand to such sessions that it hath been proved by oath of one witness that such single woman has not been delivered, or had been delivered within one month only previous to the day on which such sessions shall be holden, or unless two justices for such county or place shall have certified under their hands to the next, or where such woman has not been delivered as aforesaid, then to the next subsequent sessions, that an order of filiation had been already made, or that such order was not requisite on account of the death of such child, or other good reason, in each of which cases partly mentioned, such justices at such sessions may respite such recognizance to the next subsequent sessions, without requiring the personal attendance of the putative father so bound, or that of his surety, or in either of such two last mentioned cases, they may wholly discharge such recognizance, *id. s.*2.

13. If any reputed father or any mother of any bastard on whom any order of filiation or maintenance shall have been made by the quarter sessions, or which has been made by two justices and confirmed at quarter sessions, or against which no appeal shall have been made to the sessions, shall neglect to pay any sum which he or she have been ordered to pay towards the maintenance and relief of any such child, any justice for the county or place in which such reputed father or mother shall happen to be, shall, on complaint made to him by one of the overseers of the poor of any parish liable to the maintenance of such bastard, or where such bastard shall then be, on proof on oath of such order and of such sum being unpaid, and of a demand of payment having been made and a refusal to pay, or that such father or mother hath left his or her abode and hath avoided such demand, issue his warrant to apprehend such father or mother, and to bring him or her before such justice or any other justice for the same county or place to answer such complaint, and if such father or mother shall not pay such sum as shall appear to such justice to be due, or shall not show good cause to the contrary, such justice shall commit him or her to the house of correction or the county gaol, there to be kept to hard labour for three months, unless such reputed father or mother shall, before the expiration of such three months, pay to one of the overseers of such parish the sum so due, and so from time to time as often as such father or mother shall neglect to pay any sum so ordered to be paid by such order, 49 *G.*3. *c.*68. *s.*3.

14. All such expences and costs shall be wholly subject to the discretion of the justices or the quarter sessions making the order of filiation, who may order payment of the whole or part thereof; provided that the costs of apprehending the reputed father and of the order of filiation shall not exceed 10*l.* and for securing the payment of the same the provisions of 18 *El. c.*3. shall be applied and put in execution, *id. s.*4.

15. All persons aggrieved by any order of such justices under this act not originating in the quarter sessions, may appeal to the quarter sessions holden for the county where such order shall be made, on giving ten days' notice to the overseers of poor, on whose behalf the same was made of his intention so to do, and the cause thereof, and entering into recognizance, within three days after such notice, before a justice for such county or place, with surety conditioned to try such appeal, and abide the judgment and order, and pay such costs as shall be awarded by such sessions, which justices at their sessions shall, on proof of such notice given and recognizance entered into, determine such appeal, and give such relief and costs to the appellor and appellee as they judge meet, and which judgment and order shall be binding and conclusive, *id. s.*5.

16. So much of 6 *G.*2. *c.*31. (*viz.*) *ss.*1,2,3. as authorizes justices to commit reputed fathers before the birth of the bastard, shall be REP., *id. s.*6.

17. No appeal in any case relating to bastardy shall be brought or heard at the quarter sessions, unless such notice is given, and recognizance is entered into as aforesaid, *id. s.*7.

18. All securities to be given or received for indemnifying any parish or place for the maintenance of any bastard, or any expences occasioned by such parish or place by reason of the birth or support of any bastard born within the same, shall be vested in the overseers of the poor thereof for the time being, and such overseers may sue for the same by their description of overseers, and any such action shall not abate by reason of any change of overseers pending the same, but the same may be proceeded in by such overseers for the time being as if no change had taken place, 54 *G.*3. *c.*170. *s.*8.

19. THE PUNISHMENT of lewd women who have bastards, 7 *J.*1. *c.*4. *s.*7. [REP. *and other provisions made,* 50 *G* 3. *c.*57. *s.*1.] [*For the rest of* 7 *J.*1. *c.*4., *see* VAGRANT.]

20. When a woman shall have a bastard child, which may be chargeable to the parish, two justices, before whom she may be brought, may commit her to the house of correction for not exceeding 12 calendar months, or less than six weeks, 50 *G.*3. *c.*51. *s.*2.

21. Two justices at any petty session, for the division in which such parish is situated, upon their own knowledge, or a certificate duly authenticated from the keeper of the house of correction in which such woman shall have been confined for not less than six weeks, of her good behaviour, and of the expectation of her reformation, by warrant under hand and seal, may order such woman at the time in the warrant limited, to be discharged, *id. s.*3. Nothing herein shall authorise any justices to commit any such woman to the house of correction, until she has been delivered for one calendar month, *id. s.*4.

BEER AND ALE.

(STATUTES *expired and repealed.*)

1. TO ALLOW for nine months the use of sugar in brewing beer, 39 & 40 *G.*3. *c.*62. [CON., 41 *G.*3. (*G. B.*) *c.*5.] EXP.

2. FOR ALLOWING the manufacture and use of a liquor prepared from sugar for colouring porter, and for indemnifying persons who have manufactured or used such colouring, 51 *G.*3. c.87. [REP. by 56 *G.*3. *c.*58. *s.*1.]

3. TO ALLOW the use of sugar in brewing beer in *G. B.*, 52 *G.*3. *c.*65., CON. 53 *G.*3. *c.*1. *s.*1. EXP.

(STATUTES *in force.*)

1. THE ASSIZE of ale, *stat. incert. temp. c.*6. 8*vo. ed.* 1. *vol.*387.

2. The assise of ale shall be assessed and proclaimed according to the price of malting corn, and no brewer shall increase the price, except at the rate of 6*d.* rising in the quarter of malt, and if he break the assize he shall be amerced, but for the fourth offence he shall be adjudged to the pillory, *id. ibid.*

3. THE ASSIZE of bread and ale, 51 *H.*3. *st.*1. 8*vo. ed.* 1 *vol. p.*38. [REP. *as to bread,* 8 *A. c.*18., 31 *G.*2. *c.*29.]

4. When a quarter of wheat is sold for 3*s.* or 3*s.*4*d.*, and a quarter of barley for 20*d*, or 2*s.*, and a quarter of oats for 16*d.* then brewers in cities may sell two gallons of ale for a penny, and out of cities three or four gallons, *id. s.*1.

5. And when in a town three gallons are sold for a penny, out of town they may sell four, *id. s.*2. *stat. incert. temp.* 2 *vol.* 8*vo. ed. p.*391., [*see* 2 *G.*3. *c.*14., *post, pl.*31]

6. Brewers not keeping the assize shall be amerced, *stat. incert. temp.* 28*vo. ed.* 391.

7. BREWERS shall sell their beer at such prices *per* barrel as shall be settled by the justices, 23 *H.*8. *c.*4. s.5., [*but see now* 12 *C.*2. *c.*24. *s.*35., 1 *W.&M. S.*1. *c.*24. *s.*8., and 2 *G.*3. *c.*14. *s.*1.]

8. ALE brewers may bring their ale to the household of the king, queen, and princes, and to all archbishops, dukes, and other great men, in tuns, butts, pipes, hogsheads, or other vessels of larger quantity than in this act expressed; and all brewers may bring their ale to other men's houses in barrels, &c. bearing their true contents, 23 *H.*8. *c.*4. *s.*14., *see* rest of this act, COOPER.

9. FOR THE TRUE guaging of vessels brought from beyond the seas, converted by brewers for the utterance of beer and ale, 31 *El. c.*8. [CON. 3 *C.*1. *c.*4. *s.*19., *and indefinitely*, 16 *C.*1. *c.*4.]

10. No brewer shall put to sale any beer or ale in vessels brought from beyond seas, within the city of *London* or two miles thereof, before such vessels be lawfully guaged, and the true content set down on the same, by the beer and ale gallon, according to the standard by the master and wardens of the art of coopers of the city of *London*, or their deputies; nor shall sell any beer or ale in any such vessel in any other place in *Eng.* and *Wa.*, before they are lawfully guaged, and the true content set down by the gallon thereon, by such as are appointed for that purpose, by 23 *H.*8. *c.*4., on pain to forfeit all such vessels wherein any beer or ale is put to sale contrary hereto, and the beer and ale therein to him that will seize the same, and 10*s.* for each such vessel, one moiety of which shall go to H. M. and the other to the informer suing by action of debt, &c. or information or otherwise, wherein no essoin shall be allowed, and there shall be paid to such master and wardens for guaging such vessels within the city of *London*, and such limits for each butt and pipe 1*d.*, for each puncheon, hogshead, and tierce one half-penny, and for each other vessel brought from beyond seas, wherein beer or ale is put to sale within such limits after the like rates, and there shall be taken for guaging such vessels *without* such limits, by the persons by 23 *H.*8. *c.*4. appointed, the same as those imposed above, *id. s.*1.

11. This act shall extend to *English* born and alien brewers, and every person hereby authorised to guage any vessels may retain the same until the guaging money shall be paid, *id. s.*2.

12. The masters and wardens of coopers, or their deputies shall, within 48 hours after request made, come to any brewer's house within *London* and two miles compass thereof, where their casks are, and guage and mark the same upon pain to forfeit 20*s.*, to be recovered by such party against the corporation of coopers by action of debt, in any court of record, *id. s.*3.

13. If any *Scottish* or any stranger shall bring from *Scot.* or beyond seas to such brewers, any foreign casks to be filled with beer, and will transport them to *Scot.*, or beyond seas, then such brewer may fill the same without having them gauged or marked, and without incurring any penalty for the same, *id. s.*4.

14. NO BREWERS or retailers of beer or ale, shall take any more in the price thereof, on the sale of the same than the usual rates, saving that every common brewer shall take the excise due thereon over such prices, 12 *C.*2. *c.*24. *s.*35.

15. NO INNKEEPER or retailer of beer or ale shall be sued or impleaded for selling beer or ale at any other or higher prices than the prices heretofore limited and appointed, 1 *W.&M. S.*1. *c.*24. *s.*8., *see* 2 *G.*3. *c.*14. *pl.*31.

16. Brewers shall not make their own beer vessels, 23 *H.*8. *c.*4., *see* COOPER.

17. NO COMMON brewer, &c. shall use in brewing or working any beer or ale, any molosses, sugar, honey, or composition, or extract of sugar, upon penalty to forfeit all liquors wherein same is put, and 100*l.*, one moiety of such forfeitures to go to H. M., the other to the informer to be recovered by action of debt, &c. or information in the courts of record, wherein no essoin, &c. or more than one imparlance shall be allowed, so as such suit is commenced within six months after the forfeiture incurred, 1 *W.&M. S.*1. *c.*24. *s.*17., [*see now* 56 *G.*3. *c.*58. *pl.*74.]

18. FOR ASCERTAINING the measures for retail beer and ale, 11&12 *W.*3. *c.*15. [AMD. 12&13 *W.*3. *c.*11. *s.*19.]

19. All innkeepers, alehouse-keepers, sutlers, victuallers, and other retailers of ale or beer, and all persons keeping any public-house and retailing beer or ale in any city, town, village, hamlet, or parish, or place within *Eng.*, *Wa.*, and *Ber.*, shall sell their ale and beer by a full ale quart or ale pint, according to the standard in the exchequer, or in proportion thereunto, in a vessel made of wood, earth, glass, horn, leather, or metal sized unto such standard, and stamped with its contents according to such standard, and shall not retail ale or beer in any other vessel on pain to forfeit from 10*s.* to 40*s.*, 11&12 *W.*3. *c.*15. *s.*1.

20. Every innkeeper, &c. who shall retail or sell any ale or beer in any vessel not so stamped, as in *s.*1., or who, in giving an account of his reckoning, shall refuse to give in the number of quarts or pints of ale or beer for which his demand is made, shall not, for default of reckoning being paid, detain any of the goods of such person from whom the same is due, but shall be left to his action at law for the same, 11&12 *W.*3. *c.*15. *s.*2.

21. The commissioners of excise shall provide an ale quart and pint, according to the standard in the exchequer, of brass, to be certified from the chamberlains of the exchequer, without fee, for the mayor or chief officer in each city, town, borough, and market-town, and shall deliver the same to such mayor or officer, who shall give a receipt for the same, to be by him safely kept, and on pain of default herein, such commissioners shall forfeit 5*l.* to be recovered as in *s.*6. *pl.*25. *id. s.*3.

22. The commissioners of excise may deduct from the money in their hands, the expences of providing such standard quarts, &c., *id. s.*4.

23. The mayor and chief officer of every city, &c. shall, on request, cause all such ale quarts and pints made of such material (as in *s.*1.) as shall be brought to him, to be measured with such standard and stamp the same with "W. R." and a crown, and shall be paid one farthing for each measure so stamped; and in case of neglect herein, shall forfeit 5*l.* to be recovered as in *s.*6. and shall also render to the party grieved his treble damages with costs to be sued for in the courts of record, wherein there shall be no protection, &c. or more than one imparlance, *id. s.*5.

24. All penalties hereby imposed shall go one half to the poor of the parish where the forfeiture is incurred, and the other to the informer, and shall be recovered upon oath of one witness, before one justice of the county or place, on prosecution within 30 days after the offence done, and such justice shall determine the same, and levy the penalty by warrant under his hand and seal, upon the goods of the offender, deducting from the overplus rendered to him reasonable costs, *id. s.*6.

25. This act shall not subject any person to any of such penalties, so as all such ale and beer as is sold by them to be spent out of the house is measured out by such standard, although such drink is carried away in another vessel, *id. s.*7.

26. Actions brought against any justice of peace, or persons employed by them, for any thing done under this act, shall be laid in the county where the act was done, and the defendant may plead the general issue, and give this act, and the special matter in evidence; and if a verdict is given for the defendant, or if the plaintiff is nonsuited, or discontinues, the defendant shall have treble costs, *id. s.*8.

27. The justices of peace at quarter sessions shall give this act in charge to the grand jury, *id. s.*9.

28. A saving for all colleges and halls of either of the universities of this kingdom, *id. s.*10.

29. The 11&12 *W.*3. *c.*15. shall not affect the right of the two universities for signing measures for ale or beer, 12&13 *W.*3. *c.*11. *s.*19.

30. TO PREVENT VEXATIOUS proceedings against brewers, victuallers and others, with respect to the prices of beer and ale, and for better securing the revenue on strong beer and ale, by preventing the mixing thereof, 2 *G.*3. *c.*14. [*See* 1 *W&M. c.*24. *s.*8. *pl.*15.]

31. No brewer, innkeeper, victualler, or other retailer of strong beer, or ale, shall be sued or impleaded by indictment, information, action, or otherwise, for advancing the price of strong beer or ale in any reasonable degree, *id. s.*1.

32. Every brewer, &c. who shall mix or suffer to be mixed in any vessel, any strong beer, ale, or strong worts with any small beer, or small worts, or with water, after the excise officer has taken the gauge thereof, shall forfeit 50*l.*, *id. s.*2.

33. TO REPEAL 57 *G.*3. *c.*87. FOR ALLOWING the manufacture and use of a liquor prepared from sugar for colouring porter, 56 *G.*3. *c.*58.

34. The 51 *G.*3. *c.*87., and the duty on beer colouring imposed by 55 *G.*3. *c.*30. *sched.* A., *tit.* Licence, shall be REP., *id. s.*1.

35. No brewer or retailer of, or dealer in beer shall take into his custody or possession, or make, or use, or mix with, or put into any worts or beer any liquor extract, calx, or other material or preparation for darkening the colour thereof, other than brown malt, ground or unground, as commonly used in brewing: or shall take into or have in such custody, or use, mix with, or put into any worts or beer, any molasses, honey, liquorice, vitriol, quassia, coculus *Indicus*, grains of paradise, guinea pepper, opium, or any extract or preparation of molasses, &c., or any article or preparation soever, as a substitute for malt or hops, and if any such brewer, &c. shall so do, all such liquor extract, calx, molasses, &c., extract, or preparation soever, and all the worts and beer shall be forfeited, with the casks, vessels, and packages containing the same, and may be seized by any excise officer; and such brewer, dealer or retailer, shall, for every such offence, forfeit 200*l. id.s.*2

36. No druggist, or dealer in drugs, chemist, or other person, shall sell, send, or deliver, or cause or permit to be sold, &c. to any licensed brewer, or retailer of or dealer in beer, knowing him to be so licensed, or reputed so to be, or to any other person for, or on account of, or in trust for the use of any such brewer, &c. any liquor known by the name of or sold as colouring, from whatever materials made, or any other preparation other than unground brown malt, for darkening the colour of

worts or beer, or any liquor or preparation as heretofore was, or hereafter shall be used for that purpose, or any molasses, &c. or extract or preparation thereof (as in *s.* 2.) or any article or preparation to be used in worts or beer, as a substitute for malt or hops respectively: and if any such druggist shall so do, all such colouring liquor and preparation used as a substitute for malt or hops, shall be forfeited, and may be seized by any excise officer, and the offender shall forfeit for each offence 500*l.* 1 *W. & M. c.* 24. *s.* 3.

37. All fines and penalties imposed by this act shall be sued for, recovered, or mitigated under the laws of excise, or by action of debt, &c. or information in any court at *Westminster*, or in exchequer in *Scot.* and shall go one moiety to H. M., and the other to the person who shall inform or sue for the same, *id. s.* 4.

BENEFICE.

(STATUTES *repealed, expired, &c.*)

1. Limitation of presentment to churches made by H. M., in another's right, 14 *Ed.* 3. *st.* 4. *c.* 2. (REP.) 25 *Ed.* 3. *st.* 3. *c.* 2.

2. THE KING or his heirs shall not present to a benefice, in another's right of any time of his progenitors, 25 *E.* 3. *st.* 3. *c.* 1. EXP. [*See rest of title* SPIRITUAL PERSONS.]

(STATUTES *in force.*)

1. ALL LANDS, &c. which belong to archbishoprics, bishoprics, abbies, priories, churches, and dignities being vacant, which appertain to us shall be maintained, and such custodies shall not be sold, 9 *H.* 3. *Mag. Chart. c.* 5.

2. PATRONS of abbies shall have the custody of them when vacant, 9 *H.* 3. *Mag. Chart. c.* 33. [CONF., 25 *E.* 3. *st.* 3. *c.* 1. *but see monasteries, &c. dissolved*, 31 *H.* 8. *c.* 13.]

3. WHEN THE KING PRESENTETH to a benefice in another's right, his title shall be examined, 25 *E.* 3. *st.* 3. *c.* 3. CONF. and AMD. 13 *R.* 2. *st.* 1. *c.* 1. AMD. 4 *H.* 4. *c.* 22.

4. Whenever H. M. shall make collation or presentation to any benefice in another's right, his title shall be examined, and wherever before judgment given, the title be found untrue or unjust, the collation, &c. shall be repealed, and the patron who proved the false title shall have proper writs of it of chancery, 25 *E.* 1. *st.* 3. *c.* 3. *s.* 1.

5. If the king present to any benefice full of an incumbent, such presentee shall not be received by the ordinary until the king hath recovered his presentative by due process of the law in his own court; and if the king's presentee be otherwise received, and the incumbent put out without due process, such incumbent shall sue within a year after the induction of the king's presentee, 13 *R.* 2. *st.* 1. *c.* 1.

6. An incumbent ousted by the king's presentee without process, may begin his suit for the recovery of the benefice without the limitation of time, in 13 *R.* 2. *st.* 1. *c.* 18. contained, 4 *H.* 4. *c.* 22.

7. THE ORDINARY may counterplead the king's title for a benefice fallen by lapse, 25 *G.* 3. *st.* 3. *c.* 7.

8. When any archbishop, bishop, or other ordinary, has given a benefice of right devolute to him by lapse of time, and afterwards the king presents and takes suit against any patron which percase will suffer the king to recover without action tried in deceit of the ordinary, in such case, and in all other like cases where the king's right is not tried, the archbishop, &c. shall be received to counterplead the title of the king, and to have his answer, and show his right upon the matter, although he claim nothing in the patronage, 25 *E.* 3. *st.* 3. *c.* 7.

9. COGNIZANCE of the avoidance of benefices appertaineth to the ecclesiastical judge, 25 *E.* 3. *st.* 3. *c.* 8.

10. IN APPROPRIATION of benefices, provision shall be made for the poor and the vicar, 15 *R.* 2. *c.* 6. [CONF. and AMD. 4 *H.* 4. *c.* 12.] (See 1 *Bla. Com.* 384.)

11. In all licences made in chancery for the appropriation of any parish church, there shall be comprised, that the diocesan upon such appropriation shall ordain, according to the value of such church, a sum to be distributed yearly out of the fruits thereof, by those having such churches, to their proper use and their successors, to the poor of the said church for their sustenance for ever, and also that the vicar be sufficiently endowed, 15 *R.* 2. *c.* 6.

12. Appropriations made since 15 *R.* 2. *c.* 6. contrary thereto, if not reformed within the *Easter* next coming shall be void; exception for the church of *Hadenham* in the diocese of *Ely*, appropriated by license to the archdeacon of *Ely* and his successors to do divine service, there to keep hospitality and support other charges, 4 *H.* 4. *c.* 12.

13. All appropriations of vicarages, and the licenses thereof, since 1 *R.* 2. (although the owners thereof be in, or may come to possession thereof by such license,) shall also be void and disappropriated for ever, and on every appropriation a secular person shall be ordained vicar perpetual, canonically instituted and inducted in the same, and sufficiently endowed to do divine service, except the church of *Hadenham* in *Ely*, and no religious shall be made vicar in any church so to be appropriated, 4 *H.* 4. *c.* 12.

14. NO PROVISION or licence shall be granted for a benefice full of an incumbent, 7 *H.* 4. *c.* 8. on penalty of *præmunire*, 3 *H.* 5. *st.* 2. *c.* 4.

15. "Whereas it was ordained by 7 *H.* 4. *c.* 8. that no provision of the pope or any license of the king shall be available to any benefice full of an incumbent, and whereas such provisions and licenses have notwithstanding been granted," all incumbents of any benefices shall peaceably enjoy the same without molestation by colour of such provisions or licenses, and all licenses and pardons upon such provision shall be void, and all such grievers or molesters shall incur the pains of *præmunire* in 25 *Ed.* 3. *st.* 6. and 16 *R.* 2. *c.* 5. contained, and the party who shall sue such writ shall recover TREBLE damages on the conviction of the defendant, 3 *H.* 5. *st.* 2. *c.* 4.

16. ALIEN strangers shall not enjoy any benefice within this realm, 1 *H.* 5. *c.* 7.

17. "Whereas it was ordained in *Rot. Parl.* 1 *R.* 2. *nu.* 91. confirmed 13 *R.* 2. *nu.* 19. (*not printed in the statute book*) that no alien Frenchman should enjoy any benefice within this realm, and that when any priories, aliens conventual, or other benefice or office due by king's title shall be void, honest English persons should be put there," it is ordained that the said ordinances be firmly kept, except as to priors, aliens conventual, and also other persons having institution or induction, so that they be catholics, and find surety not to disclose the counsel or secrets of the realm, *id. s.* 1.

18. FOR RESTITUTION of the first fruits in time of vacation to the next incumbent, 28 *H.* 8. *c.* 11. (and *ss.* 1, 2.) [REP. *as to ss.* 7, 8. 1 & 2 *P. & M. c.* 17. REP. 2 & 3 *P. & M. c.* 4. but REV. 1 *El. c.* 4. *ss.* 6. 24.]

19. The year for payment of first fruits shall begin and be accounted immediately after the avoidance of any benefice or spiritual promotions, and all tythes, fruits, oblations, obventions, and other profits belonging to any archdeaconry, parsonage, or other spiritual promotion, dignity or office, (chaunteries only excepted) within the king's dominion coming during the vacation of the same, shall belong to such person as shall be next presented, instituted, or admitted, and to his executors, towards payment of the first fruits, 28 *H.* 8. *c.* 11. *s.* 3.

20. If any archbishop, bishop, archdeacon or ordinary, shall take any tythes, obventions, &c. coming from any archdeaconry, &c. during its vacation, and doth not on request restore the same to the next incumbent, lawfully instituted, &c. or interrupt him to have the same, he shall forfeit treble the value of what he shall have so received, to go in moiety to the king and the incumbent, and to be recovered by action of debt, or information or otherwise, wherein no wager of law or essoign, &c. allowed, *id. s.* 4.

21. But such archbishop, &c. may retain so much of the tythes, obventions, &c. as shall amount to pay the person keeping the cure of such archdeaconry, &c. and also the collection of such tythes, &c. during the vacation, *id. s.* 5.

22. If any incumbent shall die, and before his death hath sowed his glebe lands with corn or grain, then he may make his will of the profits of such corn or grain, *id. s.* 6.

23. Every successor after the death of his predecessor, may, on one month's notice after induction, have the mansion house of such parsonage, vicarage, or other spiritual promotion, with the glebe belonging to the same not sown, for the maintenance of his household, deducting therefore his rent, *id. s.* 9.

24. If the fruits of the vacation be not sufficient to pay the curate's stipend for serving the cure during such vacation, it shall be paid by the next incumbent within 14 days after he has possession, *id. s.* 10.

25. FOR CONFIRMING and perpetuating augmentations made by ecclesiastical persons to small vicarages and curacies, 29 *C.* 2. *c.* 8. (and *s.* 1.)

26. Every augmentation reserved or made payable, &c. since 1*st June*, 12 *C.* 2. to any vicar or curate, or reserved by way of increase of rent to the lessors, but intended for the benefit of such vicar or curate, by any ecclesiastical person or persons out of any rectory impropriate or portion of tythes belonging to them, shall continue for ever, as well during the estate or term on which they are reserved as after its determination, and all such vicars or curates may have remedy for the same either by distress on the rectories, &c. or portions of tythes charged therewith, or by action of debt against the persons who should have paid the same, or his executors or administrators, any disability in the grantor or grantee, the statute of mortmain, or any other law or custom soever notwithstanding, *id. s.* 2.

27. No future augmentation shall be confirmed by this act, which shall exceed one moiety of the clear yearly value of the rectory impropriate out of which it is granted, *id. s.* 3.

28. Every archbishop, bishop, dean and chapter, shall cause all leases and grants of augmentation to be entered in a book of parchment to be kept by their registers, and every dean, &c. or other ecclesiastical per-

son, shall cause every such deed of augmentation made by himself or his predecessors to be so entered, with a reasonable fee to the clerk not exceeding five shillings, which entry being examined by the archbishop, bishop or dean, and attested by them in the book as a true copy, and that the augmentation thereof was intended for such use, shall be a record, and attested copies thereof shall be good evidence for such vicars and curates, 29 *C.* 2. *c.* 8. *s.* 4.

29. Where any ecclesiastical person on renewal of any lease or estate has made any agreement for augmentation for the vicar or curate, he shall cause the substance thereof to be entered, as in *s.* 4., *id. s.* 5.

30. Such augmentation so entered shall continue for ever valid as if reserved by the lease, *id. s.* 6.

31. In any question arising on this act, the vicars and curates shall be entitled to the like favourable constructions and remedies as on the statutes for charitable uses, *id. s.* 7.

32. Any new lease of the premises on which such augmentation hath been granted, made without express continuance thereof, shall be void, *id. s.* 8.

33. Saving for leases of the parsonages of *Staunton*, in *Notts*, and *Evall*, in *Cornwall*, *id. ss.* 9, 10.

34. To PROMOTE THE RESIDENCE OF THE parochial clergy by making provision for the more speedy and effectual building, repairing, or purchasing houses and other necessary buildings and tenements for the use of their benefices, 17 *G.* 3. *c.* 53. [*commonly called Gilbert's act,*] EXT. *and* AMD. 21 *G.* 3. *c.* 66.] [*See further*, 55 *G.* 3. *c.* 147. *post. this title.*]

35. Whenever the parson, vicar, or other incumbent of any ecclesiastical living, parochial benefice, chapelry, or perpetual curacy, under the jurisdiction of the bishop or other ecclesiastical ordinary, whereon there is no house of habitation, or such house is become so ruinous, or is so mean that one year's neat income and produce of such living will not be sufficient to build, rebuild, or put the same, with the offices in sufficient repair, shall think fit to apply for the aid given by this act; such parson, &c. after having procured, from some workman, a certificate containing a state of the condition of the buildings on their glebes, and of the value of the timber and other materials thereupon, fit to be employed in such buildings or repairs, or to be sold, and also a plan and estimate of the work proposed to be done, (such state to be verified upon oath before some justice of peace or master in chancery), and laid the same, together with a particular account in writing, signed by him, and verified on oath, of the annual profits of such living, before the ordinary and patron, and obtained their consent to such proposed new buildings or repairs, by writing, under their hands, in the form in the schedule, to borrow at interest such money as the estimate shall amount unto, after deducting the value of timber or materials proper to be sold, not exceeding two years' neat income and produce of such living, after deducting all rents, stipends, taxes, and other out-goings, excepting only the salaries to the assistant curate, where such a curate is necessary; and as a security for the money borrowed, to mortgage the glebe, tythes, rents, and other profits and emoluments arising from such living, to such person who shall advance the same, by deeds, for 25 years, or until the money borrowed, with interest and such costs as may attend the recovery thereof, shall be fully paid, according to this act; which mortgage deed shall be made in the forms in the schedule, and shall bind every succeeding parson, &c. until the principal, interest, and costs are paid off, *id. s.* 1.

36. Such mortgagee shall execute a counterpart of such mortgage, to be kept by the incumbent, and a copy of every mortgage shall be registered in the office of the registrar of the bishop of the diocese, or other ordinary having episcopal jurisdiction, after having been first examined by him with the original; which officer shall register the same, and be entitled to demand and receive 5*s.* for such register; and such deed shall be referred to upon all occasions, the person inspecting the same paying 1*s.* for every search; and the said deed, or a copy thereof, certified under the hand of the registrar, shall be allowed as evidence, in case such mortgage deed shall be lost or destroyed, *id. s.* 2.

37. Whenever the principal and interest, directed to be paid to the mortgagee under this act, shall be in arrear forty days after due, such mortgagee may recover the same, and costs, by distress and sale, in such manner as rents may be recovered by landlords from their tenants, *id. s.* 3.

38. The money borrowed shall be paid to a person nominated to receive and apply the same for the purposes aforesaid, by the ordinary, patron, and incumbent, by writing under their hands, in the form in *schedule*, after such nominee has given a bond to the ordinary, with surety, in double the sum borrowed, conditioned for his duly applying and accounting for same according to this act; and his receipt shall be a discharge to the person advancing the money; and the nominee shall enter into contracts with proper persons for buildings or repairs approved by the ordinary, patron, and incumbent, and specified in an instrument written on parchment and signed by them, in the form in the *schedule*, and shall inspect and have the care of the execution of such contracts, and shall pay the money for such buildings and repairs according to such agreements, and shall take proper receipts and vouchers for the same; and as soon as such buildings or repairs shall be completed, and the money paid, shall make out an account of his receipts and payments, together with the vouchers for the same, and enter them in a book, fairly written, which shall be signed by him, and laid before the ordinary, patron, and incumbent, and examined by them; and when allowed, by writing under their hands, in the form in *schedule*, such allowance shall be a discharge to the person nominated, in respect to the said accounts; but if any balance shall remain in the hands of such nominee, the same shall be laid out in some further lasting improvements in building upon such glebe, or shall be paid in discharge of the principal debt, at the discretion of the ordinary, patron, and incumbent, or two of them, of which the ordinary to be one, by order signed by them, in the form in the *schedule*; and an account shall also be kept, made out, and allowed, of such further disbursements, in manner aforesaid; all which accounts, when made out and allowed, shall be deposited with the vouchers, in the hands of the registrar, and kept by him for the use of the incumbents, who may inspect the same, paying to such registrar or deputy 1*s.* for every inspection, 17 *G.* 3. *c.* 53. *s.* 4.

39. Every ordinary, before he signify his consent as aforesaid, shall cause an enquiry to be made and certified to him by the archdeacon, chancellor of the diocese, or other proper persons living in or near the parish where such buildings are to be made, in forms in the *schedule*, of the state and condition of such buildings at the time the incumbent entered upon such living; how long such incumbent had enjoyed such living; what money he had received or may be entitled to for dilapidations, and how he had laid out what he received; and if it appear that he had, by wilful negligence, suffered such buildings to go out of repair, then to certify the same to the ordinary, and also the amount of the damage which such buildings had sustained by the wilful neglect of such incumbent; and such incumbent, if the ordinary require it, shall pay the same into the hands of the nominee towards defraying the expences of building and repairs, before the ordinary shall give his consent, *id. s.* 5.

40. The incumbent of every such benefice, where such mortgage shall be made, and his successors, shall pay the interest arising thereon, yearly, as the same shall become due, or within one month after, and also 5*l. per cent. per ann.* of the principal remaining due, by yearly payments; and such incumbent, who shall not reside 20 weeks in each year upon such living, computing from the date of the mortgage, shall, instead of 5*l. per cent. per ann.*, pay 10*l. per cent. per ann.* of the principal by yearly payments, such payments to be made at the same time such interest shall be paid, until the whole principal and interest shall be fully paid; and every incumbent who shall pay only 5*l. per cent. per ann.* of such principal money, shall, at the time he pays the same, produce and deliver to the mortgagee a certificate under the hands of two rectors, vicars, or officiating ministers, of some parishes near adjoining, signifying that he had resided 20 weeks upon the said living, within the year for which such payment became due; which certificate shall be in the form in the *schedule*; and such incumbent shall annually, at his own expence, from the time such buildings shall be completed, insure, at one of the public offices established in *London* or *Westminster*, for insurance of houses, the house and other buildings upon such glebe, against accidents by fire, at a sum agreed on by the ordinary, patron, and incumbent; and in default of payment of either the principal or interest, or neglect of insurance, the ordinary may sequester the profits of the living till such payment or insurance be made, *id. s.* 6.

41. The incumbent of every living, the glebes, tythes, rents, and profits of which shall be mortgaged for the purposes of 17 *G.* 3. *c.* 53., shall pay such mortgagee, over the interest of the principal money due on such mortgage, 5*l. per cent.* if resident, or 10*l. per cent.* if non-resident, of the money originally advanced on such mortgage, until the whole principal money is discharged, 21 *G.* 3. *c.* 66. *s.* 1. [and see 55 *G.* 3. *c.* 147. *s.* 7. *post. pl.* 65, 66.]

42. That the payment of the year, in *s.* 6. mentioned, may be justly ascertained between the successor and the incumbent, avoiding such living, &c. in case any difference shall arise in adjusting the proportions, the same shall be determined by two indifferent persons, the one to be named by the successor, and the other by the person making avoidance, or his representatives in case of his death; and if such nominees are not appointed within two months after such death or avoidance, or if they cannot agree in adjusting such proportions in one month after appointed, the same shall be determined by some neighbouring clergyman nominated by the ordinary, whose determination shall be conclusive between the parties; which nominations and determinations shall be made according to the forms in the *schedule*, 17 *G.* 3. *c.* 53. *s.* 7.

43. Where there is no house of habitation upon any ecclesiastical living, exceeding 100*l.* clear annual value, or being one, the same shall be mean or in a state of decay, as in *s.* 1. *pl.* 35., and the incumbent shall not reside in the parish 20 weeks within any year, computing from 1*st. Jan.*, the ordinary may, with the consent of the patron, (in

case the incumbent shall not think fit to lay out one year's income, where the same may be sufficient, to put the house in proper repair, or to make such aplication as aforesaid, for building, repairing, or re-building such parsonage-house), procure such plan, estimate, and certificate as in *s.* 1. *pl.* 35. directed, and at any time within the succeeding year, to proceed in the execution of this act, in such manner as the incumbent is authorised to proceed, and to make such mortgage as aforesaid, which shall be binding upon the incumbent and his successors, and he shall be liable to the payment of the interest, principal, and costs; and such incumbent and his representatives shall be liable to the proportion of the payments for the year which shall be growing at the time of the death or avoidance, which interest, principal, and costs, and proportion of payments, shall be recoverable against such incumbent, by action of debt, in any court of record, 17 *G.* 3. *c.* 53. *s.* 8.

44. All money recovered or received, by suit or compositions, from the representatives of any former incumbent, and not laid out in the repairs of buildings, shall go in part of the payments under such estimate; and all money thereafter to be recovered or received, in case the same cannot be had before such buildings are completed, and the money paid for the same, shall be applied, as soon as received, in payment of the principal then due, as far as the same will extend; or in case the said mortgage money shall have been discharged, such money arising from dilapidations, shall be paid into the hands of the nominee appointed as aforesaid, or of some other person nominated by the ordinary, patron, or incumbent, in case such nominee shall be dead, or shall decline to act therein, to be laid out in making some additional buildings or improvements upon the glebe, to be approved by the ordinary, patron and incumbent; and in the mean time, or in case such buildings shall not be necessary, then in trust to lay out the same in government or other good securities, and pay the interest thereof to the incumbent, *id. s.* 9.

45. Where new buildings are necessary to be provided for the habitation of the rector, vicar, or other incumbent, pursuant to the authority hereby given, the ordinary, patron, and incumbent, may contract, or authorise, if they shall think fit, the person nominated by them (as in *s.* 1. *pl.* 35.) to contract for the absolute purchase of any house, in a situation convenient for the residence of the rector or vicar, and not farther than one mile from the church; and also to contract for any land adjoining thereto, or to the house belonging to any parochial living, having no glebe lying near to the same, not exceeding two acres, if the annual value of such living, ascertained as aforesaid, be less than 100*l. per ann.*, nor two acres for every 100*l. per ann.*, if of greater value, and to cause the purchase-money for such house to be paid out of the money to arise under this act; in all which cases the said buildings and lands shall be conveyed to the patron and his heirs, in trust for the sole use of the incumbent, and shall be annexed to such church or chapel, and go in succession with the same for ever; but no contract, so made by the nominee, shall be valid, until confirmed by the ordinary, patron, and incumbent, by writing under their hands; and such purchase-deed shall be in the form in the schedule, and shall be registered as the other deeds are hereby directed to be registered, *id. s.* 10.

46. When such land lying near to the parsonage-house belonging to such living, or to be so purchased or exchanged, shall be thought fit to be taken as a convenience for the same, the purchase-money or equivalent shall be raised by sale or exchange of some part of the glebe or tythes of such living, which shall appear to the said ordinary, patron, and incumbent, most convenient; and such sale or exchange shall be by deed, in the form in the schedule, and registered as before directed, *id. s.* 11.

47. The governors of Queen *Anne's* bounty may advance, not exceeding 100*l.* in respect of each living, out of the monies for promoting the purposes of this act, as to any livings, exceeding the clear annual improved value of 50*l.*; and such mortgage shall be made for the repayment of the principal sums advanced, as before-mentioned, without interest; and where the annual value shall exceed 50*l.* the governors may advance not exceeding two years' income of such living, on such mortgage as aforesaid, and subject to the regulations of this act, and shall receive interest for the same, not exceeding 4*l. per cent.*, *id. s.* 12.

48. Any college or hall in *Oxford* and *Cambridge*, and any other corporate bodies possessed of the patronage of ecclesiastical livings, may advance any money, of which they have disposal, to aid the purposes of this act, for the building, rebuilding, repairing, or purchasing, of any houses upon livings, under their patronage, upon the mortgage directed by this act for the repayment of the principal, without taking interest for the same, *id. s.* 13.

49. Whenever the patron of any living shall be a minor, idiot, lunatic, or feme-covert, it shall be lawful for the guardian, committee, or husband of such patron, to transact the matters for such patron, who shall be bound thereby, *id. s.* 14.

50. All acts required to be done by the ordinary and patron shall be done by the ordinary alone, when such ordinary is the patron; and no deed, &c. made under this act, shall be charged with any stamp duty, or fee of office, except as herein mentioned, 17 *G.* 3. *c.* 53. *s.* 15.

51. Where any act is hereby required to be done by the ordinary, which shall be a body corporate aggregate, such act shall be done under the seal of such body corporate, *id. s.* 16.

52. Where the incumbent of any chapelry or perpetual cure is nominated by the rector or vicar, the consent of the latter with that of the patron of such rectory, shall be necessary in all matters wherein the consent of the patron is required, *id. s.* 17.

53. Whenever any controversy shall arise, touching the residence of the incumbent, the same shall be determined by the ordinary of the diocese, *id. s.* 18.

54. The patron, ordinary, and incumbent, or two of them, of which the ordinary to be one, by writing under their hands, may make such allowance to the person nominated by them, as in *s.* 1. for applying the money raised as they think fit, not exceeding 5*l.* for every 100*l.* laid out, *id. s.* 19.

55. Where the patronage of any benefice shall be in the crown, being above the yearly value of 20*l.* in H. M.'s books, the consent of the crown to the proceedings hereby authorized respecting such living shall be signified by the first commissioner of the treasury; but if such living not exceeding 20*l.* in H. M.'s books, such consent shall be signified by the lord high chancellor, &c.; or if such living shall be within the patronage of the crown in right of the duchy of *Lancaster*, then such consent shall be signified by the chancellor of such duchy, by writing under their respective hands, in the form in the schedule; and in all such cases where such deed is required to be executed by the patron as well as the ordinary and incumbent, such deed shall be valid, if executed by the ordinary and incumbent only, after such consent shall have been obtained from the first commissioner of the treasury, lord chancellor, &c., or chancellor of the duchy of *Lancaster:* provided such consent shall be registered at the register office, *id. s.* 20.

56. Any archbishop or bishop of any diocese, and any ecclesiastical corporation, sole or aggregate, being lord of any manor within which there shall be any waste or common lands, parcel of the demesnes thereof lying convenient for the house, and other purposes of this act, may grant a part of such waste lands, &c. in perpetuity for the purposes of this act, leaving sufficient common for the persons having right of common upon such wastes, &c. and obtaining consent of lessee of such lands, if being in lease, *id. s.* 21.

57. FOR ENABLING SPIRITUAL PERSONS to exchange the parsonage or glebe-houses, or lands belonging to their benefices, for others of greater value, or more conveniently situated for their residence and occupation, and for annexing such houses and lands so taken in exchange to such benefices, as parsonage or glebe-houses and lands, and for purchasing and annexing lands to become glebe in certain cases, and for other purposes, 55 *G.* 3. *c.* 147. [AMD. and ENF., 56 *G.* 3. *c.* 52., 1 *G.* 4. *c.* 6. *s.* 1. and REP. as to *s.* 20. *id. s.* 2.]

58. The incumbent of any ecclesiastical benefice, perpetual curacy, or parochial chapelry, by deed indented and registered (as in *s.* 19.) and with consent of the patron of such benefice, &c. and of the bishop of the diocese, signified (as in *s.* 10.) may grant and convey to any person, and his heirs, or to any corporation, sole, or aggregate, and their successors, the parsonage or glebe house, with its out-buildings, yards, gardens, and glebe lands, pastures, rights of common, or way, or any part thereof belonging to the same, in exchange for any house, buildings, yards, gardens, and appurtenances, and lands, or either of them, whether lying within the local limits of such benefice, &c. or not, but being situate conveniently for actual residence or occupation by the incumbent, and being of greater value, or more conveniently situated, than the premises so to be given in exchange, and being freehold or copyhold of inheritance, or for life or lives holden of any manor belonging to the same benefice, 55 *G.* 3. *c.* 147. *s.* 1.

59. The incumbent may, by like deed and consent, (as in *s.* 10. *pl.* 70.) accept and take in exchange to him, and his successors for ever, from any person, &c. any other house and lands, &c. or either of them, being such freeholds, copyholds, &c., and of greater value or more conveniently situated, in exchange for such parsonage, &c., and which house and lands so taken in exchange shall for ever after such conveyance thereof be the parsonage and glebe-house, lands and premises of such benefice, and shall be annexed thereto, and enjoyed by the incumbent, and his successors respectively, without any licence or writ of *ad quod damnum*, and all copyholds so annexed shall become freehold, and no greater quantity than 30 statute acres of any such glebe lands shall be exchanged. The parsonage, &c. to be exchanged, in all exchanges for other lands, &c. made by owners having less than a fee therein, or being a corporation, or under legal disability, shall be of equal, or not of less value than the latter, *id. ibid.*

60. Where the lands, or any part thereof, to be so conveyed in exchange to any incumbent, and to be annexed to such benefice, are exempt from the render of tithes in kind, or covered by any modus, composition,

real or prescriptive, in lieu thereof, then the glebe, &c. to be conveyed in exchange by such incumbent, (unless otherwise agreed,) shall, after the exchange, be discharged from tithes in kind, or be subject to the same modus as the lands so conveyed in exchange to such incumbent, *55 G. 3. c.* 147. *s.* 2.

61. No incumbent shall be evicted from the house, &c. and premises so conveyed to him in exchange, by reason of any claim thereof through any title prior to that of or through any defect of title of the party conveying the same, but the latter may use all such remedies in trying his right to obtain possession of any house or premises granted in exchange by such incumbent, as he would have had in regard to recovering possession of that conveyed by him to such incumbent, *id. s.* 3.

62. Any incumbent, &c. of any benefice, &c. (as in *s.* 1.,) of or to which any manor is parcel or appurtenant, and as parcel, &c. of which any lands or tenements have been usually granted or demised, or grantable, &c. by copy of court-roll or otherwise, for life or lives, or for term of years absolute or determinable on any life or lives, by deed indented and registered, as in *s.* 19. *pl.* 80., with consent of patron and bishop testified, (as in *s.* 10. *pl.* 70.,) may annex to such benefice, &c. as glebe land or parsonage-house, all or any part of such lands or tenements, whether lying within the local limits thereof or not, which, after such annexation, shall cease to be so demisable by the incumbent, and shall become the glebe land and parsonage-house annexed to such benefice, &c. for ever, without licence or writ of *ad quod damnum*, but such annexation shall not annul existing grants or demises thereof, *id. s.* 4.

63. Where there is no existing parsonage house on any benefice, or where the existing parsonage, or its outbuildings on any such benefice, shall be inconvenient, too small, or incommodiously situate, any person being seised in fee, (not being infant, lunatic, or feme-covert without her husband,) and any corporation sole or aggregate with or without confirmation, as case may require, with consent of incumbent, patron, and bishop, (as in *s.* 10.,) may convey by deed indented, and registered, &c. to any incumbent, (who may also accept the same,) any messuage, out-buildings, yard, garden, orchard, and croft, &c. right of way, or easement, whether lying within local limits of benefice or not, but being conveniently situate for actual residence of the incumbent, and the same shall become the parsonage-house, &c. of the benefice, to be enjoyed by the incumbent without licence or writ of *ad quod damnum*, after which annexation (with due registry of patrons' and bishops' consent, as in *ss.* 10. 14.) the incumbent may take down the old parsonage, &c. and with like consent, apply the materials or the produce of their sale, to some permanent improvement of the benefice, but nothing herein shall enable infants, lunatics, or femes-coverts without their husbands to make any such conveyance, *id s.* 5.

64. The incumbent, &c. of any benefice, &c. (as in *s.* 1.), the existing glebe of which does not exceed five statute acres may, with consent of the patron and bishop, (as in *s.* 10.,) purchase any lands not exceeding 20 statute acres in all, with the necessary outbuildings thereon, whether within the local limits of the benefice, &c. or not, so as the same be situate conveniently for building a parsonage or glebe-house and outbuildings, or for gardens or glebe thereof, and for actual residence by the incumbent, such land being either freehold or copyhold of inheritance, or for life or lives holden of any manor belonging to such benefice, and shall be annexed as glebe to such benefice, &c. and enjoyed by such incumbent, &c. without licence or writ of *ad quod damnum*, all copyholds so annexed becoming freehold, *id. s.* 6.

65. Incumbent may also, with consent of patron and bishop, (as in *s.* 10.) borrow, (besides the money authorized to be borrowed by 17 *G. 3. c.* 53. *s.* 1.,) such sums of money as are certified by a surveyor's valuation on oath, to be the value of the lands at their purchase, not exceeding two years' clear income of the benefice, after deducting all taxes, &c. except assistant-curate's salary if any, by mortgage by deed, (to be registered as in *s.* 14. *pl.* 75.,) of the tythes of the benefice for 25 years, or till the principal money, interest, and costs of recovery thereof are paid off: which mortgage deed shall bind the incumbent executing the same, and his successors, a counterpart of which shall be executed by the mortgagees, and kept by the incumbent, *id. s.* 7.

66. The incumbent shall annually pay as well the interest of the principal, as also the further sum of *5l. per cent. per ann.*, of the principal originally advanced on the mortgage, and if not resident on the benefice 20 weeks *per ann.* 10*l. per cent. per ann.* till the whole thereof, with the interest, costs, &c. be paid off; and every incumbent who shall pay only *5 per cent. per ann.* shall, at time of payment, produce to the mortgagee a certificate of his 20 weeks' residence in that year, under the hands of two rectors, &c. or officiating ministers [of adjoining parishes; in default of which payment, the bishop may sequester the profits till made, and if in arrear for 40 days next after the yearly day of payment, the mortgagee may recover the same by distress and sale, with costs, as landlords recover rents in arrear, and any difference as to the payment of such principal and interest in case of avoidance by death or otherwise shall be determined by two indifferent persons, to be named by the person making avoidance, or his representatives, and the other by his successor, within two months after such avoidance, and if they cannot agree, the bishop shall appoint some neighbouring clergyman finally to decide between the parties, *55 G. 3. c.* 147. *s.* 7.

67. The incumbent of any benefice may, with consent of patron and bishop of diocese, or if in a peculiar, of the archbishop or bishop, to whom it shall belong, signified *as in 55 G. 3. c.* 147. *s.* 10. *pl.* 70., apply money arising from sale of timber cut and sold from the glebe lands, scopyholds, &c. of the manor of the benefice towards the exchange or purchase of parsonage-house, or glebe lands under that act, *56 G. 3. c.* 52. *s.* 1.

68. The governors of queen *Anne's* bounty, may advance any sum not exceeding 100*l.* in respect of each benefice, &c. the clear yearly value of which does not exceed 50*l.*, without interest, on security of a mortgage, *as in pl.* 65., and may lend such benefice any sum not exceeding two years' yearly income thereof on like mortgage, with not more than 4*l. per cent.* interest, *55 G. 3. c.* 147. *s.* 8.

69. Any college or hall of *Oxford* or *Cambridge*, and any other corporate body, having ecclesiastical patronage, may lend any sums at their disposal, on such mortgage, with or without interest, for the convenience of the incumbent of any benefice within their patronage, *id. s.* 9.

70. The consent of the patron and bishop shall be given to all such deeds of exchange, mortgage, or purchase, before the execution thereof by the incumbent, by their being made parties to and signing and sealing the same in the presence of two or more credible witnesses, who shall attest the same by indorsement, and that they were so signed, &c. previous to the execution thereof by the incumbent, *id. s.* 10.

71. All the powers given by this act to the bishop of any diocese shall be exercised, as to peculiars, by the archbishop and bishop to whom they respectively belong, and not by the bishop of the diocese where they are locally situate, except where they belong to any other person or corporation than archbishops or bishops, *id. s.* 11.

72. All owners of messuages, lands, &c. whether being a corporation sole or aggregate, or tenants in fee, or in fee-tail, or for life, and all guardians, trustees, &c. for charitable or other uses, and all husbands, or committees acting for such owners being infants, femes-coverts, or lunatics, or under other legal disability, by deed indented and registered, (as in *s.* 19. *pl.* 80.,) and with consent of incumbent, patron, and bishop, may grant any house, &c. or lands, &c. or either of them in exchange, for any such parsonage-house, &c. and glebe-lands, or may sell to such incumbent any lands not exceeding 20 statute acres, with necessary outbuildings, for a sum declared just on a valuation made, (*as in s.* 15. *pl.* 76.,) *id. s.* 12.

73. Such parsonage, &c. so exchanged by the incumbent shall be vested in and settled on the same persons, and to and for the same uses, trusts, and limitations, with the same powers, &c. and incumbrances as the messuages and lands exchanged were settled upon before the exchange, or would have been settled if it had not been made; and all purchase money received on account of such lands, &c. belonging to any corporation, infant, feme-covert, lunatic, or other person under any disability, shall be paid into the bank in the name of the accountant-general of chancery, to be invested in the funds in his name, and the dividends paid to the persons entitled to the rents, &c. of the lands sold, until the same is laid out in purchasing the land-tax, or paying off incumbrances, or in the purchase of other lands, &c. to the same uses, *id. ibid.*

74. None of the persons named in *s.* 12., shall convey more than five acres under this act, *id. s.* 13.

75. Where any exchange or purchase shall be made under this act, six calendar months previous notice, describing the premises respectively to be given and taken in exchange or purchased, shall be given of the intention to make such exchange or purchase, by insertion thereof for three successive weeks in some county newspaper, and by fixing it on the door of the church shortly before the commencement of service, on three *Sundays* successively, *id. s.* 14.

76. A map and valuation shall be made by a surveyor, approved by patron, bishop, and incumbent, on his oath, of all lands so to be exchanged or purchased, distinctly specifying the value of all timber growing thereon, of the rights of common, mines, &c. and of all other rights, &c. belonging to either of the premises, *id. s.* 15.

77. In all cases of exchange and purchase under this act, the bishop on receiving such maps and valuation shall, if he so far approve of such exchange, &c. issue a commission of enquiry, under his hand and seal, directed to not less than six persons, of whom three shall be beneficed clergymen resident near such benefice, &c. and one a barrister of three years' standing, to be named by the senior judge of the last *nisi prius* commission for the county, (and if in *Cheshire* or *Wa.*, by the chief justice, or other justice of the great sessions in his absence, *56 G. 3. c.* 52. *s.* 2.,) [if in *Middlesex*, by the Ch. J. of K. B. or of C. P. for the time being, 1 *G.* 4. *c.* 6. *s.* 2.,] whose return shall be made on actual inspection

of the premises, with such map and valuation before them, and signed by a majority or by two of the said clergymen, together with such barrister; and no such exchange or purchase shall be made unless the return certify that it is proper to be made, and will promote the permanent advantage of the benefice, 55 *G.*3. *c.*147. *s.*16., 56 *G.*3. *c.*52. *s.*2., 1 *G.*4. *c.*6. *s.*2.

78. If the patron of any such benefice, &c. is a minor, idiot, lunatic, or *feme-covert*, the guardian, committee, or husband of every such patron, may execute such deeds, &c. for him, and shall bind him thereby, 55 *G.*3. *c.*147. *s.*17.

79. Where the patronage of any such benefice, &c. is in the crown, and is above the yearly value of 20*l.* in H. M.'s books, the consent of the crown to the proceedings under this act respecting the same, shall be signified by the execution of the deeds by the first commissioner of the treasury, or if not exceeding 20*l. per ann.*, then by the lord chancellor's execution, or if within the patronage of the crown in right of the duchy of *Lancaster*, then by such execution by the chancellor of the duchy, *id. s.*18.

80. One part of all deeds and instruments made and executed in pursuance of this act, with the maps and valuations, commissions of inquiry and returns thereto, shall, within twelve months after date, be entered in the office of the registrar of the diocese wherein the benefice, &c. (as in *s.*1.,) is locally situate; if within a peculiar, then with the registrar thereof, for preservation therein; (and such registrar shall sign a certificate of deposit, either on the same or a separate parchment,) which deeds, &c. shall be open to inspection at proper hours, and an office copy certified by the registrar, shall be evidence thereof in all courts; which he shall grant on request, and 10*s.* shall be paid him besides any stamp-duty for the commission and previous requisites; 5*s.* for depositing the same and certifying the deposit; 1*s.* for such search; and 6*d.*, besides stamp-duty, for every folio of 72 words of such office copy so certified, *id. s.*19.

81. This act shall not repeal any act in force for improvement of any benefice, *id. s.*21.

82. To SECURE SPIRITUAL PERSONS in the possession of benefices in certain cases, 59 *G.*3. *c.*40.

83. In every case which has occurred before passing this act where a spiritual person has obtained a dispensation to hold a benefice to which he had been presented, &c. or was to be licensed or collated with a benefice, which he had held with another benefice, by virtue of a former dispensation, without having in due time before resigned or vacated the other benefice so included in the former dispensation, and where for want of such due resignation, &c. the benefice held by the former, and intended to be secured to him by the subsequent dispensation, may have been rendered void, neither H.M. nor any other patron, such bishop having the right of nomination, presentation, license, or collation thereto by lapse or otherwise, shall present, &c. to such benefice so rendered void, *id. s.*1.

84. The present incumbents of benefices so rendered void before passing this act may enjoy the same, as if the resignation of the other benefice held therewith by the former had been duly made prior to the subsequent dispensation, and as if the latter had been good in law, and shall be held the lawful incumbents thereof, and all their acts and deeds are valid, *id. s.*2.

85. Proviso that the patron of such benefices so rendered void, may present to them on the death or other lawful avoidance of the spiritual person holding the same, *id. s.*3.

BENEFIT OF CLERGY.

1. THE LIBERTIES of the church confirmed, and thereupon the archbishop of *Canterbury* promises to H.M. that benefit of clergy shall not extend to clerks secular or religious, convict of treason, or being a notorious thief, 4 *H.*4. *c.*3. [*see* 23 *H.*8. *c.*1. *pl.*4.]

2. EVERY PERSON NOT being within orders, which hath once been admitted to his clergy, again arraigned of any such offence, shall not have his clergy, and every person so convicted for murder shall be marked with an (M) on the left thumb, and if for other felony with a (T), the same to be done in open court by the gaoler; provided that persons being in orders, being so convict a second time, shall have a day given to produce their letters of orders, &c. and if they then fail, they shall lose their clergy, 4 & 5 *H.*7. *c.*13. [*See* BURNING IN THE HAND, *post.*]

3. PERSONS COMMITTING murder or felony in any hallowed place, or who, of malice prepensed, rob or murder any person in the highway or in his house, the owner, or dweller, his wife, child, or servant, being therein, and put in fear, shall not be admitted to his clergy, 4 *H.*8. *c.*2. *s.*7. *Qu.* EXP. [but see now 23 *H.*8. *c.*1. *s.*3. *post, pl.* 5.]

4. NO PERSON committing petty-treason, murder, or felony, shall be admitted to his clergy, 23 *H.*8. *c.*1. *ss.* 1, 2. [EXT. to persons guilty of the like offences, standing mute, or making peremptory challenge above 20, and to such offenders tried out of the county where the offence was done, 25 *H.*8. *c.*3., which is REP. 1 *E.*6. *c.*12. *s.*10. but expressly REV. 5 & 6 *E.*6. *c.*10., CON. 28 *H.*8. *c.*1., and both acts MADE PERP. 32 *H.*3. *c.*3., AMD. as to the punishment of clerks convict claiming benefit of clergy, 32 *H.*8. *c.*3. *s.*8., and EXT. to *accessaries* in such crimes, 4 & 5 *P.* & *M.* *c.*4.] [*see* 12 *G.*3. *c.*20., *as to standing mute.*]

5. After reciting the provision of 3 *E.*1. *c.*2., "that clerks convict of felony delivered to the ordinary shall not depart without purgation, (*s.*1.) and the 4 *H.*4. *c.*3. *pl.*1., and that such promise had not been performed (*s.*2.);" it is ENACTED, that no person found guilty of any petit treason, or of wilful murder, of malice prepensed, or for robbing of any churches, chapels, or other holy places, or for robbing any person in his dwelling-house or place, the owner or dweller, his wife, children, or servants, then being within and put in fear, [and whether they be sleeping or waking, 5 & 6 *E.*6. *c.*9. *see* ROBBERY,] or for robbing any person about the highways, or for wilful burning of any dwelling-houses or barns, wherein any grain or corn shall happen to be, nor any person found guilty of any abetment, procurement, helping, maintaining, or counselling to the same, shall be admitted to the benefit of his clergy, but be excluded thereof, and suffer death as if they were no clerks; such as be in orders, if a subdeacon, or above, excepted, 23 *H.*8. *c.*1. *s.*3. [*This section supersedes* 4 *H.*8. *c.*2. *s.*1.]

6. Every such person within such orders of a subdeacon, &c. who shall be found guilty of any such offences, as in *s.*1., or of any accessary thereto, and admitted to his clergy, and delivered to the ordinary for the same, shall not be suffered to any purgation, but shall be kept in perpetual prison by the ordinary during life, except he find two sureties by recognizance, before two justices of peace of the county where the offence of which he was convicted was committed, whereof one to be of the quorum that he shall be of good abearing against H.M., his laws, and subjects, himself in 40*l.*, and the sureties in 20*l.*, each; and no surety shall be taken unless he has lands, &c. of clear yearly value of 26*s.* and 8*d.*, or else be worth 20*l.* in moveable substance, and justices taking such recognizance shall certify the same to the K.B., within 4 months after taking the same, upon pain to lose 100*s.* *id. s.*4., [but *semb.* REP. 18 *El. c.*7. *s.*2. *pl.*20.]

7. Provided this act shall not give any benefit to any such persons who, after confession or judgment against them, for any felony, or murder, or outlawry, for such cause be admitted to clergy, and delivered to ordinary for same, but they shall remain in custody, and make no purgation upon such peril, and in such manner as used at common law before this act, *id. s.*5.

8. Such ordinary may disgrade such convict, if he thinks proper, after the laws of the church, and send him so disgraded into custody into K.B., with a certificate under his seal testifying such disgrading, and the justices of K.B., having afore them the record of such persons, conviction, shall award judgment of death, and which shall be executed on him, and such ordinary shall be discharged against H.M. of any further custody of such convict, *id. s.*6.

9. Because 23 *H.*8. *c.*1. only extends to persons found guilty by due courses of law; every person who shall be indicted of petit treason, wilful burning of houses, murder, robbery, or burglary or other felony, according to 23 *H.*8. *c.*1., and being thereupon arraigned shall stand mute, or challenge peremptory above 20, or not answer to the indictment, shall lose the benefit of his clergy, in like manner as if he had directly pleaded to such petit treason, &c. not guilty, and had been found guilty after the laws of the land, 25 *H.*8. *c.*3. *s.*2.

10. Persons indicted of felony for stealing any goods, in any county in *Eng.*, and thereupon arraigned and found guilty, and who stand mute, or challenge peremptorily above 20, or will not on arraignment answer directly to the felony, shall lose the benefit of clergy, in like manner as if indicted, arraigned, and found guilty in the same county where the offence was done, if it appears to the justices before whom such felons or robbers be arraigned, by evidence given before them, or by examination, that the same felonies whereon they are so arraigned, had been such robberies or burglaries in the same shire where such offences were done, whereby they should have lost their clergy, by 23 *H.*8. *c.*1., in case they had been found guilty thereof in the same shire where such offences were so done, *id. s.*3.

11. No person who shall be in due form attainted, or convicted of murder, or of poisoning of malice prepensed, or of breaking any house by day or night, any person being therein, [*see post, pl.* 19., 18 *El. c.*7. *s.*1., *and pl.* 25., 39 *El. c.*15.] who shall be thereby put in fear, or of robbing any in the highway, or for feloniously stealing any horses, mares, or geldings, [extended to any *horse*, &c. 2 & 3 *E.*6. *c.*33.] or for felonious taking of any goods out of a parish church, or other church or chapel, or being indicted or appealed of any such offences, and thereupon found guilty, or who shall confess the same on arraignment, or will not answer directly according to the laws, or shall wilfully stand mute, [*see* 12 *G.*3. *c.*20.] shall not be admitted to the benefit of clergy or sanctuary, and in all other cases of felony, all persons who shall be arraigned or found guilty

or shall confess or stand mute, or will not answer directly, shall have the benefit of clergy and sanctuary as he would before the 20th *Ap.*, 1 *H.*8., 1 *E.*6. *c.*12. *s.*10.

12. The 25 *H.*8. *c.*3. shall be in full force the 1 *E.*6. *c.*12. *s.*10. notwithstanding. *5&6 E.*6. *c.*10. *s.*3.

13. All persons within holy orders, which may have their clergy for any felonies, and shall be admitted to the same, shall be burnt in the hand, as lay clerks be accustomed, and shall incur all pains, dangers, and forfeitures, as be ordered for their offences of felony, as lay persons admitted to clergy, 32 *H.*8. *c.*3. *s.*8.

14. Every person who shall maliciously command, hire, or counsel any person to commit any petit-treason, or wilful murder, or to do any robbery in any dwelling-house, or near the highway in *Eng.*, or other H.M.'s dominions, or within the marches of *Eng.* against *Scot.*, or who shall wilfully burn any dwelling-house, or part thereof, or any barn, having corn or grain therein, who, being outlawed or arraigned, and found guilty, or otherwise attainted thereof, or, being arraigned thereof shall stand mute, or challenge peremptorily above 20 jurymen, or will not answer to such offence, shall not have his clergy, 4&5 *P.&M. c.*4. *s.*1.

15. Lords of parliament indicted of such offences shall be tried by their peers, *id. s.*2.

16. To TAKE AWAY the benefit of clergy from certain felonious offenders, 8 *El. c.*4. *and s.*3. [REP. as to so much which relates to privily stealing from the person, *viz. ss.*1,2., 48 *G.*3. *c.*129. *s.*1., *see* FELONS *and* FELONY,] [*see* 18 *El. c.*7. *s.*5.]

17. Persons who upon arraignment of felony shall be admitted to their clergy, and shall, before such admission to clergy, have committed any offence whereupon clergy is not allowable, and not before indicted and acquitted, convicted, or attainted or pardoned, may be indicted, &c. or appealed, and used for the same as if no such admission of clergy had been, 8 *El. c.*4. *s.*4.

18. To TAKE AWAY clergy from offenders in rape and burglary, and an order for the delivery of a clerk's convict without purgation, 18 *El. c.*7.

19. Every person who shall commit any felonious rape, ravishment, or burglary, [*see ante, pl.*11., 1 *Ed.*6. *c.*12. *s.*10.,] and be found guilty, or who shall be outlawed for any of such offences, or upon arraignment confess the same, shall suffer death, and forfeit as in cases of felony without clergy, *id. s.*1.

20. Every person who shall be admitted to his clergy shall not be delivered to the ordinary, but after clergy allowed, and burning on the hand, shall be forthwith delivered by the justices who tried him, *id. s.*2.

21. The justices before whom any allowance of clergy is had, may detain the offenders allowed such clergy in prison, for any time not exceeding one year, *id. s.*3.

22. The unlawfully and carnally knowing and abusing any woman-child under 10 years old, shall be felony, and the offender thereof shall suffer as a felon without clergy, *id. s.*4.

23. Every person admitted to his clergy shall, notwithstanding, be put to answer all other felonies of which he may be indicted or appealed, and not being thereof before acquitted, convicted, attainted, or pardoned, and shall be arraigned, tried, and suffer such execution, as they should have done if, as clerks convict, they had been delivered to the ordinary, and there made their purgations, *id. s.*5.

24. NO PERSON ROBBING any house in the day time, although no person be therein, shall be admitted to his clergy, 39 *El. c.*15., *and s.*1.

25. No person who shall be found guilty by verdict, confession, or otherwise, for the felonious taking away in the day-time, of any money, goods, or chattels, being of the value of 5*s.* or more, in any dwelling-house, or houses, or part thereof, or any out-house belonging to and used with any dwelling-house, although no person shall be therein at the time of the felony committed, shall be admitted to his clergy, 39 *El. c.*15. *s.*2.

26. To TAKE AWAY clergy from some offenders, 3 *W. & M. c.*9. *ss.*1—3. 6—7. [CON. and EXPL. as to *women*, 4 *&* 5 *W.&M. c.*24. *s.*13., and both MADE PERP. 6 *&* 7 *W.*3. *c.*14. *s.*1.] [See rest of this act, FELONY.]

27. Every person who shall rob another, or feloniously take away any goods or chattels, being in any dwelling-house, some person being therein and put in fear, or shall rob any dwelling-house in the day-time, any person being therein, or shall comfort, aid, or hire any person to commit any of such offences, or to break any dwelling-house, shop, or warehouse thereunto belonging, or therewith used in the day-time, and feloniously take away any money, goods, or chattels of the value of 5*s.*, or more therein being, although no person shall be within such dwelling-house, &c., or shall counsel, &c., any one to commit burglary, being thereof convicted or attainted, or being indicted thereof, shall stand mute and not answer to the indictment, or shall peremptorily challenge above twenty jurymen, shall not have the benefit of clergy, 3 *W.&M. c.*9. *s.*1.

28. Persons indicted of any offence for which they are by any former act excluded from their clergy, if convicted thereof, or if they stand mute, or will not answer to the felony, or shall peremptorily challenge above twenty jurymen, or be outlawed thereon, shall not have their clergy, 3 *W.&M. c.*9. *s.*2.

29. If any person is indicted of felony for stealing any goods or chattels in any county within *Eng.*, *Wa.*, or *Ber.*, and be thereof convicted, or attainted, or upon arraignment shall stand mute, and not answer to the indictment, or shall peremptorily challenge above twenty of the jury he shall be excluded from his clergy, if it appear on evidence, or examination before the justices, that the goods, &c. were taken by robbery or burglary, or in any other manner in any other county, whereof if he had been convicted by a jury of such other county, he is excluded by this or any former act from clergy, *id. s.*3. [*See as to* standing mute, 12 *G.*3. *c.*20. *tit.* FELONY.]

30. Where a man is convicted of any felony, for which he may demand benefit of clergy, if a woman is convicted of a like offence, upon her prayer to have benefit of this act, judgment of death shall not be given against her on such conviction or execution awarded on outlawry for such offence, but she shall suffer like punishment as a man that has his clergy allowed, viz. she shall be burnt in the hand in open court, and be imprisoned for not exceeding one year, *id. s.*6. [*See* 21 *J.*1. *c.*6. *tit.* WOMAN; *and* BURNING IN THE HAND.]

31. If any woman shall be convicted of felony, for which a man might have his clergy, and on her prayer shall once have the benefit of 3 *W.&M. c.*9. *s.*6., and shall be again convicted of any other felony, for which a man might have his clergy, such woman shall be excluded from the benefit of such statute, 4 *&* 5 *W.&M. c.*24. *s.*13.

32. A transcript certified by the clerk of the crown, of the peace, or of the assizes, containing the tenor of the indictment and the names of the persons who have had the benefit of clergy, or of this act, to the judges in any other county, shall be good proof that such person has had the benefit of clergy, or of this act, 3 *W.&M. c.*9. *s.*7. [*see* 34 *&* 35 *H.*8. *c.*14. FELON AND FELONY.]

33. IF ANY PERSON is convicted of any such felony, for which he ought to have the benefit of clergy if this act had not been made, and shall pray to have the benefit of this act, he shall not be required to read, but without reading shall be allowed, taken, and reputed to be, and punished as a clerk convict, which shall be as effectual as if he had read as a clerk, 5 *&* 6 *A. c.*6. *s.*4.

BIGAMY. (*See* POLYGAMY.)

1. CLERKS BEING BIGAMISTS shall not be delivered to the prelates, but justice shall be executed upon them as on lay people, 4 *E.*1. *S.*3. *c.*5.

2. EVERY PERSON WHO by this statute or any other ought to have his clergy, the same shall be allowed, although he has been at sundry times married to single women, or to any widow, or two or more wives, 1 *E.*6. *c.*12. *s.*16.

BILLS AND NOTES.

(STATUTES *expired and repealed.*)

1. To RESTRAIN the negotiation of promissory notes and inland bills of exchange under a limited sum in *Eng.*, 15 *G.*3. *c.*51. [MADE PERP. 27 *G.*3. *c.*16. *s.*1. REP. 48 *G.*3. *c.*88. *s.*1.

2. To RENDER VALID all acts done in the execution of three several orders in council relating to bills of exchange drawn by persons in Russia, and to freight of Russian, Swedish, or Danish ships, 41 *G.*3. (*U.K.*) *c.*46. EXP.

(STATUTES *in force.*)

1. FOR THE better payment of inland bills of exchange, 9 *&* 10 *W.*3. *c.*17. [AMD. and for giving like remedy on promissory notes, as now used on bills of exchange, 3 *&* 4 *A.*1. *c.*9.]

2. All bills of exchange drawn in, or dated at, or from any trading city, or town, or any other place in *Eng.*, *Wa.*, or *Ber.*, for 5*l.* or upwards, upon any person in *London*, or other trading city, &c. in which bills shall be expressed the value to be received, and drawn payable after date, after presentation and acceptance of such bills, which acceptance shall be by underwriting the same under acceptor's hand, and at the end of three days after such bills are due, the party to whom any such bills are made payable, his servant, agent, or assigns, shall cause such bills to be protested by a notary public, and in default of such notary, by any substantial person of the place, in the presence of two witnesses, refusal or neglect of payment being first made, which protest shall be written under a copy of the bill in the form following, viz.:

'KNOW all men, that I, A B, on the — day of —, at the usual place of abode of the — said, have demanded payment of the bill, of which the above is a copy,

BILLS AND NOTES.

which the said — did not pay, wherefore I, the said —, do hereby protest the said bill, dated this — day of —' 9 & 10 *W.*3. *c.*17. *s.*1.
Which protest within the day after it is made, shall be sent, or otherwise due notice given thereof to the party from whom such bill was received, who, on production thereof, shall repay the bill with interest and charges from day such bill was protested, and for which protest 6*d.* shall be paid, and in default of such protest made and sent, or due notice given, the person so failing shall be liable to all costs, damages, and interest, which shall thereby accrue, *id. s.*2.

3. If any such inland bill shall be lost or miscarried within the time limited for payment, the drawer shall give another bill of the same tenor with the first, the person to whom the same shall be delivered, first giving security, if demanded, to indemnify the drawer, if such lost bill be again found, *id. s.*3.

4. In case upon presenting of any such bills, as in 9 & 10 *W.*3. *c.*17. *s.*1. mentioned, the drawee shall refuse to accept the same, the party to whom such bill is payable, his servant, agent, or assigns, shall cause such bill to be protested for non-acceptance, as in case of foreign bills of exchange, for which protest no more than 2*s.* shall be paid, 3 & 4 *A. c.*9. *s.*4.

5. No acceptance of any such inland bill shall charge any person unless the same be by writing thereon; and if such bill be *not accepted* by under-writing or indorsement, the drawer shall not be liable to pay any costs, damages, or interest thereon, unless protest be made for non-acceptance, and within fourteen days after the same be sent, or otherwise notice thereof be given to the party from whom such bill was received, or left in writing at his usual place of abode; and if such bill *be so accepted*, and not paid before the end of three days after due, then no such drawer shall pay costs, damages, or interest thereon, unless such protest be made and sent, or such notice thereof given as aforesaid; nevertheless such drawer shall pay costs, damages, and interest on such inland bill, if any one protest be made of non-acceptance or non-payment, and notice thereof sent, given, or left as aforesaid, *id. s.*5. [*See* 1 & 2 *G.*4. *c.*78. *s.*2. *pl.*35.]

6. No such protest shall be necessary, either for non-payment or non-acceptance, unless the value be acknowledged to be received, and unless such bill be drawn for 20*l.* or upwards, and the protest hereby required shall be made by such persons who, by 9 & 10 *W.*3. *c.*17. *s.*1., are appointed to make protests of non-payment, *id. s.*6.

7. If any person doth accept any such bill in satisfaction for a former debt, the same shall be accounted a full payment thereof, if he doth not endeavour to get the same accepted and paid, and make protest either for non-acceptance or non-payment, *id. s.*7.

8. This act shall not discharge any remedy that any person may have against the drawer, acceptor, or indorser of such bill, *id. s.*8.

9. All notes in writing, that shall be made and signed by any person, bodies politic or corporate, or by the servant or agent of any corporation, banker, goldsmith, merchant, or trader, who is usually entrusted to sign such notes for them, whereby such person or body shall promise to pay to any other person or body, or their order, or bearer, a sum mentioned in such note, shall be construed to be by virtue thereof payable to such person or body, to whom the same is made payable, and such note payable to any person or body politic or corporate shall be assignable or indorsible over, as inland bills of exchange, according to the custom of merchants, and the person or body to whom such sum by such note is payable, may maintain an action for the same against the person or body who or whose servant signed the same, as in cases of inland bills; and any person or body, to whom such note is assigned by indorsement thereon, may maintain his action for such sum against the party, who or whose servant signed the same, or against any indorser thereof, as in cases of inland bills, and in such action the plaintiff shall recover his damages and costs, and if such plaintiff is nonsuited, or if a verdict shall pass against him, the defendant shall have his costs against the plaintiff, and such plaintiff or defendant recovering may sue out execution for such damages and costs by *capias*, *fi. fa.*, or *elegit*, 3 & 4 *A. c.*9. *s.*1.

10. Such actions shall be commenced and sued within the time appointed by statute of limitations, [21 *J.*1. *c.*16.] for commencing actions on the case, *id. s.*2.

11. No body politic shall have power by this act to issue notes other than as they might before this act, *id. s.*3.

12. During the continuance of the bank of *Eng.*, no body politic or corporate other than such bank, and no persons united in partnership exceeding six in number in *Eng.*, shall borrow or take up any money on their bills or notes payable at demand, or less than six months, 6 *A. c.*22. *s.*9., 7 *A. c.*7. *s.*61., 3 *G.*1. *c.*8. *s.*44., 15 *G.*2. *c.*13. *s.*5., 21 *G.*3. *c.*60. *s.*12.

13. To RESTRAIN THE NEGOTIATION of promissory notes and inland bills of exchange under a limited sum in *Eng.*, 17 *G.*3. *c.*30. [MADE PERP., 27 *G.*3. *c.*16., SUSP. as to all bills and notes payable on demand to the bearer, 37 *G.*3. *c.*32., AMD. and CON. 37 *G.*3. *c.*61., 37 *G.*3. *c.*120., 38 *G.*3. *c.*7., 39 *G.*3. *c.*9., 39 *G.*3. *c.*24., 39 & 40 *G.*3. *c.*107. *s.*8., 43 *G.*3. *c.*1., 44 *G.*3. *c.*4. *s.*1., 45 *G.*3. *c.*25., 55 *G.*3. *c.*6., and until two years after the expiration of the restriction on payments in cash, [which expire 1*st May*, 1823, 59 *G.*3. *c.*49.] [by the bank of *Eng.*, 56 *G.*3. *c.*21.] [*and see method* of conviction, and other penalties, for issuing small notes, 48 *G.*3. *c.*88.]

14. All promissory and other notes, bills of exchange, or draughts, or undertakings in writing, being negotiable or transferable for payment of 20*s.*, or above, and less than 5*l.*; or on which 20*s.*, or above, and less than 5*l.* shall remain undischarged, issued in *Eng.*, shall specify the names and places of abode of the persons to whom, or to whose order the same shall be payable, and shall bear date on or before the day of drawing or issuing the same, and be payable within 21 days after date, and shall not be transferrable after the time limited for payment, and every indorsement thereon shall be made before the expiration of such time, and bear date on or before the time of making thereof, and shall specify name and abode of the person to whom or to whose order the same is to be paid, and the signing of all such notes, bills, &c., and of every indorsement, shall be attested by one subscribing witness; and all such notes, bills, &c. shall be made in the form hereto annexed, (No.I. and II.); and all such notes, bills, &c. which shall be issued in *Eng.* in any other manner than as aforesaid, and every indorsement thereon, otherwise than as aforesaid, shall be absolutely void, 17 *G.*3. *c.*30. *s.*1.

15. The publishing, uttering, or negotiating within *Eng.* any such note, bill, &c. as in *s.*1. hereby permitted to be published, &c., and also the negotiating of such notes, bills, &c. after the time appointed for payment thereof, or before that time, in any other way than as aforesaid, is hereby declared to be prohibited under the like penalties as by 15 *G.*3. *c.*51. [*now* REP. *by* 48 *G.*3. *c.*88.] is directed with respect to notes or bills issued for any sum of 20*s.*, or under, *id. s.*2.

16. All such notes now in existence declared to be payable on demand, and the powers, provisions, penalties, &c. of 15 *G.*3. *c.*57.(*a*) extended to this act, *id. s.*3. [(*a.*) *This act is repealed and new provisions made*, 48 *G.*3. *c.*88.]

FORMS referred to 17 *G.*3. *c.*30. *s.*1.

(NOTE) No. I.

'*Place. Day. Month. Year.*

'Twenty-one days after date I promise to pay to *A. B.* of —, or his order, the sum of — for value received. *C. D.*

Witness *E. F.*'

Indorsement toties quoties

'*Day. Month. Year.*

'Pay the contents to *G. H.* of —, or his order. *A. B.*

Witness *J. K.*'

(BILL) No. II.

'*Place. Day. Month. Year.*

'Twenty-one days after date pay to *A. B.* of —, or his order, the sum of —, value received, as advised by —. *C. D.*

To *E. F.* of —

Witness *G. H.*'

Indorsement toties quoties.

'*Place. Month. Day. Year.*

'Pay the contents to *I. K.* of —, or his order. *A. B.*

Witness *L. M.*'

17. The 15 *G.*3. *c.*51. [REP. by 48 *G.*3. *c.*88. *s.*1.] and the 17 *G.*3. *c.*30., so far as they relate to the making void of promissory notes, or draughts, or undertakings in writing, payable on demand to the bearer, for any sum less than 5*l.* in the whole, and also to restrain the publishing or uttering and negotiating any such notes, bills, &c. shall be suspended, 37 *G.*3. *c.*32. *s.*1.

18. If any person liable to the payment of any such notes, draughts, or undertakings in writing, as may be issued in pursuance of this act, neglect to pay the same in full by the space of three days [seven days, 37 *G.*3. *c.*61. *s.*2.] after demand made by the holder, any justice of peace for the county, city, or place where such person so refusing to pay shall reside, shall, on complaint by the holder, summon the party accused, and after his appearance, or in default thereof, on proof on oath of summons having been given, shall proceed to determine the complaint, and award such sum, together with such costs, not exceeding 20*s.*, as to him shall seem meet to be paid by the person liable to the payment of such note, &c. and in case such person shall neglect to pay the sum so adjudged on being demanded, such justice, by warrant under hand and seal, may cause the same to be levied by distress and sale of the party's goods, together with all costs of such distress and sale, *id. s.*3. and 37 *G.*3. *c.*61. *s.*2.

19. To RESTRAIN the negotiation of promissory notes and inland bills of exchange under a limited sum in *Eng.*, 48 *G.*3. *c.*88.

20. The 15 *G.*3. *c.*51. for restraining the negotiation of small bills and notes, REP. *id. s.*1.

21. All promissory or other notes, bills of exchange, or drafts, or undertakings in writing, being negotiable or transferable for any sum, or any orders, notes, or undertakings in writing, being negotiable or transferable for the delivery of any goods, specifying their value in money less than

20*s*. in the whole, hereafter to be issued, shall be absolutely void, 48 *G*. 3. *c*. 88. *s*. 2.

22. Every person who shall publish or utter any such notes, bills, &c. (as in *s*. 2.) for less than 20*s*., or on which less than 20*s*. is due, and which shall be negotiable or transferable, or who shall negotiate or transfer the same, shall forfeit not exceeding 20*l*., or less than 5*l*., at the discretion of the justice who shall determine such offence, *id*. *s*. 3.

23. Any justice acting within the county or place where any offence against this act is committed, may determine the same within twenty days after such offence committed, in a summary way; and such justice, on information exhibited, or complaint on oath, shall summon the accused, and also witnesses on either side, and shall examine into the matter, and on proof by confession, or on oath of one witness (which oath justice may administer), shall convict the offender and adjudge the penalty, *id*. *s*. 4.

24. If any witness so summoned, on either side, neglect to appear at the time and place appointed, without reasonable excuse, to be allowed by such justice, he shall forfeit 40*s*., to be levied and paid as in *s*. 8. directed, *id*. *s*. 5.

25. The justice before whom any offender shall be convicted, shall cause the conviction to be drawn out as follows, viz.

'Be it remembered, that on the — day of — in the year of our Lord—, *A*. *B*. having appeared before me, [*or* us,] one [*or* more] of H. M's. justices of the peace [*as the case may be*] for the county, riding, city, or place [*as the case may be*], and due proof having been made on oath by one or more credible witness or witnesses, or by the confession of the party [*as the case may be*] is convicted of [*specifying the offence*]. Given under my hand and seal [*or* our hands and seals] the day and year aforesaid.'

which conviction such justice shall cause to be returned to the next quarter sessions for the county, city, or place, there to be filed of record by the clerk of the peace, *id*. *s*. 6.

26. Such clerk of the peace for any county, city, or place, shall, on application made to him, cause a copy of any conviction filed by him under this act, to be forthwith delivered to the person applying, on payment of 1*s*., *id*. *s*. 7.

27. All penalties hereby inflicted shall be paid by the party convicted, as follows, one half to the informer, and the other to the poor of the parish where the offence was committed; and if any person shall neglect to pay the same, or to give sufficient security to prosecute any appeal against such conviction, such justice shall, by warrant under his hand and seal, levy the same by distress and sale of the offender's goods, together with all costs attending the same, returning the overplus to the owner, and which warrant of distress shall be in the form following, viz.

'To the constable, headborough, or tythingman of —

'WHEREAS *A*. *B*. of — in the county of — is this day convicted before me [*or*, us] one [*or*, more] of H. M.'s justices of the peace [*as the case may be*] for the county of — [*or*, for the — riding of the county of *York*,] *or* for the town, liberty, or district of — [*as the case may be*] upon the oath of — or — a credible witness or witnesses [*or*, by confession of the party, *as the case may be*] for that the said *A*. *B*. hath [*here set forth the offence*] contrary to the statute in that case made and provided, by reason whereof the said *A*. *B*. hath forfeited the sum of — to be distributed as herein is mentioned, which he hath refused to pay: these are therefore, in H. M.'s name, to command you to levy the said sum of — by distress of the goods and chattels of him the said *A*. *B*. and if within the space of five days next after such distress by you taken, the said sum, together with the reasonable charges of taking the same, shall not be paid, then that you do sell the said goods and chattels so by you distrained, and out of the money arising by such sale, that you do pay one-half of the said sum of —— to —— of —— who informed me [*or* us, *as the case shall be*] of the said offence, and the other half of the said sum of —— to the overseer of the poor of the parish, township, or place where the offence was committed, to be employed for the benefit of such poor, returning the overplus (if any) upon demand, to the said *A*. *B*. the reasonable charges of taking, keeping, and selling the said distress, being first deducted; and if sufficient distress cannot be found of the goods and chattels of the said *A*. *B*. whereon to levy the said sum of — that then you certify the same to me, [*or* us, *as the case shall be*] together with this warrant. Given under my hand and seal [*or*, our hands and seals] the —— day of —, in the year of our Lord —.' *id*. *s*. 8.

28. Such justice may order such offender to be detained in custody until return of such warrant made, unless he shall give security to appear before such justice on some appointed day, (such day not exceeding five days from the taking of such security,) and which security may be taken by such justice, by way of recognizance or otherwise, *id*. *s* 9.

29. If on such return made no distress can be had, such justice may commit such offender to the common gaol or house of correction of the county or place where the offence was done for three calendar months, unless the penalty is sooner paid, or until such offender shall give notice to the informer that he intends to appeal to the next quarter sessions for the county or place, and shall enter into recognizance before some justice, with two sureties, conditioned to try such appeal, and abide the order of, and pay such costs as shall be awarded by the sessions (which notice being not less than eight days before trial, such person may give) and the justices at such sessions, on proof of notice given, and recognizance entered into, shall determine such appeal in a summary way, and award costs to the appeller or appellee as they think proper, and their determination shall be final and binding, 48 *G*. 3. *c*. 88. *s*. 10.

30. No person shall be disabled from being a witness in any prosecution under this act, by reason of his being an inhabitant of the parish wherein such offence was done, *id*. *s*. 11.

31. No proceedings touching any conviction under this act shall be quashed for want of form, or removed by *certiorari*, or otherwise, to the courts at *Westminster*, *id*. *s*. 12.

32. Actions against any person for any thing done under this act shall be commenced and prosecuted within three calendar months after the fact committed, and be brought in the county where such fact was done, and the defendant may plead the general issue and give this act, and the special matter in evidence; and if it appears to have been so done in pursuance hereof, or if such action is brought after the time limited, or laid in the wrong county, the jury shall find for the defendant, or if the plaintiff is nonsuit, or discontinues his action after the defendant had appealed, or if on demurrer judgment shall be given against the plaintiffs, the defendants shall have treble costs, with usual remedy to recover the same, *id*. *s*. 13.

33. To REGULATE acceptances of bills of exchange, 1 & 2 *G*. 4. *c*. 78.

34. If any person shall accept any bill of exchange payable at a banker's or other place without further expression, such acceptance shall be deemed a general acceptance; but if he shall in his acceptance express that he accepts the bill payable at a banker's or other place, and not otherwise or elsewhere, such acceptance shall be deemed a qualified acceptance, and the acceptor shall not be liable to pay the said bill, except in default of payment, when payment has been first demanded at such banker's or other place, *id*. *s*. 1.

35. No acceptance af any inland bill shall be sufficient to charge any person, unless such acceptance is in writing on the bill itself, or if there be more parts than one, on one of such parts, *id*. *s*. 2. [*see* 3 & 4 *A*. *c*. 9. *s*. 5. *pl*. 35.]

36. To PROHIBIT the circulation of promissory or other notes, orders, undertakings, or obligations for the payment of any sum of money, or for any other consideration created and issued under or in the name of any public authority in *France*, 53 *G*. 3. *c*. 1.

37. Every promissory or other note, order, undertaking, or obligation, being negotiable by delivery created and issued by, and in the name of any public authority in *France*, whether the same be called *assignats*, or by any other denomination for the payment of money, or for rendering any other consideration to the holders of the same, or which shall purport to be so issued, shall be utterly void, *id*. *s*. 1.

38. Every person who shall utter, or publish, or pay, or cause to be uttered, &c. any such note, &c. (as in *s*. 1.) and being convicted thereof, either by confession or the oath of one witness, before a justice of peace for the city, county or place where such uttering shall happen, shall forfeit from 5*l*. to 20*l*., to be levied as (in *s*. 4.) in respect of each such note, &c. so uttered, and the charges of recovery being first deducted, the same shall go, one moiety to the informer, and the other to the poor of the parish where the offence was done, *id*. *s*. 2.

39. Such notes, &c. received before 5th *Jan*. 1793, shall be paid on demand, (*s*. 2. EXP.)

40. Remedy in case of non-payment of such notes on demand, and penalty, 33 *G*. 3. *c*. 1. *s*. 3. EXP.

41. All pecuniary penalties hereby made payable shall be forthwith paid, and in case of neglect to satisfy the sum adjudged on being demanded, such justice shall, by warrant under hand and seal, cause the same to be levied by distress and sale of the offender's goods, together with the costs thereof, returning the overplus to the owner, *id*. *s*. 4.

42. All such offenders may be detained in custody until the return of the warrant of distress can be had, unless the party convicted shall give security to the satisfaction of such justice for his appearance on the day by such justice appointed for the return of such warrant, (such day not to exceed eight from the taking of such security,) which security shall be by way of recognizance or otherwise, *id*. *s*. 5.

43. If upon such return no sufficient distress can be had, such justice may commit such offenders to the common gaol or house of correction, for the county or place, for three calendar months, unless the penalty is sooner paid, or until the offender shall give notice to the informer six days before the trial, that he intends to appeal to the quarter-sessions for the county or place, and shall enter into recognizance before such justice, with two sureties, conditioned to try such appeal, and abide the order of and pay the costs awarded by such sessions, and the justices there, on due proof of such notice given, and recognizance entered into, shall determine such appeal in a summary way, and award costs to either party as they think proper, and their determination shall be final and binding, *id*. *s*. 6.

44. No proceedings under this act shall be quashed for want of form, or removed by *certiorari* or otherwise into the courts of record at *Westminster*, *id*. *s*. 7.

45. Actions against any person for any thing done under this act

shall be commenced within three calendar months after the fact done, and shall be laid in the county where the fact was done, and the defendant may plead the general issue, and give this act and the special matter in evidence, and that the same was done in pursuance thereof; and if it appears to have been so done, or if such action was commenced after the time limited, or is laid in the wrong county, the jury shall find for the defendant; or if the plaintiff is nonsuited, or discontinues after appearance entered, or has judgment on demurrer against him, the defendant shall have treble costs, 33 *G.*3. *c.*1. *s.*8.

46. For the better observance of *Good Friday* in certain cases therein mentioned, 39 & 40 *G.*3. *c.*42.

47. Where bills of exchange or promissory notes become due on *Good Friday*, the same shall be payable on the day before, and the holders thereof may note and protest the same for nonpayment on the day preceding *Good Friday*, and which noting and protesting shall have the like effect as if such bills and notes had fallen due on such day, as in the case of bills and notes falling due on *Sunday* or *Christmas-day*, 39 & 40 *G.*3. *c.*42.

48. For preventing the forging and counterfeiting of foreign bills of exchange, promissory notes, and orders for the payment of money, 43 *G.*3. *c.*139. *ss.*1, 2. [*See rest of this title and statute*, Coin.]

49. Every person who shall in any part of *U.K.* falsely make, forge, or counterfeit, or cause, or procure, to be falsely made, &c. or knowingly aid or assist in the false making, &c. of any bill of exchange, promissory note, undertaking, or order for the payment of money, purporting to be the bill of exchange, &c. (as above,) of any foreign prince, state or country, or of any minister employed in their service, or of any person or company of persons resident in any foreign country, or of any body corporate and politic, or body in the nature thereof, created by a foreign prince or country, with intent to deceive H.M., or any such foreign prince or country, or any such person or company, body corporate and politic, or body in the nature thereof soever, whether respectively resident, carrying on business, or being in any part of the *U.K.*, or in any foreign country, and whether such bill, &c. be in the *English* or any foreign languages, or partly in both; or who shall in any part of *U.K.* tender in payment or exchange, or otherwise utter as true, any such false or forged bill of exchange, &c. knowing the same to be false, &c. with intent to defraud any of the persons mentioned above, shall be deemed guilty of felony, and on conviction shall be transported for not exceeding 14 years, *id. s.*1.

50. No person shall within *U.K.* engrave, cut, etch, scrape, or by any other means or device make or knowingly aid or assist in such engraving, &c. on any plate soever, any bill of exchange, &c. (*as in s.*1.,) purporting to be the bill, &c. of any foreign prince, or country, or of any minister employed in their service, (*as in s.*1.) or any part thereof, without an authority in writing for that purpose from such foreign prince, &c. or from some person duly authorised to give such authority; or shall within *U.K.* without such authority, by means of any such plate, or other means soever, make or print any such foreign bill, &c. or any part thereof, or knowingly, wilfully, and without lawful excuse, (the proof whereof shall lie on the accused,) have in his custody any such plate or device, or any impression from the same; and offenders in any of the above cases, shall be deemed guilty of a misdemeanor and breach of the peace, and on conviction of the first offence shall be liable to imprisonment for not exceeding six months, or to be fined, or publicly or privately whipped, or to suffer one or more of the said punishments, and for the second offence to be transported to any of H.M.'s colonies or plantations for 14 years; but nothing herein shall alter any law in force for punishment of forgery, *id. s.*2.

51. *Persons* against whom any indictment under this act is found, shall not traverse it to a subsequent assizes, (*id. s.*4.) *Certificates* of former convictions under this act, shall be produced where persons are tried for second offence, (*id. s.*5.) *Proceedings* not quashed for want of form, or removed by *certiorari* into superior courts, (*id. s.*8.) *Limitation* of actions for acts done in pursuance hereof three calendar months: *venue* local, general issue may be pleaded, treble costs for deft. on judgment against plt., (*id. s.*9.,) [*see post*, Coin, *these enactments at length*.]

BISHOP.

(Statutes *expired*.)

1. No abbot or prior shall be appointed by any bishop to collect dismes or subsidies out of the county where he dwelleth, 9 *H.*5. *S.*1. *c.*9. [Exp.]

2. For authorising H.M. to make bishops by his letter patent, 31 *H.*8. *c.*9. Rep. 1 & 2 *P.* & *M.* *c.*8. *s.*18., [*see* 8 *El. c.*1., *post*, *pl.*42.]

3. For confirmation and establishment of the deprivations of divers bishops and deans in the beginning of H.M.'s reign, 39 *El. c.*8. Exp.

4. For election of bishops, and what seals and styles they and other spiritual persons exercising spiritual jurisdiction shall use, 1 *E.*6. *c.*2. [Conf. 8 *El. c.*1. *s.*5. Rep. 1 *M. S.*2. *c.*2., which is Rep. 1 *J.*1. *c.*25. *s.*48., but this statute seems Exp. since 25 *H.*8. *c.*20. is Rev. 1 *El. c.*1. *s.*7.]

(Statutes *in force*.)

1. Remedies for successors of prelates for wrongs done to their predecessors, 52 & 54 *H.*3. *c.*28.

2. If any wrongs or trespasses be done to prelates of the church, and they having pursued their rights be prevented with death before judgment given, their successors shall have actions to demand the goods of their church from such trespassers, and shall have like actions for things withdrawn by violence from their house and church lately before the death of their predecessors, though such predecessors did not pursue their right during their lives. And if any intrude on the lands or tenements of such religious persons during vacation, of which their prelates (his predecessors) died seised as in right of their church, their successors shall have a right to recover seisin, and damages shall be awarded as in assize of *novel disseisin*, 52 & 54 *H.*3. *c.*28.

3. The king shall not desire of bishops, pensions, prebends, churches, or corrodies, for his clerks or servants, but where he ought, 1 *E.*3. *st.*2. *c.*10.

4. The temporalties of the bishops shall not be seized by the king, without just cause, 1 *E.*3. *st.*2. *c.*2.

5. The king shall not cause to be taken into his hands the temporalities of archbishops, bishops, or others, without just cause, according to law and judgment thereupon given, 14 *E.*3. *st.*4. *c.*3.

6 How the temporalties of bishops, &c. shall be used in time of vacation, 14 *E.*3. *st.*4. *c.*4.

7. When vacancies of bishoprics and other prelacies happen, the escheators shall enter and cause the same to be well kept without doing waste or destruction in the manors, parks, ponds or woods, and sell no underwood, nor hunt in the parks or warrens, nor fish in the ponds, nor free-fishing, nor take fines of the tenants, but shall cause the same to be kept without doing damage thereto, *id. s.*1.

8. And if the dean and chapter of churches cathedral will render the value of the vacance, the chancellor and treasurer shall lease the same to them by good surety before all other, yielding the value of them as found by the remembrancer of the exchequer, or by inquest taken without fine; and in case they do not accord, then the chancellor and treasurer shall take order for the good preservation of such voidances, by escheators or other sufficient keepers, to answer to the king that which belongs to him without doing waste, *id. s.*2.

9. Who shall demise the temporalties of bishops, &c. during the time of vacation, 14 *E.*3. *st.*4. *c.*5.

10. The chancellor and treasurer taking unto them such of the council as to them seem best, shall let the vacations of archbishoprics, bishoprics, and other houses whose voidances pertain to the king, to the dean, and chapters at a certain rent without fine, so as no escheator or other officer in the time of vacation shall have cause to enter, and do any thing in prejudice of the churches, saving to the king, advowsons of churches, escheats, reliefs and services of such fees, *id. ibid.*

11. Bishops' temporalties shall not be seized for contempts, 25 *E.*3. *st.*3. *c.*6.

12. The justices which shall give any judgment against any bishop for contempts upon writs of *quare non admisit*, or other causes, shall receive for such contempts a reasonable fine, when the party will offer it, and if need be, the chancellor and treasurer shall be called to the receipt of such fine, 25 *E.*3. *st.*3. *c.*6.

13. Concerning the restraining of the payment of annates to the see of *Rome*, (and to regulate the intercourse of newly-elected bishops, &c. with such see), 23 *H.*8. *c.*20. [Amd. and Conf. (and all intercourse with such see in like cases prohibited, and for the election of bishops), 25 *H.*8. *c.*20. and *s.*1, 2. Rep. 1 & 2 *P.* & *M.* *c.*8., but Rev. by 1 *E. c.*1. *s.*7. The sentences between parentheses are framed from the purport of these acts. *See* the form of ordination of bishops, 5 & 6 *E.*6. *c.*1. Conf. 8 *El. c.*1. *s.*3.]

14. The unlawful payment of *annates*, or first-fruits, for any archbishopric or bishopric, or for any bulls to be obtained from the court of *Rome* for such purpose, shall utterly cease, and no person presented, elected, or postulated to any archbishopric or bishopric within this realm, shall pay such annates, or any other sum for the same, on pain to forfeit to the king all his goods and chattels, and all the temporal lands and possessions of the same archbishopric, &c. during the time which he who shall offend contrary hereto shall enjoy the same, *id. s.*1.

15. Persons commended to the court of *Rome* to be bishop of any diocese within this realm, and who shall be delayed by any means there, may be consecrated here in *England* by the archbishop of the province to which such bishop shall belong, so as such bishop be first presented to the archbishop by the king; and if any person named to be archbishop, shall be deprived by lack of any thing from the court of *Rome*, he may be consecrated two by bishops appointed for that purpose by the

king; and every archbishop and bishop so presented and consecrated, shall be installed and accepted as such, and shall enjoy the spiritualities and temporalties of the province or diocese, satisfying to the king his accustomed duties, according to law, and his prerogative royal, 23 *H.* 8. *c.* 20. *s.* 2.

16. Every person presented, &c. to any archbishopric, &c. may pay to the see of *Rome* for his writings without any annates, *5l. per cent.* on the value of the archbishopric, &c. *id. s.* 3.

17. No person shall be commended to the pope for the dignity or office of an archbishop or bishop within the king's dominions, nor shall send there for any bulls, breeves, palls, or other things requisite for an archbishop or bishop, nor shall pay any money for annates, or first-fruits, nor otherwise, for expedition of such bills, &c. but the same shall cease, *id. ibid.*

18. The king empowered to compound for, or moderate such annates, and what he shall do herein confirmed, *id. s.* 4.

19. The king empowered to withhold his assent to this act, for a limited time by letters-patent, *id. s.* 5. [This act was ratified *9th July*, 25 *H.* 8. A.D. 1533. *See the* 25 *H.* 8. *c.* 20. *s.* 1, 2. *Reeve's Hist. of English Law, vol.* iv. *p.* 212, 8*vo.*)

20. The king and all his spiritual and lay subjects shall and may minister, or cause to be ministered throughout all the king's dominions, the sacrament and divine service, as they were heretofore accustomed, any censures, excommunications, interdicts, or any other process, notwithstanding, and no such censures, &c. shall by any prelates or other spiritual fathers be divulged or executed in this realm, *id. s.* 6.

21. At every avoidance of any archbishopric or bishopric, the king may grant to the dean and chapter of the cathedral churches, where the see of such bishopric shall be void, a licence under the great seal as of old time hath been accustomed, to proceed to election of an archbishop or bishop, with a letter missive, containing the name of the person which they shall elect; by virtue of which licence, the said dean and chapter shall with all speed elect the person named in the letters missive, to the dignity and office so void; and if they delay their election above 12 days next after such licence and letters missive to them delivered, the king shall nominate by letters patent under the great seal, such a person to such office and dignity as he shall think convenient; and every such nomination and presentment, if it be to the office and dignity of bishop, shall be made to the archbishop and metropolitan of the province where the see is void, if the see of the archbishopric be then full; and if it be void, then to such archbishop or metropolitan within the king's dominions as shall please the king; and if such nomination and presentment shall be made for default of election to the dignity or office of an archbishop, then the king, by letters patent under his great seal, shall nominate and present such person as he will dispose to have such office and dignity of archbishopric, to one archbishop and two bishops, or else to four bishops, 25 *H.* 8. *c.* 20. *s.* 4.

22. When any such presentment or nomination shall be made by the king, every archbishop and bishop, to whose hands such presentment and nomination shall be directed, shall with all speed invest and consecrate the person nominated and presented, and give and use to him all benedictions, ceremonies, and things requisite for the same, without suing at the see of *Rome.* And if the dean and chapter, after such licence, and letters missive to them directed, within such 12 days do elect the person mentioned in the letters missive, their election shall stand good; and the person elected, after certification made of the election under the common seal of the electors to the king, shall be reputed lord elected of the said dignity and office: and then making such oath and fealty to the king as shall be appointed for the same, the king by letters patent shall signify the said election, if it be to the dignity of a bishop, to the archbishop and metropolitan of the province if the see of the archbishop be full; and if it be void, then to any other archbishop within the king's dominions; requiring such archbishop to confirm such election, and to invest and consecrate the person elected to the office and dignity that he is elected unto, and to give and use to him all benedictions, ceremonies, and other things requisite for the same, without suing from the see of *Rome*; and if the person be elected to the office and dignity of an archbishop, then after such election certified to the king, the person elected archbishop shall be reputed lord elect to the said office and dignity; and after he hath made such oath and fealty only to the king as shall be limited for the same, the king by letters patent shall signify the election to one archbishop, and two other bishops, or else to four bishops within the king's dominions, to be assigned by the king, requiring them with all speed to confirm the election, and to invest and consecrate the person elected, and to give and use to him such benedictions, ceremonies, and other things requisite, without suing at the see of *Rome*, *id. s.* 5.

23. Every person being elected, presented, invested, and consecrated to the dignity or office of an archbishop, or bishop, according to this act, and suing their temporalties out of the king's hands, as hath been accustomed, and making oath to the king, as afore (*s.* 5.) rehearsed, shall be thrononised or installed, as the case shall require, and shall take their only restitution out of the king's hands, of all the possessions and profits spiritual and temporal belonging to such archbishopric or bishopric, and shall be obeyed in all things, according to the name, title, degree, and dignity, that they shall be so chosen or presented unto, and do in every thing as any archpishop or bishop, without offending the prerogative and the laws, might at any time do, 25 *H.* 8 *c.* 20. *s.* 6.

24. If the dean and chapter of any cathedral church, after such licence delivered to them, proceed not to election, and signify the same within 20 days next after such licence shall come to their hands; or else if any archbishop or bishop, after any such election, nomination, or presentation shall be signified unto them by the king's letters patent, shall refuse, and do not confirm, invest, and consecrate with all due circumstance, every such person so elected, nominated or presented, within 20 days after the king's letters patent of such signification or presentation shall come to their hands; or else if any of them, or any other persons admit, maintain, allow, obey, do, or execute any censures, excommunications, interdictions, inhibitions, or other process or act, to the contrary, or let of due execution of this act, then every dean and particular person of the chapter, and every archbishop and bishop, and other person so offending contrary to this act, and their aiders, &c. shall run in the penalties of the statute of *præmunire*, 25 *E.* 3. *st.* 5. *c.* 22 and 16 *R.* 2. *c.* 5., *id. s.* 7.

25. For the nomination of suffragans within this realm, 26 *H.* 8. *c.* 14. [Rep. 1 & 2 *P.* & *M. c.* 8. Rev. 1 *El. c.* 1.]

26. The towns of *Thetford*, *Ipswich*, *Colchester*, *Dover*, *Guilford*, *Southampton*, *Taunton*, *Shaftsbury*, *Mollin*, *Marlborough*, *Bedford*, *Leicester*, *Gloucester*, *Shrewsbury*, *Boston*, *Penrith*, *Bridgwater*, *Nottingham*, *Grantham*, *Hull*, *Huntingdon*, *Cambridge*, and the towns of *Pereth*, *Berwick*, *St. Germains* in *Cornwal*, and the *Isle of Wight*, shall be accepted for sees of bishops, suffragans, to be made in the realm and in *Wa.*, and the bishops thereof shall be called suffragans of this realm, 26 *H.* 8. *c.* 14. *s.* 1.

27. Archbishops and bishops disposed to have a suffragan, shall elect each for his own diocese, two discreet spiritual persons, and these present to H.M. by writing under their seals, requesting H.M. to give one of them such title, stile, and dignity of bishop, of such of the sees as the king shall deem fit, and the king may accordingly give to one of them the stile of bishop of such of the sees aforesaid, so it be within the diocese of the electing bishop, *id. ibid.*

28. Every person whom H.M. shall so choose shall be called bishop suffragan of the see to which named, *id. s.* 2.

29. After such title given, H.M. shall present such person by letters patent to the archbishop of *Canterbury* or *York*, according to the province in which the town, whereof he hath his title, is situated, declaring the name of such person, and the style of the bishopric whereunto he is nominated, and requiring such archbishop to consecrate such person, with all the requisites that belong to the office of bishop suffragan. *id. s.* 3.

30. Such person so presented and consecrated shall be accepted according to the stile and dignity he shall be so presented unto, and shall have such capacity, power, and pre-eminence, in as ample a manner, in execution of such commission, as by any such archbishops, &c. within their dioceses, shall be given to such suffragans, as heretofore, *id. s.* 4.

31. Every archbishop to whom H.M.'s letters patent as aforesaid shall be directed, having no lawful impediment, shall perform the contents of this act within 3 months after such letters shall come to their hands, *id. s.* 5.

32. No such suffragans shall take any profit of the sees whereof named, or execute any jurisdiction or episcopal authority therein or elsewhere, but only such as they shall be licensed to do, by any archbishop or bishop to whom they shall be suffragans, by commission under their seals, and every archbishop and bishop for their own diocese shall give such commissions to such suffragans as hath been heretofore accustomed, or else such as they shall deem requisite, and no such suffragan shall use any jurisdiction ordinary, or power, otherwise nor for a longer time than by such commission limited, on pain to incur the penalty of a *præmunire* according to 16 *R.* 2. *c.* 5., *id. s.* 6.

33. The bishop nominating such suffragan to H.M., or such suffragan himself, shall provide two bishops to consecrate him, with the archbishop, and bear their reasonable costs, but the residence of such suffragan over the diocese where he shall have commission, shall serve for his residence, as if he were resident upon his own benefice, *id. s.* 7.

34. Such suffragans may have two benefices with cure, *id. s.* 8.

35. Giving authority to H.M., upon the avoidance of any archbishopric or bishopric, to take into her hands certain of the temporal possessions thereof, recompensing the same with parsonages impropriate and tenths, 1 *El. c.* 19. (and *s.* 1.) [Amd. as to *s.* 5. 1 *J.* 1. *c.* 3.]

36. On the avoidance of every archbishopric or bishopric within *Eng.* and *Wa.*, and other H.M.'s dominions, H.M. may take into her

hands as much of the honours, manors, lands, tenements, and other hereditaments, being parcel of the possession of any such archbisbopric or bishopric, as the clear yearly value of all H.M.'s parsonages, appropriate and yearly tenths within the same amount unto and for the trial of the value of such honours, a commission may be directed to any person H.M. may deem proper to survey such honours, &c. lands, &c. and to certify the clear yearly value thereof into the court of exchequer, and after such certificate made, H.M. may give unto such archbishop and bishop, and his successors, so much of her yearly tenths, tithes, and parsonages appropriated within such archbishopric, &c. as shall be of equal or greater value as such honours, lands, &c. be so certified unto; and upon such grant made, and the same signified by H.M. to the treasurer and barons of exchequer, such honours, &c. as shall be so certified, shall be vested in H.M. and her successors, and be from thenceforth annexed to the crown, and within the survey of the exchequer, 1 *El. c.* 19. *s.* 2.

37. Nothing herein shall give liberty to H.M. to take from any such archbishopric, or bishopric, any mansion, or any demesne lands, commonly occupied with such mansion, or any lands or tenements, commonly used in the manurance, tillage, or manual occupation of any archbishop or bishop, *id. s.* 3.

38. General saving to all persons and corporations, other than such archbishops or bishops, all such estate, right, &c. which they had, or might, or could have, to any such honours, &c. in such condition as they were before this act, *id. s.* 4.

39. All gifts, grants, feoffments, fines, or other conveyance, or estates from the first day of this parliament, to be had or suffered by any archbishop or bishop, of any honours, lands, &c. being parcel of the possessions of his archbishopric or bishopric, or appertaining to the same, to any persons or corporations other than H.M., whereby any estate should pass from them, other than for 21 years, or 3 lives, from the times such lease, grant, or assurance shall begin, and whereupon the old accustomed yearly rent, or more, shall be reserved yearly, shall be utterly void, *id. s.* 5. [*see* 1 *J.* 1, *c.* 3. *s.* 2. *post, pl.* 41.] [*This section is explained* 39 & 40 *G.* 3. *c.* 41. *tit.* LEASES.]

40. AGAINST the diminution of the possessions of archbishopries and bishoprics, and for avoiding of dilapidations of the same, 1 *J.* 1. *c.* 3. [and *s.* 1.]

41. Every archbishop and bishop shall for ever be disabled at law to make, do, or suffer any act, whereby any of their manors, lands, or hereditaments, or any part, may be aliened, demised, charged, or conveyed to H.M., and all such alienations, &c. and all confirmations of the same, shall be void, *id. s.* 2. [*see* 1 *El. c.* 19. *s.* 5. *ante, pl.* 39.]

42. DECLARING THE MANNER of making and consecrating of the archbishops and bishops of this realm, to be good, lawful, and perfect, 8 *El. c.* 1.

43. [Recital of the ancient law, showing the authorities as do allow and approve the making and consecrating of archbishops and bishops, to be duly and orderly done according to the laws of this realm, *id. s.* 1, 2.]

44. The order for the consecration of archbishops, bishops, priests, deacons, and ministers set forth under 5 & 6 *Ed.* 6. *c.* 1. shall stand in full force and effect, *id. s.* 3.

45. All persons to be made, ordered, or consecrated archbishops, bishops, priests, ministers of *God*'s word, or deacons, after the order and form prescribed in 5 & 6 *E.* 6. *c.* 1. shall be deemed rightly made and consecrated, *id. s.* 5.

BLASPHEMY.

1. FOR MORE EFFECTUAL suppression of blasphemy and profaneness, 9 & 10 *W.* 3. *c.* 32. [REP. as to denying the *Trinity*, 53 *G.* 3. *c.* 160. *s.* 2. which is EXT. to *Ire.*, 57 *G.* 3. *c.* 70.]

2. Every person who having been educated in, or having made profession of the Christian religion within this realm shall, by writing, printing, teaching, or advised speaking, [deny any one of the persons in the *Holy Trinity* to be *God*. REP. 53 *G.* 3. *c.* 160. *s.* 2.,] or shall assert or maintain that there are more gods than one, or shall deny the Christian religion to be true, or the Holy Scriptures of the Old and New Testament to be of divine authority, and being on indictment or information lawfully convicted thereof on oath of two witnesses, shall, for the first offence, be incapable to have or enjoy any office or employment, ecclesiastical, civil, or military, or profit thereby, and the offices, places, and employments enjoyed by such persons at the time of their conviction, shall be void; and on the second conviction of any such crime, shall be disabled to sue or prosecute any action or information in law or equity, or be guardian of any child, or executor or administrator of any person, or capable of any legacy or deed of gift, or to bear any office civil or military, or benefice ecclesiastical, and shall suffer three years imprisonment from the time of such conviction without bail, *id. s.* 1.

3. No person shall be prosecuted by virtue of this act for words spoken, unless the information be given on oath, before some justice, within four days, and the prosecution be within three months after the information, 9 & 10 *W.* 3. *c.* 32. *s.* 2.

4. Persons convicted of any such crimes shall, for the first offence, upon renouncing such offence or erroneous opinions in the court where convicted, within four months after conviction, be discharged from all penalties and disabilities incurred thereby, *id. s.* 3.

BLEACHING GROUNDS.

(STATUTE *repealed.*)

1. TO PREVENT the stealing of linen, fustian, and cotton goods and wares from fields, grounds, and other places used for whitening, bleaching or drying the same, 4 *G.* 2. *c.* 16. REP. 18 *G.* 2. *c.* 27. *s.* 4.]

(STATUTES *in force.*)

1. FOR MORE effectually preventing the stealing of linen, fustian, and cotton goods and wares, in buildings, fields, grounds, and other places, used for printing, whitening, bleaching or drying the same, 18 *G.* 2. *c.* 27. [REP. as to so much as takes away the benefit of benefit of clergy from persons stealing cloth in places therein mentioned, and more effectually to prevent such felonies, 51 *G.* 3. *c.* 51.]

2. Every person who shall [by day or night, 18 *G.* 2. *c.* 27. *s.* 1.,] feloniously steal any linen, fustian, calico, cotton cloth, or cloth worked, woven, or made of any cotton or linen yarn mixed, or any thread, linen or cotton yarn, linen or cotton tape, incle, filleting, laces, or any other linen, fustian, or cotton goods, laid or exposed to be printed, whitened, bowked, bleached, or dried in any whitening or bleaching croft, lands, fields, or grounds, bowking, drying, or printing-house or other building, ground or place used by any calico printer, whitster, crofter, bowker, or bleacher, for printing, whitening, bowking, bleaching, or drying of the same, to the value of 10*s.*, or who shall aid or assist, or wilfully hire or procure another to commit any such offence, or who shall buy or receive any such goods, knowing them to be stolen, shall on conviction [be guilty of felony, and suffer death without clergy, REP. 51 *G.* 3. *c.* 41. *s.* 1.] [be transported for life, or for such term, not being less than seven years, as the convicting judge shall adjudge, or shall be imprisoned only, or imprisoned and kept to hard labour in the common gaol, house of correction, or penitentiary, for any term not exceeding seven years, 51 *G.* 3. *c.* 41. *s.* 2.,] 18 *G.* 2. *c.* 27. *s.* 1., 51 *G.* 3. *c.* 41. *s.* 2.

3. The court or judge who tries the offender may commute the punishment of death hereby awarded to transportation for fourteen years, on like terms as in case of other felons, 18 *G.* 2. *c.* 27. *s.* 2.

4. Every offender so ordered for transportation under this act, who shall break gaol, or escape thereout, or shall return from transportation without lawful cause, before the expiration of such term of 14 years, shall, on conviction thereof, suffer death as persons attainted of felony without clergy, *id. s.* 3.

BOATS.

(STATUTE *expired.*)

1. FOR REQUIRING ALL boats, barges, and other vessels of certain descriptions used on navigable rivers and on inland navigation in *G. B.* to be registered, 35 *G.* 3. *c.* 58. EXP.

(STATUTES *in force.*)

1. TO PREVENT the using of boats, wherries, and other such vessels of the description herein mentioned in smuggling, by declaring such boats and vessels found in certain ports and places, to be forfeited, unless licensed by the admiralty, 8 *G.* 1. *c.* 18. *ss.* 3—5. 23., [*this title is framed from the preamble to s.* 3.] [CON. by several acts, and MADE PERP. except as to licensing boats, (*s.* 5. which is EXP.) 49 *G.* 3. *c.* 20. *s.* 4. AMD. 12 *G.* 1. *c.* 28. *s.* 14. EXT. to all boats with six oars in all parts of *G. B.*, and within a certain distance of the coasts thereof, 19 *G.* 3. *c.* 69. *ss.* 3. 5, 6., 47 *G.* 3. *S.* 2. *c.* 66. *ss.* 3. 4. 7.,] [*see as to* licensing boats, *post*, 52 *G.* 3. *c.* 141., 55 *G.* 3. *c.* 163.]

2. Every boat, wherry, pinnace, barge, or galley, rowing, or made to row with more than four oars, found on the water, or in any bargehouse, workhouse, or other place within the counties of *Middlesex*, *Surrey*, *Kent*, or *Essex*, or on the *Thames*, either above or below *London Bridge*, or within the limits of the ports of *London*, *Sandwich*, or *Ipswich*, or of the members or creeks to them belonging, shall, with all her tackle and furniture, or the value thereof, be forfeited, and may be seized by any officer of customs or excise, 33 *G.* 2. *c* 9. *s.* 16.

3. And the owner or person using or rowing such boat, &c. shall also forfeit 40*l.*, and such seizure and forfeiture shall be prosecuted as hereby (*s.* 23.) directed, and after seizure and condemnation, the principal officers of customs at the port where the same is at the time of con-

demnation, shall cause such boat, &c. to be wholly destroyed, and the tackle, &c. to be sold, and the produce divided as directed in *s.* 23., the charges of selling and destroying being first deducted, 8 *G.* 1. *c.* 18. *s.* 3.

4. The commissioners of customs may cause any such boat, &c. (excepted as in 8 *G.* 1. *c.* 18. *s.* 3.,) which shall be seized for any reason in such act and section mentioned, to be used by any officer of customs, together with the tackle, &c. belonging thereto, the seizer being first paid his share, 12 *G.* 1. *c.* 28. *s.* 14.

5. This act shall not extend to any barge or galley belonging to H.M. or the royal family, or to any long-boat, yawl, or pinnace belonging to and used in the service of any merchant-vessel, or to any such boat, &c. as shall be licensed by the admiralty, 8 *G.* 1. *c.* 18. *s.* 4. [Exp. *as to such licence.*]

6. The 8 *G.* 1. *c.* 18. *s.* 3. & 4., and other clauses, &c. thereof, (not altered by this act,) so far as they relate to boats, &c. rowing, or built to row, with more than four oars within the counties and places therein mentioned, shall extend to all boats, &c. or other vessels rowing, or built to row, with more than six oars, which shall be found on the land or water within any harbour, port, or place, in any other part of *G. B.*, or within two leagues of the coast thereof, subject to the exceptions in 8 *G.* 1. *c.* 18. *s.* 4., mentioned, 19 *G.* 3. *c.* 69. *s.* 3.

7. Nothing in this act shall extend to boats called tow boats, used in towing vessels belonging to licensed pilots within the port and jurisdiction of the city of *Bristol*, *id. s.* 5. and *pl.* 14.

8. Every boat belonging in whole or in part to, or whereof one half the persons on board are subjects of H.M., being rowed, or constructed to row, with more than six oars, found within the limits of any port in the U.K., or in any part of the *British* or *Irish* channels, or elsewhere on the high seas, within 100 leagues of the coast of *G. B.* or *Ire.*, shall, with all her furniture, tackle and apparel, be forfeited, and may be seized by any officer of navy, army, marines, customs, or excise, 47 *G.* 3. *S.* 2. *c.* 66. *s.* 3.

9. Nothing in this act contained as to the number of oars in any boat, shall extend to boats employed in the whale fisheries, or belonging to merchant vessels of 250 tons burthen, nor to any life-boat, or boat used solely in inland navigation, *id. s.* 4.

10. Nothing herein, in relation to the number of oars with which any boat may be rowed or constructed to row, shall extend to any boat or vessel belonging to H.M., or in the service of government, or of the customs, or excise, *id. s.* 7.

11. Such penalties shall be prosecuted by bill or information in the courts at *Westminster*, or the court of exchequer at *Edinburgh*, wherein no essoin, &c. shall be allowed, and shall go one moiety to H.M., and the other to the party suing, 18 *G.* 1. *c.* 18. *s.* 23.

12. All vessels and boats forfeited by this act, may be seized by any officer of excise or customs, and shall be prosecuted and condemned as other vessels are to be by 3 *G.* 3. *c.* 22. (*ss.* 5, 6.); and when any vessel is forfeited under this act, and which is liable under any other act to be destroyed or used in H.M.'s service, the commissioners of customs or excise may, if the same is not necessary for H.M.'s service, direct the hull to be broken up and sold, and the produce divided, as the produce of the tackle, &c. of such vessels is to be; and no writ of delivery shall be prosecuted out of the court of exchequer for any such vessel so seized, and which under any former act is liable to be destroyed, unless the seizing officer shall neglect to proceed to trial and condemnation for three terms; and in that case, not without good security in double the value of the vessel, to return the same on condemnation, 19 *G.* 3. *c.* 69. *s.* 6.

13. To REGULATE THE MANNER OF licensing boats by the commissioners of customs, and the delivering up of licences in cases of loss, or capture of vessels licensed, and for enabling the commissioners to purchase certain boats at a valuation, 52 *G.* 3. *c.* 141. [*see* 55 *G.* 3. *c.* 163. *pl.* 24.]

14. Every boat, wherry, pinnace, barge, or galley, being rowed with, or constructed to row with more than four oars, belonging in whole or in part to H.M.'s subjects, or whereof one-half of the persons on board are H.M.'s subjects, found within the limits of any port of *G. B.*, or of any port of *British* or *Irish* channels, or elsewhere on the high seas, within 100 leagues of the coast of *G. B.*, or discovered to have been within such limits, the owners of which have not obtained a license for using such boat, &c. from the commissioners of customs in *Eng.* or *Scot.*, as the case may be, or from the admiralty before the passing of 47 *G.* 3. *S.* 2. *c.* 66., shall, with all the tackle and furniture, be forfeited, and may be seized by any officers of navy, army, marines, customs, or excise; but nothing hereinbefore contained shall extend to any boat, &c. belonging to H.M., or royal family, or in service of the government, or of the customs, or excise, or to any long boat, yawl, pinnace, or other boat belonging to any square-rigged vessel in merchant's service, or to any other merchant vessel exceeding the burthen of 150 tons, not otherwise requiring a license for the use thereof, or to any boat employed in the whale fisheries, or any life-boat, or any tow-boat used in towing ships, belonging to licensed pilots within port and jurisdiction of the city of *Bristol*, or to any boat, &c. employed solely in inland navigation, 52 *G.* 3. *c.* 141. *s.* 1.

15. Every license which may be granted by such commissioners of customs for any boat, &c. rowing with six oars, or otherwise requiring a licence, shall contain a description thereof, the names of the owners, and their places of abode, and in what manner intended to be employed, or any particulars such commissioners may require to be inserted; and the owners of such boats, &c. shall also give bond to H.M. in double the value thereof, agreeable to 46 *G.* 3. *c.* 137., and on failure hereof such licence shall be void, and such boat, &c. shall be liable to seizure and prosecution, *id. s.* 2.

16. No licence shall be granted by the commissioners of customs for boats constructed to row with more than six oars; and if any such boat owned in whole or in part by, or whereof one-half of the persons on board are subjects of H.M., shall be found within the limits mentioned in *s.* 1. not licensed previous to the passing of this act, the same shall be forfeited, and may be seized by any officer mentioned in *s.* 1., and every such officer may arrest any person, being a sea-faring man, found on board such boat (not being a passenger) and convey him to a king's ship, or to any officer employed in the impress service, and such person, if fit, may be impressed into H.M.'s naval service, and continue therein under the regulations mentioned in 47 *G.* 3. *S.* 2. *c.* 66., and the officer arresting any such person shall be paid by the commissioners of customs for each man so impressed, not less than 5*l.*, or more than 20*l.*; but nothing herein, as to boats rowing with more than six oars, shall extend to such tow-boats within the port of *Bristol*, as in *s.* 1., or to any boats employed in the service of the *East India* company, or of the customs, or excise, or belonging to H.M., or any of the royal family, or to any life-boat, or boat solely used in inland navigation, or to any square-rigged vessel employed in the merchant's service, or to any other such merchant vessel exceeding 150 tons burthen, *id. s.* 3.

17. Whenever any licensed boat not belonging to any vessel, and being under fifteen tons' burthen, shall be lost, destroyed, seized, captured, sold, or any way disposed of, the license of such boat shall be delivered to collector of customs at her own port within six weeks afterwards, or in case such licence is lost or taken by the enemy, due proof on oath shall be made thereof within the like period before the collector and comptroller of such port, which oath they shall administer; and in case such licence is not so produced or delivered up, or no proof made, the owner of such boat shall forfeit 30*l.*, *id. s.* 4.

18. Whenever any licensed ship or vessel exceeding fifteen tons' burden, shall be lost, destroyed, seized, captured, sold, or otherwise disposed of, her licence, in case she was licensed for the coasting or fishing trade, only, shall be delivered up to the collector of customs at her own port within two months from the time she was so disposed of, or if she was licensed to trade to parts beyond the seas, within one calendar month after such loss, &c. shall come to the knowledge of the owner thereof, or if such licence was lost or taken by the enemy, due proof thereof shall be made on oath within the like periods before the collector and comptroller of such port, and which oath they may administer; and in case such licence is not produced and delivered up, or no such proof made, the owner and master of such vessel shall forfeit 50*l.*, if the burden of the vessel is fifteen tons and under 150 tons, and 100*l.* if of 150 tons or upwards; all licences required under this act shall be granted without any stamp or fee whatever, *id. s.* 5.

19. If the owner or master of any licensed vessel or boat lost, &c. (as in *s.* 5.) shall, prior to or after such disposal thereof, knowingly make use of the license granted for the same, in order to protect from seizure and prosecution any other vessel or boat, or if the owner or master of any vessel or boat licensed by the commissioners of customs, shall knowingly use such licence for any other vessel or boat than that for which granted, they shall forfeit 200*l.*, *id. s.* 6.

20. The commissioners of customs in *Eng.* or *Scot.* respectively, may purchase any boat, wherry, pinnace, barge, or galley, rowing with more than six oars, which has been licensed before the passing of this act, and the owners of such boats, &c. are required to dispose of their interests therein at a fair valuation; and in case of refusal to take purchase-money, such boat may be seized, *id. s.* 7.

21. Boats so purchased shall be employed in service of revenue, or destroyed, *id. s.* 8.

22. Any other boats belonging in whole or in part to, or whereof one half of the persons on board are H.M.'s subjects, and being in length thirty feet and upwards, constructed for rowing *or* sailing, or rowing *and* sailing, the length of which shall be greater than in proportion of one foot for every two inches of the width, to be measured by a straight line from the fore-part of the stem to the aftside of the transverse or stern-post aloft, and found within the limits in *s.* 1. aforesaid, shall be forfeited, and may be seized by any officer of the navy, army, marines, customs, or excise, unless the same being clinch-built shall have plank of not less

than half an inch thick, and timbers of the following dimensions, (*viz.*)
Every boat

Exceeding in length	and under length of	Timbers of inches square	
30 ft.	35 ft.	1¼	such timbers being not more than 10 inches apart.
35	40	1½	
40	45	1¾	
45	50	1¾	
50 and upwards.		2	

but nothing herein contained as to boats of 30 feet in length, and upwards, shall extend to boats belonging to vessels exceeding 150 tons burden, licensed by such commissioners respectively, nor to life-boats, nor boats employed in the whale fisheries, or belonging to square-rigged vessels in the merchants' service, or any other merchant vessel exceeding 150 tons' burthen, or solely used in inland navigation, or employed in the service of government, or to boats licensed by the admiralty prior to the passing of 47 *G.*3. *S.*2. *c.*66., or by the commissioners of customs, prior to the passing hereof; but nothing herein enacted as to the length, width, or plank or timbers of boats, shall affect boats belonging to vessels returning from their first voyage, they leaving *G.B.* fourteen days after the passing of this act, 52*G.*3. *c.*141. *s.*9. [*See* 55 *G.*3. *c.*163.]

23. Boats seized under this act, and all forfeitures hereby imposed, shall be managed, detained, sued for, condemned, distributed, recovered, and applied in *Eng.* or *Scot.*, according to the laws of customs now in in force and not hereby altered, *id. s.*10.

24. To REGULATE THE ISSUING OF LICENCES to allow open boats to proceed to foreign parts, and for revoking the same when necessary, 55 *G.*3. *c.*163. [*See* 52 *G.*3. *c.*141. *s.*9. *pl.*22.]

25. Three or more commissioners of customs may revoke licenses already issued for open boats not belonging to ships or vessels, allowing such open boats to proceed to foreign parts, and in future may either refuse licenses for such open boats, or limit the employment and navigation thereof, in any manner and within any limits and distance of the coasts of *G.B.* or *Ire.*, as they think fit, whenever they deem it expedient to prevent smuggling and protect the revenue, *id. s.*1.

26. After such commissioners shall, by any order in writing under their hands, have revoked any licence, a copy of the order of revocation shall be left either with any one of the owners of such open boat, or the person having the care thereof, and after the delivery of such copy, the licence granted for such boat shall be void, and the owner shall deliver up such licence to the collector of customs at the port to which she belongs, within three months from day of the delivery of such order; or in case of such licence being lost or taken by the enemy, due proof shall be made on oath before such collector or comptroller, which oath they shall administer; and in case such licence shall not be delivered up, or no such proof made, the owner of such boat shall forfeit 20*l.*, or if such open boat shall be used or navigated after a copy of the order of revocation has been delivered, such boat may be seized by any officer of customs, *id. s.*2.

27. Penalties and forfeitures hereby imposed may be sued for, prosecuted, and disposed of, by such means as any penalty for any offence against the custom-laws may be, *id. s.*3.

BOOKS. (*See* LITERARY PROPERTY.)

(STATUTE *repealed.*)

ALIENS may import books to be sold, 1 *R.*3. *c.*9. *s.*12. [REP. 25 *H.*8. *c.*15. *s.*1.]

(STATUTES *in force.*)

1. FOR PRINTERS and bookbinders, 25 *H.*8. *c.*15.

2. No person inhabitant within this realm shall buy to sell again any printed books brought from parts out of the king's obeisance, ready bound in boards, leather, or parchment, upon pain to forfeit for each book 6*s.* 8*d.*, *id. s.*2.

3. No person, tenant within this realm, shall buy therein of any stranger born, other than denizens, any printed books brought from beyond sea, except only by engross, and not by retail, on pain to forfeit 6*s.* 8*d.* for each book; such forfeitures to be levied of the buyers, and to go in moiety to H.M. and the party suing by bill or information in H.M.'s courts, wherein there shall be no essoin, &c. *id. s.*3.

4. If any of such printers or sellers enhance the price of such books in sale or binding, then on complaint to H.M., or unto the chancellor, treasurer, or chief justices of either bench, they or two of them, shall enquire thereof, by the oaths of 12 men, and by examination, and when the same enhancing is found, then the chancellor may reform the same, and limit the price, as well for the book as the binding, and the offender shall forfeit for each book sold at such enhanced price, 3*s.* 4*d.*, one half to H.M., and the other to the party grieved, 25 *H.*8. *c.*15. *s.*5. [*See a similar provision*, 8 *A. c.*18. *s.*4., *which is* REP. *by* 12 *G.*2. *c.*36. *s.*3.]

5. FOR THE ABOLISHING and putting away of divers books and images, [EXP. as to so much, *viz. ss.*2—4. 6. as relates to images,] 3 & 4 *E.*6. *c.*10. [REP. 1 *Mar. S.*2. *c.*2., *but which is* REP. *by* 1 *J.*1. *c.*25. *s.*48.]

6. All books called antiphoners, missals, grades, processionals, manuals, legends, pyx, portuasses, primers, in *Latin* or *English*, couchers, journals, ordinals, or other books or writings, used in the service of the church, other than such as are set forth by H.M.'s authority, shall be utterly abolished and forbidden to be kept in this realm, 3 & 4 *E.*6. *c.*10. *s.*1.

7. Provided any person may use or keep any primers, in the *English* or *Latin* tongue, set forth by *H.*8., so that the sentences of invocation or prayer to saints in the same be blotted out, *id. s.*5.

BOWS, ARROWS, AND ARCHERY.

(STATUTES *repealed and expired.*)

1. NONE SHALL make pattens or clogs of asp wood, on pain of 100*s.*, that arrows may be cheap, 4 *H.*5. *c.*3. [REP. 1 *J.*1. *c.*25. *s.*40., 21 *J.*1. *c.*28. *s.*11. AMD. 4 *E.*4. *c.*9. which is REP. 1 *J.*1. *c.*25. *s.*40.]

2. TEN bowstaves to be imported by aliens, with every butt of Malmsey, 1 *R.*3. *c.*11., 6 *H.*8. *c.*11. [EXP.]

3. PRICES of bows limited, 22 *E.*4. *c.*4., 3 *H.*7. *c.*13. 33 *H.*8. *c.*9. *s.*6. [REP. 8 *El. c.*10. *s.*2.]

4. Bowstaves imported free of customs, 19 *H.* 7. *c.*2.

5. AGAINST SHOOTING with cross-bows, by any one not a lord, or not having 200 marks land, [135*l.* 6*s.* 8*d.*] 19 *H.*7. *c.*4. [CONF. 3 *H.*8. *c.*13. EXT. to shooting with hand-guns or cross-bows, without H.M.'s licence, with forfeiture thereof, and 10*l.* for every shoot, unless he have 300 marks [*viz.* 200*l.*] yearly value in land, 6 *H.*8. *c.*13. RED. to 100*l.* yearly value, 14 & 15 *H.*8. *c.*7., with 10*l.* penalty for shooting as above, or having hand-gun or cross-bow in the house, 25 *H.*8. *c.*17. [REP. by general words of 33 *H.*8. *c.*6. *s.*9., and virtually by 6 & 7 *W.*3. *c.*13. *s.*3.]

6. ARCHERY shall be used by all able men, [17 *E.*4. *c.*3. *semb.* REP. 33 *H.*8. *c.*9. *s.*17.]

7. ALL MEN under 40 years old shall use archery, [3 *H.*8. *c.*3. CONF. 6 *H.*8. *c.*2., but *semble* REP. 33 *H.*8. *c.*9. *s.*17.]

8. BOWYERS obliged to make three common bows for one yew bow, 33 *H.*8. *c.*9. *s.*5, 6. [REP.] 8 *El. c.*10. *s.*2.

9. AGAINST shooting of hail shot, 2 & 3 *E.*6. *c.*14. [REP.] 6 & 7 *W.*3. *c.*13. *s.*3.

10. FOR REGULATING bowyers and prices of bows, 8 *El. c.*10. [EXP.]

(STATUTES *in force.*)

1. ARROW HEADS shall be well tempered and pointed with steel, on pain of forfeiture, fine, and imprisonment of faulty makers by justices of peace, sheriffs, and chief officers of cities, &c. 7 *H.*4. *c.*7.

2. FOUR BOWSTAVES shall be imported by all aliens, with every ton of merchandize from Venice, &c. and shall be surveyed, searched, and marked, 12 *E.*4. *c.*2. [CONF. 13 *El. c.*14.]

3. FOR MAINTENANCE of artillery, 33 *H.*8. *c.*9. *ss.*1—4. 7—10. [*See* rest of this title and statute, GAMES and GAMING.]

4. ALL MEN under 60 shall have bows and arrows for shooting, (*id. s.*1.); men children, between 7 years and 17, shall have a bow and 2 shafts, (*id. s.*2.); men about 17 years of age, shall keep a bow and 4 arrows, penalty 6*s.* 8*d.* (*id. s.*3.) shooting at rovers; shooting in yew bows; the inhabitants of every town shall cut butts and shoot at them, (*id. s.*4.); sale of seasonable timber by one fletcher to another, (*id. s.*7.); bowyers and fletchers, &c. not free of *London*, shall on commandment dwell elsewhere, (*id. s.*8.); aliens shall not convey bows or arrows beyond the sea, (*id. s.*9.); aliens shall not use shooting in long-bows, penalty forfeiture of bows, (*id. s.*10.) [*These enactments, though obsolete, are unrepealed, and appear* CONF. 13 *El. c.*14.]

5. ALIEN merchants from the east, and Hanse Towns, shall bring bow-staves, under 12 *E.*4. *c.*2., and all acts for maintenance of archery, [CONF. 13 *El. c.*14.]

6. FORFEITURES of those statutes shall go half to H. M. and half to the informer, *id. ibid.*

BRAZIERS AND TINKERS.

(STATUTES *in force.*)

1. AGAINST pewterers walking, 19 *H.*7. *c.*6. REC. MADE PERP., and AMD. 4 *H.*8. *c.*7. *s.*1. and 25 *H.*8. *c.*9. [*which is* CON. 28 *H.*8. *c.*9., 31 *H.*8. *c.*7. MADE PERP. 33 *H.*8. *c.*4. *s.*1.] AMD. 33 *H.*8. *c.*4.

2. No person using the crafts of pewterers or braziers, shall sell or change any pewter or brass, but only in open fairs or markets, or in their own dwelling-house, but if they be desired by the buyers of such ware, on pain to forfeit 10*l.* to H.M., 19 *H.*7. *c.*6. *s.*1. [*half of* the forfeiture given to the finder, 25 *H.*8. *c.*9. *s.*7. *pl.*14.]

3. No person shall cast or work any pewter vessel or brass, but that

it be as good fine metal as that cast or wrought in *London*, on pain to forfeit such bad pewter or brass, to go in moieties to H. M. and the finders; but this forfeiture shall not extend to brass or pewter in the possession of any person, other than the workers of the same, or such as have the same to sell, and being of the crafts or mysteries, 19 *H.* 7. *c.* 6. *s.* 2.

4. No person shall make any hollow wares of pewter, *viz.* salts and pots of pewter called lay metal, but after the assize of pewter lay metal wrought within *London*, and the makers of such wares shall mark the same. And all such wares, not well made, or not marked, found in the possession of the maker or seller shall be forfeited, and if sold the maker shall forfeit the value thereof, both forfeitures to go in moieties to H. M. and the finder, *id. s.* 3.

5. If any person buying or selling pewter or brass, use false beams or weights, he shall forfeit 20*s.* to go to H. M. and the party suing by action of debt, wherein no essoin or protection shall be allowed, and the offender shall forfeit his beams to the seizer thereof; and if such forfeiture not paid, the head officer of the place may put the offender in the stocks till the next market day, and then in the pillory during market time, *id. s.* 4. [Rep. *as to the* pillory, 56 *G.* 3. *c.* 138.]

6. The master and wardens of the craft of pewterers, within every city or borough, and where none such, the head officer of such city, &c. may appoint searchers within such city, &c. and the justices in each shire, at their *Michaelmas* session, shall assign two persons to search within such shire, except within such cities, &c. and of all unlawful pewter and brass by them found, the one half shall be to the searchers, and the other to H. M.; and if such masters and wardens do not so search, any person, having good cunning in such occupations, by oversight of such head officer, may search all places, and put this act in force, *id. s.* 5.

7. If any untrue metal or workmanship of tin or pewter be found, either in platters, or other wares, wherever made within this realm or without, and brought to be sold within the same, the mayor of *London*, and the master and wardens of the craft of pewterers of such city, may search for the same within such city, and the suburbs thereof, and in all other cities, boroughs, and towns, the mayors, or head officers, and wardens shall have like authority; and where no wardens be, the head officers of such cities and towns shall appoint persons to make search in the same; and if any such wares be found defective, and in possession of the seller, such seller shall forfeit the same, to go one moiety to H. M. and the other to the searchers or finders, 4 *H.* 8. *c.* 7. *s.* 2.

8. This act shall not be prejudicial to any person having grant from H.M. by letters patent of such forfeiture, *id. s.* 3.

9. No person inhabiting within this realm, shall buy or take by exchange any wares made out of this realm, of tin, or mixed with tin, as platters, or other thing made of tin or pewter, on pain to forfeit the same and the value thereof, the one-half to H. M. and the other to the finder, 25 *H.* 8. *c.* 9. *s.* 1. [*see* 33 *H.* 8. *c.* 4. *s.* 2. *post*, *pl.* 15.]

10. The master and wardens of the craft of pewterers, as well within *London* as elsewhere where they be, and where they be not, the head officer of the same city, borough, or town, may appoint persons to search and seize all such wares brought contrary to this act, *id. s.* 2.

11. If any person unlawfully withstands or disturbs such master or wardens, or such head officer in searching and seizing such wares as shall be brought into this realm contrary to 25 *H.* 8. *c.* 9. they shall forfeit 5*l.* the one-half to H. M. and the other to the party suing, by action of debt, &c. or information in any court of record, wherein no essoin, &c. shall be allowed, 33 *H.* 8. *c.* 4. *s.* 3.

12. No pewterer shall have any person to be his apprentice, being stranger-born, (Rep. 5 *El. c.* 4. *s.* 2.) and no stranger-born shall use the craft of a pewterer, or work in any ware made of tin or pewter within this realm, on pain to forfeit 10*l.* and the tin or pewter so wrought, 25 *H.* 8. *c.* 9. *s.* 3.

13. No person born within this realm, occupying the craft of a pewterer, shall resort to strange countries to teach or exercise such craft, on pain to lose the benefit of an Englishman, *id. s.* 4.

14. As well the moiety of 10*l.* limited by 4 *H.* 8. *c.* 7. *s.* 1., reciting 19 *H.* 7. *c.* 6. *s.* 1., as also the moiety of all other forfeitures before expressed, shall be to the use of H. M. and the other moiety to the finder or person suing in any competent court, by action of debt, &c. or information, wherein no essoin shall be allowed, *id. s.* 7.

15. No person shall buy or take by exchange, or otherwise take into or within this realm, to the intent to sell, any such ware as in 25 *H.* 8. *c.* 9. rehearsed, made out of this realm, upon pain of like penalties to be levied as in such act expressed, 33 *H.* 8. *c.* 4. *s.* 2. [*See* 25 *H.* 8. *c.* 9. *s.* 1., *ante*, *pl.* 9.]

BREAD.

(Statutes *repealed and expired.*)

1. The assize of bread and ale, 51 *H* 3. *st.* 1. [Rep. as to bread, 31 *G.* 2. *c.* 29. *s.* 1.]

2. The assize of bread, *stat. incert. temp. c.* 1. 8*vo. ed.* 385. [*Superseded* by modern acts.]

3. Statutum *Panis et cervisiæ*, *stat. incert. temp. II.* 8*vo. ed. p.* 391. [*Superseded* by modern acts as to bread.]

4. A baker, if his bread of a farthing want weight by 2*s.* 6*d.* or under, shall be amerced, if more he shall be put in the pillory; bakers shall mark their bread, *stat. incert. temp. c.* 2. 1 *stat.* 8*vo. ed. p.* 386.

5. For the better regulation of the price and assize of bread, 22 *G.* 2. *c.* 46. (*s.* 21. & 22.) [*virtually* Rep. 31 *G.* 2. *c.* 29. *s.* 1. (*see s.* 25.)]

6. To regulate the price and assize of bread, 8 *A. c.* 18. [Amd. and Con. 1 *G.* 1. *st.* 2. *c.* 26. *s.* 5, 6, 7., 5 *G.* 1. *c.* 25., 3 *G.* 2. *c.* 29. *s.* 1—3., 12 *G.* 2. *c.* 13. *s.* 1, 2. and until 29th *Sept.* 1758, and from thence to stand Rep. together with all acts altering and amending the same by 31 *G.* 2. *c.* 29. *s.* 1.]

7. To prohibit until the expiration of six weeks after the commencement of the next session of parliament any person from selling bread which shall not have been baked a certain time, 39 & 40 *G.* 3. *c.* 18. Exp. (*see* 39 & 40 *G.* 3. *c.* 71, *post*,)

8. To authorize bakers and other persons to sell bread to H. M.'s forces on their march, which shall not have been baked 24 hours, and to indemnify all persons by whom such bread may have been sold, 39 & 40 *G.* 3. *c.* 71. Exp.

9. To incorporate certain persons by the name of the *London* Company, for the manufacture of flour, meal, and bread, for a limited time, 39 & 40 *G.* 3. *c.* 97. Exp.

10. To prevent until 6th *Nov.* 1801, the making of fine flour from wheat or other grain, and of bread solely from fine flour of wheat, and to repeal 36 *G.* 3. *c.* 22., 41 *G.* 3. (*G.B.*) *c.* 16. [Suspended 41 *G.* 3. (U.K.) *c.* 1. Exp. and Rep. 41 *G.* 3. (U.K.) *c.* 2.]

(Statutes *in force.*)

11. For the due making of bread, and to regulate the price and assize thereof, and to punish persons who shall adulterate meal, flour, or bread, 31 *G.* 2. *c.* 29. [*Penalties* by this act imposed appropriated, 32 *G.* 2. *c.* 18. *s.* 2. Amd. 3 *G.* 3. *c.* 11. (*which is* Rep. 59 *G.* 3. *c.* 36. *s.* 1.) 13 *G.* 3. *c.* 62., 33 *G.* 3. *c.* 37., (*which is* Rep. 59 *G.* 3. *c.* 36. *s.* 1.) 37 *G.* 3. *c.* 98., 39 & 40 *G.* 3. *c.* 74. *ss.* 1. 3. The 37 *G.* 3. *c.* 98., 39 & 40 *G.* 3. *c.* 98. *ss.* 2. 4., relate only to *London*, &c. and are therefore omitted as local. 50 *G.* 3. *c.* 73. (Pub. Act, *s.* 6.) 53 *G.* 3. *c.* 116. (Pub. Act, *s.* 15.)]

[Note. All these acts are Rep. as to so much of them as relates to the making and selling of bread where no assize is set, or the punishment of persons who adulterate meal, flour, or bread, or who sell bread deficient in weight, so far as respects the bread, &c. to be made and sold out of *London*, and the liberties thereof, and beyond the weekly bills of mortality, and ten miles of the royal exchange, where no assize is set, 59 *G.* 3. *c.* 36. *s.* 1.] [Ext. to *Scot.* 3 *G.* 3. *c.* 6.]

12. So much of 51 *H.* 3. intituled, *assisa panis et cervisiæ*, as relates to the assize of bread, and 8 *A. c.* 18., and all amendments by any subsequent acts, are repealed, 31 *G.* 2. *c.* 29. *s.* 1.

13. The court, or persons hereinafter authorized, may set in any place within their respective jurisdictions, the assize and weight of all sorts of bread in such place made for or exposed to sale, and the price to be paid for the same, as often as they think proper. And in every assize of bread, respect shall be had to the price which the grain, meal, or flour, whereof such bread is made, bears in the market in or near the place for which such assize is set; making reasonable allowances to the makers of bread for sale, for their charges, labour, and profit, *id. s.* 2.

14. Where an assize of bread is set for any place, no person shall make for sale, or expose to sale, any sort of bread, except wheaten and household, otherwise brown bread, and such other sorts, as in such place are allowed to be made or sold by the court or persons authorized to set the assize: but where it hath been usual to make bread with the meal of rye, barley, oats, beans, or peas, or with the meal of any such different sorts of grain mixed together; or the court, &c. shall allow bread to be made with rye, &c. or the flour thereof, or the flour of any such different sorts of grain mixed together, such bread shall be there made and sold: and if any person offend in the premises, and be convicted, either by confession, or the oath of one witness, before any magistrate or justice, he shall forfeit not exceeding 40*s.* nor less than 20*s.* as such magistrate, &c. thinks fit, *id. s.* 3.

15. In every place for which an assize of bread shall be set, the assize and weight of the several sorts there made for sale, and the price, shall be set according to the tables herein set down, *id. s.* 4. [*These tables* superseded, and others given to be used out of *London*, &c. 53 *G.* 3. *c.* 116. *s.* 7. *and Tab. Nos.* 6, 7, 8.]

16. Every assize that shall be set in any city, &c. shall be set in avoirdupoize weight, of sixteen ounces to the pound, and in the proportions directed by the tables, or as near as may be, as to the several sorts of bread in this act specified; and the tables shall extend to bread made with the flour of wheat mixed with the flour of other grain, as also to

bread made with the flour of other grain than wheat which shall be allowed to be made into bread in any place under this act; and the assize of all such mixed bread shall be set, as near as may be, according to such tables, 31 *G.*2. *c.*29. *s.*5.

17. The prices which the several kinds of grain and flour (fit to make the different sorts of bread) sell for in the markets in *London*, during the whole market, and not at particular times thereof, or on particular contracts only, shall be certified on oath, on some certain day in every week, as the court of mayor and aldermen of *London* appoint, by the meal weighers of the city of *London*, or such persons as such court shall direct; and also in some day in every week appointed by such court, be entered by such meal-weighers, &c. under their hands, in some book provided by the city of *London*, and kept at the town clerk's office: and the next day after every such price so certified, the assize and weight of all sorts of bread to be exposed to sale within the limits of their jurisdiction, and the price for the same, shall be set by the court of mayor and aldermen in *London*, if the said court then sit, and if such court shall not then sit, by the mayor; and the assize of bread so set in *London*, shall take place from such time as the said court shall order, and be in force for the city of *London*, and the liberties thereof, and the weekly bills of mortality, (the city of *Westminster*, and liberties thereof, the borough of *Southwark*, and weekly bills of mortality in the county of *Surry* excepted), until a new assize of bread in *London* be set; and after the setting of every such assize of bread in *London*, the assize so set shall, with all speed, be made public in such manner as the court of mayor and aldermen shall order: but before any advance or reduction in any week be made by the said court or mayor in the price of bread, such meal weighers, &c. shall leave in writing, at the common hall of the company of bakers in such city, a copy of every such return of the price of grain, meal, and flour, some time of the same day on which they make such return, that the company of bakers may, the morning of the next day after such return and entry made, and before any assize be set, have an opportunity to offer to the court of mayor and aldermen, &c. objections against any advance or reduction being that day made in *London* in the price of bread, *id. s.*6.

18. The court of mayor and aldermen of every other city where there is such court, and when such court sits; and where there is no such court, or the same does not sit, the mayor, bailiffs, or other chief magistrates of every city, and in towns corporate, or boroughs, the mayor, bailiffs, aldermen, or other chief magistrates, or two justices where there is no mayor, &c. shall, as there is occasion, within their respective jurisdictions, cause the prices which the several sorts of grain, &c. (fit to make the different sorts of bread) sell for in the respective markets in or near such place, during the whole market, to be certified upon oath unto such court, or magistrates, in such manner, and by such persons, and on such day in every week, as such court, &c. shall appoint; and the price so certified shall be entered by the persons who certify the same in some book kept by them: and within two days after such price so returned, the assize and weight of bread for every such city, &c. and the price for the same shall be set by the court of mayor and aldermen of such city where there is such court, and the same shall sit; and when such court shall not sit, by the mayor thereof; and where there is no such court, by the mayor, bailiffs, or other chief magistrates thereof; and in towns corporate, and boroughs, by the mayor, bailiffs, aldermen, or other chief magistrates thereof; and by two justices where there is no such mayor, &c. and the assize and weight of bread, and price so set, in every such place, shall commence on such day in every week, and be in force for such time, not exceeding seven days from the setting such assize, and be made public in such manner, as such court or magistrates direct, *id. s.*7. [*See as to* the way of ascertaining the price of grain in *Scot.*, 3 *G.*3. *c.*6., and out of the bills of mortality, 53 *G.*3. *c.*116. *ss.*1—6. *post.*]

19. If any two justices for the county at large set an assize of bread for any place within their jurisdictions, such justices may cause the price which grain, &c. (fit to make the several sorts of bread made for sale in such place) sells for in the corn market in or near such place during the whole market, to be certified on oath to them at their respective houses in such county or division, on such day in every week as they shall appoint, by the respective clerks of the market in or near such place, or such other persons as such justices shall appoint; and the price of grain, &c. so returned, shall be entered by the persons who return the same, in some book kept for that purpose; and within two days after such return of the price of grain, &c. to such justices, the price and assize of bread may be by them set, for not exceeding fourteen days; and the assize so set shall commence after every setting thereof, and be made public in such place for which the same is so set, in such manner as the justices shall order, *id. s.*8. [*See* 53 *G.*3. *c.*116. *ss.*7, 8, 9, 10.]

20. Any maker of bread for sale in any such other city, &c. or place where the price and assize of bread shall be set, may, in the day time, the next day after every return of the price of grain and flour, see the entry of the price of grain, &c. without paying any thing for the same; that every such maker of bread for sale, may have an opportunity on such next day after such entry, to offer to such court, chief magistrate, or justices, before any such assize be set, objections against any advance or reduction in the assize or price of bread in such other city, &c., 31 *G.*2. *c.*29. *s.*9.

21. No baker or maker of bread for sale shall be liable to pay any fee to any person for any assize of bread being set, altered or published, *id. s.*10.

22. The form of the return, or the certificate of the price of grain or flour, shall be as followeth, viz.

[The prices of grain, meal, and flour, as sold in the corn market in — in the — of — the — day of — 18

The best wheat	at		by the bushel.
The second	at		by ditto.
The third	at		by ditto.
The best wheaten flour	at		by the sack.
Household flour	at		by ditto.
Rye	at		by the bushel.
Rye meal, or flour	at		by the bushel.
Barley	at		by ditto.
Barley meal	at		by ditto.
Oats	at		by ditto.
Oatmeal	at		by
White peas	at		by the bushel.
White pea flour, or meal	at		by
Beans	at		by the bushel.
Bean meal, or flour	at		by]

To every of which returns the persons appointed to make the same, shall sign their names or marks, *id. s.*11. [*See other* forms of returns, 53 *G.*3. *c.*116. *Nos.* 1, 2, 3, 4. *and s.*3.]

23. When an assize of bread shall be set, the same shall be made public in the form following, *viz.*

[—— *to wit.* The assize of bread set the —— day of —— for —— to take place on the —— day of —— now next ensuing, and to be in force —— for the said —— of ——.]

And in places where penny, twopenny, sixpenny, twelvepenny, and eighteenpenny loaves shall be made, as followeth: —

	lb.	oz.	dr.
[The penny loaf wheaten is to weigh			
Ditto household is to weigh			
The twopenny loaf wheaten is to weigh			
Ditto household is to weigh			
The sixpenny loaf wheaten is is to weigh			
Ditto household is to weigh			
The twelvepenny loaf wheaten is to weigh			
Ditto household is to weigh			
The eighteenpenny loaf wheaten is to weigh			
Ditto household is to weigh			

And in places where quartern, half-peck, and peck loaves shall be made, then as follows:

	lb.	oz.	dr.		s.	d.
The peck loaf wheaten is to weigh				and is to be sold for		
Ditto household is to weigh				and is to be sold for		

And the half-peck and quarter of a peck loaves of wheaten and household bread are to weigh in proportion to the weight a peck loaf of wheaten or household bread ought to weigh, and are to be sold according to the price a peck loaf of wheaten or household bread respectively is to be sold. And whenever any bread shall be ordered to be made by any such magistrate or justices, within their jurisdiction, with the flour of rye, barley, oats, peas, or beans, either alone or mixed with the flour of any other grain, the assize of such bread shall be made public in such manner as such magistrate or justices, who set the assize, shall direct, 31 *G.*2. *c.*29. *s.*12.

24. In places where any sixpenny, twelvepenny, and eighteenpenny loaves shall be ordered or allowed to be made or sold, no peck, half-peck, or quarter of a peck loaves shall be allowed at the same time; that one of those sorts of loaves may not be sold for the other sort, to the injury of unwary people; upon pain that every one who offends in the premises be convicted, shall forfeit a sum not exceeding 40*s.* nor less than 20*s.*, as the magistrate before whom he is convicted thinks fit, *id. s.*13.

25. If for the better carrying into execution this act, the justices shall at any general or general quarter-sessions fix, that any hundred or place in the county, &c. ought to be considered as in any one particular hundred, riding, or division of such county, &c. that the assize of bread set for such particular hundred or place, may extend to such other hundred or place, they may do so, but by so doing, no justice of peace of any such such county, &c. shall be excluded from acting as a justice in any hundred or division of any such county in which any

such particular towns or places lie, or the assize for them is set, 31 *G.*2. *c.*29. *s.*14.

26. An entry shall be made by every clerk of the market or other person appointed to make such return and certificate, as hereby (*ss.* 6, 7.) is directed, in some book to be provided and kept by them respectively for that purpose, of every return made in pursuance of this act, and of the rate at which the price, assize, and weight of bread shall from time to time be set within the jurisdiction of every such clerk of the market, &c. which book any inhabitant may inspect without fee, *id. s.*15.

27. After an assize of bread set, no alteration shall be made therein in any subsequent week, unless when the price of wheat, or other grain, is returned as having risen threepence each bushel, more than the last return, or fallen threepence each bushel lower than the last return, *id. s.*16.

28. If any meal-weigher, clerk of any market, or other person appointed to certify the price of grain and flour (as in *s.*6, 7.,) neglect to do any thing by this act required, or knowingly make any false certificate or return, or if any constable or peace-officer neglect to obey any warrant delivered to him of any magistrate or justice of peace, or to do any act requisite for the carrying this act into execution; every person so offending, being convicted, shall forfeit not exceeding *5l.* nor less than 20*s.*, as the magistrate before whom he is convicted shall order, *id. s.*17.

29. In case any buyers or sellers of or dealers in corn, grain, or flour, on request by the meal-weighers of the city of *London* in *London*, or by the clerks of the markets, or other persons appointed to certify the prices of grain, &c. from the markets within their jurisdictions, shall refuse to disclose to such meal-weighers, clerks of the markets, &c., the prices the several sorts of grain and flour are *bonâ fide* bought at or sold by or for them, at any corn market, or other place, where grain is usually publicly sold within the jurisdiction of such persons who request such account; or shall knowingly give in to any such meal-weigher, clerk of the market, &c. any false price of any grain, &c. bought or sold, or so agreed to be, or any price made by deceitful means, he or she so offending, being convicted by the oath of one witness, or affirmation of a Quaker, or on confession, shall forfeit not exceeding 10*l.* nor less than 40*s.*, as the magistrate shall order, *id. s.*18.

30. If any such court, magistrate, or justice, who shall have ordered any return to be made of the price of grain, &c. within their respective jurisdictions, shall within three days after such return made, suspect that the same was not truly made, such court, &c. may summon before them any person who bought or sold, or is suspected to have bought or sold, or agreed to buy or sell any grain, &c. within their respective jurisdictions, or who is likely to give information concerning the premises, and may examine them upon oath, touching the prices the several sorts of grain, &c. were there bought at, or agreed so to be by them, at any time within seven days preceding the summoning of them; and if any person so summoned neglect to appear, (and proof be made on oath of such summons having been duly served,) or if any person so summoned appear, and refuse to answer lawful questions proposed by such court, &c. without some just excuse to be allowed of by such court, &c he or she so offending, being convicted either by the oath of one witness, or confession before any such court, &c. shall forfeit not exceeding 10*l.* and not less than 40*s.* as such court, &c. shall order; and if any person examined upon oath wilfully forswear himself, he shall be subject to be prosecuted as for perjury, by indictment or information, and if convicted, be liable to the penalties of wilful and corrupt perjury; provided that the party so summoned be not obliged to travel above five miles from the place of his abode, *id. s.*19. [*see* 53 *G.*3. *c.*116. *ss.* 10, 11.]

31. Whenever any court, magistrate, or justices, order any bread to be made within their jurisdictions, of the flour of any other grain than wheat, or to be mixed with the flour of wheat, or to be made with the flour of any other grains, either separate or mixed together, all persons who make any bread for sale where such order is made, shall make bread with such mixed flour, in such manner as ordered by such court, &c. and shall make the same of such weight and goodness, and sell the same at such prices as such court, &c. order; upon pain that every person who offends in the premises and be convicted, shall forfeit not exceeding *5l.* nor less than 40*s.*, *id. s.*20.

32. The several sorts of bread made for sale, or sold or exposed to sale, shall be well made and in their several degrees, according to the goodness of the several sorts of flour whereof the same ought to be made, and no allum, or preparation or mixture in which allum is an ingredient, or any other mixture or ingredient, (except only the flour which ought to be put therein, and common salt, pure water, eggs, milk, yeast and barm, or such leaven as is allowed by the court or person who set the assize of bread for the place where such leaven is used; and where no assize is set, then such leaven as any magistrate within his jurisdiction shall allow,) shall be put into or used in making dough, or any bread to be sold, or as leaven to ferment any dough, or on any other account, in the trade of making bread; upon pain that every person, (other than a servant or journeyman,) who knowingly offends in the premises, and is convicted either by confession or the oath of one witness before any magistrate, shall forfeit not exceeding 10*l.* and not less than 40*s.* or shall by warrant of such magistrate be apprehended and committed to the house of correction, or some prison of the county or place where the offence is committed, or the offender apprehended, to be kept to hard labour, for not exceeding one month nor less than ten days, as such magistrate shall order; and if any servant or journeyman baker knowingly offends in the premises, and is convicted as aforesaid, he shall forfeit not exceeding *5l.* and not less than 20*s.*, or shall by warrant of such magistrate be apprehended and committed to the house of correction, or some prison where the offence is committed, or the offender apprehended, to be kept to hard labour for not exceeding one month nor less than ten days, as such magistrate shall order; and such magistrate, out of the money forfeited when recovered, may cause the offender's name, place of abode and offence, to be published in some newspaper printed in or near the place where such offence is committed, 31 *G.*2. *c.*29. *s.*21.

33. No person shall knowingly put into any corn, or flour, which shall be ground, dressed, bolted, or manufactured for sale, either at the time of grinding, &c. or at any other time, any ingredient, mixture or thing, or shall knowingly sell or expose to sale, any flour of one sort of grain for the flour of any other sort, or any thing as mixed with the flour of any grain which shall not be the real flour of the grain the same ought to be, upon pain to forfeit not exceeding *5l.* nor less than 40*s.*, *id. s.*22.

34. No person shall knowingly put into any bread made for sale, any mixture of flour of any other grain than of the grain the same imports to be, and is allowed to be made of, or shall put into any bread made for sale, any other proportion of any other grain, or the meal or flour thereof, than is appointed by *s.*3. *pl.* 14.; or any mixture or thing as flour which is not the genuine flour; upon pain to forfeit not exceeding *5l.* nor less than 20*s.*, *id. s.* 23.

35. If any person who makes bread for sale, or sends out, sells or exposes to sale any bread, shall make, send out, sell, or expose to sale any bread deficient in weight, according to the assize set for such bread under *s.*2. *pl.*13., *s.* 12. *pl.* 23., he or she so offending and being convicted, shall forfeit not exceeding 5*s.* nor less than 1*s.* for every ounce deficient in the weight every such loaf ought to be of; and for every loaf wanting less than an ounce of the weight, a sum not exceeding 2*s.* 6*d.* nor less than 6*d.* so as such bread complained of in any city, town corporate, borough, liberty or franchise, or the jurisdiction thereof, or within the weekly bills of mortality, be brought before some magistrate having jurisdiction in the premises, and be weighed before him within twenty-four hours after the same is baked, sold or exposed to sale; and so as such bread complained of in any hundred or place, be brought before some justice of peace of such hundred or place, and be weighed before him within three days after the same is baked, sold or exposed to sale, unless it be made out to the satisfaction of such magistrate, on behalf of the party against whom such complaint is made, that such deficiency in weight wholly arose from some unavoidable accident in baking or otherwise, or was occasioned by some confederacy, *id. s.*24. [*See* 48 *G.*3. *c.* lxx., *as to London, &c.* 50 *G.*3. *c.*73. *s.*1.]

36. Every person who makes for sale, or sells, exposes or sends out for sale, any bread, shall cause to be marked on every loaf the *Roman* letters after-mentioned, viz. upon every loaf sold, &c. as wheaten bread, a large W; and upon every loaf sold, &c. as household or brown bread, a large H; and every person who makes for sale, &c. any loaf of any sort of bread allowed to be made in pursuance of *s.*3. of this act, not marked pursuant to this act, so as the same may on view be ascertained, under what denomination such loaf was made, and ought to be weighed, (except as to loaves rasped after the bespeaking or purchasing, by the desire of any person who orders the same,) shall forfeit not exceeding 20*s.* nor less than 5*s.* for every loaf not so marked, *id. s.*25.

37. No baker or other person shall ask or take, for any bread which he sells or exposes to sale, any greater price than such bread shall be ascertained to be sold for by the court, magistrate or justices, authorised to set the price and assize of bread; and no baker or other person who makes any bread for sale, shall refuse to sell any loaf of any sort of bread in pursuance of this act allowed to be made, to any person who shall tender ready money for the same, at the price such bread by the assize is fixed at, when such baker, &c. has any loaf of such bread in his possession, to be sold, more than is requisite for the immediate necessary use of his own family or customers; and which it shall be incumbent on such baker or other person complained of, to prove before the magistrate to whom such complaint is made, if required by the party who makes such complaint; upon pain that every person convicted of such offence shall forfeit not exceeding 40*s.* nor less than 10*s.*, *id. s.* 26.

38. No person shall sell or offer to sale any bread of an inferior quality to wheaten bread, at a higher price than household bread is set at

by the assize; and if any person offend in the premises, he shall forfeit for every such offence, on being convicted, either by confession, or by the oath of one witness, before any magistrate, 20*s*., 31 *G*. 2. *c*. 29. *s*. 27.

39. Any magistrate or justice, and any peace-officer authorized by warrant of such magistrate, in the day time, may enter into any house, shop, stall, bakehouse, warehouse, or out-house, of any baker or seller of bread, to search for, view, weigh and try any bread there found; and if any bread be found wanting either in the goodness, or deficient in the baking or working, or in the due weight, or not truly marked, or of any other sort than allowed by this act; any magistrate or peace officer may seize the same, and such magistrate may dispose thereof as he thinks fit, *id*. *s*. 28. [*See* 48 *G*. 3. *c*. lxx. *s*. 1.]

40. If information be given on oath to any magistrate that there is cause to suspect that any miller who grinds grain for toll or reward, or any person who doth dress, bolt, or in any wise manufacture flour for sale, or any maker of bread for sale, doth mix or put into any flour ground for sale, any mixture, ingredient or thing, not the genuine produce of the grain such flour ought to be, or whereby the purity of any flour in the possession of any such miller, mealman or baker is adulterated; such magistrate, and any peace-officer authorized by warrant of any magistrate, in the day, may enter into any house, mill, shop, bakehouse, stall, bolting-house, pastry, warehouse, or outhouse, of any such miller, mealman, or baker, and search whether any mixture, ingredient or thing, not the genuine produce of the grain such flour ought to be, be mixed up with or put into any flour in the possession of any such miller, &c. either in the grinding the grain at the mill, or in the dressing, bolting or manufacturing thereof, or whereby the purity of any flour is in anywise adulterated: and if it appear that any offence hath been committed in any place allowed to be searched, such magistrate or officer so authorized may seize any flour deemed to have been adulterated, and all mixtures and ingredients found and deemed to have been used, or intended to be used in such adulteration; and such thereof as is seized by such peace-officer, shall be carried to some magistrate within whose jurisdiction the same was so seized: and if any magistrate to whom any thing seized under this act is brought, adjudge that any mixture or ingredients, not the genuine produce of the grain any such flour so seized ought to be, is put into such flour, or that the purity of such flour so seized was adulterated, such magistrate shall dispose of the same as he thinks proper, *id*. *s*. 29.

41. Every miller, mealman, baker, or seller of bread, in whose possession any mixture or ingredient is found, which is adjudged by any magistrate to have been lodged there, with intent to have adulterated the purity of flour or bread, shall, on being convicted, either by confession, or on the oath of one witness, before any magistrate, forfeit not exceeding 10*l*. nor less than 40*s*. unless he make it appear to the satisfaction of such magistrate, that such mixture or ingredients were not brought where the same were found, with intent to have been put into any flour, or to have adulterated the purity of any flour, but was in the place where found for some other lawful purpose; and the magistrate out of the money forfeited when recovered, may cause the offender's name, place of abode and offence, to be published in some newspaper printed in or near the place where such offence is committed, *id*. *s*. 30.

42. If any person obstruct any search hereinbefore authorized, or the seizure of any bread, or of any ingredients found on such search, and deemed to have been lodged with intent to adulterate the purity of flour, or bread, or wilfully resist such search, or the carrying away such ingredients, or any bread seized, as not being made pursuant to this act, he shall forfeit not exceeding 5*l*. nor less than 20*s*., *id*. *s*. 31.

43. No miller, mealman or baker, shall be capable of acting as a magistrate under this act; and if any miller, &c. so do, he shall for every offence forfeit 50*l*. to any person who will inform or sue, to be recovered in any court of record at *Westminster*, by action of debt, &c. or information, wherein no essoin or more than one imparlance shall be allowed, or by way of summary complaint before the court of session in *Scot*., *id*. *s*. 32.

44. If any baker shall make complaint to any justice, and make appear by the oath of any credible witness, that any offence which he has been charged with, and has incurred any penalty under this act, was occasioned by the default of any journeyman, or other servant, employed by such baker, such magistrate shall issue his warrant for bringing such servant, &c. before him, or any magistrate where the offender can be found; and on such servant, &c. being apprehended and brought before such magistrate, he shall examine into such complaint, and on proof thereof upon oath, shall, by order under his hand, adjudge what sum shall be paid by such servant to his master, by way of recompence for the money paid by reason of his default; and if such servant, &c. neglect on conviction, to make immediate payment of the sum which such magistrate shall so order him to pay, such magistrate shall by warrant cause such servant to be committed to the house of correction, or some other prison, to be there kept to hard labour for not exceeding one month, unless payment be made of the money ordered before the expiration of the month, 31 *G*. 2. *c*. 29. *s*. 33.

45. The mayor of *London*, or any alderman of the said city, within the said city or liberties thereof, and any justice within their respective jurisdictions, may hear and determine in a summary way, all offences against this act, and summon before them any party accused; and in case the party accused appear not on such summons, or offer some reasonable excuse for his default, then upon oath by any witness of any offence contrary to this act, any such magistrate shall issue his warrant for apprehending the offender; and upon the appearance of the party accused, or in case he appear not, on notice given to or left for him at his usual place of abode, or if he cannot be apprehended on a warrant granted against him as before directed, such magistrate shall make enquiry touching the matters complained of, and examine witnesses on either side on oath, and after hearing the parties and witnesses, such magistrate shall convict or acquit the party accused; and if the penalty on any such conviction be not paid within 24 hours after conviction, such magistrate shall issue a warrant directed to a peace-officer, empowering him to make distress of the goods of the offender; and if any offender convey away his goods out of the jurisdiction of such magistrate before whom he was convicted, or so much thereof that the penalty cannot be levied, then some magistrate within whose jurisdiction the offender has removed his goods shall back such warrant; and thereupon the penalty forfeited shall be levied on the offender's goods by distress and sale; and if within five days from the distress taken, the money forfeited be not paid, the goods seized shall be appraised and sold, rendering the overplus, after deducting the penalty and charges of the prosecution, distress and sale, to the owner; which charges shall be ascertained by the convicting magistrate, or by the magistrate or justice who backed the warrant, if either of them continue alive; and if not, by some other magistrate or justice of the county or place in which the offender is convicted; and for want of such distress, such magistrate in whose jurisdiction such offender is, shall, on the application of any prosecutor, and proof of the conviction and non-payment of the penalty and charges, by warrant commit such offender to the common gaol, or house of correction of the city, county or place where such offender is found, for one calendar month, unless payment be made before the expiration of such month; and all such penalties, when recovered, shall be paid to the informer, *id*. *s*. 34.

46. Such of the penalties payable by 31 *G*. 2. *c*. 29. as are not appropriated, shall be distributed, one moiety, where any offender is convicted either by confession, or by the oath of a witness, to the informer; and the other moiety, and all penalties payable on the weighing, trying, or seizure of bread, by any magistrate, shall be applied for the better carrying into execution of the said act as any such magistrate within his jurisdiction shall order, 32 *G*. 2. *c*. 18. *s*. 2.

47. If it be made out by the oath of any person to the satisfaction of any magistrate or justice, that any one within the jurisdiction of such magistrate is likely to give material evidence on either side, and will not voluntarily appear, such magistrate shall issue his summons to convene such witness before such magistrate, at a time in such summons fixed; and if any person so summoned neglect to appear, and no just excuse be offered, then (after proof by oath of such summons having been duly served), such magistrate shall issue his warrant to bring such witness before him, and on his appearance, such magistrate shall examine him upon oath; and if such witness refuse to be examined on oath, without offering any just excuse, such magistrate within his jurisdiction may, by warrant, commit any person so refusing to be examined to the public prison of the county or place, for any time not exceeding 14 days, nor less than 3 days, 31 *G*. 2. *c*. 29. *s*. 35.

48. The justice before whom any person is convicted, shall cause such conviction to be drawn up in the form following; (*viz*.)

'To wit. Be it remembered, that on this —— day of —— in the —— year of the reign of —— A. B. is convicted before —— majesty's justices of the peace for the said county of —— or for the —— riding, or division of the said county of —— or for the city, liberty, or town of —— [*as the case shall be*], for —— and —— do adjudge him, (her or them) to pay and forfeit for the same, the sum of —— Given under —— the day and year aforesaid.' *id*. *s*. 36.

49. No *certiorari*, letters of advocation, or of suspension, shall be granted to remove any conviction or other proceedings thereon in pursuance of this act, *id*. *s*. 37.

50. All persons so convicted or aggrieved by the judgment of the magistrate or justice before whom they are convicted, may appeal to the next general or quarter sessions of the peace for the county or place where such judgment was given, and the execution of such judgment shall be suspended; the person so convicted, entering into a recognizance at the time of conviction, with two sureties in double the sum adjudged to be paid, upon condition to prosecute such appeal with effect, and to be forthcoming to abide the judgment of such sessions, which recognizance the magistrate or justice before whom such conviction shall be, shall take; and the justices in such sessions shall finally determine

such appeal, and award costs to be paid by either party; and if upon the appeal the judgment of the magistrate before whom the appellant was convicted be affirmed, such appellant shall immediately pay the sum adjudged with such costs as the sessions award; and in default of paying the same, any two such justices, or any one magistrate or justice, having jurisdiction in the place into which such appellant escapes, or where he resides, shall by warrant commit such appellant to the common gaol of the county or place where he is apprehended, until he make payment of such penalty and costs to the informer; but if the appellant made good his appeal, costs shall be awarded to the appellant against such informer; which costs may be recovered as costs given at any general or quarter-sessions of the peace are recoverable, 31 *G.* 2. *c.* 29. *s.* 38.

51. If any such conviction be made within six days before any general or quarter-sessions for the county or place where such conviction is made, then the party so aggrieved may, on entering into a recognizance, as in *s.* 38. directed, appeal either to the then next, or the next following sessions for such county or place, *id. s.* 39.

52. Every action brought against any magistrate or justice, or any peace-officer, for any thing done under this act, shall be commenced within six months after the fact, and be laid in the county or place where the matter in dispute arises; and the 24 *G.* 2. *c.* 44. so far as relates to the rendering the justices more safe in the execution of their office, shall extend to magistrates and justices of peace acting under this act; and no action shall be commenced against, nor any writ sued out, or copy of any writ served upon any peace-officer for any thing done in the execution of this act, until seven days after notice in writing given to or left for him at his usual place of abode, by the attorney for the party intending to commence such action; which notice shall contain the name and place of abode of such person, and of his attorney, and the cause of action: and any peace-officer may by virtue of this act, at any time within seven days after such notice, tender amends for the injury to the party complaining, or to the attorney named in such notice; and if the same is not accepted of, the defendant may plead such tender in bar, together with the general issue, or any other plea, with leave of the court: and if upon issue joined on such tender, the jury find the amends tendered to be sufficient, they shall find a verdict for the defendant; and in such case, or if the plaintiff be nonsuit, or discontinues, or has judgment against him on demurrer, or if any action is brought after the time limited, or in the wrong county or place, the jury shall find for the defendant, and the defendant shall be entitled to his costs; but if the jury find that no such tender was made, or that the amends tendered were not sufficient, or find against the defendant on any plea, they shall give a verdict for the plaintiff, and such damages as they think proper, and the plaintiff shall recover his costs, *id. s.* 40.

53. If any action be commenced for any thing done in pursuance of this act, the defendant may plead the general issue, and give this act and the special matter in evidence, and that the same was done in pursuance hereof; and if it so appear, and if a verdict is recorded for the defendant, or if the plaintiff is nonsuited or discontinues after appearance, or has judgment on a verdict or demurrer against him, the defendant shall have treble costs, with usual remedy to recover the same, *id. s.* 41.

54. No person shall be convicted in manner aforesaid, for any of the before-mentioned offences, unless the prosecution be commenced within three days after the offence committed, *id. s.* 42.

55. This act shall not prejudice any right or custom of the city of *London*, or the practice there used, or any right or custom of any lord of any leet, to set, inquire and punish the breach of assize of bread, within their respective leets or views of frankpledge, or the right of any clerk of the market in any place, *id. s.* 43. 13 *G.* 3, *c.* 62. *s.* 15.

56. A bread made of wheat as followeth; that is to say, of the flour of wheat, which flour, without any mixture or division, shall be the whole produce of the grain, the bran or hull thereof only excepted, and which shall weigh three fourth parts of the weight of the wheat whereof it shall be made; may be at all times made, baked, exposed to sale, and sold, and shall be called *standard wheaten bread*, 13 *G.* 3. *c.* 62. *s.* 1.

57. The makers of such bread for sale, shall mark every loaf thereof with the capital letters *S. W.*, and the makers and sellers of the same shall make and sell the same, although no assize of bread be set of the weight, and in the proportions following; viz. every standard wheaten peck loaf shall always weigh 17 *lbs.* 6 *oz.* avoirdupois, every half peck loaf 8 *lbs.* 11 *oz.*, and every quartern loaf 4 *lbs.* 5½ *oz.* avoirdupois; and every peck loaf, half peck loaf, and quartern loaf, shall always be sold, as to price, in proportion to each other respectively; and where wheaten and household bread, made as the law now directs, shall be sold at the same time, together with this standard wheaten bread, they shall be sold in respect of and in proportion to each other, as followeth; *viz.* the same weight of wheaten bread as costs 8*d.*, the same weight of this standard wheaten bread shall cost 7*d.*; and the same weight of household bread as shall cost 6*d.*, or 7 standard wheaten assized loaves shall weigh equal to 8 wheaten assized loaves, or to 6 household assized loaves of the same price, as near as may be, 13 *G.* 3. *c.* 62. *s.* 2.

58. Such standard wheaten bread shall not be made into, or exposed to sale, or sold as priced loaves, at one and the same time, together with the assized loaves, as one and the same standard wheaten bread, *id. s.* 3.

59. Magistrates or others, who are now authorized to set the assize and fix the price of bread, shall, whenever and wherever they think proper, set the assize or fix the price of bread, and at the same time set the assize on, or fix the price of the standard wheaten bread aforesaid, the baker's allowance for baking being included according to the rates and proportions set down in the following table, *id. s.* 4. [*But see as* to the new tables, 53 *G.* 3. *c.* 116.]

60. All makers of bread for sale, and all persons who shall make and bake for sale, and shall sell, or expose to sale, the said *standard wheaten bread*, shall make, sell, and expose to sale the said bread as directed by this act: and such persons shall be liable to the same penalties and punishments, in all respects whatsoever, for any misdemeanor or neglect in the making, marking, selling, or exposing to sale such standard wheaten bread, as they are liable to now in respect to wheaten or household bread, *id. s.* 5.

61. If any information shall be laid against any baker for making, marking, baking, or exposing to sale, any bread, purporting to be the *standard wheaten bread* aforesaid, made of flour, not being the whole produce of the wheat, the bran or hull thereof only excepted, and weighing three fourth parts of the weight of the wheat whereof it was made, and such baker shall prove that he bought the said flour, whereof his bread was made, as for such flour, of the miller or mealman, naming his name and place of abode: then the baker shall stand acquitted, and the miller or mealman offending shall forfeit the penalties directed in case of adulterating corn or flour, by 31 *G.* 2. *c.* 29. *ss.* 29, 30. to be paid, *id. s.* 6.

62. When any magistrate shall have set an assize on, or fixed the price of the *standard wheaten bread*, as directed by this act, such person may omit the setting an assize upon, or fixing the price of any other sort of bread, *id. s.* 7.

63. The justices at any general or quarter-session, may, if they think proper, prohibit, for three months, (unless they shall see cause sooner to revoke the order for such prohibition, which they may do at any adjourned quarter-sessions or any special sessions,) the makers of bread for sale from making for sale, baking, selling, or exposing to sale, any other sorts of bread, than the *standard wheaten bread* aforesaid; provided, that no such order for such prohibition do take place, or be in force, until one month at least after the date of the making thereof; and every order which shall be so made, shall be entered in a book, to be provided and kept for that purpose by such justices, which book may be inspected by the makers of bread for sale, without fee; and after making such order, such justices shall cause a copy thereof to be put up in some market or other public town, within the place in which such order is to be observed and take place, or else such justices shall cause a copy of such order to be inserted in some public newspaper, published in the county, &c. *id. s.* 8.

64. Within the city of *London*, and the liberties thereof, the company of bakers of such city, and in any other place, any baker or maker of bread for sale, may have an opportunity of offering to such justices, such objections as such company of bakers, or such bakers or makers of bread for sale, may have to offer against such prohibition at the time when such justices shall have under consideration the ordering such prohibition, *id. s.* 9.

65. Nothing in this act shall prevent the magistrates from allowing at all times, and even during the time of such prohibition, (as in *s.* 8.) if they think fit, any white loaves or wheaten loaves of the price of one penny, or two pence, to be made and sold, so that the said loaves be made, marked, baked, exposed to sale, and sold according to the regulations of *the table of assize, and price of bread*, in 31 *G.* 2. *c.* 29., contained, *id. s.* 10.

66. Any baker or maker of bread for sale, may make, bake, expose to sale, and sell, inferior and coarser bread *than the standard wheaten*, provided he sells such bread at a price under that of the household bread, as directed by 31 *G.* 2. *c.* 29. *s.* 20, 21. *pl.* 31, 32., although nothing in this act doth extend to the setting any assize thereon, *id. s.* 11.

67. When and where any baker or maker of bread for sale shall sell, or expose to sale, any such inferior or coarser bread, by weights and prices whereat the household bread aforesaid is at that time assized, priced, or sold, he shall, for such offence, be liable to the same penalties and punishments as bakers and makers of bread for sale are now liable to for the like misdemeanor or neglect in making, selling, or exposing to sale, any other sort of bread, allowed to be made or exposed to sale, and sold, *id. s.* 12.

68. All magistrates following the directions herein-before and hereinafter given, shall have the same powers and authority to apply them, relative to assizing, pricing, and regulating the making, selling, or exposing to sale such *standard wheaten bread*, and punishing the makers, sellers, and exposers thereof to sale, for any misdemeanor or neglect in making, &c. as they have by any law now in being, relative to assizing, pricing, making for sale, selling, or exposing to sale, any bread whatsoever, 13 *G.*3. *c.*62. *s.*13.

69. Magistrates and all other persons shall have all the privileges, protections, and indemnifications, for what they shall do in putting this act in execution, as they are entitled to by the laws relative to the making of bread, and selling or exposing the same to sale, for putting such laws in execution, *id. s.* 14.

70. This act shall not extend to prejudice any right or custom of the city of *London*, or the practice there used, or any right or custom of any lords of any leet, to set the assize, &c. of bread, or the right of any clerks of the market in any place, *id. s.*15.

71. All the laws now in being, for the due making of bread, or to regulate the price and assize thereof, or to punish persons who shall adulterate meal, flour, or bread, shall stand and remain in full force, in the whole and every part thereof not altered by this act, *id. s.* 18.

72. In boroughs and corporations, one of the bailiffs, in the absence of the other, shall set an assize on bread, under 31 *G.*2. *c.*25. or this act, and do all other matters and things directed for setting the same, *id. s.*19.

73. All courts and persons duly authorized shall continue to set the assize of bread, notwithstanding the price of a bushel of wheat shall exceed the sums contained in the tables to 31 *G.*2. *c.*29., 13 *G.*3. *c.*62., and (37 *G.*3. *c.*98. *local*) annexed, provided they observe the proportions contained in such tables, according to the schedule hereto annexed, 39 & 40 *G.*3. *c.*74. *s.*1. [*but see now the new tables, and* 53 *G.*3. *c.*116. *s.*7. *pl.*84.]

74. All the penalties by such acts prescribed for selling bread deficient in weight, or at higher prices than the assize, shall be in force against persons acting contrary to this act, 39 & 40 *G.*3. *c.*74. *s.*3. [the other two sections of this act are local.]

75. If any person residing beyond the city of *London*, or the liberties thereof, or beyond ten miles of the *Royal Exchange*, shall make any bread for sale, or shall send out, or expose to sale any bread deficient in weight according to the assize set for the same, in pursuance of any act in force for regulating the assize of bread, any magistrate or justice within their respective jurisdictions, before whom any information is exhibited on oath of one witness of such deficiency, and also any peace-officer authorized by warrant from such magistrate or justice, (and which warrant they shall grant on such oath,) at proper times in the day-time, may enter into any house, shop, stall, bakehouse, warehouse, or outhouse of any such baker or seller of bread, against whom any such information is made, to search for, view, and try all bread there found, which has been baked within twenty-four hours before such weighing, and which bread shall be weighed by the bushel or otherwise as most convenient, and if on weighing the same, any deficiency shall be found on the average of all such bread as shall then be weighed, and which deficiency shall be proved before such magistrate or justice, on the oath of the party weighing the same, the person so offending shall, on conviction, forfeit not exceeding 5*s.* for every ounce so deficient, and so in proportion, except as hereafter is excepted, and such magistrate, justice, or officer may, where they find any such deficiency, seize all loaves so deficient, and such magistrate or justice may dispose thereof as they think fit, except it shall be proved on the behalf of the party informed against, on oath or affirmation of any one respectable house-keeper, that such deficiency arose from accident, or was occasioned by some contrivance or confederacy, 50 *G.*3. *c.*73. *s.*1.

76. Every baker and seller of bread beyond the limits in *s.*1., shall have fixed in his shop a beam and scales, with proper weights of the assize, weight of a half-peck, quartern, and half-quartern loaf, and also of a 1*s.* 6*d.*, 1*s.*, and a 6*d.* loaf, and persons purchasing such loaves may have them weighed in their presence; and if any such loaf is deficient in weight, the person demanding the same to be so weighed shall have the deficiency made up, or another loaf given; and every baker who shall neglect to have such beam, scales, and weights, fixed up in his shop, or whose weights shall be deficient, or who shall refuse to weigh any such loaves in the presence of the party requiring it, shall, on conviction, by confession or on oath of one witness, forfeit not exceeding 10*s.*, as the convicting justice shall deem fit, *id. s.*2.

77. No master, mistress, journeyman, or other person exercising, or employed in the trade of a baker beyond the limits in *s.*1., shall on *Sunday*, or any part thereof, make or bake any bread, rolls, or cakes, or shall on any part of such days except between ten and half-past one of the clock, sell, or expose to sale, or permit to be sold, &c. any bread, &c. or bake, or deliver, or permit to be baked, &c. any meat, pudding, tart, or victuals after half-past one, or be in any way engaged as a baker, except in setting the sponge for the following day's baking; and no meat, &c. shall be brought to, or taken from any bake-house during divine service, nor within one quarter of an hour of the time of commencement thereof; and every person offending against such regulations, or making any sale or delivery hereby allowed between such hours, otherwise than within the bake-house or shop, shall, on conviction before any justice for the county or place, within two days after the commission of the offence, either on the view of such justice, or by confession, or on oath of witness, forfeit, for the first offence, not exceeding 5*s.*, for the second, 10*s.*, and for the third and any subsequent offence, not exceeding 15*s.*, and shall pay the costs of the conviction to be settled by such justice, and the amount thereof, together with such part of the penalty such justice shall allow to the prosecutor for loss of time, at a rate not exceeding 3*s. per diem*, shall be paid to such prosecutor for his own use, and the residue to such justice who shall, within seven days after, transmit the same to the churchwardens and overseers of the poor of the parish where such offence was done, for the use of the poor; and in case such penalty and costs are not paid within three days after conviction, such justice may by warrant levy the same by distress and sale of goods, or in default thereof, may commit the offender to the house of correction on the first offence for not exceeding seven days, on the second fourteen, and on the third and any subsequent offence twenty-one days, unless such penalty and costs is sooner paid, 50 *G.*3. *c.*73. *s.*3.

78. When the court of mayor and aldermen of any city where there shall be any such court, and when such court shall sit, and where no such court, or being such, when such court shall not sit, the mayor, bailiffs, or other chief magistrate of any such city, and in towns corporate or boroughs the mayor, bailiffs, aldermen, or other chief magistrate thereof, or two or more justices in such towns and places where there shall be no mayor, bailiffs, aldermen, or chief magistrate, and when two or more justices of counties at large, ridings, divisions, or districts, and whose jurisdiction shall be beyond *London*, or the liberties thereof, and beyond the weekly bills of mortality, and ten miles of the *Royal Exchange*, shall deem it expedient to regulate the price and assize of bread within their several and respective jurisdictions, such court, mayor, justices, &c. shall, before they set any price or assize of bread, appoint a fit person (not being a corn factor, miller, maltster, baker, clerk, agent, or other person buying, selling, or dealing in wheat, or wheat-flour, or bread,) residing within or near such city, town, county, or place, to receive weekly the returns in *s.*3. directed to be made of the prices and quantities of wheat and wheat-flour, bought or sold in the place where an assize is intended to be set, to be called "receiver of assize returns," for such place; and upon his death, removal, or resignation, such court, mayor, justices, &c. shall, in the same manner, appoint another person to such office, 53 *G.*3. *c.*116. *s.*1.

79. Such receiver shall, previous to taking on him his office, take and subscribe before the chief magistrate of the city, borough, or place, or before one justice for the county or district for which appointed, the oath or affirmation annexed, *id. s.*2.

80. As soon as such receiver shall be appointed under this act, the court, mayor, justices, &c. (as in *s.*1.) shall cause notice to be given in the form, (No.5.) requiring all cornfactors, millers, mealmen, bakers, and others, dealers in wheat or wheat-flour, and following their trade within their respective jurisdictions, or who shall buy or sell such wheat or flour, either in the market or by private contract within the same, to make him returns on some certain day weekly, and at the place specified for that purpose, of the true quantities of all wheat and wheaten-flour fit for making wheaten bread, standard wheaten bread, and household bread, bought or sold by such cornfactors, &c. within seven days then preceding, and which returns shall specify the true prices for which such wheat or flour was sold or bought, and the names and residences of the persons of whom bought, or to whom sold, and shall be in the form annexed, (Nos. 1, 2, 3, 4.) and signed by the party making the same; but no person buying or selling a less quantity than one quarter of wheat, or one sack of flour, shall be required to make such returns; and when such court, mayor, justices, &c. shall be duly satisfied that any person shall buy or sell wheat, or wheat-flour, solely for the purpose of being sent coastwise, and which is not intended to be consumed in, or within fifteen miles of the place for which such returns are required, they shall not require returns from such person, *id. s.*3.

81. When, in any place where any court, mayor, justices, &c. authorized by this act (*s.*1.) to set any assize and price of bread within their jurisdictions, shall desire to set the same, and where, by there not being any sufficient market, satisfactory returns of the quantities and prices of wheat, and wheat-flour bought and sold within the same, cannot be obtained, such court, mayor, justices, &c. may require such returns to be made of all wheat and wheaten flour bought or sold by all corn factors, &c. (as in *s.*3.) who are dealers in wheat or flour, residing or following their trade within five miles of the jurisdiction of the court, or person requiring the same, or who shall buy or sell such wheat or flour, either in the market or by private contract within such distance; or such court, mayor, justices, &c. may require of the receiver of assize returns of any place near any such place, from which any wheat or flour may be

brought to supply such place, a duplicate of the like returns made by him for the jurisdiction for which he is appointed, although such corn factors, &c. or receiver, shall not be within the jurisdiction of the court, mayor, justices, &c. requiring such returns, and every such corn factor, &c. who is a dealer in wheat, or wheat-flour, and such receiver so required to make such returns, shall make them under the like regulations as the like returns of wheat and wheat-flour hereby required, and the returns so made of the quantities and prices of wheat and wheat-flour bought and sold, either within five miles of the jurisdiction of any place, or by any receiver of assize-returns for any other place than that in which an assize of bread is intended to be set, shall, from the time of computing the average prices of wheat and wheat-flour hereafter directed to be made, be added to and form part of the returns of wheat and flour made for the place where an assize is intended to be set, *53 G.3. c.116. s.4.*

82. Every corn factor, miller, mealman, baker, and other persons who are dealers in wheat, or wheat-flour, who shall be required by this act to make any such returns, shall, within one month after required to make such returns, make the following declaration, *viz.*

[I do hereby declare that the returns of the quantities and prices of wheat and wheat-flour, bought or sold by me, which I shall hereafter make, shall, to the best of my knowledge and belief, be true and just, and to the best of my judgment conformable to the directions of an act passed in the 53d year of the reign of King *George* the Third, intituled an act, (*setting out the title of this act.*)] which declaration shall be in writing, and subscribed with the hand of the party making it, and delivered forthwith to the court, mayor, or chief magistrate of the city, &c. or to some justice of the county or place where such party shall reside, who shall certify the same to, and such certificate shall be filed by the clerk of the peace, and every such person who shall buy or sell wheat or wheat-flour, without making declaration, shall forfeit not exceeding *5l., id. s.5.*

83. From such returns so made for any town, city, or place where the same shall be made, a general return of the quantities, sorts, and prices of all wheat and wheat-flour, which shall by means of such returns appear to have been bought within the time therein specified, together with the average price of the whole quantity of wheat and wheat-flour fit for making wheaten standard, wheaten, and household bread taken separately, shall be prepared and computed by the receiver of assize-returns for such place within one day from the receipt thereof, and such general return shall be entered and signed by him in some book in the form directed by the court, mayor, justices, &c. aforesaid, and be, together with such average, submitted to them for their consideration and correction; but if such court, mayor, justices, &c. shall suspect that any such returns are not truly and *bonâ fide* made, and shall have issued a summons to the maker thereof, under *s.11. pl.88.* in order to examine the truth thereof, such returns, whilst under examination, shall not be included in such general return from which the average prices are to be computed, *id. s.6.*

84. Within two days after such general return and average made and entered, the assize and weight of each sort of bread, on which an assize is intended to be set for every city, county, or place where the same is made, and the prices to be paid for the same, shall be ascertained by the court of mayor and aldermen, justices, &c. (as in *s.1.*) from such average prices either of wheat or of flour, according to the prices in the tables annexed to this act, nearest to such average prices, in lieu of the tables directed by *29 G.2. c.31.*, and *13 G.3. c.62.* to be used, and if the price of a bushel of wheat, or a sack of flour, does not amount to the lowest price mentioned in such tables, or exceeds the highest, then all courts and persons duly authorized may continue to set the assize and price of bread made for sale, or exposed to sale; but in setting the same, such court or person shall duly observe the proportions in such tables, and the allowance of *5d. per* quarter on wheat, which magistrates are directed by *38 G.3. c.62.* to make to bakers in setting the assize, on account of the duty on salt, shall be considered included in such allowance given by the tables hereto annexed, *id. s.7.*

85. Every assize set in pursuance of this act in any city, town corporate, or borough, shall commence on such day in each week, and be in force for 7 days, from the setting of the same, and shall be made public in such manner as the court, or chief magistrate, who shall set the same, shall direct: and every such assize, so set in any county, division, riding, or district, shall commence in like manner, be in force for 14 days, and be made public, in such manner as the justices who shall set the same, shall direct, *id. s.8.*

86. In cases where the prices and quantities of wheat, or wheat flour bought or sold in distant places, is returned and included in the prices from which the general average price is made for any city, county, or place, the court or chief magistrate of any such city, &c. or the justices for any such county, &c. shall, previous to making such average, add such an allowance for carriage, as on enquiry they shall deem reasonable, so that such average price may be ascertained, according to what such wheat, or wheaten-flour, truly cost the buyers thereof, *id. s.9.*

87. Every cornfactor, miller, mealman, baker, or other person, who is a dealer in wheat or flour, and every receiver of assize-returns, hereby required to make any return, who shall neglect so to do, or who shall make any false return, shall forfeit not exceeding *10l.*, in the discretion of the convicting court or magistrate, *53 G.3. c.116. s.10.*

88. Every court, mayor, bailiff, or other chief magistrate or justice, who, having ordered any such return to be made, shall, within 14 days after any such returns made, suspect that it is not a true *bonâ fide* return, may summon before them the party making the same, or any other person likely to give information concerning the premises, and examine them on oath, touching the rates and prices the several sorts of wheat and flour mentioned in such return were really sold for at any time within the space in such return mentioned; and if the party so summoned shall neglect to appear, (and proof shall be made on oath of the due service of such summons on him,) or appearing, if he shall neglect to answer such questions touching the premises as shall be proposed by such court or person, without some lawful excuse to be by them allowed, such party shall, on conviction by confession or by oath of one witness, forfeit, not exceeding *10l.*, in discretion of such court or person; and every person who shall wilfully forswear himself, on being so examined on oath, shall be liable to be prosecuted, as for perjury by indictment or information; and, on conviction, shall be liable to all the penalties of wilful perjury, *id. s.11.* [*See 31 G.2. c.29. s.19. pl.30.*]

89. These acts shall not prejudice the ancient right or custom of the dean of the collegiate church of *St. Peter, Westminster*, or the high steward of the city of *Westminster*, and the liberties thereof, or his deputy, or any of them, to set the assize and weight of bread to be sold or exposed to sale within *Westminster* and liberties thereof, *31 G.2. c.29. s.44. 13 G.3. c.6. s.6.*

90. Nothing herein shall prejudice the ancient right of the two universities, or of their clerks of the market, or the practice within the same, to ascertain the weight of all bread sold or exposed to sale within their jurisdiction, but they may continue so to do, and punish the breach thereof as fully as before this act, *31 G.2. c.29. s.45., 13 G.3. c.62. s.77., 50 G.3. c.70. s.4., 53 G.3. c.116. s.12.*

91. All the powers and provisions of the several former acts now in force, not hereby altered, shall be applied to this act, and the penalties hereby inflicted shall be recovered in the same way as penalties under such acts may be, *50 G.3. c.70. s.5.*

92. All powers, provisions, and penalties, contained in *31 G.2. c.29.* and *13 G.3. c.62.*, not altered by this act, as far as they are applicable, shall be used in putting into execution this act, and the penalties hereby inflicted shall be recovered and applied in like manner as penalties by *31 G.2. c.29. (s.34. pl.45.)* are directed to be, *id. s.13.*

93. To PERMIT BAKERS TO MAKE and sell all sorts of bread, *36 G.3. c.22.* [REP. *41 G.3. (G.B.) c.16. s.12. (which is* SUSP. *41 G.3. (U.K.) c.1. and* REP. *41 G.3. (U.K.) c.2.)* AMD. *41 G.3. (U.K.) c.12.* (and which is REP. *59 G.3. c.36. s.1.) and* REP. as therein mentioned, *59 G.3. c.36. s.1.*

94. Any person, in any place, and whether there is any assize or not there, may make and sell, and expose to sale, peck, half-peck, quartern, and half-quartern loaves, made of the whole produce of wheat, deducting only *5lbs.* of bran *per* bushel, or made of any sort of wheaten-flour mixed with meal, or flour of barley, rye, oats, buckwheat, Indian corn, peas, beans, rice, or any kind of grain, or with potatoes, in such proportions and at such prices as they deem proper, *36 G.3. c.22. s.1.*

95. Every person who shall sell, or expose to sale, any loaves of mixed bread as aforesaid, shall imprint on each loaf, of each sort of bread, a mark in large *Roman* letters, denoting what are the sorts and proportions of each mixture, or a large M, together with some mark, distinguishing one sort of bread from another, and shall affix in his shop window a paper specifying the sorts and proportions of the mixtures composing each sort of bread, and the marks corresponding thereto, *id. s.2.* [REP. *41 G.3. (U.K.) c.12. which is* REP. *59 G.3. c.36. s.1.*]

96. If any such loaves, as in *s.1.*, shall be deficient in weight, according to the assize thereof by *31 G.2. c.29. s.4. pl.59.* prescribed, or if they shall not be imprinted, as in *s.2. pl.95.* directed, or if they have any mixture of meal or flour of any other sort, or in any other proportions than as denoted by such marks, or any mixture as for or in lieu of flour, which shall not be the genuine article it imports to be, or if the same shall have in them any alum, or preparation of alum, or if any other mixture or ingredient (except only meal, flour, or article of which the same purports to be made, and salt, water, eggs, milk, yeast, and barm, or such other leaven as may be allowed to be put into bread by any court or persons who have set an assize in any place where such leaven is used, and where no such assize, then such other leaven (as any magistrate, within his jurisdiction, shall allow) shall be put into or used in making dough, every person so offending shall be liable to the same penalties, to be recovered and applied as in *31 G.2. c.29.* directed, in respect of any like offences against such act, *36 G.3. c.22. s.3.*

97. Nothing herein shall infringe the rights of the city of *London* or the company of bakers thereof, *id. s.4.*

98. To EMPOWER MAGISTRATES AND JUSTICES of peace, in setting the assize of bread, to make allowance for the additional duty on salt, 38 *G.*3. *c.*62., [*but see* the new assize-tables, 53 *G.*3. *c.*116., *and s.*7. thereof, *pl.*84.]

99. Magistrates and justices, in setting the assize of bread, shall, before setting the same, add to the average price *per* quarter of wheat fit for making bread 5*d.*, so as to increase such average price 5*d.* in the quarter for the additional duty on salt, and shall, in setting such assize, make use of such increased average price so long as such duty on salt shall continue, *id. ibid.*

100. To REPEAL CERTAIN ACTS NOW IN FORCE for regulating the making and sale of bread out of the city of *London* and the liberties thereof, and beyond the weekly bills of mortality, and ten miles of the *Royal Exchange*, where no assize is set, and for establishing other provisions and regulations in lieu thereof, 59 *G.*3. *c.*36. [PUBLIC *clause, s.* 27. AMD. 1*&*2 *G.*4. *c.*50. PUBLIC *clause, s.*26.]

101. The 3 *G.*3. *c.*11., 33 *G.*3. *c.*37., and 41 *G.*3. (U.K.) *c.*12., and all other acts which relate to the making and selling of bread where no assize is set, or the punishing of persons who shall adulterate meal, flour, or bread, or who shall sell bread deficient in weight, so far as respects the bread, meal, and flour, to be made and sold out of the city of *London* and the liberties thereof, and beyond the weekly bills of mortality, and ten miles of the *Royal Exchange*, where no assize is set, shall be REP., 59 *G.*3. *c.*36 *s.* 1.

102. So much of 59 *G.*3. *c.*36. (*viz. s.*10. in part, and *s.*11. *pl.*111, 112.) as relates to the weight of bread, and to the punishment of bakers and sellers of bread, who shall sell the same deficient in weight, shall be REP. 1*&*2 *G.*4. *c.*50. *s.*1.

103. Any person out of such limits shall make, bake, sell, and expose for sale, any bread made of flour or meal, wheat, barley, rye, oats, buckwheat, Indian corn, peas, beans, rice, and every other kind of grain whatsoever, and potatoes, and with any common salt, pure water, eggs, milk, yeast, barm, leaven, and potatoe yeast, and mixed in such proportions as the makers think fit, 59 *G.*3. *c.*36. *s.*2., 1*&*2 *G.*4. *c.*50. *s.*2.

104. Although no assize of bread shall be set in pursuance of 53 *G.*3. *c.*116., no loaves called assize loaves, in the tables to the said act referred to, and the weight of which varies, according to the variation in the price of grain, shall be made for sale, sold, or carried out for sale, or be exposed to sale, or allowed to be sold, where any loaves called priced loaves, in such tables referred to, and the price of which varies according to the variation in the price of grain, shall, at the same time, be made for sale, or be allowed to be sold, *viz.* no assize loaves of the price of 3*d.* and priced loaves called *half* * quartern loaves, nor assize loaves of the price of 6*d.* and priced loaves called quartern-loaves, nor assize loaves of the price of 1*s.* and priced loaves called half-peck loaves, nor assize loaves of the price of 1*s.* 6*d.*, and priced loaves called peck-loaves, shall at the same time be made for sale, sold or carried out for sale, or be exposed to sale, or allowed to be sold by any baker or other seller of bread in his shop or premises, that unwary persons may not be imposed upon by buying assize loaves for priced loaves, or priced loaves for assize loaves; and every person who shall so offend shall forfeit not exceeding 2*l.* nor less than 10*s.*, 59 *G.*3. *c.*36. *s.*3., 1*&*2 *G.*4. *c.*50. *s.*3.

105. No person making bread for sale, nor any journeyman or other servant of such person, shall put any alum or preparation, or mixture in which alum shall be an ingredient, or any other preparation in lieu of alum, into the dough; or in anywise use or cause to be used any alum or other unwholesome mixture, ingredient, or thing whatsoever, in the making of such bread, upon pain that every person, whether master, journeyman, or other person, who shall so offend, shall, on conviction, either by confession or on oath of one witness, forfeit not exceeding [5*l.* 59 *G.*3. *c.*36. *s.*4.,] [20*l.* or less than 5*l.*, 1*&*2 *G.*4. *c.*50.,] or in default of payment thereof shall by warrant of the convicting magistrate, be committed to the house of correction or some prison in the county or place, for not exceeding [six 59 *G.*3. *c.*36.,] [twelve or less than three, 1*&*2 *G.*4. *c.*50.,] calendar months, unless such penalty shall be sooner paid; and the justice before whom such offender shall be convicted, may cause such offender's name, place of abode, and offence, to be published in some newspaper, in or near the district, and defray the expence out of the money forfeited, if paid or recovered, 59 *G.*3. *c.*36. *s.*4., 1*&*2 *G.*4. *c.*50. *s.*4.

106. No person shall knowingly put into corn, meal, or flour, ground, dressed, bolted, or manufactured for sale, out of the limits in *s.*1. mentioned, either at grinding, dressing, bolting, or in anywise manufacturing the same, or at any other time, any ingredient, mixture, or thing whatsoever, or knowingly sell, or expose to sale, any meal or flour of one sort of grain, as the meal or flour of any other sort of grain, or any thing as, or for, or mixed with the meal or flour of any grain, which shall not be the real meal or flour of the grain the same shall import and ought to be, upon pain to forfeit not exceeding [5*l.*, 59 *G.*3. *c.*36.,] [20*l.* nor less than 5*l.*, 1*&*2 *G.*4. *c.*36. *s.*5.,] 59 *G.*3. *c.*36. *s.*5., 1*&*2 *G.*4. *c.*50. *s.*5.

107. Every loaf made of the meal or flour of any other grain than wheat, which shall be made for sale, or sold, carried out, or exposed for sale out of such limits, shall be marked with a large Roman (M); upon pain to forfeit not exceeding 40*s.* [nor less than 10*s.*, 1*&*2 *G.*4. *c.*50.,] for every loaf not so marked, 59 *G.*3. *c.*36. *s.*6., 1*&*2 *G.*4. *c.*50. *s.*6.

108. Any justice, and also any peace-officer, where any miller, mealman, or baker, or other person who shall grind grain, or dress or bolt meal or flour, or make bread for reward or sale, authorized by warrant of any such justice, at seasonable times in the day, may enter into any house, mill, shop, stall, bakehouse, boltinghouse, pastry warehouse, outhouse, or ground, of any miller, &c. and take with him one or more master millers, mealmen, or bakers, and search whether any mixture, ingredient, or thing, not the genuine produce of the grain such meal or flour shall import or ought to be, shall have been mixed up with or put into any meal or flour, in the possession of such miller, &c. either in the grinding or in the dressing, bolting, or manufacturing, whereby the purity is adulterated, or whether any alum or other ingredient, has been mixed up with or put into any dough or bread, whereby the same is in anywise adulterated; and also search for alum or any other ingredient, which may be intended to be used in any such adulteration or mixture; and if on such search it appear that any such meal, flour, dough, or bread so found, has been so adulterated, or any alum or other ingredient shall be found, which shall seem to have been deposited there, in order to be used in the adulteration of meal, flour, or bread, then such justice, or officer authorized as aforesaid, may seize and take any meal, flour, dough, or bread, found so adulterated; and all alum and other ingredients found and deemed to have been used, or intended to be used in such adulteration, and such part as shall have been seized by any peace officers, shall be carried to some justice; and if any justice who shall authorize such seizure, or to whom any thing so seized shall be brought, shall adjudge that such meal, flour, dough, or bread adulterated, by any unwholesome or improper mixture or ingredient, or that any alum or other ingredient or mixture, so found, has been deposited or kept for the purpose of adulterating, then such justice shall dispose of the same, as he in his discretion shall think proper, 59 *G.*3. *c.*36. *s.*7., 1*&*2 *G.*4. *c.*50. *s.*7.

109. And every miller, mealman, or baker, out of such limits, as in *pl.* 101. whose house, &c. or possession, any alum, or other ingredient or mixture shall be found, which shall, after due examination, be adjudged by any justice to have been deposited there, for the purpose of being used in adulterating meal, flour, or bread, shall, on conviction, by confession, or on oath of one witness, forfeit not exceeding [5*l.*] [20*l.* nor less than 5*l.*, 1*&*2 *G.*4. *c.*50. *s.*8.] and in default of payment shall be committed to the house of correction, or prison of the city or place, for not exceeding [six, 59 *G.*3. *c.*36.,] [twelve, nor less than three, 1*&*2 *G.*4. *c.*50.,] calendar months, unless such penalty is sooner paid; unless the party make it appear that such alum or other ingredient or mixture was not brought or lodged, where seized, with any design to have been put into any meal, flour, or bread, or to have adulterated therewith the purity of any meal, &c. but that the same was or were in such place for some other lawful purpose: and such justice may cause the offender's name, abode, and offence to be published in some newspaper in or near the district, and defray the expence out of the money forfeited, if paid or recovered, 59 *G.*3. *c.*36. *s.*8., 1*&*2 *G.*4. *c.*50. *s.*8.

110. Every person who shall wilfully obstruct or hinder any such search or seizure as aforesaid, or wilfully oppose or resist any such search being made, or the carrying away any such alum or other ingredient or mixture, or any meal, flour, dough, or bread seized as adulterated, or as not being made pursuant to this act, shall forfeit not exceeding [2*l.* nor less than 1*l.*, 59 *G.*3. *c.*36.,] [5*l.* nor less than 50*s.* 1*&*2 *G.*4. *c.*50.] 59 *G.*3. *c.*36. *s.*9., 1*&*2 *G.*4. *c.*50. *s.*9.

111. [Where no assize is set, the loaves shall always weigh as follows: REP. 1*&*2 *G.*4. *c.*50. *s.*1., and] Every baker and seller of bread shall cause to be fixed in his shop a beam and scales with proper weights, that every person may, if he think proper, require the same to be weighed; and if neglecting to fix such beam and scales, or to provide and keep proper weights, or whose weights shall be deficient in weight, or refusing to weigh any bread purchased in the presence of the party, shall forfeit not exceeding [2*l.*, 59 *G.*3. *c.*34.,] [5*l.* nor less than 20*s.*, 1*&*2 *G.*4. *c.*50.,] 59 *G.*3. *c.*36. *s.*10., 1*&*2 *G.*4. *c.*50. *s.*10.

112. Every baker or seller of bread who shall sell and deliver any loaves which shall be deficient in weight, shall forfeit 5*s.* for every ounce deficient; but no baker or seller of bread shall be liable for any deficiency, unless the same is weighed in the presence of the summoning justice and the offender, and the deficiency ascertained within 24 hours following, and unless evidence be given that the same bread was in the same state when produced to be weighed, as when taken from such baker; and nothing in this act shall include such bread as is usually

* The word "half" is omitted in 1*&*2 *G.*4. *c.*50. *s.*3. by mistake.

made and sold under the denomination of *French* or fancy-bread, or rolls, or cakes, 59 *G.*3. *c.*36. *s.*11. Rep. 1 & 2 *G.*4. *c.*50. *s.*1.

113. No person exercising the trade of a baker out of the limits in *s.*1. *pl.* 101. shall, on the *Sunday*, make or bake any household or other bread, rolls or cakes, or sell or expose to sale, or permit to be sold or exposed to sale, any bread, rolls, or cakes, of any sort or kind, except to travellers, or in cases of urgent necessity; or bake or deliver, or permit to be baked or delivered, any meat, pudding, pie, tart, or victuals, at any time after half-past one in the afternoon of that day, or in any other manner exercise the trade of a baker, or be engaged in the business thereof, except as aforesaid, and also except so far as may be necessary in setting and superintending sponge for the following day; and no meat, pudding, pie, tart, or victuals shall be brought to or taken from any bakehouse during the time of divine service, nor within one quarter of an hour of the time of commencement thereof; and every person offending against the foregoing regulations, being thereof convicted before any justice for the county or place where the offence was committed, within two days, either upon the view of such justice, or on confession, or proof by one witness on oath or affirmation, shall forfeit for the first offence 5*s.*, the second 10*s.*, and for every subsequent offence 1*l.*; and moreover, on conviction, pay the costs of prosecution, to be assessed by the convicting justice; and the amount thereof, together with such part of the penalty as such justice shall think proper, for loss of time in instituting and following up the prosecution, at a rate not exceeding 3*s. per diem*, shall be paid to the prosecutor for his own use; and the residue of such penalty to such justice, within seven days after receipt thereof, to be transmitted by him to the churchwardens or overseers of the parish, to be applied for the benefit of the poor; and in case the whole amount of the penalty and costs be not paid within three days after conviction, such justice may, by warrant, direct the same to be levied and raised by distress and sale, or in default or insufficiency of distress may commit the offender to the house of correction, on a first offence for not exceeding 14, and on the second, or any subsequent offence, for not exceeding 21 days, unless the costs and penalty be sooner paid, 59 *G.*3. *c.*36. *s.*12., 1 & 2 *G.*4. *c.*50. *s.*11.

114. No miller, mealman, or baker, [corn merchant, or dealer in corn, 1 & 2 *G.*4. *c.*50.] shall act as a justice under this act, on pain to forfeit 50*l.* to any person who shall inform or sue for the same, in any court of record at *Westminster*, by action of debt, &c. or information wherein no essoin, &c. and only one imparlance allowed, 59 *G.*3. *c.*36. *s.*13., 1 & 2 *G.*4. *c.*50. *s.*12. [*The* 50*l. penalty* does not extend to corn or flour merchants.]

115. The mayor or any alderman of any city, and any other justices within their respective jurisdictions, out of such limits as in *s.*1. *pl.*101. may hear and determine in a summary way all offences against this act, and summon offenders; and in case the party shall not appear on such summons, or offer some reasonable excuse, then upon oath or affirmation by any witness of any offence committed contrary to this act, such justice shall issue his warrant for apprehending the offender; and upon the appearance of the accused, or in case he shall not appear, on notice given to or left for him at his abode, or if he cannot be apprehended on a warrant, then any such justice shall proceed to make inquiry, and examine witnesses on either side on oath, and after hearing the parties and witnesses, shall convict or acquit the party; and if the penalty shall not be paid within 24 hours after conviction, such magistrate or justice shall issue a warrant directed to any peace-officer within their respective jurisdiction, thereby requiring him to make distress of the goods of the offenders to satisfy such penalty, and the costs of the prosecution and distress; and if any offender shall convey away his goods out of the jurisdiction of the convicting justice, or so much thereof that the penalty cannot be levied, then some magistrate or justice within whose jurisdiction the offender shall have removed his goods, shall back such warrant, and thereupon the penalty shall be levied by distress and sale; and if, within five days from the distress taken, the penalty and costs shall not be paid, the goods shall be appraised and sold, rendering the overplus, after deducting the penalty and costs of the prosecution, distress, and sale, to the owner, which charges shall be ascertained by the convicting magistrate or justice, or the justice, &c. who backed such warrant, if then alive, and if not, by some other magistrate or justice; and for want of such distress, then every such magistrate or justice shall, on the application of any prosecutor, and proof on oath or affirmation made of the conviction and non-payment, by warrant, commit every such offender to the common gaol or house of correction for [one 59 *G.*3. *c.*36.] [two 1 & 2 *G.*4. *c.*50.] calendar months, unless, after such commitment, payment be made of such penalty, and costs and charges, before the expiration of such time; and all such penalties, when recovered, shall be paid, one half to the informer, and the other half to the magistrate or justice, and within seven days after receipt transmitted to the churchwardens or overseers of the parish, to be applied for the benefit of the poor, 59 *G.*3. *c.*36. *s.*14., 1 & 2 *G.*4. *c.*50. *s.*13.

116. And if it be made out by oath or affirmation, that any person within the jurisdiction of any magistrate or justice, is likely to give material evidence on behalf of the prosecutor or the person accused, and will not voluntarily appear, every such magistrate or justice shall issue his summons to convene such witness before him, at a time therein fixed, and if any person so summoned, shall neglect to appear, after having been paid or tendered a reasonable sum for his costs, at the time by such summons appointed, and no just excuse shall be offered, then, on proof on oath of the due service of such summons, such magistrate and justice shall issue his warrant to bring every such person before him, and on the appearance of such person, such magistrate or justice shall examine upon oath, or affirmation, every such witness; and if such person on his appearance, or on being brought before such magistrate or justice, shall refuse to be examined without offering any just excuse, such magistrate or justice may, by warrant, commit any person so refusing to be examined to the public prison of the place, for not exceeding 14 days, 59 *G.*3. *c.*36. *s.*15. and 1 & 2 *G.*4. *c.*50. *s.*14.

117. Every person taking any oath or affirmation hereby directed to be taken, or being examined on oath, &c. under these acts, who shall wilfully forswear, or falsely affirm himself, shall be subject to be prosecuted for perjury, and liable to the pains and penalties of wilful and corrupt perjury, 59 *G.*3. *c.*36. *s.*16., 1 & 2 *G.*4. *c.*50. *s.*15.

118. The magistrate and justice, before any person shall be convicted, shall make out the conviction in the form or to the effect following, *viz.* '—*to wit.* } Be it remembered, that on this — day of — in the — year of the reign of His present Majesty, *A. B.* is convicted before — H. M.'s justices of the peace for the said county of — [*or* for the — division of the said county of — or for the city, liberty, or town, *as the case may be*] for —, and do adjudge him, her, [*or* them, *as the case may be*] to forfeit and pay for the same the sum of —. Given under — hand and seal the day and year aforesaid.' 59 *G.*3. *c.*36. *s.*17., 1 & 2 *G.*4. *c.*50. *s.*16.

119. No *certiorari*, or letters of advocation or suspension shall be granted to remove any conviction had under this act, 59 *G.*3. *c.*36. *s.*18, 1 & 2 *G.*4. *c.*50. *s.*17.

120. If any persons convicted under this act shall think themselves aggrieved, such persons may appeal to the next general or quarter-sessions, and the execution of the judgment shall be suspended, such person entering into a recognizance at the time of conviction, or within 24 hours after, with two sureties, in double the sum he shall be adjudged to pay, upon condition to prosecute such appeal with effect, and to be forthcoming to abide the judgment of the sessions; and the sessions shall hear and finally determine such appeal, and award costs to be paid by either party; and if, upon hearing such appeal, the judgment of the magistrate or justice shall be confirmed, such appellant shall immediately, or within 24 hours afterwards, pay down the sum he shall have been adjudged to have forfeited, together with such costs as the sessions shall award; and in default of such payment any two justices, or one magistrate or justice, having jurisdiction in the place into which any such appellant shall escape, or where he shall reside, may, by warrant, commit such appellant to the common gaol of the place where he is apprehended, until he shall make payment of such penalty and costs; but if the appellant shall make good his appeal, and be discharged of the conviction, reasonable costs shall be awarded to the appellant against such informer, who would, in case of conviction, have been entitled to a moiety of the penalty, and which costs shall be recovered by the appellant against such informer, in like manner as costs given at sessions are recoverable; but no person shall be detained in prison for such offence for a greater length of time than [six, 59 *G.*3. *c.*36.] [two, 1 & 2 *G.*4. *c.*50.] calendar months, 59 *G.*3. *c.*36. *s.*19., 1 & 2 *G.*4. *c.*50. *s.*18.

121. If such conviction shall happen to be made within six days before such sessions, then the party aggrieved may, on entering into recognizance, be at liberty to appeal either to the then next or the next following sessions, 59 *G.*3. *c.*36. *s.*20., 1 & 2 *G.*4. *c.*50. *s.*19.

122. Every action against any magistrate or justice, or any peace-officer, for any thing done under this act, shall be commenced within six calendar months, and laid in the city, county, or place, where the matter in dispute shall arise; and the 24 *G.*2. *c.*44., so far as it relates to rendering justices of the peace more safe in the execution of their office, shall extend to the magistrates and justices acting under this act; and no action shall be commenced, or any writ, or copy of writ, served upon any peace-officer for any thing done under this act, until seven days after notice in writing shall have been given to or left for him, at his place of abode, by the attorney for the party, which notice shall contain the name and abode of the person intending to bring such action, and also of his attorney, and likewise the cause of action; and any peace-officer may, at any time within seven days after such notice, tender amends for the injury to the party, or to his attorney; and if not accepted, the defendant may plead such tender in bar, together with the general issue or any other plea; and if, upon issue joined, the jury shall find the amends tendered to have been sufficient, they shall find a verdict for the defendant; and in every such case, or if the plaintiff shall become nonsuit, or discontinue, or if judgment be given for the defendant upon demurrer, or if any action shall be brought after the time limited, or be laid in any

other county or place, then the jury shall find a verdict for the defendant, who shall be entitled to costs; but if they find that no tender was made, or that the amends tendered were not sufficient, or against the defendant, they shall give a verdict for the plaintiff, and such damages as they think proper, and the plaintiff shall thereupon recover his costs against such defendant, 59 *G.*3. *c.*36. *s.*21., 1 & 2 *G.*4. *c.*50. *s.*20.

123. If any action shall be commenced against any other person than a justice or other peace-officer for any thing done under these acts, the defendant may plead the general issue, and give the special matter in evidence; and if it appear to have been done in execution thereof, or if a verdict shall be recorded for the defendant, or if the plaintiff shall be nonsuited, or discontinue, or has judgment upon a verdict or demurrer against him, the defendant shall recover treble costs, with usual remedy to recover the same, 59 *G.*3. *c.*36. *s.*22., 1 & 2 *G.*4. *c.*50. *s.*21.

124. No person shall be convicted under these acts, unless the information be exhibited within 14 days (except in cases of perjury); and no person who shall be prosecuted to conviction for any offence against them shall be liable to be prosecuted under any other law, 59 *G.*3. *c.*36. *s.*23., 1 & 2 *G.*4. *c.*50. *s.*22.

125. All penalties hereby inflicted but not herein-before directed, shall go one moiety to the person who shall inform, and the other moiety, or in case there be no person informing, then the whole thereof to the churchwardens and overseers for the use of the poor, 59 *G.*3. *c.*36. *s.*24., 1 & 2 *G.*4. *c.*50. *s.*23.

126. Nothing herein shall extend to prejudice the ancient right of the two universities of *Oxford* and *Cambridge*, or their, or either of their clerks of the market, or the practice by either of them used to set and appoint the assize and weight of all sorts of bread to be sold within their jurisdictions, but they may still continue so to do, and punish any breach thereof, as before, 59 *G.*3. *c.*36. *s.*25., 1 & 2 *G.*4. *c.*50. *s.*24.

BRICKS AND TILES.

(STATUTE *expired.*)

1. TO PREVENT abuses in making of bricks and tiles, and to ascertain the dimensions thereof, and to prevent all unlawful combinations amongst any brick-makers or tile-makers within fifteen miles of the city of *London*, in order to advance or enhance the price of bricks or tiles, 12 *G.*1. *c.*35. [EXPL. AMD. and CON. 2 *G.*2. *c.*15., 3 *G.*2. *c.*22., REV. and CON. 9 *G.*3. *c.*37. *s.*1, 2., 10 *G.*3. *c.*49. *s.*1., all EXP.]

(STATUTES *in force.*)

1. FOR MAKING of tile, 17 *E.*4. *c.*4. All persons making tile shall make it good and thoroughly whited and anealed, and the earth whereof made shall be digged before 1st *Nov.* next before it shall be made, and be stirred and turned before the 1st *Feb.* following, and not wrought before 1st *March*, and shall be truly wrought and tried from stones, and marle and chalk shall be severed from such earth; and every such tile shall contain in length 10½ inches, in breadth 6½ inches, and in thickness ¼ an inch and ⅛ of an inch; and every roof-tile shall be 13 inches long, and ⅝ of an inch in thickness, at least, with convenient deepness; and every gutter-tile and cover-tile shall be 10½ inches long, with convenient thickness, breadth, and deepness, 17 *E.*4. *c.*4. *s.*1.

2. And persons selling tile made contrary hereto shall forfeit to the buyer double value of the same, and make fine at the king's will; and persons aggrieved may have an action of debt against the offender with process, as in actions of common law; and the plaintiff, if he get a verdict, shall recover his costs, and the defendant shall not wage his law or have any essoin; and the justices of peace may, at their discretion, determine defaults contrary to this act, as well at suit of king as of the party grieved; and on conviction shall assess on the offender a fine of 5*s.* for every 1000 of plain tiles set to sale contrary hereto, 5*s.* for every 100 of roof-tile, 6*s.* 8*d.* for every 100 of corner-tile or gutter-tile, 2*s.* and so for a less proportion, *id. s.*2.

3. And such justices shall call before them such persons as have best experience in the making of tile to search and examine the digging, casting, turning, parting, making, whitening, and anealing aforesaid; and such persons shall be assigned searchers, and no person shall put to sale such tile before searched by the searchers, on pain of forfeiture; and if such searchers find tile-makers offend contrary to this ordinance, they shall present the same to the justices at the next sessions, and such presentment shall be as effectual as the presentment of twelve men; and such searchers shall have as their fee for every 1000 of plain tiles searched one penny, for every 100 of roof, corner, or gutter-tile, one farthing, 17 *E.*4. *c.*4. *s.*3.

4. Searchers neglecting their duty herein shall forfeit to the king 10*s.*, and such justices shall examine such default in like form as for default of tile-makers, *id. s.*4.

5. FOR PREVENTING abuses in the making and vending of bricks and tiles, 10 *G.*3. *c.*49. 17 *G.*3. *c.*42.

6. All clay which shall be dug or designed for making bricks for sale in any place in *Eng.*, shall be turned once between 1st *Feb.* and the time of beginning to make such bricks; and every person who shall make such bricks of any clay which shall not be turned once within such time, shall forfeit 10*s.* for every 1000 bricks so made, to be recovered, levied, and applied as other penalties by 12 *G.*1. *c.*25. (EXP.) and this act, 10 *G.*3. *c.*49. *s.*2.

7. All persons within the city of *London*, and the limits aforesaid, may dig brick-earth for making bricks at any time of the year, provided it is turned once before made into bricks, *id. s.*3.

8. All persons may use cinders, commonly called breeze, only in the burning of bricks in clamps, *id. s.*5.

9. Certain bricks made within *London* and the liberties thereof, exempt from penalties in respect of the dimensions thereof, *id. s.*6, 7. [*See now* 17 *G.*3. *c.*42. *s.*1. next *pl.*]

10. All bricks made or burnt for sale in *Eng.*, shall, when burnt, be not less than 8¼ inches long, 2¼ thick, and 4 wide, (10 *G.*3. *c.*49. *s.*6. and 17 *G.*3. *c.*42. *s.*1.); and all pantiles there made for sale, when burnt, shall be not less than 13¼ inches long, and 9⅞ wide, and ¼ an inch thick, 17 *G.*3. *c.*42. *s.*1.

11. Every person who shall make bricks or pantiles for sale, which, when burnt, shall be of less dimensions than those in *s.*1. specified, shall forfeit 20*s.* for every 1000 of bricks, and 10*s.* for every 1000 of pantiles, and so proportionably for a greater or less number of bricks or pantiles so made for sale contrary hereto, *id. s.*2.

12. The size of the sieves or screens for sifting sea-coal ashes to be mixed with brick-earth in making bricks, shall not exceed one quarter of an inch between the mashes, *id. s.*3. and 10 *G.*3. *c.*49. *s.*4.

13. All contracts, writings or agreements, whether in writing or not, entered into between any brick-maker, tile-maker, or any person concerned in the making of bricks and tiles for sale, for ingrossing bricks and tiles, or for restraining any person from freely selling the same, or for fixing any certain price under which the same shall not be sold, shall be void; and if any such person shall keep or act in, enter into, sign, seal, or be knowingly interested in any such contract, &c. or shall knowingly act therein as clerk, agent, or servant, to any one so contracting, he shall forfeit as follows, *viz.* all persons interested in making bricks or tiles for sale, 20*l.*, and all such clerks, &c. 10*l.*, to go in moieties to the poor of parish where the offence is committed, and the other to the informer, suing within six calendar months after the offence committed, to be recovered with full costs by action of debt, &c. on information in any court at *Westminster*, wherein no essoin, &c. 17 *G.*3. *c.*42. *s.*4.

14. All penalties by this act imposed, the levying which is not otherwise provided for, may, on proof of the offences and conviction before any justice for the county or place where the offence was committed, be levied by distress and sale of party's goods, by warrant under hand and seal of such justice, rendering overplus to the owner, after the charge of distress, sale, and penalties deducted; and such justice shall determine the same, either by confession or by oath of one witness, and shall grant such warrant for such purposes, and administer such oath *gratis;* and all such penalties shall go in moieties to the poor of parish where the offenders live, and to the informer; and if there is no sufficient distress, or such penalties shall not be forthwith paid, such justice by like warrant may cause the offender to be imprisoned in county gaol or house of correction, without bail, for not exceeding two calendar months, unless penalties and charges be sooner paid, *id. s.* 5. 10 *G.*3. *c.*49. *s.*8.)

15. Every justice may cause any conviction under these acts to be drawn up in the following form, and to that effect, *viz.*

'BE it remembered, That on the — day of — in the year of our Lord —, A. B. is convicted before me, C. D. one of H. M.'s justices of peace for the county or place [*as the case may be, specifying the offence, time and place, where the same was committed, as the case shall be*]. Given under my hand and seal, the day and year aforesaid.' 17 *G.* 3. *c.* 42. *s.* 6., 10 *G.*3. *c.*49. *s.*9.

16. No penalty hereby inflicted, in respect of the dimensions of bricks or tiles, shall be recovered, unless the information shall be laid within one calendar month next after the sale or delivery of such bricks or tiles; nor shall any person be liable to more than one penalty for one offence, 17 *G.*3. *c.*42. *s.*7., 10 *G.*3. *c.*49. *s.*10.

17. Every person aggrieved by any thing done under these acts, may, within four calendar months after cause of complaint arose, appeal to the justices at any quarter sessions, on giving 21 entire days' notice in writing, of his intention to bring such appeal, and the cause thereof, to the party complained of; and within 8 days after such notice, entering into recognizance before some justice for the county, &c. with two sureties, conditioned to try such appeal at, and abide the order of and pay costs awarded by such sessions; and such justices, on due proof of such notice given, and of such recognizance taken, shall determine such appeal in a summary way, and award costs to either party as they think fit, and their determination shall be binding and conclusive; and no order or other proceedings under this act, shall be removed by *certiorari* or otherwise into the courts at *Westminster*, or be quashed for want of form, 17 *G.*3. *c.*42. *s.*8., 10 *G.*3. *c.*49. *s.*11.

BRIDGES. (*See* HIGHWAYS.)

1. NEITHER TOWN nor freeman shall be distrained to make bridges over rivers, but such as of old time ought to make them, 9 *H.* 3. *M. C.* c. 15.

2. FOR THE AMENDMENT of bridges on highways, 22 *H.* 8. *c.* 5. [EXP. and AMD.; and 23 *El.* *c.* 11. for re-edifying *Cardiffe* Bridge, in county of *Glamorgan*, REP.; and the day of election of the wardens and assistants of *Rochester* Bridge, CHANGED, 1 *A. st.* 1. *c.* 18.] [*See* 43 *G.* 3. *c.* 59. 52 *G.* 3. *c.* 110. 55 *G.* 3. *c.* 143. *post pl.* 32.]

3. The 22 *H.* 8. *c.* 5. except where hereby altered, shall be in force, 1 *A. st.* 1. *c.* 18. *s.* 1.

4. The justices in every shire, franchise, city, or borough, or four of them, whereof one is of the *quorum*, shall inquire of and determine in general sessions all annoyances of bridges broken in highways, and make such process and pains, upon presentment, for reformation of the same, against such as be charged therewith, as the justices of K. B. use to do, or as it seems to them to be convenient, 22 *H.* 8. *c.* 5. *s.* 1.

5. When it cannot be proved what hundred, parish, person, &c. is chargeable with such reformation, then, if the bridges be without any city or town corporate, they shall be made by the inhabitants of the shire or riding; and if within any city or town corporate, then by the inhabitants thereof; and if any part of any bridge so decayed shall be partly in one shire, riding, city, or town, and partly in another, or if it be part within any city or town, and part without, or part within one riding, and part within another, the same shall be repaired by the inhabitants of each shire, city, or town, according to the portions thereof as shall be within their limits, *id.* *s.* 2, 3.

6. The justices shall tax inhabitants for the repair of bridges, and after such taxation made, shall cause the names and sums of every particular person so by them taxed, to be written in a roll, indented, one part of which shall be given to the collectors; and such justices, or four of them, shall name two surveyors, who shall see every decayed bridge repaired and amended as need requires, to whose hands the collectors shall pay the money taxed; and the collectors and surveyors, and their executors and administrators, shall make an account to the justices for the shire, city, &c. of the receipts and payments thereof, on pain, in case of neglect herein, to compel them to appear at the general sessions, to make such account; and in case of refusal, shall commit them to ward, without bail, till such account is made, *id.* *s.* 4. [*See as to* such taxation, 1 *A. st.* 1. *c.* 18. *s.* 2.]

7. Where any bridges lie in one shire, and the persons, bodies, &c. which ought to repair the same, inhabit in another, or where such bridges be within any city, or town corporate, and the persons and lands, &c. which ought to repair the same, be out of such city, &c. the justices in the shire, city, or town, within which such bridges, or part thereof shall be, shall hear and determine all such annoyances within the limits of their commission; and if such annoyances be presented, then shall make process, into every shire, against such as ought to amend such bridges, and do further in such case as they might if such persons, lands, &c. were within the same shire, &c.; and all sheriffs, and bailiffs of liberties shall execute all such process from such justices, on pain to make fine in discretion of such justices, 22 *H.* 8. *c.* 5. *s.* 5. [*See* 1 *A. st.* 1. *c.* 18. *s.* 5. *pl.* 15.]

8. This act shall not extend to the liberties of the Five Ports, or, members thereof, 22 *H.* 8. *c.* 5. *s.* 6.

9. The warden, mayors, and bailiffs elected, and justices of such ports, shall hear and determine all annoyances of bridges within such ports and members, and make such process, pains, taxations, and other things within the same, as justices (*see s.* 1.) may in other places, *id.* *s.* 7.

10. Allowance to surveyors and collectors may be made by such justices, *id.* *s.* 8. [*See* 1 *A. st.* 1. *c.* 18. *s.* 8. *pl.* 18.]

11. Such part of the highways, as well within as without franchise, as lie next adjoining to any ends of bridges, distant therefrom 300 feet, shall be made and repaired when need requires, and the justices in general sessions shall determine annoyances to such highways, and do every thing for the repair thereof as they may do (*see s.* 1.) for bridges, *id.* *s.* 9.

12. THE JUSTICES AT QUARTER SESSIONS shall, on presentment made that any bridge is out of repair, and which ought by them to be repaired and maintained, assess every town, parish, or place within their commissions, in proportions usual towards repair of bridges, which money so assessed shall be collected by the constables of each parish, &c. or such person as such sessions by order shall appoint, and shall be by them paid to the high constables of every hundred in every such county, city, riding, or division, in six days after received, and such high constables shall, in 10 days after, pay the same to the treasurer appointed by such justices by order of sessions; and the money thereby raised shall be employed and accounted for according to the order of such justices towards amending such bridges and highways at the ends thereof, as need shall require; and such assessments shall be levied by distress and sale of goods of the persons not paying within 10 days after demand made, rendering the overplus, after costs of distress, &c. deducted, to the owner, 1 *A. st.* 1. *c.* 18. *s.* 2. [*See* 22 *H.* 8. *c.* 5. *s.* 4. *pl.* 6., *and* 22 *C.* 2. *c.* 12. *s.* 10. *pl.* 28.]

13. High constables, churchwardens, overseers of poor, or petty constables, or other persons neglecting to assess, collect, or pay the money hereby intended to be raised, shall forfeit 40*s.*; and every treasurer that shall pay any money but by order of such justices at sessions, (which order they shall make only for building or repairing bridges and the highways at the ends thereof,) shall forfeit 5*l.*, *id.* *s.* 3.

14. No fine, penalty, issue, or forfeiture, for not repairing bridges and highways, shall be returned into the exchequer or other court, but shall be paid to the treasurer, and applied by such justices towards building or amending such bridges and highways, *id.* *s.* 4.

15. All matters concerning the repairing and amending of bridges and highways before-mentioned, shall be determined in the county where they lie, and no presentment or indictment for not repairing such bridges and highways shall be removed, by *certiorari*, into any other court, *id.* *s.* 5. [*See* 22 *H.* 8. *c.* 5. *s.* 5. *pl.* 7.]

16. The quarter sessions may allow persons executing this act, any sum not exceeding 3*d.* in the pound, *id.* *s.* 6. [*See* 22 *H.* 8. *c.* 5. *s.* 8. *pl.* 10.]

17. In actions or suits against any person for any thing done in execution of this act, such person may plead the general issue, and give this act and 22 *H.* 8. *c.* 5. and special matter in evidence; and if the plaintiff is nonsuited, forbears prosecution, or discontinues, or if a verdict pass against him, the defendant shall have double costs, with the usual remedy to recover same, *id.* *s.* 7.

18. This act shall not discharge any person, estates, or places, from repairing any bridge they have heretofore usually repaired, *id.* *s.* 8.

19. All penalties and forfeitures, incurred under this act, shall be applied towards repairing such bridges and highways, *id.* *s.* 9.

20. The 23 *El.* *c.* 1. for rebuilding *Cardiffe* Bridge, REP. *id.* *s.* 10.

21. *Cardiffe* Bridge shall be adjudged a common and public bridge, and be repaired by *Glamorganshire*, and the justices for such county may, at the quarter sessions, make such order for repairing, &c. the same, and the wears belonging thereto, as in case of other county bridges, *id.* *s.* 11.

22. Nothing in this act shall annul any order heretofore made touching repairs of such bridge and wears, *id.* *s.* 12.

23. In all informations or indictments brought and tried in the courts at *Westminster*, at the assizes, or quarter sessions, evidence of the inhabitants of the town, county, or division in which any decayed bridge or highway lie, shall be taken and admitted in all cases, of proceedings against private persons or bodies politic, for not repairing such decayed bridges and highways, *id.* *s.* 13.

24. Wardens, &c. of *Rochester* Bridge, when to be chosen, *id.* *s.* 14.

25. FOR THE BETTER REPAIRING of highways and bridges, 22 *C.* 2. *c.* 12. [REP. *as to highways* (*viz. ss.* 1. 3. 5—9. 11—12.) by 7 *G.* 3. *c.* 42. *s.* 57.]

26. Where any lands have been, or shall be given for the maintenance of [causeways, highways, and REP. 7 *G.* 3. *c.* 42. *s.* 57.] bridges, all persons trusted with the same, shall let them to farm at the most improved yearly value without fine; and the justices, in open sessions, may enquire into value of such lands, and order improvements and employments of the rents and profits thereof, according to the will of the donor, if the trustees are found faulty in performance of their trust, (except such lands as are given to the uses aforesaid to any college or hall in either of the universities of this kingdom, having visitors of their own,) *id.* *s.* 2.

27. Defects of bridges, [highways, &c. REP. 7 *G.* 3. *c.* 42. *s.* 57.] shall be presented in the county where the same lie, and not removed by *certiorari* or otherwise, till presentment, or indictment traversed, *id.* *s.* 4. [*See* 5 *& 6 W. & M.* *c.* 11. *s.* 6. CERTIORARI.]

28. Where the justices of any county, city, or other place, or major part of them, at quarter sessions, shall be satisfied that the bridges [highways, &c. REP. 7 *G.* 3. *c.* 42. *s.* 57.] within any parish, &c. within their jurisdiction, will not be sufficiently amended by means of laws now in force, without help of this act, in such cases an assessment upon all inhabitants, owners, and occupiers of lands, houses, &c. or any personal estate rateable to the poor within such parish, &c. shall be made and levied in such manner as such justices in sessions shall appoint, and the money thereby raised shall be accounted for and employed according to the order of such justices towards amending such bridges, and such assessment shall be levied by distress and sale of goods of party assessed and not paying within 10 days after demand, rendering overplus to owner, after deducting costs of distress, *id.* *s.* 10. [*See* 1 *A. st.* 1. *c.* 18. *s.* 2. *ante*, *pl.* 12.]

29. TO SUPPLY SOME DEFECTS IN THE LAWS FOR repairing and rebuilding county bridges, 14 *G.* 2. *c.* 33. *s.* 1. [*See rest of title and act*, PRISON, &c. VAGRANT.]

30. The justices for any county, city, riding, liberty, or division, at their general or general quarter sessions assembled, or the major part of them,

may contract with any person or bodies politic for any piece of land adjoining any county bridge within their limits, for the enlarging or rebuilding of the same, which pieces of land shall not exceed one acre for any bridge, and shall be paid for by the county-treasurers, out of money raised under the 12 *G.2. c.*29. such treasurers being thereto authorized by orders under the hands and seals of such sessions, and such lands so purchased shall be conveyed to such persons as such justices shall appoint, for the uses of enlarging and rebuilding such bridges, 14 *G.2. c.*33. *s.*1. [*See* further, 43 *G.3. c.*59. *s.*2. *pl.*39.]

31. FOR REMEDYING CERTAIN DEFECTS IN THE LAWS relative to the [building and 43 *G.3. c.*59. *only*] repairing of county bridges and other works maintained at the expence of the inhabitants of counties in *Eng.*, 43 *G.3. c.*59. [PUBLIC clause, *s.*8.] 52 *G.3. c.*100. [EXPL. and EXT. to other works maintained at the expence of hundreds, 54 *G.3. c.*90. AMD. 55 *G.3. c.*143.] [*See* 12 *G.2. c.*29. *s.*14. *tit.* COUNTY RATE, *and* 22 *H.*8. *c.*5. *pl.*2., 1 *A. st.*1. *c.*18. *pl.*12.]

32. All the powers of 43 *G.3. c.*59. (except such provisions therein as relate to bridges thereafter to be erected), shall extend as well to bridges and roads at the end thereof repaired by hundreds and other general divisions in the nature of hundred, as to bridges, &c. repaired by counties, 54 *G.3. c.*90. *s.*2.

33. Surveyors of bridges and other public works in each county in *Eng.* appointed by the justices at quarter sessions, may search for, take, and carry away gravel, stone, sand, and other materials for the repair of such bridges and roads at the ends thereof as the counties are bound to repair, and may remove obstructions and annoyances from such bridges and roads in such manner as highway surveyors under 13 *G.3. c.*78. may do, and the powers thereby vested in such surveyors of highways, as well for getting materials as the preventing and removing such nuisances and annoyances, shall be vested in the county-surveyor of bridges and roads at the ends thereof; and the several penalties and things in that act contained, as far as the same are applicable, shall be extended to such bridges, &c. such surveyor making compensation for any damage done, in the same manner as by that act directed, 43 *G.3. c.*59. *s.*1.

34. Surveyors of county bridges in *Eng.* appointed by the justices at quarter sessions, and also the bridge-master, and all persons under contract for rebuilding or repairing any public bridge at the expence of any county, hundred, and general division in the nature of hundred, may, by the order of two justices acting for the county where the bridge is intended to be built or repaired, search for, work, dig, get and carry away any stone from any quarry within such county, (except quarries situated within a garden, yard, avenue to a house, lawn, park, paddock, or inclosed plantation, which has or may have ornamental timber growing thereon) without the licence or consent of the owners thereof as such surveyor or person may deem necessary for such purposes, provided such quarry has been worked within three years preceding the time when such bridge is about to be so built or repaired, such surveyor or other person making such satisfaction for the value of such stone, and the damage done to such quarry by carrying the same away, as shall be agreed on between him, and the owner, occupier, or person interested therein; and in case they cannot agree, or such owner, &c. shall refuse to treat with them, the quarter sessions, or two justices there appointed for that purpose, 14 days' notice being given to such owner, &c. or his agent, of the intention to require a jury, shall cause the value of such stone, and the amount of such damage to be ascertained by a jury of the county, city, &c. and to that end shall summon before such jury, and examine on oath, (which oath two such justices shall administer), any person whomsoever; and such sessions, or two justices, may, by ordering a view or otherwise, use all means for the information of themselves and the jury; and when such jury shall have ascertained such value and damages, the justices shall order the same to be paid, which verdict and inquisition shall be filed of record by the clerk of the peace, or other record officer of the county, &c. and shall be final and conclusive against all parties and persons claiming, or to claim in possession, remainder, reversion, or otherwise, their heirs and successors, as well absent as present, infants, lunatics, idiots, persons under coverture, or other disability, corporations, guardians, committees, husbands, trustees or attornies whomsoever, 55 *G.3. c.*143. *s.*1.

35. Such sessions or such two justices may issue warrants to the sheriff or bailiff of any county, riding, city, town, &c. within whose limits such quarry is situated, and require him to impannel, summon, and return a jury of 24 duly qualified persons; to appear before such sessions or justices, at a time and place in the warrant appointed, and out of such jury, such justices shall choose by ballot 12, who shall be the jury; and in default of sufficient men so returned, they shall make up the number of 12 from the byestanders, and any of which jury the parties concerned may challenge; and such sessions, or such two justices may fine such sheriff or bailiff, or their deputies making default herein, and any person returned on such jury who shall not appear, or who shall refuse to be sworn, or to give a verdict, or any way neglect his duty therein, and also any person summoned to give evidence before such jury, who does not appear, or shall not give evidence, so that such fine is not more than 10*l.* or less than 20*s.* for one person, 55 *G.3. c.*143. *s.*2.

36. If a jury give a verdict for more money as the value of such stone, or amount of such damage, than what such surveyor, &c. offered, the costs of such jury and witnesses shall be paid out of the county rates; but if, on the contrary, they give a verdict for no more, or less money than that offered, such costs shall be paid by the other side, to be levied by distress and sale of the goods of the person so made liable, *id. s.*3.

37. Any person aggrieved by any thing done under this act may, within 3 calendar months after such complaint arose, appeal to the justices at quarter sessions, on giving 14 days' notice in writing of his intention, and the cause of appeal, to the party against whom such complaint is made, and within 3 days after such notice, entering into a recognizance before some justice for the county with two sureties conditioned to try such appeal, and abide the order of and pay costs awarded by such sessions, and such sessions on due proof of such notice served, and such recognizance entered into, may finally determine the matter in a summary way, and make such award as they deem proper, which determination shall be binding and conclusive, *id. s.*4.

38. Where any bridges or roads at the ends thereof repaired at expence of any county shall be narrow and incommodious, the justices at quarter sessions may order the same to be widened and improved, and where any such bridges shall be so much in decay as to render the taking down thereof necessary, such sessions may direct the same to be rebuilt on the old site, or within 200 yards therefrom, if it is more commodious to the public; and if for such purposes it is necessary to purchase land, the county surveyors under the direction of such sessions, shall set out and ascertain the same, not exceeding one acre at each bridge, and contract with the owner for the purchase thereof, either by a gross sum, or an annual rent at his option; and if such surveyors cannot agree for the purchase, or are prevented from treating by the real owner not being to be found, such sessions shall impannel a jury, and assess the compensation for such land, and for the trespass and damage to be done in executing this act, in like manner as directed by 13 *G.3. c.*78. and all the powers of that act, and the exemptions, penalties and things therein contained, as well as to impannelling such juries, examining and swearing witnesses, payment of expences, and enabling bodies politic and collegiate, and other incapacitated persons to sell, and all other provisions thereof, shall be extended and applied to works hereby authorized to be done; provided no money shall be applied to the amendment or alteration of any such bridges until presentment made of its insufficiency, inconveniency, or want of repair in pursuance of some act [*see* 1 *A. st.*1. *c.*18. *s.*2. *pl.*12.] in force concerning such bridges, 43 *G.3. c.*59. *s.*2. [*but see, as* to presentments, 52 *G.3. c.*110. *s.*5. *pl.*48., 55 *G.3. c.*143. *s.*5. *and as to* contracts for repairing bridges, 55 *G.3. c.*143. *s.*5. *pl.*49.]

39. All powers and authorities in 43 *G.3. c.*59. contained for the purchase of lands shall extend to all buildings or erections necessary to be purchased for purposes of such act, 56 *G.3. c.*90. *s.*1.

40. The property of all tools and materials provided by order of such justices, or of such surveyors, or in any respect belonging to such counties, shall be vested in such surveyors for the time being in whom, on any action or indictment commenced, such property may be laid, 43 *G.3. c.*39. *s.*3.

41. Inhabitants of counties may sue and be sued in the name of their surveyors for any damages done to bridges and other works maintained at their expence, or for the recovery of property belonging to such counties; and actions so brought shall not abate or be discontinued by reason of the death or removal of such surveyors, or by these acts, without the consent of the quarter sessions; but the surveyors for the time being shall be plaintiffs or defendants, as the case may be, but the surveyors in whose name such actions, &c. shall be brought or defended, shall be reimbursed all charges he shall be put to by reason thereof out of the monies in the hands of the county-treasurer, and also all charges of prosecuting any indictment or other proceeding, *id. s.*4.

42. No bridges that shall be built at the expence of any private person, body politic or corporate, shall be deemed a county-bridge, or a bridge liable to be repaired by any county, unless it is erected in a substantial manner under the direction of the county-surveyor, or the person appointed at the quarter sessions, or by the justices in the county of *Lancaster*, at their annual general sessions; such surveyor or person shall attend the erection of such bridge, when requested by the party building it, and in case such party is dissatisfied, the matter shall be determined at such quarter sessions or annual sessions in the county of *Lancaster*, *id. s.*5.

43. All orders and proceedings made and had within the county of *York* relative to county-bridges, shall be made by the justices of their respective ridings at the annual or quarter sessions holden the first whole week after *Easter*, and adjournments thereof shall be made for the express

purpose of executing such orders, and none others; provided that two justices, in case of emergency, may give such order for making such temporary bridges or repairs as may be necessary for the temporary accommodation of the public, 43 *G.*3. *c.*50. *s.*6.

44. This act shall not extend to bridges or roads which are liable to be maintained and repaired by persons or bodies politic, &c. by reason of tenure, or by prescription, or to affect the right to repair such bridges and roads, *id. s.*7.

45. The justices for any county, city, &c., at quarter sessions holden in the week next after the clause of *Easter*, or major part of them there assembled, shall appoint annually two justices acting for any division in such county, &c. near which any county-bridge, or any bridge in part a county-bridge, ramparts, banks, cops, or other works appertaining to the same or any parts thereof, or roads over same, or so much of the road at the ends thereof as the counties, &c. are by law liable to repair (*see* 22 *H.*8. *c.*5. *s.*9. *pl.*11.) shall be situate, to superintend the same; and when it appears on their own inspection to be necessary, such two justices may order immediate repairs to be done to the same by written order under their hands by such person as they deem fit; but the sum by them to be so expended shall not exceed 20*l.*, and such appointments of such justices shall remain in force until one week after the following *Easter* sessions; and in case of death, removal, or refusal to act, by any justice so appointed, the quarter sessions may appoint another for the remainder of the current year, at any of the quarterly sessions, 52 *G.*3. *c.*110. *s.*1.

46. The major part of the justices assembled at quarter sessions holden next after such repairs completed, may order payment of any sum, not exceeding 10*l.*, sufficient to pay for such repairs to be made out of the county-rate, although no presentment shall be made by the grand jury, at the assize great sessions, or quarter sessions for any county, city, &c. of such repairs wanted as by 12 *G.*2. *c.*29. *s.*14. directed; but before such payment ordered, a certificate shall be returned to such sessions, signed by two justices so appointed, who ordered such repairs, stating nature of such repairs, and the defects, damages, or injuries ordered to be repaired, and the reason why so ordered, and provided such sessions are satisfied the charges are reasonable, *id. s.*2.

47. The justices for any county, city, &c. at their general quarter sessions, or the major part of them, may contract and agree with the commissioners or trustees of any turnpike within such county, city, &c., or with their surveyor or clerk, or both, or with the surveyor of any highway of any parish, place, or tything, within such county, &c., or with any other person, to maintain and keep in repair roads over county-bridges, and so much of the roads at the ends thereof as the county, &c. is liable [*see* 22 *H.*8. *c.*5. *s.*9. *pl.*11.] to repair for any term not exceeding seven years, nor less than one, although no presentment is made of insufficiency, as directed by 12 *G.*2. *c.*29. *s.*14. COUNTY RATE; but subject nevertheless to all the rules thereby required in cases where the same have been presented, *id. s.*5.

48. The justices for any county, at their general quarter sessions, may contract, or authorize any person to contract, for maintaining and repairing any county or hundred bridge, and the road over the same, and so much of the road at the ends thereof as are liable [*see* 22 *H.*8. *c.*5. *s.*9. *pl.*11.] to be repaired at the expence of such county, hundred, city, &c., and may order money agreed to be paid for such purposes by the treasurer of the county, out of the rates, or by the bridge-master (or other public officer charged with the repair of bridges,) of the hundred, according to which is liable to pay the same, for any term of from one to seven years, although no such presentment is made, and although no public notice shall have been given by such justices of their intention to contract for the repair of such bridges and roads as directed by 12 *G.*2. *c.*29., 55 *G.*3. *c.*143. *s.*5.

49. Provided that before such contract is made, such justices shall give notice of their intention to contract in some paper circulated within such county, &c. *id. ibid.*

50. SUCH PART OF ALL FORMER ACTS relating to bridges, as enacts that if any person shall wilfully and maliciously blow up, pull down, or destroy any bridge, or part thereof, or attempt so to do, or unlawfully and without authority remove any works thereto belonging, or in any wise procure the same to be done, such offenders, on conviction, shall be deemed guilty of felony, and suffer death without benefit of clergy, shall be REPEALED, 1 *G.*4. *c.*116. *s.*2. [*See local act* for building *Westminster* Bridge, 9 *G.*2, *c.*29. *s.*5., for like purposes REP. 1 *G.*4. *c.*116. *s.*1.]

BUILDINGS. (*See* FIRE.)

(STATUTES *repealed and expired.*)

1. FOR THE RESTRAINT of new buildings, converting of great houses into several tenements, and for restraint of inmates and inclosures in and near unto the cities of *London* and *Westminster*, 35 *El. c.*6. EXP.

2. FOR REBUILDING the city of *London*, 19 *C.*2. *c.*3. [REP. as to so much which relates to building, 14 *G.*3. *c.*78. *s.*101. *and as to sewers, by* 11 *G.*3. *c.*29. *s.*121. *See ss.*21, 22. 28, 29. LONDON,] *and see* the local act for the like purpose, 22 *C.*2. *c.*11.]

3. FOR THE BETTER regulating of buildings, and to prevent mischiefs that may happen by fire within the weekly bills of mortality, and other places therein mentioned, 11 *G.*1. *c.*28., 4 *G.*3. *c.*14. [AMD. 6 *G.*3. *c.*37. *all* REP. 14 *G.*3. *c.*78. *s.*101.]

4. FOR THE BETTER regulation of buildings and party walls within the limits therein mentioned, and for the better preventing mischiefs by fire within such limits, and for amending and reducing the laws relating thereto into one act, and for other purposes, 12 *G.*3. *c.*73. [REP. 14 *G.*3. *c.*78. *s.*101.]

(STATUTES *in force.*)

1. FOR THE FURTHER AND BETTER REGULATION OF BUILDINGS AND PARTY WALLS, and for the more effectually preventing mischiefs by fire within the cities of *London* and *Westminster*, and the liberties thereof, and other the parishes, precincts, and places, within the weekly bills of mortality, the parishes of *St. Mary-le-bone*, *Paddington*, *St. Pancras*, and *St. Luke*, at *Chelsea*, in the county of *Middlesex*, and for indemnifying, under certain conditions, builders and other persons against penalties, to which they are or may be liable, for erecting buildings within such limits contrary to law, 14 *G.*3. *c.*78. [PUBLIC *clause s.*102.] [AMD. as to so much as relates to manufactories of turpentine, and EXT. as so AMD. to manufactories of pitch, tar, and turpentine, throughout *Eng.*] and the proprietor of a pitch manufactory indemnified, 25 *G.*3. *c.*77. [PUBLIC *clause s.*6.] [Buildings used as offices for the six clerks in chancery, by 15 *G.*3. *c.*56. *s.*11. and the *East India* company's warehouses, by 27 *G.*3. *c.*48. exempted from these acts, and tessara permitted to be used in covering buildings, 50 *G.*3. *c.*lxxv. *all local.*]

2. All buildings whatsoever heretofore built, or which shall hereafter be begun or built, within *London* and *Westminster*, the bills of mortality, and the parishes of *St. Mary-le-bone*, *Paddington*, *Pancras*, and *Chelsea*, shall be distinguished by, and divided into seven rates or classes hereinafter described, 14 *G.*3. *c.*78. *s.*1.

3. Every church, chapel, meeting-house, and other place of public worship; and every building for distilling and brewing of liquors for sale; for making of soap; melting of tallow; dying; boiling or distilling turpentine; casting brass or iron; refining of sugar; making of glass for chemical works for sale, of what dimension soever; and also every warehouse and other building not being a dwelling-house (except buildings of the fifth, sixth, or seventh rate), which shall exceed three clear stories above ground, exclusive of rooms in the roof, or of the height of thirty-one feet from the surface of the pavement, ground, or way, above the area before either of the fronts to the top of the blocking-course or coping on the parapet; and every dwelling-house, which, with the offices thereto belonging and adjoining, or connected otherwise than by a fence or fence-wall, or covered passage, open on one or both sides, when finished, shall exceed the value of eight hundred and fifty pounds; and also every dwelling-house, which shall exceed nine squares of building on the ground floor, each square containing one hundred superficial feet shall be the first rate or class of building, *id. s.*2.

4. Every external wall (not being a party-wall) which shall be built to any first rate building, or to any addition thereto, shall be built at the foundation of the thickness of two bricks and an half in length, or one foot nine inches and an half at the least; and shall from thence gradually diminish on each side of the wall two inches and a quarter to the top of the footing, except any adjoining building will not admit of such footing being made on the side of such wall next such adjoining building; in which case, such footing shall be made as near to the dimensions as the case will admit, *s.*3. (which footing shall be nine inches high, and wholly below the upper surface of the pavement and flooring-boards of the cellar story two inches at the least, *s.*3. and every such wall shall, from the top of such footing, be of the thickness of two bricks in length, or one foot five inches and an half up to the under side of the one pair of stairs' floor; and from thence one brick and an half in length, or thirteen inches at the least, up to the under side of the plate under the roof or gutter; and from thence one brick in length, or eight inches and an half at the least, up to the under side of the blocking-course, or coping on the parapet, except such parts of every such wall as shall be wholly of stone, which shall be of the thickness of fourteen inches below the ground floor, and nine inches above the ground-floor: and except all recesses above the ground-floor in the walls, which shall be arched over in every story, so as the arch, and the back of such recess, shall be of the thickness of one brick in length, or eight inches and an half respectively, *id. s.*3.

5. Every party-wall which shall be built to any first rate building, or to any addition thereto, shall be built, at the foundation, of the thickness of three bricks and an half in length, or two feet six inches and an half; and shall, from thence, gradually diminish on each side four inches and an half to the top of the footing of every such wall; which footing

shall be one foot high, and wholly below the upper surface of the pavement and flooring-boards of the cellar story two inches at the least; and every such party-wall shall, from the top of such footing, be of the thickness of two bricks and an half in length, or one foot nine inches and an half up to the under side of the ground-floor; and from thence two bricks in length, or one foot five inches and an half up to the under side of the floor of the rooms (if any) in the roof of the highest building adjoining; and from thence of one brick and an half in length, or thirteen inches up to the top of such party-wall, 14 *G.*3. *c.*78. *s.*4.

6. Every warehouse, stable, and other building, not being a dwelling-house, except such as are herein declared to be of the first, fifth, sixth, or seventh rate, which exceed two clear stories, and do not contain more than three stories above ground, exclusive of rooms in the roof, or which shall be 22 feet high, and not 31 feet from the surface of the pavement, &c. above the area before either front, to the top of the blocking-course or coping on the parapet; and every dwelling-house which, with the offices thereto belonging, and connected otherwise than as described before, (*s.*1.) shall, when finished, exceed the value of 300*l.* and not amount to 850*l.*, and also such dwelling-houses which exceed five squares of building on the ground plan, and do not amount to more than nine squares, shall be deemed the second rate of building, *id. s.*5.

7. Every external wall (not a party-wall) built to any second rate building, shall be, at foundation, of the thickness of two bricks in length, or one foot five inches and an half, and shall from thence gradually diminish on each side of the wall two inches and a quarter to the top of the footing; except where not possible by reason of an adjoining building, in which case the footing shall be as near such dimensions as possible, which footing shall be nine inches high, and wholly below the upper surface of the pavement and flooring of the cellar story two inches at the least; and every such wall shall, from the top of such footing, be of the thickness of one brick and an half in length, or thirteen inches, up to the under side of the one pair of stairs floor; and from thence one brick in length, or eight inches and an half, up to under side of the blocking-course or the coping; except such parts of every such wall above the ground-floor, as shall be wholly of stone, which shall be of the thickness of nine inches; and except all recesses above the ground-floor in the walls, which shall be arched over, so as the arch and the back of each recess shall be of the thickness of one brick in length, or eight inches and an half respectively, *s.*6.

8. Every party-wall built to any second-rate building, shall be at the foundation of the thickness of three bricks and an half in length, or two feet six inches and an half, and shall from thence gradually diminish on each side four inches and an half to the top of the footing, which shall be nine inches high, and wholly below the upper surface of the pavement and floor of the cellar story two inches; and from the top of such footing be of the thickness of two bricks and an half in length, or one foot nine inches and an half up to the under side of the ground-floor; and from thence two bricks in length, or one foot five inches and an half up to the under side of the floor of the two pair of stairs story; and from thence one brick and an half in length, or thirteen inches, up to the top of every such party-wall, *id. s.*7.

9. Every warehouse, stable, and other building, not a dwelling-house, except buildings of the first, fifth, sixth, or seventh rate, which shall exceed one clear story, and not contain more than two above ground, exclusive of rooms in the roof, or which shall be of the height of more than 13 feet, and not 22 feet from the surface of the pavement, &c. above the area before either front, to the top of the blocking-course or coping; and every dwelling-house which, with the offices connected thereto, (as in *s.*2.) shall exceed the value of 150*l.* and not amount to more than 300*l.*; and also every dwelling-house which shall exceed three squares and an half on the ground plan, and not amount to more than five squares, shall be the third rate, *id. s.*8.

10. Every external wall (not being a party-wall) which shall be built to any third rate building, shall be at the foundation of the thickness of two bricks in length, or one foot five inches and an half, and shall from thence diminish on each side two inches and a quarter, to the top of the footing, except as before excepted (in *s.*3.), which shall be six inches high, and wholly below the upper surface of the pavement and flooring boards of the cellar story two inches; and every such wall shall, from the top of such footing, be of the thickness of one brick and an half in length, or 13 inches up to the under side of the ground-floor; and from thence one brick in length, or eight inches and an half, up to the under side of the blocking-course or coping, *s.*9.

11. Every party-wall to any third rate building shall be at the foundation of the thickness of three bricks in length, or two feet two inches, and shall thence diminish on each side four inches and an half to the top of the footing, which shall be nine inches high, and wholly below the upper surface of the pavement and flooring of the cellar story two inches; and such party-wall shall, from the top of such footing, be of the thickness of two bricks in length, or one foot five inches and an half, up to the under side of the ground-floor, and from thence one brick and an half, or thirteen inches, up to the top of such party-wall, 14 *G.*3. *c.*78. *s.*10.

12. Every warehouse, stable, and other building, not a dwelling-house, except of the first, fifth, sixth, or seventh rate, which shall not exceed one clear story above ground, exclusive of rooms in the roof, or which shall not be more than 13 feet high from the surface of the ground above the area before either front, to the top of the blocking-course or coping on the parapet; and every dwelling-house which, with the offices connected thereto, (as in *s.*2.) shall not exceed the value of 150*l.*; and also every dwelling-house which shall not exceed three squares and an half of building on the ground plan thereof, shall be the fourth rate, *id. s.*11.

13. Every external wall built to any fourth rate building, shall be at the foundation of the thickness of two bricks in length, or one foot five inches and an half, and shall thence gradually diminish on each side of the wall two inches and a quarter to the top of the footing of such wall, except as before excepted (in *s.*3.), which footing shall be six inches high, and wholly below the upper surface of the pavement and floor of the cellar story two inches; and such wall shall, from the top of such footing, be of the thickness of one brick and an half in length, or thirteen inches, up to the under side of the ground-floor; and from thence one brick in length, or eight inches and an half, up to the under side of the blocking-course or coping, *id. s.*12.

14. Every party-wall built to any fourth rate building shall be at the foundation of the thickness of two bricks in length, or one foot five inches and an half; and shall from thence gradually diminish on each side of the wall two inches and a quarter to the top of the footing; which footing shall be nine inches high, and wholly below the upper surface of the pavement and floor of the cellar story two inches; and such party-wall shall, from the top of such footing, be of the thickness of one brick and an half in length, or thirteen inches, up to the under side of the ground-floor; and from thence one brick in length, or eight inches and an half, up to the top of such party-wall, *id. s.*13.

15. Every house or building to be built of the first, second, third, or fourth rate, and not having each a separate side-wall on the part where they shall be contiguous, shall have party-walls between house and house, &c. and such party-walls shall extend to the outer surfaces of the external inclosures of each of the adjoining houses, &c.; and all party-walls, chimneys, and chimney-shafts, hereafter to be built, shall be built wholly of bricks or stone, or of bricks and stone together, except timber, wood, lead, or iron work, laid therein, according to the directions herein-after contained, and also except piling, bridging, or planking, necessary for the foundation, and shall be coped with stone, tile, or brick, and shall be of dimensions before directed; and one half of such party-wall between house and house, &c. shall be built on the ground of one of the adjoining houses, and the other half on the ground of the other; and the first builder of such party-wall, and the workmen employed, may enter upon the ground adjoining thereto to build the same, *id. s.*14.

16. Every party-wall so to be built to any dwelling-house exceeding four stories in height from the foundation, exclusive of rooms in the roof of either of the buildings adjoining thereto, shall be built according to the directions herein-before contained, (*s.*4.) with respect to party-walls of the first rate, though such house shall not be of the first rate; and every party-wall to be built to any dwelling-house containing four stories in height from the foundation, exclusive of rooms in the roof of either of the buildings adjoining thereto, shall be built according to the directions in (*s.*9.) with respect to party-walls of the third rate, though such house shall be of the fourth rate, *id. s.*15.

17. Every internal inclosure to be made for separating any building of the first, second, third, or fourth rate, from any other building where same shall be in separate occupations, and every addition to such internal inclosure, shall be of brick or stone, or artificial stone or stucco, or of brick and stone, or artificial stone and stucco together; except timber, wood, lead, or iron work laid therein, according to the directions hereinafter contained for external inclosures to such first, second, third, or fourth rate or class of building, and also except such piling, bridging, or planking, as may be necessary for the foundation, *id. s.*16.

18. In valuing the buildings of the first, second, third, or fourth rate, for the purpose of ascertaining the rate, such valuation shall be made by the surveyor for the district, appointed under *s.*38. of this act; and such building shall, notwithstanding any decay, be valued as if the materials were sound, and the work new; and shall be estimated at the prices the like materials and workmanship shall be worth at the time such valuation shall be made; but neither the soil whereon any building stands, nor any fence or fence wall (except the railing to areas, and steps before or behind, made for enclosing the buildings, with the offices, yard, &c. thereto belonging, from any neighbouring ground,) nor any brick or stone-arched vault, under ground, either before or behind such building, nor any lead, covering, or pavement over

such vaults, nor such parts of the party wall as stand upon ground not belonging to such house, shall be included in such valuation; and in ascertaining the squares contained in such building, being a dwelling-house, the same shall be taken by such surveyor on the level of the floor, at the principal entrance thereof, and no more than such parts of the party-walls as belong to such dwelling-house shall be included in such admeasurement; and in case the owner or other person interested shall apprehend himself to be injured by such admeasurement or valuation, he may apply to the mayor, or two justices for the city of *London*, if such building, or any part thereof, is within the city, or otherwise to any two justices within whose jurisdiction the same is; who shall inquire into the matter, and, by order, declare such building to be of such rate as the same shall appear to them to be of according to the description of the rates herein contained; and parties between whom such order shall be made may appeal to the quarter-sessions whose determinations shall be conclusive, 14 *G.*3. *c.*78. *s.*17.

19. Every dwelling-house, warehouse, stable, and other building (except buildings not being dwelling-houses, of the first or seventh rate), which is or shall be at the distance of 4, and not 8 feet, from any public road, street, or causeway, and is or shall be detached from any other building not in the same possession therewith, 16, and not 30 feet, or connected with any other building only by a fence or fence-wall, shall be of the fifth rate, and may be built of any dimensions, *id. s.*18.

20. Every dwelling-house, warehouse, stable, and other building, (except buildings, not dwelling-houses, of the first rate), which is or shall be at the distance of 8 feet from any public road, street, or causeway, and is or shall be detached from any other building not in the same possession therewith, at least 30 feet, or connected with any other building only by a fence, or fence-wall, shall be of the sixth rate, and may be built of any dimensions, and with any materials, *id. s.*19.

21. Every cranehouse, now built, or hereafter to be built, on any wharf or quay, and every shamble, windmill or watermill, and also every building which is or shall be situated without *London* and *Westminster*, and the liberties thereof, used for workshops or drying-places for tanners, fell-mongers, glue-makers, size-makers, calico-printers, whitsters, whiting-makers, curriers, leather-dressers, buckram-stiffners, oil-cloth-painters, wool-staplers, throwsters, parchment-makers, and paper-makers, so long as they are used for those purposes, and no longer, shall be the seventh rate, and may be built of any dimensions, *id. s.*20.

22. Such cranehouse erected after 24*th June*, 1774, and every addition to any cranehouse already built, or hereafter to be built, and every new external inclosure thereof, shall be of stone, brick, slate, tile, oak, elm, steel, iron, or brass; but every other building of the seventh rate may be erected of any materials whatever; and no cranehouse or other building of the seventh rate, or any external part thereof, shall be covered with pitch, tar, or any other inflammable composition, or be converted to any other use than as aforesaid, *id. s.*21.

23. Every office which shall be entirely detached from the building to which the same belongs, or connected therewith only by a fence or fence-wall, or covered passage open on one or both sides, shall be of the rate such office would be of, if it did not appertain to any building, *id. s.*22.

24. Every wall may remain as a party wall until both the buildings to which it belongs, or the remaining house, where one has been already rebuilt, shall be rebuilt, if such wall shall so long continue sound; and in case either of the houses or buildings to which such party-wall does belong, has been, or shall hereafter be rebuilt with a wall against such party-wall (without making use of such party-wall) of the heights and thicknesses before prescribed, the proprietor of such remaining house, &c. shall not, when such remaining house, &c., or when such old party-wall shall be taken down, be entitled to more than one-half of the materials of such old party wall, nor to more than one-half of the ground on which such old party-wall was erected; nor shall such proprietor build on more than one-half of the said ground, unless he shall have satisfied the owner of such adjoining rebuilt house for the other half: and in case parties cannot agree concerning the same, and both or either of them shall be desirous of buying or selling; the price, and the matters in difference, shall be settled by a jury, to be summoned, returned, and impannelled as hereafter (*s.*33.) mentioned, concerning mixed property; but if such remaining house, &c. be of the first, second, or third rate, or four stories high from the foundation, exclusive of rooms in the roof, and if in that case such old party-wall shall not be of the thickness of two bricks in length, or one foot five inches and an half from the foundation to the under side of the ground floor, and thence upwards to the top, of the thickness of one brick and an half in length, or 13 inches; then such old party-wall shall, when either of the houses, &c. to which the same belongs shall be rebuilt, be considered as if the same had been condemned, or adjudged ruinous, pursuant to the directions herein-after contained; or if such old party-wall shall have any timber of any adjoining building lying through the same, and if, when either of the houses, &c. to which the same belongs shall be rebuilt, the owner of such adjoining or remaining house, &c. will not permit so much of such timber to be cut off as shall leave full six inches of clear brickwork beyond the end of such timber, then such wall shall be considered as condemned, or adjudged ruinous, pursuant to this act, and the same shall be taken down and rebuilt as hereinafter (*s.*38.) directed concerning party-walls condemned, 14 *G.*3. *c.*78. *s.*23.

25. Every timber partition may remain until one of the adjoining buildings to which the same belongs shall be rebuilt, or shall have one of the fronts which shall abut on such timber partition, or two third parts of one of such fronts, taken down to the bressummer or one pair of stairs floor, and rebuilt, or until such timber partition shall be condemned, *id. s.*24.

26. No wall of the first, second, third, or fourth rate of building, which shall not be a party wall on 24*th June*, 1774, shall ever become a party-wall, unless the same shall be of the heights and thicknesses above the footings, and of the materials herein-before directed, *id. s.*25.

27. Every party-wall built after 24*th June*, and every addition to any party-wall then built, or thereafter to be built, shall be one foot six inches above the roof of the highest building which shall gable against or adjoin to such party-wall, in every part thereof, measuring at a right angle with the back of the rafters of such roof; and such party-wall shall be one foot above the gutters of the highest of such buildings, except the height of such party-wall, where so carried up, shall exceed the height of the blocking-course or parapet of either of the fronts abutting on the same of the highest building adjoining thereto, in which case the end only of every such party-wall next such blocking-course or parapet may be less than one foot above the gutter, for the distance of two feet six inches from the front of such blocking-course or parapet; and in case any dormer or other erection is in the flat or roof of any building, within four feet of any party-wall, then such party-wall shall be carried up against every such dormer or other erection, and shall extend for the breadth of at least two feet wider, and to the full height of every part of such dormer or other erection; and no recess shall be made in any party-wall hereafter to be built to any building of the first, second, third, or fourth rate, (except for chimneys, flues, girders, and beams, and other timbers, and for the ends of walls or piers, as after directed,) so as to reduce such wall in any part thereof under the thickness hereby required: and there shall not be any opening whatever made in any party-wall, except for communication from one stack of warehouses to another, and from one stable building to another; all which communications shall have thereto iron doors, in such manner as is after so directed; and also except such passages or ways on the ground for foot passengers, cattle, or carriages, as may be necessary; all which passages or ways shall be arched over with brick or stone, or brick and stone together, throughout, of the thickness of thirteen inches in every building of the first and second rate, and eight inches and an half of the third or fourth rate; and if there be any cellar or vacuity under such passage, such cellar, &c. shall be arched over throughout with brick or stone, or brick and stone together, as the passage over such cellar is directed to be arched, *id. s.*26.

28. No timbers shall be laid into any party-arch, except for bond, nor into any party-wall, other than such templets, chains, and bond-timbers, as shall be necessary, and other than the ends of girders, beams, purlings, and of binding or trimming joists, or of other principal timbers; all which shall have eight inches and an half of solid brickwork between the ends and sides of every piece of timber and the timber of any building adjoining thereto; and the end of every girder, &c. and of every other piece of principal timber, may be laid beyond the centre of any party-wall, so as there be left eight inches and an half of solid brick or stone work at the end of such piece of timber, except in places where any part of the ends of such timber shall lie opposite to and level with any part of the ends of any timber of any adjoining building; in which case, such timbers shall not approach nearer than four inches to the centre of the wall, *id. s.*27.

29. No person shall cut any party-arch, nor the shaft of any chimney built on any party-wall, for any purpose whatsoever; and no person shall cut any party-wall, other than for the purposes and in the manner after mentioned; *viz.* when the front or back wall of any house, or building, being in a line with the front or back wall of the house or building adjoining thereto, shall hereafter be built, it shall be lawful to cut a break not more than nine inches deep from the external face of such front or back wall, and to the centre of such party-wall, for the purpose of inserting therein the end of such new front or back wall; and where a bressummer and story posts shall be fixed in the ground story of such new front or back wall, such break may be cut from foundation of such new front or back wall to the top of such bressummer, 14 inches deep from the external face of such front or back wall, and the same may be 4 inches wide in the cellar story, and 2 inches wide in the ground story, for the purpose of placing therein such story-posts and bressummers, agreeable to this act; and any party-wall may be cut into for the purpose of tailing in stone steps, or landings, or for placing timber for bearers to wood stairs, so as no timber-bearer be laid into any party-wall nearer than 8½ inches to any chimney or flue,

or to any timber of the adjoining house, or nearer than 4 inches to the internal finishing of such adjoining house, and for the purpose of laying therein stone corbels for the support of chimney-jambs, girders, beams, purlings, binding or trimming-joists, or of other principal timbers; and perpendicular recesses may be cut into any party-wall, not being less than 13 inches thick, for the purpose of inserting walls and piers therein, so as no such recess be more than 15 inches wide, or more than 4 inches deep, and no such recess be nearer than 10 feet to another recess, and also the footing on the side of any party-wall may be cut off where either of the adjoining buildings shall be rebuilt with a wall against such party-wall (*s.* 28.); but every person who shall cut into any party-wall for any such purposes, shall make good, and effectually pin up, with brick, stone, slate, tile, shell, or iron, bedded in mortar, every defect occasioned by the cutting of such party-wall; and no party-wall shall be cut for any such purposes, if the cutting thereof will injure, displace, or endanger the timbers, chimneys, flues, or internal finishings of the adjoining buildings, 14 *G.* 3. *c.* 78. *s.* 28.

30. The back of every chimney in every party-wall shall be 13 inches thick in the cellar story, and 8½ inches in every other story, from hearth to 12 inches above the mantle; and no chimney which shall be built in any party-wall, where either of the buildings adjoining is of the first rate, shall be built with the back against the back of another, unless the back of each in the cellar-story be 8½ inches, and in the upper stories 4¼ inches from the centre of such party-wall; and no chimney built in any party-wall, where either of the buildings adjoining is of the second, third, or fourth rate, shall be built with the back against the back of another, unless the back of each in the cellar story be 6½ inches, and in the upper stories 4¼ inches from the centre of such wall; and no flue shall be built opposite to another in any party-wall, unless the back of each be 2 inches from the centre of such party-wall; the breast of every flue, whether the same be in a party-wall or not, shall be of brick or stone 8½ inches thick in every cellar-story, and 4 inches thick in every other story; all the withs or partitions between any flues shall be of brick or stone, and half a brick thick; and every breast and back of every chimney, and every breast, back, and with of partition of any flue, shall be rendered or pargetted within and without, except the outside thereof next to vacant ground, in which case the back of every chimney and flue next such vacant ground shall be by lime, or in some durable manner marked, except in a fore-front, back-front, or side-front of any building not likely hereafter to be built against; and every back of such chimney and flue so being against such vacant ground, shall be rendered or pargetted as soon as any building shall be erected to such wall, *id. s.* 29.

31. If any person possessed of, or entitled unto, any part of the ground whereon a party-wall is intended to be built, shall be desirous of having chimney-jambs, breasts, and flues of chimneys, made in such party-wall on his part thereof, or of having a recess left in the said party-wall, of the breadths and depths by this act allowed, or for any purpose allowed by this act, and thereof shall give notice in writing under his hand, particularly describing such chimney-jamb, breast, and flue, and recess, to the builder of such party-wall, before such party-wall is begun to be built; then such builder shall, after such notice, erect so many chimney-jambs, &c. as shall be, by the person giving notice, required; and shall also leave such recesses in such party-wall, not being contrary to this act; and after erecting such jambs, breasts, and flues, the person giving notice, shall be deemed to have made use of such party-wall, and shall be liable to pay the whole expence of erecting such jambs, &c. erected in pursuance of such notice, and also such proportional part of the expence of erecting such wall, as hereinafter (*s.* 34.) directed concerning party-walls to be recovered, in case of non-payment, with costs, as any proportion of any party-wall is by this act (*s.* 41.) made recoverable by the builder thereof, from any other person liable to contribute thereto, *id. s.* 30.

32. When any house, or building, except as after excepted, built in any part, over a public way or any house, &c. except as after excepted, having any rooms the property of different persons, and intermixed without being separated by any party-wall, shall be rebuilt, there shall be a party-wall for the highest rate of building adjoining, with a party-arch of the thickness of one brick and an half in length, or thirteen inches in every building of the first and second rate, and of one brick, or eight inches and an half, in every building of the third and fourth rate, between house and house, or between the different rooms or floors, so being the property of different persons, *id. s.* 31.

33. The last-mentioned clause shall not extend to chambers in *Serjeant's Inn* in *Chancery Lane*, or in any of the four inns of court, or to any of the inns of Chancery, or any other inns set apart for the study or practice of the law; save that the walls or divisions between the chambers in such inns, belonging to, and communicating with each separate staircase, shall be deemed to be party-walls within this act, and subject to its regulations, *id. s.* 32.

34. When the owner of any house or building within such limits, built over any public way, or intermixed as aforesaid, shall be desirous of rebuilding such house, &c. and the owner of the adjoining building, or other parts of such intermixed building, shall not be willing, or shall not, by reason of some legal disability, or otherwise, be able to join in such rebuilding, then the party desirous of rebuilding shall give notice, in writing, to the owner of such adjoining buildings, that he, so intending to rebuild, will apply to the court of mayor and aldermen of the city of *London*, when such building is within the said city or liberties, or to the justices for the counties of *Middlesex*, *Surry*, *Westminster*, or the liberty of the *Tower of London* respectively, within whose jurisdiction such building is situated, in their respective general or quarter sessions to be next holden after fourteen days from the delivery of such notice, in order to obtain the determination of the court of mayor and aldermen, or of the court of sessions (as the case may be,) touching the rebuilding such buildings, or such party-walls or arches, to be described in such notice, and for ascertaining the site of a party-wall, or the situation of any party arches to be built according to this act, by delivering a copy of such notice to the owner of such adjoining building, or in case such owner shall be under disability of coverture, infancy, idiocy, or lunacy, then to the husband, guardians, trustees, or committees of such owners being under *such* disability, or by leaving the same at his last or usual place of abode, or by delivering a copy of such notice to the tenant in possession of such adjoining buildings, or in case such building shall be uninhabited, then by fixing such copy upon the door, or some notorious part of such building; and in every such case, such court of mayor and aldermen, and such sessions respectively, upon application to them by the party desirous to rebuild, and upon proof of such notice, may issue their warrant or precept to the sheriffs of *London*, *Middlesex*, or *Surry*, or sheriff or bailiff of the liberty of the *Tower*, requiring them respectively to impannel and return a competent number of qualified jurors, not less than 24, or more than 36; and out of such persons so impannelled, summoned, and returned, a jury of 12 shall be drawn by some person in the said court of mayor and aldermen, or sessions, appointed, in such manner as juries are directed to be drawn by 3 *G.* 2. *c.* 25., which persons so impannelled, summoned, and returned, shall appear before the court of mayor and aldermen, or before the sessions for *Middlesex*, *Surry*, *Westminster*, or the liberty of the *Tower of London*, at such time and place as such warrant or precept shall appoint, and there to attend from day to day, until discharged by the court; and all parties may have their lawful challenges against any of the jury, but shall not challenge the array; and the court of mayor and aldermen, and any of the courts of sessions, shall by precept call before them all witnesses to be examined on oath, and either of such courts may likewise authorise the jury to view the place in question, and command such jury and witnesses and parties to attend, until the affairs for which summoned are concluded; and such jury, upon their oaths, shall inquire and determine by their verdict, whether the premises ought to be rebuilt or not; and if the same ought, shall determine the site of a party-wall, and also what party-arches may be necessary over or under any rooms of such buildings intended to be rebuilt, or shall ascertain the quantity of tne ground, or other parts of the premises (if any) necessary to be laid to or taken from the house of person desirous to rebuild, permitting him to erect a party-wall or party-arch; and shall award what (if any) compensation should be made, by either party in difference to the other, in lieu of lessening either of such buildings by such party-wall or arch, or as a satisfaction for such other injury as shall be occasioned thereby to either party; and shall also ascertain what proportion of the expence of building such party-wall, or party-arch, shall, when built, be repaid by either of the parties to the person so rebuilding; and such court of mayor and aldermen, and such sessions respectively, shall give judgment according to such verdict, and (if they see fit) award to either of the parties costs; which verdict and judgment thereupon, shall be binding and conclusive on, all persons and bodies politic claiming any right, title, trust, &c. in, to, or out of, any such premises, either in possession, reversion, remainder, or expectancy, as also against H. M., infants, issue unborn, persons in reversion or remainder, lunatics, idiots, and femes-covert, and persons under any legal disability, trustees, *cestuique trusts*, his and their successors, heirs, executors, and administrators, and all others; and all verdicts, judgments, and other proceedings of the said court of mayor and aldermen, and court of sessions, shall be, by the town-clerk of the city of *London*, or by the clerk of the peace for *Middlesex*, *Surry*, or *Westminster*, or the proper officer of the liberty of the *Tower*, (as the case may be,) filed as of record of the said court, where proceedings had; for the filing whereof, and for every order of court, and copy thereof, such town-clerk, &c. shall be paid after the rate of 12*d.* for every 100 words; and such town-clerk, &c. shall make and deliver to any person requiring the same, an exemplification, under his hand and seal, of any such verdict, judgment, &c. being paid 12*d.* for every 100 words; and such exemplification shall be evidence in all courts of law and equity, and after the expiration of fourteen days after obtaining such judgment, and pay-

ment, or tender, as after directed, of the money awarded, or, where no money awarded, after the expiration of fourteen days after obtaining judgment, the person who shall have obtained such judgment, his servants, &c. may pull down his building, and rebuild the same, in the manner ascertained by such judgment; and to that end may, in the presence of a constable, or other officer of the peace, enter upon the site of the ground so ascertained for a party-wall or party-arch, and into the building adjoining to the house or party-wall or party-arch, intended to be rebuilt, between six in the morning and seven in the afternoon (*Sundays* excepted), and if the outer door of such building be shut, and occupier refuse to open the same, being required, or if such building be empty, such person may break open such outer door, and remove to some other part of their same premises, or in case there be no room on the premises, to any other place, any goods, furniture, shelves, or other thing obstructing the building of such intended party-wall or party-arch, or the pulling down any wall, partition, or other thing necessary to be pulled down and removed, in order to the building such intended party-wall, &c.; and after such entry, and at all usual times of working, the builder, and all others employed by him, may enter upon the premises, and abide therein the usual times of working, for the shoring up the building so broke into, and for taking down and removing any party-wall, partition, wainscot, or other thing necessary to be taken down and removed for the purpose aforesaid, and build such intended party-wall, &c; and if any owner, occupier, or other person, shall in any manner obstruct any workman, or wilfully damage the works, such person shall forfeit 10*l*., to be levied and recovered as hereinafter mentioned, 14 *G.3. c.* 78. *s.*33.

35. Within ten days after such party-wall or arch shall be built, the person who shall have rebuilt the same shall leave a true account in writing of the expense of building the same with the party awarded by the jury to contribute to the expense thereof, or at his or their last or usual place of abode; who shall pay to such person the proportion of the expense so awarded by such jury, within 21 days after demand thereof; or, in case the same be not so paid, the tenant of the building chargeable therewith, may pay the same, and deduct the money out of the next rent which shall become due to the owner of such building; or the same may be recovered from the party by action of debt or information in any court of record at *Westminster*, with double costs, *id. s.*34.

36. All the powers and authorities by this act vested in the court of mayor and aldermen, may be exercised by the court of mayor and aldermen, to be holden in the outer chamber of the *Guildhall* of the said city, *id. s.*35.

37. Upon every application to quarter sessions for *Surry*, concerning any matter to be by such sessions done, in pursuance of this act, the jury to be impannelled, and all parties required to attend such sessions, pursuant to such application, shall be impannelled and required to attend at some general or special adjournment thereof, within six weeks next after such application, at some place in *Southwark* appointed by such sessions; and every further meeting shall be within three weeks from the last, which adjournments the justices may make, as there shall be occasion, *id. s.*36.

38. The court of mayor and aldermen, and either of such courts of sessions, may impose any reasonable fine on any of the sheriffs, or their deputies, making default in the premises, and on any persons, who, summoned and returned on such jury, shall not appear, or, appearing, shall refuse to be sworn, or give their verdict, or in any manner wilfully neglect their duty therein, contrary to this act; and on any of the persons having notice to attend to give evidence, who shall not attend, or attending shall refuse to be sworn and give evidence; and in default of payment thereof on demand, may levy such fine as other fines set by the said courts have been usually levied; so that no fine shall exceed 10*l*. upon one person for one offence; and such fines, when recovered and levied, shall be applied to the use of the party applying to the court; and if such person, having notice to attend and give evidence, shall not do so, having had ten days' notice in writing thereof, under the hands of the party on whose behalf such evidence is wanted, his guardian, trustee, committee, or attorney or agent, and having been tendered his costs for attending such party so making default, he shall be liable to an action on the case at suit of the party on whose behalf such notice was given, and the plaintiff therein shall recover damages for non-attendance and full costs; and such and no other excuse shall be allowed, as is by law allowable for non-attendance of witnesses legally summoned to appear, and give evidence on trials of issues in the courts of *Westminster*, provided the court where such witness appears, may order a further sum to be paid to such witness as the court deems reasonable, in proportion to the time of attendance, and such witness need not give evidence till the same is paid, *id. s.*37.

39. Every owner of any building within such limits, who shall think it necessary to repair, pull down, or rebuild any party-wall or party fence-wall, or any part thereof, between any such building or the ground thereto adjoining, and the next adjoining building or the ground thereto adjoining, shall (in case the owner of such adjoining building or ground will not, or by reason of any legal disability or otherwise cannot agree touching the same,) give three months' notice in writing to the owner, if he is known, and can be met with, or if such owner be under coverture to her husband, or if under the disability of infancy, idiocy, or lunacy, to the guardian, trustee, or committee, or otherwise to the occupier of such adjoining building, of such his intention to repair, by delivering a copy of such notice to such owner or occupier, or by leaving the same at his last or usual place of abode, or if such adjoining building be unoccupied, by fixing a copy of such notice on the door of such last-mentioned building; which notice shall be in the form or to the effect following, *viz.*

'Apprehending the party-wall, party-arch, or party fence-wall, or some part thereof, (*as the case shall be*), between the house or building, or ground (*as the case shall be*) thereto adjoining, situate — inhabited or occupied by — and my house or building, or ground (*as the case shall be*), adjoining thereto, to be so far out of repair as to render it necessary to repair or pull down and rebuild the same, or some part thereof; take notice, that I intend to have the said party-wall, party-arch, or party fence-wall, (*as the case shall be*) surveyed pursuant to an act of parliament, made in the fourteenth year of the reign of king *George* the third; and that I have appointed — of — and — of — my surveyors, to meet at — in — (*being at some place within the limits aforesaid*) on my behalf, on the — day of — next, at — of the clock in the — of the same day (*being between the hours of six in the morning and six in the afternoon*), and I do hereby require and call upon you to appoint two other surveyors or able workmen on your part, to meet them at the time and place aforesaid, to view the said party-wall, party-arch, or party fence-wall (*as the case shall be*), and to certify the state and condition thereof, and whether the same, or any part thereof ought to be repaired or pulled down and rebuilt. Dated this — day of —.' And such persons or the occupier to whom such notice given, shall appoint two surveyors or able workmen, to meet at the time and place in notice mentioned; and they, together with the two surveyors named by the party giving notice, and whose names shall be expressed in such notice, may view such party-wall, &c. and certify the condition thereof, and whether the same, or any part thereof, ought to be repaired or pulled down and rebuilt; and such surveyors so named, or in case the owner or occupier of such adjoining building, or other persons aforesaid, having notice, shall neglect to name two surveyors, then the two surveyors named in such notice, together with two other surveyors also to be named by the party giving notice, shall, within six days after time appointed in the notice, view the party-wall, &c.; and certify, in writing under their hands, to the court of mayor and aldermen, or to the justices, in their next sessions, the condition of such party-wall, and whether the same, or any part, ought to be repaired, pulled down, or rebuilt; and in case the major part of such surveyors shall not, within one month next after such appointment, sign such certificate in writing, then one justice for *London*, *Middlesex*, *Surry*, or *Westminster*, or the liberty of the *Tower of London*, may, upon application to him for that purpose by the party giving notice, appoint one other able surveyor to be added to the surveyors, &c. so appointed; and all such surveyors so appointed, or the major part of them, shall meet (six days' notice having been given to each) and view the party-wall, &c.; and in case the major part of such surveyors shall certify in writing, under their hands, that the same, or any part thereof, is decayed and ruinous, or not sufficiently secure against fire, and that the same ought to be repaired or pulled down; then, within three days next after such certificate made, a copy thereof shall be delivered to the owner or occupiers of, or left at such adjoining building, or fixed on the door thereof, if unoccupied; and such certificate shall be immediately filed with the clerk of the peace, on paying such clerk 1*s.*; and such last-mentioned owner or occupier may (if he think fit) appeal from such certificate to the next sessions, and the justices there shall summon before them one or more of such surveyors, and such other persons as they think fit, and examine the matter upon oath; and upon such examination, such justices shall make such orders as they think just; which orders shall be filed of record by the clerk of the peace, in like manner as the judgments of any court of sessions concerning intermixed property are before directed to be filed of record; and the determination of such justices shall be conclusive, and without any appeal from the same; and on default of such appealing, or if, upon appeal, there be no order made to the contrary, then the party intending to repair, after the expiration of 14 days after delivering or leaving the copy of such certificate, or after the determination of such appeal, may cause such party-wall, &c. or any parts thereof, to be repaired or pulled down, and may exercise the like power of entry into the adjoining buildings, or of breaking open the same, in the presence of a peace-officer, in case the same be unoccupied, or refused to be opened, and of removing wainscot, shelves, furniture, and other things, and of shoring up the said adjoining buildings, as is allowed to the owners of intermixed buildings by *s.*55. of this act; and may erect a new party-wall, &c. or any part thereof, in manner by this act prescribed, 14 *G.3. c.* 78. *s.*38.

40. If the owner of any house or building of the first, second, or third rate, to which any old party-wall, not built according to act, belongs, shall be desirous of pulling down and rebuilding such building, or so much thereof as shall subject the same to the regulations of this act, and shall give three months' notice in writing to the owner or occupier of the next adjoining building, of his intention, in three months from the date thereof, to pull down such party-wall, and instead thereof to build a party-wall agreeable to this act; then, after the expiration of the three months expressed in such notice, the owner may pull down such party-wall, and exercise the like power of entering into the adjoining building, or of breaking open the same, in the presence of a peace-officer, in case the same be unoccupied, or refused to be opened, and of removing any wainscot, furniture, &c. and of shoring up the said adjoining building, as by *s.* 33. of this act is given to the owners of intermixed buildings; and may, in the place of such old party-wall, build a new party-wall, in manner by this act prescribed, 14 *G.* 3. *c.* 78. *s.* 39.

41. If the owner of any house or building, to which any timber or wood partition, or wooden fence belongs, shall be desirous of pulling down and rebuilding such building, or so much thereof as may subject the same to the regulations in this act, and shall give three months' notice to the owner or occupier of the next adjoining building, of his intention to pull down such partition at the end of three months after the date of such notice, and instead thereof to build a party-wall, agreeable to this act; then, after the expiration of the three months expressed in such notice, the owner may pull down such partition, and the walls under or over the same, and such wooden fence, and may exercise the like power of entry into the adjoining building and ground, or of breaking open the same in the presence of a peace-officer, if unoccupied or refused to be opened, and of removing any wainscot, furniture, &c. and of shoring up the adjoining building, as before (in *s.* 33.) given; and shall, in place of such partitions, and of the walls under or over the same, or of such wooden fences, build a new party-wall, according to this act, *id. s.* 40.

42. The person at whose expence any party-wall or party-arch shall be built agreeably to the directions of this act, shall be reimbursed by the owner entitled to the improved rent of the adjoining building or ground, and who shall, at any time, make use of such party-wall, &c. a part of the expence of building the same, in the proportion after mentioned, *viz.* if the adjoining building be of same rate as, or superior to, the building belonging to the person at whose expence party-wall was built, then the owner or occupier of such adjoining building or ground, shall pay one moiety of the expence of building so much of such party-wall or arch, as such owner or occupier shall make use of; and, if of an inferior rate, then a sum of money equal to one moiety of the expence of building a party-wall or party-arch, of the thickness by this act required for the rate whereof such adjoining buildings shall be, and of the height and breadth of so much of the said party-wall or party-arch as such owner or occupier shall make use of: and, in the mean time, the sole property of such whole party-wall or party-arch, and of the whole ground whereon the same shall stand, shall be vested in the person at whose expence the same was built; and such moiety or other part of the expence of building such party-wall, &c. shall be paid to the person at whose expence the same shall be built, or in whom the property thereof shall be vested at the times herein-after mentioned, *viz.* in respect of every such party-wall to any building whereunto, at the time of building the same, no other building was adjoining, so soon as such party-wall shall be first cut into or made use of; and in respect of such party-wall, &c. as shall be built against, or adjoining to, any other building, so soon as such party-wall or party-arch shall be finished; and in respect of such last-mentioned party-wall, &c. the owner or occupier of such adjoining building shall, together with such proportional part of the expence of building, also pay a like proportional part of all other expences which shall be necessary to the pulling down the old party-wall, or timber or wood partition, and the whole of all the reasonable expences of shoring up house, &c. of removing any goods, &c. of pulling down any wainscot or partition, and also all such costs, as may have been awarded by the court of mayor and aldermen, or sessions; but not any part of the expence of pulling down and clearing away any such old party-wall or party-arch, or old partition, if any such there was, and the expence of building such party-wall or party-arch shall be estimated after the rate of 7*l.* 15*s.* by the rod, for new brick-work, deducting thereout after the rate of 28*s.* by the rod for materials of so much of the old wall or arch as did belong to such adjoining building or ground, and also after the rate of twopence by the cubical foot for the materials of so much of the old timber partition as did belong to such adjoining building or ground; and within ten days after such party-wall, &c. shall be so built, or so soon after as convenient, such first builder shall leave, at such adjoining building, a true account, in writing, of the number of rods in such party-wall, &c. for which the owner of such adjoining building or ground shall be liable to pay, and of the deduction thereout, on account of such materials, and also an account of such other expences and costs as aforesaid; whereupon the tenant or occupier of such adjoining ground may pay one moiety, or such proportional part to such first builder for the same, and also for shoring up such adjoining building, and all other expences herein directed to be paid by the owner of such adjoining ground, and may deduct the same out of the rent due to such owner under whom he holds the same until reimbursed; and if the same is not paid within 21 days after demand, then it may be recovered with costs from such owner by action of debt or on the case in any court of record at *Westminster*, wherein no essoin, &c. or more than one imparlance shall be allowed; but if the plaintiff shall give three calendar months' notice in writing to the defendant of his intention to bring such action, or leave the same at his usual abode, and specify therein the sum for which brought, and annex thereto a bill of the just particulars of the expences with which the defendant is to be charged, then such plaintiff, if he recover the sum specified, shall have double costs, with the usual remedy to recover the same, *id. s.* 41.

43. Every party-wall, and addition thereto, shall be built agreeable to the directions concerning the party-wall of the highest rate to which such party-wall shall adjoin, when such additions are completed; and no party-wall shall, after the same and the buildings adjoining thereto are completed, be raised, unless the same, when raised, be of the full thickness such party-wall is of in the story next under the roof of the highest adjoining building; nor shall any party-wall hereafter be raised, unless the same can be done with safety to such wall, and the several buildings adjoining thereto; but all such party-walls as will, when raised, be of the materials, heights, and thicknesses herein-before required, or as can be safely raised, may, together with the shaft of any chimney, be raised at the expence of the proprietor or occupier of any building to which the same belong, to any height he shall think proper; but if the proprietor or occupier of any building adjoining shall make use of any part of such party-wall and chimney-shaft, other than the use he makes of the chimney flues therein, which shall be so raised, then such person, for the part used, shall be chargeable with a proportionable share of the expence of raising such party-wall and chimney-shafts; and in computing such charge, the same shall be rated in manner herein-before mentioned, and the proportion such person shall be liable to pay shall be recovered as is before declared concerning the first building of a party-wall, *id. s.* 42.

44. Any party fence-wall may be raised by, and at the expence of, the proprietor or occupier of the ground on either side adjoining thereto; but no party fence-wall shall hereafter be built upon, or against, or used as a party-wall, unless the same be of the materials, height, and thickness, herein-before directed for party-walls to the rate of building so to be erected against or upon the same; and in case of the insufficiency of such wall for the purposes aforesaid, or if instead of such party fence-wall, there be only a wooden fence, the proprietor or occupier of either of the adjoining premises may, at his own expence, take down such wall or fence, and erect a new party-wall in lieu thereof making good every damage that may accrue to the adjoining premises by such rebuilding, so nevertheless as that such new party-wall shall not extend on the surface of such adjoining ground more than seven inches beyond the centre line of such party fence-wall or fence; but no proprietor or occupier of such adjoining premises shall make use of such party-wall, otherwise than as a party fence-wall, unless he pay a proportionable share of the whole expence of erecting such parts of such wall, according to the use he shall make of the same, at the rates aforesaid, *id. s.* 43.

45. In case such party-wall shall extend further upon the ground of the party building the same than the party fence-wall did, yet the party rebuilding the same shall not thereby lose any part of the soil whereon such party-wall shall be built; nor shall the owner of the other part of such party-wall be entitled to any right of soil, more than what he was before entitled to, *id. s.* 44.

46. If the fore-front and back-front of any building now built, shall be rebuilt as low as the bressummer, or one pair of stairs floor, within five years from each other, the party-walls of such building shall be subject to the regulations concerning party-walls; and for the further prevention of fire, the back of every chimney to be built in any building of the first rate, not being in a party-wall, shall be in the cellar story 13 inches thick from the hearth, to the height of 12 inches above the mantle; and eight inches and an half thick from the hearth to the height of 12 inches above the mantle in every other story, except where such chimney shall be built against a wall, in which case the back may be half a brick thinner, and the back of every chimney of the second, third, or fourth rate, not in a party-wall, shall be in every story eight inches and an half thick, from the hearth to the height of 12 inches above the mantle, except where such chimney shall be built against a wall, in which case the back may be half a brick thinner: and there shall be no timber whatever over the opening of any chimney, for supporting

the breast; but there shall be an arch of brick or stone, or an iron bar over the opening; and no timber shall be laid in any wall under the hearth of any chimney, unless the same shall be in every part 18 inches lower than the surface of such hearth; and the hearth shall be laid wholly on brick or stone, except the same be in a cellar or ground story, and be laid on the solid earth; and such chimney shall have a slab, or foot paces before the same, of tile, stone, marble, or iron, at least 18 inches broad, and one foot longer than the opening; and such slab or foot paces shall be laid on brick or stone trimmers, at least 18 inches broad from the opening of such chimney, or from the perpendicular face of the arch over the opening which supports the breast, except the same be in a cellar or ground-floor, and be laid on the solid earth, and no timber or wood-work whatever shall be laid in the brick-work of any oven, stove, copper, still, boiler, or furnace, nor within two feet of the inside of any such oven, &c.; nor shall any timber whatever be laid in the brick-work of any chimney, nearer than nine inches to the opening, or five inches to the inside of the flue of any chimney, oven, &c. or than nine inches to the inside of the flue of any such oven, &c. where such timber shall lie nearer than five feet above the mouth of the same: and no wood-work whatever shall be affixed to the front of any jamb or mantle, or to the front or back of any chimney or flue, except by iron nails or holdfasts, or other iron fastenings; and no iron nail, holdfast, or other iron fastening, shall be drove more than three inches into the wall against such chimney or flue, or nearer than four inches to the inside of the opening: and no chimney shall be erected on any timber-work whatever, except on such piling, bridging, or planking, as may be necessary below the foundation; but every chimney shall be erected on such piling, bridging, or planking, or on solid ground, or on a brick or stone foundation, or shall be set upon brick or stone corbles, or iron brackets, or upon iron shores, supported by brick or stone foundations, 14 *G.*3. *c.*78. *s.*45.

47. Every external wall of every building of the first, second, third, fourth, or fifth rate, and of every addition or enlargement to be made to such building, shall be of brick, stone, artificial stone, lead, copper, tin, slate, tile, or iron, or of brick, stone, and such artificial stone, lead, copper, tin, slate, tile, and iron together, except the necessary piling, bridging, and planking, for the foundation, and also the necessary templets, chains, bond-timbers, and also except the doors, sashes, window-shutters, and door and window-frames to such buildings, and the tiers or stories of door-cases, and doors to all such warehouses as are or shall be of the first, second, third, or fourth rate; all which window and door-frames shall be set in reveals, and recessed four inches from the front of the building; and also except the bressummers, story-posts, and plates, which may be made on the ground-story only; and also except all stall-boards for the conveniency of any shop on the ground-story only; which bressummers, story-posts, and plates, and the tiers or stories or door-cases and doors to such warehouses, are not required to be fixed in reveals; but no story-post or bressummer shall be fixed more than two inches deep in any party-wall, or be placed in any front nearer than seven inches to the centre line of the party-wall of such building, if such party-wall be of the thickness of two bricks, or nearer than four inches and an half to the centre, if such party-wall shall not exceed one brick and an half in thickness; but no timber-work whatever, other than such bressummer, story-posts, and plates, and such tiers or stories of door-cases and doors, shall be laid in such external wall nearer than four inches to the external surface; and such story-post which shall be fixed as a support to two fronts, being the corner of any streets, square, place, court, or way, shall be of oak or stone, and at least 12 inches square, *id. s.*46.

48. Every flat, gutter, and roof, of the first, second, third, fourth, or fifth rate, which shall be built hereafter, and every turret, dormer, and lanthorn light, or other erection which shall be placed in the flat or roof of such building, and every external part of any flat, gutter, roof, turret, dormer, and lanthorn, in such rate of building, now built, and which shall hereafter be ripped or uncovered, shall be covered with glass, copper, lead, tin, slate, tile, or artificial stone; except the doors, door-frames, windows, and window-frames of such turrets, &c. *id. s.*47.

49. Every coping, cornice, facia, window-dressing, portico, balcony, balustrade, or other external decoration or projection whatsoever, to any building of the first, second, third, or fourth rate; and also every frontispiece to any building of the first rate, or to any addition or enlargement of such building, shall externally be of brick, stone, burnt clay, or artificial stone, stucco, lead, or iron; except the cornices and dressings to shop windows; and also except such covered ways as may hereafter be made to any building, so as the said covered way shall not extend beyond the original line of houses in the street where erected; and such covered way shall be covered with stone, lead, copper, slate, tile, or tin; and neither such covered way, nor the cornice or dressings to shop-windows, nor the roof of any such portico, shall be higher than the under side of the sill of the window-frame of the one-pair of stairs' window of the building to which the same belongs, and no water shall drip next to any public street, square, place, court, or way, from the roof of any first, second, third, or fourth rate building, except from the roofs of porticoes or entrances; but all water from such roofs shall be conveyed by lead, copper, tin, or iron gutters or pipes, or by wooden trunks, or brick or stone funnels, to the drains or channel stones, on or below the surface of the ground, or to some cistern or reservoir, or to any front of such building, not abutting upon any public street or way; and no such brick or stone funnel shall hereafter be made, unless the same shall be in every part thereof below the surface of the foot pavement before the same, nor shall such wooden trunk hereafter be fixed, unless the same be below the tops of the windows of the ground story, 14 *G.*3. *c.*78. *s.*48.

50. No bow-window or other projection shall hereafter be built with, or added to any first, second, third, or fourth rate building, next to any public street, &c. so as to extend beyond the general line of the fronts of the houses; except such projections as may be necessary for copings, cornices, facias, floor and window dressings, or for open porticoes, steps, or iron pallisades; and also except such window to any shop on the ground floor story, the stall-boards of which shall not in any street 30 feet wide, project above ten inches, nor in any street less than 30 feet wide, above five inches from the upright line of the buildings there, and no cornice or covering thereof to such shop window shall in any street 30 feet wide project more than 18 inches, nor in any street less than 30 feet wide, more than 13 inches from the upright line of the building, and no bow-window or other projection, except as before, shall hereafter be built with, or added to the front of any first, second, third, or fourth rate building, unless built of materials directed to be used in external walls, *id. s.*49.

51. Nothing herein contained shall prejudice the powers granted to any commissioners for paving any streets within such limits, by act of parliament, or to the commissioners of sewers for *London*, *id. s.*50.

52. Every external wall, or inclosure to any building, built or begun to be built before 24*th June* 1774, not being of the materials by this act required for external walls, thereafter to be built, may be repaired with the same sort of materials with which such wall is erected, (except the external inclosures of roofs, flats, gutters, and of the dormers, turrets, and lanthorn lights, or other erections on the same, which shall be repaired with the materials before directed); but in case such wall be taken down or otherwise demolished to the bressumer or one pair of stairs floor, or the place where the bressummer is usually fixed, then the same, not being built of the materials by this act required for external walls, shall be taken down, and entirely rebuilt of such materials, and in such manner as by this act required for external walls, according to the rate of building to which such wall belongs, *id. s.*51.

53. No bow-window or other projection shall be rebuilt, except such as are by this act allowed, unless the same was built at the time the house was built, or unless it be within the original line of the street, &c. *id. s.*52.

54. No stack of warehouses to be erected hereafter shall contain more than 35 square of building on the ground plan, including all external, internal and party-walls; and no enlargement shall be made, so as to increase the same beyond the said 35 squares, except such stack of warehouses be separated by party-walls (built according to the directions herein) into divisions of not more than 35 squares each; and no stack of warehouses shall communicate with any other warehouse or building through a party-wall, unless the door-case and sill of such communication be of stone, and unless there be to such communication a door of wrought iron, of the thickness of a quarter of an inch in the pannels; and no timber, bond, or lintel, shall be laid into the brick-work of any wall in such warehouses nearer than 18 inches to the opening of such communication, *id. s.*53.

55. No building for stables shall contain more than 25 squares, including all walls; and no enlargement shall be made thereto, so as to increase the same beyond the 25 squares, including walls, except such building be separated by party-walls (built according to the directions herein) into divisions of not more than 25 squares each, including such walls: and no such building shall communicate through a party-wall with any other stables or building, unless the door-case and sill of such communication be of stone, and unless there be to such communication a door of wrought iron, of the thickness of a quarter of an inch in the pannels; and no timber, bond, or lintel shall be laid into the brick-work nearer than 18 inches to the opening of such communication, *id. s.*54.

56. If any first, second, third, or fourth rate building, (except in the inns of court, or chancery, the *Royal Exchange*, companies' halls, and except warehouses and dwelling-houses let at a rack-rent for not more than 25*l.* by the year,) be hereafter converted into two or more dwelling-houses, workshops, stables, or other buildings, which shall be in distinct tenures on the ground-floor thereof, then each such tenement shall be considered as a separate building, and the same shall be divided

from each other by a party-wall, and such party-wall shall be of the materials, height, and thickness, and under the regulations of this act respecting party-walls, 14 *G.3. c.*78. *s.*55.

57. This act shall not prevent any proprietor or leaseholder of any stack of warehouses, from dividing such warehouses into divisions for the convenience of letting the same to under-tenants; so that the same be separated by party-walls into divisions of not more than 35 squares each as before (*s.*53.) directed, *id. s.*56.

58. Nor shall it prevent the proprietor or leaseholder of any stable yard, or livery stables from dividing such stables, so that the same be separated by party-walls into divisions of not more than 25 squares each, as before (*s.*34.) directed, *id. s.*57.

59. If any fifth or sixth rate building be hereafter divided into two or more distinct tenures, and the several parts in such separate tenures, be not at the distances from each other herein-before, (*s.*18, 19.) directed for every fifth or sixth rate building; then such parts in such distinct tenures being nearer to each other than such distances, shall be deemed a public nuisance, and be taken down as such, *id. s.*58.

60. No iron, tin, copper, or other pipe or funnel for conveying smoke or steam, shall be fixed next any public street, or on the front of any first, second, third, or fourth rate building; nor on the inside of such building nearer than 14 inches to any timber, or other combustible material whatever; nor shall any brick funnel be built or placed on the outside of any front of any such building, next to any public street, &c. so as to extend beyond the general line of houses, *id. s.*59.

61. Every church, chapel, meeting-house, dwelling-house, or other building, and every party and other wall which shall be built within the limits of this act, shall be built pursuant to such regulations, and with such materials, as are herein appointed; and if any person presume to build, or to begin building, or to alter any building in any respect contrary thereunto, and be thereof convicted by the oaths of two witnesses before the mayor of *London*, or any two justices of *London*, or counties of *Middlesex* or *Surry*, *Westminster*, or liberty of the *Tower of London* respectively, then such house, building, or wall, so irregularly built, or begun to be built or altered, shall be deemed a common nuisance, and the builder and the owner thereof, or one of them, as such mayor, &c. shall require, shall enter into a recognizance in such sum as the mayor, &c. shall appoint, for abating or demolishing the same, within such time as such mayor, &c. shall appoint, or otherwise to amend the same according to their directions herein contained, and in default of entering into such recognizance, the person so making default shall be committed to the common gaol of the city, county, or liberty where the offence was committed, there to remain without bail, until the same is abated or demolished, or otherwise amended, or by such party, or by order of such mayor, &c. provided that such conviction be had within three months after such building is finished, *id. s.*60.

62. The mayor of *London*, or two justices for *London*, *Middlesex*, *Surry*, *Westminster*, or the liberty of the *Tower of London* respectively, may where any building contrary to these regulations shall be situated, order every house or building so irregularly built, begun to be built, or altered, as is by this act declared to be a common nuisance, to be taken down, and the person authorised to take down the same, may sell the materials, and thereout pay the charges of taking down, and pay the surplus to the owner of such materials; and if the monies arising by such sale be not sufficient to pay such charges, the deficiency shall be made good by such owner, and may be levied as is in *s.*70. directed concerning the expence of taking down ruinous buildings, and putting up boards for the safety of passengers, *id. s.*61.

63. The mayor and aldermen of *London* shall appoint so many persons, skilled in building, as they think fit, to be, during their will and pleasure, the surveyors to see such regulations observed throughout *London*, and the liberties thereof: and such mayor and aldermen in their court of aldermen, shall administer to such surveyors an oath for the true and impartial execution of their office; and appoint the districts which shall be under their surveys, and the justices for *Middlesex*, *Surry*, *Westminster*, and the liberty of the *Tower of London*, in their general quarter sessions respectively, shall appoint so many persons skilled in building, as such sessions think fit, to be, during their will and pleasure, the surveyors to see such regulations observed throughout *Westminster*, and the several parishes, precincts, and places aforesaid: and such justices, in their respective sessions, shall administer to such surveyors an oath for the impartial execution of their office, and shall appoint the districts which shall be under their surveys; which oath shall be in the form following: *viz.*

'I. *A.B.* being one of the surveyors or supervisors appointed in pursuance of an act of parliament, passed in the fourteenth year of the reign of king *George* the third, for the further and better regulation of buildings and party-walls, and for the more effectually preventing mischiefs by fire within the cities of *London* and *Westminster*, and the liberties thereof, and other the parishes, precincts, and places within the weekly bills of mortality, the parishes of *Saint Mary-le-bone*, *Paddington*, *Saint Pancras*, and *Saint Luke* at *Chelsea*, in the county of *Middlesex*; and for indemnifying, under certain conditions, builders, and other persons, against the penalties to which they are or may be liable, for erecting buildings within the limits aforesaid, contrary to law, do swear, that, upon receiving notice of any building or wall to be built, or other builder's work to be done, within the district under my inspection, not being by illness or otherwise lawfully prevented, I will, diligently and faithfully, survey the same, and, to the utmost of my abilities, endeavour to cause the rules and regulations in the said act prescribed, to be strictly observed; and that without favour or affection, prejudice or malice. — So help me God.'

And such surveyor shall leave notice in writing with the clerk of the peace, in his district, of his usual abode, 14 *G.3. c.*78. *s.*62.

64. Before any building or wall, on new or old foundations, or on foundations partly new and partly old, within the limits of this act, shall be begun to be built, the master workman, or person causing such building to be built, shall give 24 hours' notice thereof to the surveyor within whose district the same shall be; and such surveyor shall view such building, and see that all the regulations are observed, and such surveyor, for his trouble therein, shall be paid by such master workman, or person causing such building to be built, such sum of money for his trouble therein, as two justices shall, by any writing under their hands, order, not exceeding

	£.	s.	d.		£.	s.	d.
For every new building of the first rate,	3	10	0	Fourth rate new building,	2	2	0
Any alteration or addition thereto,	1	15	0	Any alteration, &c.	1	1	0
Second rate new building,	3	3	0	Fifth rate new building,	1	10	0
Any alteration, &c.	1	10	0	Any alteration, &c.	0	15	0
Third rate new building,	2	10	0	Sixth rate new building,	1	1	0
Any alteration, &c.	1	5	0	Any alteration, &c.	0	10	6
				Seventh rate new building,	0	10	6
				Any alteration, &c.	0	5	0

And, in default of payment of such sums, or such other sums as such justices shall appoint, the same shall, by warrant of one justice, be levied by distress and sale of the goods and chattels of such master workman, or other person, together with the costs of distress, *id. s.*63.

65. If any person shall begin such building, or wall, or cut into any party-wall, without first giving such notice as in *s.*63. to the surveyor of the district, or shall refuse such surveyor admittance at reasonable hours, for the purpose of viewing the same; then, every person so neglecting or refusing admittance, shall forfeit to such surveyor treble the satisfaction which such surveyor would have been intitled to for viewing such building, and seeing the regulations of this act observed, in case notice had been given; and shall also forfeit 20*l.*, to be recovered by any action of debt, &c. or information in any court of record at *Westminster*, by any person who shall sue for the same, and such building, if not built agreeably to the regulations, shall be demolished or amended by order of such mayor, or two justices, as in *s.*60. directed, *id. s.*64.

66. In case the workmen employed in building such building or wall, or in the cutting into such party-wall, shall not observe the rules in this act, and conform thereto, the surveyor shall give information thereof to the mayor, or to two justices, who thereupon shall hear the matter, and if any breach of this act is found to have been committed, they shall cause such irregular building or wall to be so demolished or amended, *id. s.*65.

67. If any workmen, or servants to any master workman, or other person causing such building or wall to be erected within the limits of this act, shall wilfully or negligently, and without the direction or consent of such master workman, do any thing about such building or wall contrary to this act, such workman or servant upon conviction before the mayor, or other justice for the city of *London*, or before one justice for *Middlesex*, *Surry*, *Westminster*, or the liberty of the *Tower of London*, upon the oath of one witness, or confession, shall forfeit 50*s.*, one moiety to the overseers of the poor of the parish where the offence was done, for the use of poor only, and the other to the informer; and if not paid upon conviction, the offender shall, by warrant under the hand and seal of such mayor or justice, be committed to the house of correction not exceeding three months, nor less than one month, unless penalty sooner paid, *id. s.*66.

68. Every master workman, or other person, who shall build any house or building, or any addition thereto, or any party or other wall, or who shall cut into any party-wall, shall, within 14 days after such building is covered in, or such wall finished, or the cutting into any party-wall made good, cause the same to be surveyed by the surveyor of the district; and in case he shall refuse, neglect, or shall, by illness, &c. be prevented surveying, then the same shall be surveyed by any other surveyor appointed and sworn within the city, county, or liberty, wherein such building, &c. is situated; and if such surveyor shall, upon such survey, find that the same is built, or made good, agreeably to this act, then such surveyor shall, within 14 days after, make oath thereof, by affidavit in writing, before the mayor of *London*, or some justice for the said city, or for *Middlesex*, *Surry*, *Westminster*, or the liberty of the *Tower of London*: and such affidavit shall be filed with the clerk of the

peace for the county, &c. within 10 days after the making thereof; and such clerk of the peace shall, for his trouble therein, receive 1*s.*; and if any master workman, or other person causing such building, &c. to be erected, or party-wall to be cut into, make default in the premises, by neglecting to cause such survey, or such affidavit to be made and filed, he shall forfeit 10*l.*; and if such affidavit is not made and filed within one month next after the recovery of such penalty, such master workman, or other person, shall forfeit 10*l.* further, and so *toties quoties* for every month, until such affidavit shall be made and filed; and each of such penalties shall be recovered and applied as the penalty in *s.* 72. inflicted on persons distilling or boiling turpentine; [the *s.* 72. being REP. such penalties may be recovered as in 25 *G.* 3. *c.* 77. *s.* 1. *pl.* 73. directed, which is similar to the method given by *s.* 72. of this act,] 14 *G.* 3. *c.* 78. *s.* 67.

69. If any surveyor shall wilfully neglect his duty, or behave negligently or unfaithfully in the discharge thereof, the same being, upon complaint thereof, made appear to the mayor and aldermen, or to the court of sessions by whom he was appointed, such surveyor shall be forthwith discharged, and for ever afterwards be incapable of being again appointed a surveyor, *id. s.* 68.

70. This act shall not extend to any of H. M.'s royal palaces, or to any building in the possession of H. M., or employed for his use or service; or to Her M.'s palace, or to any building in the possession of Her M., or employed for her use or service, *id. s.* 69.

71. If any presentment shall be made by an inquest or grand jury in *London*, or by any annoyance jury within *Westminster*, or by the jury sworn at the court leet held by the sheriff in his turn, or by any other jury or inquest sworn within any other part of such limits, that any building or part thereof, is in a ruinous condition, the court of mayor and aldermen within *London*, and the liberties thereof, or the churchwardens or overseers of the poor of parish where such building is, (not in *London*, or the liberties,) shall, on notice of such presentment made, and a copy thereof laid before them, cause a sufficient board to be put up for the safety of all passengers passing thereby, and cause notice in writing to be given to the owner, if he can be found; and if not, cause such notice to be affixed to the door, or other notorious part of such building, to repair or pull down the same, as the case may require, within 14 days then next ensuing; and if such owner do not begin to repair or take down the same, within such 14 days after such notice, and complete such repairs, or take down the same as soon as the case will admit; then, oath being made before such mayor, or a justice of the peace, of such notice given or affixed, such court of mayor and aldermen, out of the cash in the chamber of *London*, and such churchwarden and overseer, out of the monies in his hands, shall order such building, or so much thereof as such court, or churchwardens or overseers, find necessary for the safety of passengers, to be taken down and secured; and may sell such of the materials as such court, or churchwardens or overseers shall judge necessary; out of the monies arising by sale, the city, or churchwardens, &c. may reimburse themselves all the charges of putting up such board, and of taking down and securing such building, and of selling such materials, or so much thereof as the monies arising by such sale will extend to pay; and shall pay the surplus to the owner, upon personal demand thereof made by such owner; and if no such demand be made of any such overseer before another be appointed, then such overplus shall be added to the rates made for the relief of the poor, and accounted for as such, *id. s.* 70.

72. But such owner, his executors, or administrators may, within six years afterwards, receive such overplus from such churchwardens or overseers, within 10 days after demand thereof personally made; and such churchwarden or overseer shall pay the same out of the poor-rates, and shall be allowed the payment thereof in his account: and if the monies arising by such sale, are deficient to repay all such charges, then such deficiency shall be paid by the owner of such building if known and to be met with; and if he on demand neglect to pay the same, the same may be levied by warrant under the hand and seal of such mayor, or any other justice for *London*, or of two justices for *Middlesex*, *Surry*, *Westminster*, or the liberty of the *Tower*, by distress and sale of goods; and if no such owner can be met with, or shall not pay such deficiency, and no sufficient distress be found, the person who shall at any time after occupy such building or ground whereupon the same stood, shall pay it and deduct it out of his rent; and if he neglect to pay such deficiency, the same may by like warrant be levied by distress and sale of such occupier's goods, together with costs of such distress, and the owner shall allow such payments to be deducted from the rent, and such occupier shall be acquitted of so much as he shall pay; and all money received or recovered on such account for any building within the city of *London* and its liberties, shall be paid to the chamberlain of such city, and placed to the credit of the cash of such city; all money so received or recovered in any other part of such limits, to the churchwardens or overseers of the poor, and placed to account of such parish, in aid of such poor-rate, out of which such expences were originally disbursed, *id. s.* 71.

73. The 14 *G.* 3. *c.* 78. *s.* 72. shall be REP., and no person in *Eng.* shall distil or boil any turpentine or tar, or draw any oil of turpentine and rosin, by distilling turpentine, or draw any oil of tar or pitch, by distilling or boiling tar, or boil any oil and turpentine together, or boil any oil and tar together above the quantity of ten gallons at one time of all or any of such commodities, in any workhouse, or place contiguous to any building, or in any place nearer to any other building than 75 feet, (except in houses or buildings now legally used for such purposes,) on pain to forfeit 100*l.*, which forfeiture shall be recovered by action of debt, &c., or information in any court of record at *Westminster*, wherein no essoin, &c., or more than one imparlance allowed, one moiety whereof shall go to the use of the poor of the parish or place where the offence was committed, and the other to the party suing, 25 *G.* 3. *c.* 77. *s.* 1.

74. This act shall not prevent shipwrights, barge-builders, boat-builders, or mast-makers, or other persons employed in the building or repairing ships, barges, &c. from boiling or mixing oil and other materials, for the purpose of paying ships, barges, &c. 14 *G.* 3. *c.* 78. *s.* 73., 25 *G.* 3. *c.* 77. *s.* 2. [*For sections* 74—86, *see* FIRE.]

75. Where any distress is made under this act, it shall not be deemed unlawful, nor the party making it a trespasser, on account of any defect in form in any proceedings relating thereto, nor shall the party be deemed a trespasser *ab initio* on account of any irregularity afterwards done by party distraining; but the person aggrieved may recover satisfaction for the special damage by action on the case, 14 *G.* 3. *c.* 78. *s.* 87.

76. No plaintiff shall recover in any action for such irregularity, if tender of amends be made by or on the behalf of the party committing the irregularity before action brought, and in case no tender made, the defendant, by leave of the court, may pay into court such money as he deems fit, and the usual proceedings shall then be had thereon, *id. s.* 88. [The sections 89—94, relate to prosecutions on 12 *G.* 3. *c.* 73., and are EXP.]

77. No order made by mayor of *London*, or any justice, under this act, or any other proceeding touching conviction of any offender against this act, shall be removed by *certiorari* or otherwise into the courts at *Westminster*, *id. s.* 95.

78. Any persons aggrieved by any conviction, commitment, distress, order, or judgment of the mayor of *London*, or any justice or justices, made out of sessions under this act, may appeal to the justices at the quarter sessions holden for *London*, *Middlesex*, *Surry*, *Westminster*, or the liberty of the *Tower*, next after such conviction, &c., who shall examine on oath the causes of such appeal, and determine the same, and award costs to either party as they deem fit, and the order of such sessions shall be conclusive, *id. s.* 96.

79. Every person intending to appeal shall, within two days after conviction, &c., enter into a recognizance to the appellee, before such justice, with two securities, conditioned to try such appeal, abide order of, and pay costs awarded by such sessions against him, *id. s.* 97.

80. The inhabitants and parishioners of any parish or place where any offence against this act shall be done, shall be deemed competent witnesses in any action or information in any court of record, or at the hearing and determination of any information before the mayor of *London* or other justice, for or concerning any offence against this act, *id. s.* 98.

81. No action or prosecution shall be commenced against any persons for any penalty incurred by this act, unless commenced within six calendar months after forfeiture incurred, 14 *G.* 3. *c.* 78. *s.* 99., 25 *G.* 3. *c.* 77. *s.* 5.

82. No action shall be brought against any persons for things done under this act, until 21 days' notice in writing of intention to bring the same has been given to the intended defendant, nor after the expiration of three calendar months after the fact committed; and every such action shall be laid and tried in the city of *London*, when the cause shall arise in such city or its liberties, and when in any other part of such limits such action shall be laid and tried in *Middlesex*, and not elsewhere, and the defendants in such action may plead the general issue, and give this act and the special matter in evidence, and that the same was done in pursuance hereof; and if it shall so appear, or if such action was brought before the expiration of 21 days after such notice given, or if sufficient amends were tendered before action brought, or if it was not commenced within the time limited, or is laid in the wrong county or place, the jury shall find for the defendant; and if a verdict be found for the defendant, or if the plaintiff is nonsuited, discontinues, or has judgment against him on demurrer, or by default or otherwise, the defendant shall have treble costs, with the usual remedy to recover the same, 14 *G.* 3. *c.* 78. *s.* 100.

BUILDING (LONDON).

1. The 12 *G.* 3. *c.* 73., and so much of 19 *C.* 2. *c.* 3., 6 *A.* *c.* 31., 7 *A.* *c.* 71. (*See* FIRE), 11 *G.* 1. *c.* 28., 33 *G.* 2. *c.* 39. (for widening the streets of *London*, LOCAL) 4 *G.* 3. *c.* 14., 6 *G.* 3. *c.* 27. (for amending 35 *G.* 2.

c.39., Local), and 6 *G.*3. *c.*37. as relates to regulating buildings and party-walls, and preventing mischiefs by fire, Rep. *id. s.* 101., as to so much as relates to manufactories of turpentine, and Ext. as Amd. to manufactories of pitch, tar, and turpentine throughout *Eng.*, and the proprietor of a turpentine manufactory in *Potter's Fields*, in the borough of *Southwark*, indemnified against the penalties he may be liable to under such act, and such manufactory *excepted* from such provisions (*s.* 34. Exp.), 25 *G.*3. *c.*77. [Public clause, *s.*6.] [*East India Company's warehouses discharged from the operation of these acts*, 27 *G.* 3. *c.*48. Local.]

BUILDINGS (PUBLIC).

1. To enable justices of peace in general quarter sessions to repair the shire or county-halls, or other buildings wherein the assizes or grand sessions are usually held, 9 *G.*3. *c.*20. *the* justices of peace in their general or quarter sessions, on presentment of the grand jury at the assizes or great sessions, or general gaol-delivery held for the county at their shire-hall, or other building usually made use of for holding the assizes or great sessions within such county, of the ill state of any such shire-hall, or other building, and the necessity of repairing the same, may order it to be repaired as they think fit; and shall assess all money laid out in repairing the same upon the several hundreds, lathes, wapentakes, rapes, cities, towns, parishes, townships, wards, or other divisions of the county, and may cause the same to be levied and paid in the same manner as other county rates are ordered to be assessed, collected, levied, and paid, as by 12 *G.*2. *c.*29. and 13 *G.*3. *c.*18. *s.*7. directed, 9 *G.*3. *c.*20. *s.*1.

2. In cases where any shire hall, or other building usually made use of for the holding the assizes or great sessions, hath for time out of mind been repaired at the expence of any particular person or persons, riding, division, or part of a county, the same shall for ever hereafter be repaired at the expence of the inhabitants of such riding, &c. as they have heretofore been; and the money laid out in such repairs shall be assessed, levied, and paid by such division as in *s.*1. *id. s.*2.

3. If there is occasion for any sudden repairs which will not cost more than 30*l.*, two justices, after having viewed the same, and an estimate of able workmen made of the expence thereof, may order the same to be repaired, and the money to be raised on the county, in the same manner as after a presentment of the grand jury, *id. s.*3.

4. All cities, corporations, rapes, wapentakes, boroughs, towns, ports, parishes, townships, or other places or persons, which are now bound by law and ancient usage to repair any such shire-hall, &c. (as in *s.* 1.) or to furnish the same with benches, tables, rails, or other fixtures, and to keep the same in repair, shall for ever hereafter be bound so to do, *id. s.*4.

5. In actions, &c., or informations commenced against any person for any thing done in pursuance hereof, defendant may plead the general issue not guilty, giving this act and the special matter in evidence; and if plaintiff is nonsuited, forbears prosecution, or discontinues, defendant shall have treble costs, *id. s.*5.

BURIAL.

1. For providing suitable interment in church-yards or parochial burying grounds in *Eng.* for such dead human bodies as may be cast on shore from the sea, in cases of wreck or otherwise, 48 *G.*3. *c.*75.

2. The churchwardens and overseers of the poor in any parish in *Eng.* in which any dead human body is cast on shore from the sea, by wreck or otherwise, shall, upon notice thereof given to them, cause such body to be conveyed to some convenient place, and with all speed cause it to be decently interred in the parish church-yard or burial-ground, so that the expences thereof do not exceed the sum allowed by such parish for the burial of persons buried at the expence of the parish; but if such body is cast on shore in any extra-parochial place where there are no churchwardens, &c. such notice shall be given to the constable or headborough thereof, who shall proceed as before directed in case of churchwardens, &c. *id. s.* 1.

3. Every minister, parish clerk, and sexton, shall perform the duties customary in other funerals, and admit the body to be buried in the parish burial-ground, receiving the like fees as in cases of burials at the expence of the parish, *id. s.*2.

4. Every person who shall find any such body on the shore, and within six hours after give notice thereof to such churchwardens or overseers, or constables or headborough, as the case may be, or shall leave the same at their usual abode, shall be entitled to 5*s.* for his trouble, to be forthwith paid to the person giving the first notice only, but no greater sum shall be given for one notice, though there may be more bodies than one, *id. s.*3.

5. All persons finding such bodies on the shore, and neglecting, within six hours after, to give or leave such notice, shall forfeit 5*l.*, *id. s.*4.

6. All charges attending the execution of this act, shall be paid by the churchwardens, overseers, constable, or headborough, for the time being, of such parish or place, 48 *G.*3. *c.*75. *s.*5.

7. One justice for the county or place in which such bodies are buried, shall, by writing under his hand, direct the treasurer of the county to pay to such churchwardens, constable, &c. such sum for his expences about the execution of this act, as he may deem reasonable, after the same have been verified on oath, and such treasurer shall pay the same, and be allowed it in his accounts, *id. s.*6.

8. Every churchwarden, constable, &c neglecting to remove such bodies from the sea-shore prior to interment, for 12 hours after notice given or left in writing at his abode, or to perform the other duties hereby required of them, shall forfeit for each offence 5*l.*, *id. s.*7.

9. All penalties incurred under this act, if not paid on conviction, shall be levied by distress and sale of the offender's goods by warrant under the hand and seal of any justice for the county or place where the offence happens, (which warrant such justice may grant on confession, or on evidence of one witness on oath,) and the surplus money arising by such distress, &c. shall be returned to the owners, after deducting the costs of such distress, &c. and when paid shall go to the informers, and if no sufficient distress shall be found, or if the penalty is not forthwith paid, such justice, by like warrant, may commit the offender to the common gaol or house of correction for the county or place, without bail, for not exceeding two calendar months nor less than 14 days, unless the penalty and charges be sooner paid, *id. s.*8.

10. Conviction for offences against this act shall be in form or to the effect here provided, *viz.*

'Be it remembered, that on this — day of — in the — year of the reign of — *A. B.* is convicted before — one of H. M.'s justices of the peace for the — of having [*as the offence shall be,*] and I the said — do adjudge him [*or* them,] to forfeit and pay for the same the sum of —. Given under my hand and seal the day and year aforesaid,' *id. s.* 9.

11. Any person aggrieved by any thing done under this act, may appeal to the quarter-sessions holden for the county or place one calendar month after the cause of such appeal arose, on giving 10 days' notice of his intention so to do, and the matter thereof to the appellee, and forthwith after notice, entering into recognizance before some justice of the county or place, with sufficient sureties conditioned to try such appeal, and abide the order and award of the court thereon; and such sessions on proof of notice and recognizance given and entered into, shall determine such appeal in a summary way, and award costs to either party or otherwise, and they may mitigate the penalty, and order further reasonable satisfaction to be made to the party injured; and such their determination shall be binding and conclusive, *id. s.*10.

12. In case of any distress under this act, the same shall not be deemed unlawful, or the parties trespassers, for any defect or want of form in the information, summons, conviction, warrant of distress, or other proceedings thereon, nor trespassers *ab initio*, from any irregularity that shall be afterwards done by them, but the party injured thereby may recover satisfaction by action on the case, *id. s.*11.

13. All penalties and expences attendant thereon, incurred under this act, shall be paid by the person incurring the same, and the parish or place wherein such person ought to have acted in his duties under this act, shall be exempted therefrom, *id. s.*12.

14. The lords of manors throughout *Eng.* shall pay to the churchwardens, constables, &c. of such parishes or places, such sums as they were accustomed to pay for placing any such bodies into the ground in the state in which found, such sums to go in part discharge of the expences incurred under this act, and credit to be given for the same by such churchwardens, &c. in their accounts with the county, *id. s.*13.

15. The quarter sessions may cause such sums as may be necessary for the purposes of this act, to be raised as county-rates under 12 *G.*2. *c.*29. are directed to be, *id. s.*14.

BURNING IN THE HAND.

1. To amend the law for punishment of certain offenders, 19 *G.*3. *c.*74. *ss.*3, 4. [Made Perp. so far (*viz. s.*5.) as relates to burning in the hand of certain persons convicted of felony within clergy, 39 *G.*3. *c.*45. [and *see* rest of this *title* and *statute*, *tit.* Transportation.]

2. When any person is convicted before any session of oyer and terminer, or gaol delivery, or any quarter-session of the peace for any county, &c. city or place within *Eng.*, or at any great session in *Cheshire* or *Wa.*, of any felony within benefit of clergy, for which he is liable by law to be burnt or marked in the brawn of the left thumb, such court, or any other court of like authority, holden for the same place, if it shall think fit, instead of such burning, &c. may impose a moderate pecuniary fine on the offender, or may order him (except in manslaughter,) to be once or not more than three times publicly or privately whipped, such private whipping to be in presence of two persons besides the officer inflicting it, (and if a female, in presence of

females only,) [*whipping of women* Rep. 1 *G.*4. *c.*57. *s.*2.,] which fine or whipping shall have the like consequences with respect to discharge from the same or other felonies, or any restitution to estates, capacities, and credits, as if such burning, &c. had taken place, 19 *G.*3. *c.*74. *s.*3.

3. Nothing in this act shall deprive such courts of the powers vested in them by law, of detaining in prison for not exceeding one year, or of committing to the house of correction or public workhouse, to be kept to hard labour for not less than six months or exceeding two years, any such offender, but such offender may, if they shall think fit, after such burning, whipping, or fine, be so detained, and with such accumulated punishment in case of escape from such house of correction or workhouse, as if this act had not been made, 19 *G.*3. *c.*74. *s.*4. [*The punishments of* burning in the hand or whipping may be changed to seven years' transportation, 4 *G.*1. *c.*11. *s.*1.]

BUTCHER.

(Statutes *repealed and expired.*)

1. For butchers not to keep tanhouses, 22 *H.*8. *c.*6. [Rep. 5 *El. c.*8., *which act is* Rep. 1 *J.*1. *c.*22. *s.*58., *c.*25. *s.*47., *but* 1 *J.*1. *c.*22. *is* Rep. *by* 48 *G.*3. *c.*60. *s.*1.]

2. Flesh shall be sold by weight, 24 *H.*8. *c.*3. [Enf. *and* Amd. 25 *H.*8. *c.*1., *both acts* Susp. 27 *H.*8. *c.*9., *and* Rep. 33 *H.*8. *c.*11.]

3. To prevent the selling of live fat cattle by butchers, 15 *C.*2. *c.*8. [Rep. 12 *G.*3. *c.*71. *s.*1.]

4. For continuing certain laws for the buying and selling of cattle in *Smithfield*, 5 & 6 *A. c.*34. *ss.*2. 4. [Expl. 7 *A. c.*6. Rep. 12 *G.*3. *c.*71. *s.*1.]

(Statutes *in force.*)

1. The punishment of a butcher selling unwholesome flesh, *stat. incert. temp. c.*7. 8vo. *ed. p.*388.

2. A butcher who sells swine's flesh measled, or flesh dead of the murrain, or who buys flesh of Jews, and sells the same to Christians, after being convict, shall, for the first time, be amerced; for the second, set in the pillory; for the third, be imprisoned and fined; and for the fourth, shall forswear the town; and so it shall be done to all who offend in like case, *id. ibid.*

3. That no butcher slay any manner of beast within the walls of *London*, 4 & 5 *H.*7. *c.*3.

4. No butcher, nor his servant, shall slay any manner of beast within the scalding-house, or within the walls of *London*, upon pain to forfeit for each ox 12*d.*, and each cow or other beast 8*d.*, one-half to H.M. and the other to the person suing by action of debt, wherein no essoin, &c. shall be allowed; and the common process at common law may be made therein, *id. s.*1.

5. This act shall be observed in every city, borough, or town walled within *Eng.*, and in *Cambridge*, except *Ber.* and *Carlisle*, *id. s.*2.

6. For permitting calves to be brought dead to *London* as formerly, 7 *A. c.*6. [*This act appears* in force merely as declaratory of the free sale of cattle in *Smithfield*, all restrictions on which, imposed by 5 *A. c.*34. *s.*2. and *s.*4., are taken away by 12 *G.*3. *c.*71. *s.*1. which repeals that act.]

7. One butcher may sell to another any dead calves, sheep, or lambs, in *London* or elsewhere, *id. s.*1.

BUTTER AND CHEESE.

(Statutes *repealed.*)

1. For buying and selling of butter and cheese, 3 & 4 *E.*6. *c.*21. Expl. 21 *J.*1. *c.*22. Rep. 12 *G.*3. *c.*71.

2. For reforming of the abuses committed in the weight and false packing of butter, 13 & 14 *C.*2. *c.*26. [Rep. 36 *G.*3. *c.*86. *s.*19.]

(Statutes *in force.*)

1. The weight of a wey of cheese shall be 32 cloves, at 7 *lbs.* to the clove, 9 *H.*6. *c.*8.

2. To prevent abuses committed by the traders in butter and cheese, 4 *W.* & *M. c.*7. (*and s.*1.) [Amd. *and* Rep. *as to s.*2. *by s.*19. *of* 36 *G.*3. *c.*86.]

3. The factor or buyer of butter shall set his seal or mark upon the butter, or cask in which it is, or his name at length; and in case the same shall be afterwards exchanged or opened, and such cask is changed, or any bad and decayed butter mixed or packed up with good, or any other fraud committed by the seller, the offender, on conviction on oath before one justice, by a witness or on confession, shall forfeit 20*s.* for every firkin, to be levied by distress and sale of goods, and after charges of distress defrayed, overplus to be restored; and every constable of the parish, or chief constable of the hundred where the offence was committed, shall levy the same accordingly by warrant under the hand and seal of such justice, 4 *W.* & *M. c.*7. *s.*3.

4. All warehousekeepers, weighers, searchers, or shippers of butter and cheese, in any port of this kingdom, shall receive into their warehouses all butter and cheese brought them for cheesemongers free of the city of *London*, or other person making such commodities, and shall take care thereof until shipped, and ship it successively as it came to hand (without undue preference), except the owner shall order to the contrary, and shall be entitled to a fee of 2*s.* 6*d. per* load, and so proportionably; and every such person, or their servants, herein making default, shall, on conviction as aforesaid, forfeit for every firkin of butter 10*s.*, and for every wey of cheese 5*s.*, to be levied as in *s.*3. mentioned, *id. s.*4.

5. All warehousekeepers, &c. in all such ports, shall keep a book wherein they shall enter all butter and cheese brought to them as it came to hand, and in which entry shall be inserted the time when such goods were received, the quantity, and name of the owner, and shall make like entry of goods shipped, the time when, the master's and the vessel's names, and to whom consigned, which book all persons may search without fee; and every warehousekeeper, &c. making default herein, or making any undue entry, by preferring one man's goods to another, or who shall refuse, in the day-time, to produce such book to be searched, shall, on conviction as in *s.*3., forfeit for every firkin of butter, every wey of cheese, and every other such offence, 2*s.* 6*d.*; and in case the offender has no goods whereon to levy the penalty, such justice may commit him to prison until the penalty is paid, *id. s.*5.

6. Every master of any ship, hoy, or vessel, coming into any such port to ship butter and cheese, or his servants, who shall refuse to take on board any such butter and cheese as shall be tendered to them for shipping by such warehousekeepers, &c. (as in *s.*4.) shall, on conviction, as in *s.*3., forfeit for every firkin of butter 5*s.*, and every wey of cheese 2*s.* 6*d.*, to be levied as aforesaid, *id. s.*6.

7. The penalties of this act shall go in moieties to the informer and the poor of the parish where the offence was committed, to be paid to the churchwardens or overseers, to be distributed by the justice who convicted the offender, *id. s.*7.

8. This act shall not exclude any cheesemongers free of the city of *London*, from sending their own vessels for their own goods, but such persons may send their own vessels, and such vessels as they may hire from *London* to freight by charterparty for their own goods; and such warehousekeeper at such port where such vessels shall be sent, and the masters thereof may receive the same, *id. s.*8.

9. This act shall not extend to any warehouse now, or which hereafter may be within the counties of *Chester*, *Lancaster*, or the city of *Chester*, nor to any boat or vessel that shall come into any port of such counties, *id. s.*9.

10. Persons aggrieved by judgment of any justice under this act, may appeal to the next general quarter sessions for the county, city, &c. where the offence was committed, and the determination of such sessions shall be final, the appellant first giving to the party accused a bond in the penalty of 20*l.*, with one or more sureties to the liking of the justice from whom such appeal is made, to pay costs allowed by the sessions within one month after appeal determined, in case appellant is not relieved, *id. s.*10.

11. To prevent abuses and frauds in the packing, weight, and sale of butter, and to repeal 13 & 14 *C.*2. *c.*26., and 4 *W.* & *M. c.*7. *s.*2., 36 *G.*3. *c.*86. [Amd. 38 *G.*3. *c.*73.] [*Not to* extend to *Scot.* 36 *G.*3. *c.*86. *s.*20., 38 *G.*3. *c.*73. *s.*6.]

12. Every cooper or other person making vessels for packing butter, shall make the same of seasoned timber, and tight, and not leaky, and shall grove in the heads and bottoms thereof: and every such vessel shall be a tub, firkin, or half firkin, and no other, and shall, when it comes from the maker's hands, be of the weight avoirdupoise, including top and bottom, and proportions, and capable to contain the quantities of butter following, *viz.*

A tub	shall weigh avoirdupois not less than	11 *lbs.*	or more than	15 *lbs.*	and be capable to contain, avoirdupois,	84 *lbs.*	and the tops and bottoms shall not be more in thickness than of an inch,	1
firkin		7		11		56		¾
¼ firkin		4		6		28		½

on pain that every person making any such vessels contrary hereto, shall forfeit 10*s.* for each vessel, 36 *G.*3. *c.*86. *s.*1.

13. Every maker of vessels for packing butter shall, before they go out of his hands, on the outside of the bottom thereof, brand his

Christian and surname at length, in legible letters, together with the exact weight or tare thereof, or in default shall forfeit 10*s.* for each vessel not so marked, 36 *G.*3. *c.*86. *s.*2.

14. Every maker of vessels for packing butter within the regulations of 36 *G.*3. *c.*86., shall, before such vessels go out of his hands, on the outside of the bottom thereof, in addition to his names, as such act requires, brand the name of his place of abode as herein directed, (*viz.*) if he live in a city or market-town, or within the county of such city, or the parish of such town, then the name of such city or town; and if he live in a village, township, liberty, hamlet, or other subdivision of a parish, then the name of such parish wherein such village, &c. shall lie, and if he live in any extra-parochial place, then the name of the next adjoining parish, or in default thereof shall forfeit 10*s.*, 38 *G.*3. *c.* 73. *s.*1.

15. Every dairyman, farmer, or seller or packer of butter for sale, shall pack the same in vessels so made and marked, and shall soak and season such vessels before the butter is packed therein; and when seasoned shall, on the bottom, on the inside, and on the top on the outside, brand his christian and surname at length; and also on top on the outside, and on the bouge or body, brand the true weight or tare of such empty vessel when soaked, and his names across two staves at least, and likewise imprint his name at length on top of the butter in such vessel, on pain, in case of default herein, to forfeit 5*l.*, 36 *G.*3. *c.*86. *s.*3.

16. Every dairyman, &c. shall pack in every tub, firkin, or half firkin, (exclusive of the tare of such vessel) the quantities following of good merchantable butter, *viz.* in a tub 84*lbs.*, in a firkin 56*lbs.*, and in an half firkin 28*lbs.* avoirdupoise weight net, and not less; and no old or corrupt butter shall be mixed or packed with any new and sound butter, nor shall any whey-butter be mixed or packed with butter made of cream, but they shall be packed severally, and every tub, &c. shall be of one sort of goodness throughout; and no butter shall be salted with great salt, but with small fine salt, nor shall more salt be mixed with it than necessary for its preservation, on pain that any such offender shall forfeit in each such cases 5*l.*, *id. s.*4.

17. If any change, fraud, or deceit, is practised by any farmer, dairyman, seller of butter, or factor for the sale or buying thereof, or other person, either in the vessel wherein such butter is packed, or in the butter therein contained, whether in quality, quantity, weight, or otherwise, or in any brands or marks on such vessels, or in any manner howsoever after the butter is packed for sale, all persons concerned therein shall forfeit 30*l.*, *id. s.*5.

18. All cheesemongers, dealers in butter, or other persons selling to any persons any tub, &c. of butter, shall deliver in every tub, &c. the full quantity appointed by this act, or in default, shall make satisfaction to the buyer for the quantity wanting at the price the same was sold at, to be recovered by action in the case, together with costs, *id. s.*6.

19. No cheesemonger, &c. shall repack for sale any butter in any such tub, &c. on pain to forfeit 5*l. per* each tub, &c. so repacked, *id. s.*7.

20. This act shall not make any cheesemonger or other person liable to the penalties of this act for using any such tubs, &c. after the *British* butter packed therein has been taken out and foreign butter repacked in the same, if before such foreign butter is so repacked he shall entirely efface the names of the original dairyman, farmer, &c. thereout, leaving the name and tare of the cooper, and the tare of the original dairyman, farmer, &c. and branding his own christian and surnames at length, and the words *foreign butter* on the bouge of such vessel across two staves thereof, *id. s.*8.

21. Every person who shall counterfeit or forge any names or marks of any such owners, farmers, or dairymen, or cause the same to be forged, &c. shall forfeit 40*l.*, *id. s.*9.

22. All offences against this act, the mode of determining which is not herein before prescribed, and where the penalties for the same do not exceed 5*l.* shall be heard and determined before one or more justices for the county, city, &c. wherein the offence was committed, and on proof thereof by one witness on oath, such penalties may be levied by distress and sale of the offender's goods by warrant under the hand and seal of such justice, restoring the overplus after charges of distress and costs deducted; and such penalties shall go to the informer; but if no sufficient distress, or the penalty is not paid, such justice, by like warrant, may cause the offender to be imprisoned in the common gaol of the county or place, without bail, for any term from 28 days to three calendar months, unless the penalty is sooner paid, *id. s.*10. (*see s.*14.)

23. The justice, &c. convicting any person under this act, shall draw up the conviction in the form or to the effect following, *viz.*

'— } Be it remembered, that on the — day of — *A.B.* is convicted
to wit } before — of H.M.'s justices of the peace for the said county of, — [*or* for the city, liberty, or town of — *as the case may be*], for that the said *A.B.* on [*time of committing the offence*] at — did [*here state the offence against the act according to the fact*] contrary to the form of the statute in that case made and provided; and the said — adjudge him or her to pay and forfeit for the said offence the sum of —. Given under my hand and seal [*or* our hands and seals] the — day and year first above mentioned.]'

and such justice shall write such conviction on parchment, and transmit it to the next quarter sessions for the county or place to be filed of record; and if the person so convicted shall appeal from the judgment of such justice to such sessions, then such sessions shall, on receiving such conviction, drawn up in such form, hear and determine the matter of such appeal as in *s.*12. of this act directed, 36 *G.*3. *c.*86. *s.*11.

24. All persons aggrieved may appeal from the judgment of such justice to the next quarter sessions holden for the county or place, and the justices there may award costs to either party as to them shall seem meet, *id. s.*12.

25. No such conviction made, or judgment given, shall be set aside by such sessions for want of form, if the material facts alleged therein be proved, nor shall such conviction or judgment, or any order or proceedings of such sessions be removed by *certiorari* or otherwise into the courts at *Westminster*, *id. s.*13.

26. All penalties hereby imposed, exceeding 5*l.*, shall be sued for and recovered by action of debt, &c. or information in any court of record at *Westminster*, and shall go to the party suing with costs, *id. s.*14. (*see s.*10.)

27. Persons sued for things done under this act may plead the general issue, and give this act and the special matter in evidence, and if a verdict shall pass for defendant, or plaintiff is nonsuited, discontinues, or has judgment against him on demurrer or otherwise, the defendant shall have double costs, *id. s.*15.

28. This act shall not extend to packing of butter in any pot or other vessel not capable of containing more than 14*lbs. avoirdupoise* of butter, *id. s.*16.

29. Informations, prosecutions, or suits for any offence against this act, shall be brought within four months after the offence was committed, *id. s.*17.

30. So much of the butter act, 8 *G.*1. *c.*27. (for *York*), 17 *G.*2. *c.*8. (for *New Malton*), 30 *G.*3. *c.*55. (for *Hubberston and Pell*), as refer severally to 13 & 14 *C.*2. *c.*26. and also so much of such three acts as mentions pots of butter, shall be REP., *id. s.*18.

31. Every factor or agent buying or selling butter for others, or who shall buy, sell, or offer to sale, or have in custody for sale, or shall order, consign, forward, or send, or cause to be ordered, &c. any vessel containing butter to any person, which vessel shall not be marked, and made, and have the butter imprinted according to this act and 36 *G.*3. *c.*86., shall forfeit 20*s.*, 38 *G.*3. *c.*73. *s.*2.

32. Every person, being a cheesemonger, or otherwise a seller or dealer in butter on his own account, who shall offer for sale, or have in custody for sale, any vessel of butter not marked according to this act, shall forfeit 10*s.*, *id. s.*3.

33. All penalties by this act imposed shall be sued for, levied, and applied in such manner, and subject to such method and limitation as by 36 *G.*3. *c.*86. prescribed; and persons sued for acts done under this, shall have the benefits of the provision contained in that act, *id. s.*4.

BUTTONS.

(STATUTES *in force.*)

1. TO PREVENT THE MAKING OR SELLING OF BUTTONS MADE OF CLOTH, serge, drugget, or other stuffs, 10 *W.*3. *c.*2. [*see also* 8 *A. c.*6., 4 *G.*1. *c.*7.]

2. No persons within *Eng.*, *Wa.*, or *Ber.*, shall make, sell, or set on any clothes or garments, any buttons made of cloth, serge, drugget, frize, camlet, or other stuffs of which clothes or garments are usually made, or any buttons made of wood only, on forfeiture of 40*s.* for each dozen so made, *&c.* and so in proportion for a less quantity, to go in moieties to H.M. and the party suing, by action of debt, &c. or information in any court of record, wherein no essoin, &c. or more than one imparlance, shall be allowed, 10 *W.*3. *c.*2.

3. FOR EMPLOYING THE MANUFACTURERS BY ENCOURAGING the consumption of raw silk and mohair yarn, 8 *A. c.*6. [PUBLIC *clause*, *s.*1.] [MADE MORE EFFECTUAL, 4 *G.*1. *c.*7.] [PUBLIC *clause*, *s.*9.] 7 *G.*1. *st.*1. *c.*12. [PUBLIC *clause*, *s.*7.]

4. No taylor or other person in *G.B.* shall make, sell, set on, use, or bind on any clothes or garments any buttons, or button holes made or bound with [cloth, 4 *G.*1. *c.*7. *s.*1.] serge, drugget, frize, camlet, or other stuff of which clothes or garments are usually made, on forfeiture of 5*l.* [40*s.* 4 *G.*1. *c.*7. *s.*1.] for each dozen of such buttons or button holes so made, &c. and so in proportion for a less quantity, [one moiety thereof to H.M., and the other to the party suing by action of debt, &c. or information in any court of record, wherein no essoin, &c. or more than one imparlance shall be allowed, or on complaint to any two jus-

tices for the county, city, &c. they may summon and examine witnesses on oath, levy the penalty, and return the overplus to the owner; and any person aggrieved by order of such justices may appeal against the same to the general quarter sessions holden for the county, &c. next after notice of such order, and such sessions may summon and examine witnesses on oath, and finally determine the appeal; and if they give judgment against the appellant, they shall award to the appellee such costs as they deem reasonable, to be paid by the appellant, 8 *A. c.* 6.] [and persons so offending shall, on conviction on oath of one witness, forfeit as aforesaid, to be recovered and distributed as in *s.* 5. *pl.* 9. provided, 4 *G.* 1. *c.* 7. *s.* 1.] 8 *A. c.* 6. 4 *G.* 1. *c.* 7. *s.* 1.

5. No person in *G. B.* shall use or wear on any clothes any buttons or button-holes made of or bound with cloth, or any stuff whereof clothes or garments are usually made, under penalty on conviction, as in *s.* 2. to forfeit for every dozen of such buttons or button-holes so used or worn, 40*s.* and so in proportion for a less quantity, to be recovered and distributed as in (*ss.* 2, 3.) mentioned, 7 *G.* 1. *st.* 1. *c.* 12. *s.* 1.

6. This act shall not extend to clothes made of velvet, 4 *G.* 1. *c.* 7. *s.* 2. 7 *G.* 1. *st.* 1. *c.* 12. *s.* 5.

7. Persons within any gaol or house of correction, or within the rules of any gaol, or dwelling within any privileged places, committing offences against this act, shall, on conviction, be subject to the forfeitures herein mentioned, 4 *G.* 1. *c.* 7. *s.* 3.

8. Offences against these acts shall be prosecuted within three months [one month, 7 *G.* 1. *st.* 1. *c.* 12. *s.* 4.] after committed, 4 *G.* 1. *c.* 7. *s.* 4., 7 *G.* 1. *st.* 1. *c.* 12. *s.* 4.

9. All offences against this act shall be determined by one justice for the county, city, or place where the same was discovered, or the offender resides, upon oath of one witness; and the penalties inflicted under this act shall be distributed, after charges of conviction deducted, in moieties to the informer and the poor of the parish where the offence was discovered; and if any offender shall neglect to pay such penalty for 14 days after conviction, such justice shall issue his warrant to the constable of the parish, to levy the same by distress and sale of goods, and where no distress can be found, may commit the offender to common gaol for the county, &c. there to be kept to hard labour for three calendar months, 4 *G.* 1. *c.* 7. *s.* 5.

10. Any party may appeal from such conviction to the quarter sessions for the county, &c. giving sufficient notice of the appeal, and the determination of such sessions shall be final, and they shall allow reasonable costs to the party aggrieved, to be levied and paid in the usual way in cases of appeal to such sessions, *id. s.* 6.

11. Persons sued for things done under this act may plead the general issue, and give the special matter in evidence; and if plaintiff is nonsuited, forbears prosecution, discontinues, or if a verdict or judgment on demurrer is given against him, the defendant shall have treble costs, with usual remedy to recover the same, 4 *G.* 1. *c.* 7. *s.* 7., 7 *G.* 1. *st.* 1. *c.* 12. *s.* 6.

12. All clothes made with buttons and button-holes of the same cloth, &c. of which the clothes are made, and exposed to sale in any market, fair, shop, or warehouse, shall be forfeited, and may be seized and applied to the uses of this act, to be recovered as other penalties may be by this act, 4 *G.* 1. *c.* 7 *s.* 8.

13. If any taylor or other person shall cause his apprentices or servants to make clothes contrary to this act, then such taylor, &c. or he who is entitled to the money for making such clothes, shall be subject to the penalties of this act, to be recovered as in (*s.* 5.) aforesaid, *id. s.* 9.

14. One justice for the county, &c. where offences against this act shall be committed, or the offender resides, shall, on complaint or information on oath of one person, summon the party accused, and on his appearance, or contempt, proceed to the examination of the fact, and on proof by oath of one witness, or by confession, proceed to convict the offender; and such justice shall, by warrant under hand and seal, cause such penalties, on the refusal of the offender to pay the same, to be levied by distress and sale of his goods, rendering him the overplus after the charges thereof deducted; and all penalties under this act shall be distributed and paid in moieties to the poor of the parish where the offence was committed, and the person on whose oath party was convicted, 7 *G.* 1. *st.* 1. *c.* 12. *s.* 2.

15. Any party aggrieved by such proceedings may appeal to the quarter sessions holden for the county, &c. on giving eight days' notice at least of such appeal to the prosecutor, which sessions shall determine the same, and their judgment shall be final, *id. s.* 3.

16. To REGULATE THE MAKING AND VENDING OF METAL BUTTONS, AND TO prevent the purchasers thereof from being deceived in the real quality of such buttons, 36 *G.* 3. *c.* 60. [PUBLIC *Act*, *s.* 22.]

17. No person who shall order any metal buttons from any maker, shall direct the words "gilt" or "plated," or any other word, letter, or mark indicating the quality to be marked or stamped on any part of such buttons, or direct any word, &c. whether the same do or do not indicate the quality to be stamped or marked on the underside of such buttons, unless such person shall order such buttons to be gilt or plated; and no person shall procure or purchase any metal buttons, not being gilt or plated, having the words "gilt" or "plated" or any other words, &c. indicating the quality stamped or marked thereon, or having any word, &c. whether the same do or do not indicate the quality stamped or marked on the underside thereof, knowing the same not to be gilt or plated, on pain to forfeit such buttons, and 5*l.* for any quantity not exceeding 12 dozen, and exceeding 12 dozen after the rate of 1*l.* for every 12 dozen to be levied, recovered and applied as in *s.* 8. mentioned, 36 *G.* 3. *c.* 60. *s.* 1.

18. No person shall stamp or mark, or cause or procure to be stamped or marked, upon any part of any metal button the words "gilt" or "plated," or any other word, &c. indicating the quality, or any word, &c. on the underside thereof, whether the same do or do not indicate the quality thereof, unless the same are really and *bonâ fide* plated with silver before marked, or afterwards gilt with gold or destroyed before sold; and no person shall affix or cause to be affixed upon any metal button having the words "gilt" or "plated," or other word, &c. indicating the quality on any part thereof, or any word, &c. on the underside thereof, whether the same do or do not indicate the quality, any ornament, unless those parts of such button not covered by such ornament be really and *bonâ fide* gilt or plated, before the ornament is affixed on such button; and no person shall pack, or cause or procure to be packed for sale, in or upon any cards or other substance, or sell or expose to sale, or cause to be sold, &c. any metal buttons, not being gilt or plated, if the words "gilt" or "plated," or any other words, &c. indicating the quality, be stamped or marked on any part of such button, or on such card, &c. not being the pattern-card, or if any word, &c. be stamped or marked on the underside, &c. of such button, whether the same do or do not indicate the quality thereof, knowing the same not to be so gilt or plated, on pain in such cases to forfeit such buttons, and 5*l.* for any quantity exceeding 1 dozen, and not exceeding 12 dozen; and exceeding 12 dozen, after the rate of 1*l.* for every 12 dozen, *id. s.* 2.

19. No person shall mark or cause to be marked on any metal button any word, &c. (as in *s.* 1.,) indicating the quality thereof, except the words "gilt" or "plated;" and no person shall pack, or cause or procure to be marked for sale, on any card (except the pattern-card,) or expose to sale, or cause, &c. to be exposed to sale, any metal buttons, having any word, &c. indicating the quality thereof, except the words "gilt" or "plated" marked thereon, on pain to forfeit such buttons, and 5*l.* for any quantity exceeding 1 dozen and not exceeding 12 dozen; and exceeding 12 dozen, at the rate of 1*l.* for every 12 dozen, to be recovered, &c. as in *s.* 8. directed, *id. s.* 3.

20. No penalty or punishment under this act shall be inflicted on persons who stamp or mark the words "double gilt," or the words "treble gilt," on any metal buttons, or who pack or cause to be packed for sale on cards, (except the pattern-cards,) or who expose to sale or cause to be sold or exposed to sale any metal buttons stamped or marked with such words; provided continually from the time of gilding thereof, gold shall remain put, and equally spread upon the upper surface of such buttons, exclusive of the edges, in proportion for double gilt of 10 grains, and for treble gilt in proportion of 15 grains, to such quantity of buttons, the upper surface of which, exclusive of the edges, shall be equal, the superficies of a circle of 12 inches diameter, *id. s.* 4.

21. Every person who shall knowingly make out or deliver in relation to any metal buttons, any bill of parcels or invoice expressing therein other than the real quality thereof, shall forfeit 20*l.*, *id. s.* 5.

22. No person shall knowingly place or intermix, or procure to be placed, &c. any metal buttons not gilt with gold or plated with silver, upon any card, (except pattern-cards,) wherein there shall be placed any metal buttons so gilded or plated, on pain to forfeit such buttons so intermixed, and 5*l.* for any quantity so intermixed, exceeding 1 dozen, and not exceeding 12 dozen; and exceeding 12 dozen, at the rate of 1*l.* for every 12 dozen, *id. s.* 6.

23. No metal button shall be deemed gilt unless, from the time of gilding thereof, gold shall remain put, and equally spread on the upper surface thereof, exclusive of the edges, in the proportion of five grains to such quantity of such buttons, the upper surface of which, exclusive of the edges, shall be equal to the area of a circle of 12 inches diameter; and no metal buttons shall be deemed plated, unless the area of the upper surface thereof be made of a plate of silver fixed on copper, or a mixture of copper with other metals, previous to such plate of silver and copper, or mixture of copper with other metals, being rolled into sheets or fillets, *id. s.* 7.

24. Two justices for the county or place where the offenders reside, or the offence done, may determine offences against this act; and on information exhibited, or complaint made, shall summon the accused party, and witnesses on each side, and examine into the matter, and on proof thereof, either by confession, or by oath of one witness, give judgment for the penalty, with costs to be allowed by them, and shall

award their warrant to levy such penalty and costs on the goods of offender, and in case they are not redeemed within five days, shall cause sale thereof to be made, rendering surplus to the distrainee; and if no sufficient distress, such justices may commit such offenders to the gaol of the county or place where the information is laid, for not exceeding 3 calendar months, unless payment is sooner made, *36 G. 3. c. 60. s. 8.*

25. All persons aggrieved thereby may (on giving security, with surety to the amount of such penalties and costs, together with such further costs as may be awarded,) appeal to the next quarter sessions for the county or place where such conviction is had, and such sessions may summon and examine the witnesses on oath, and finally determine such appeal, and award such costs as they think reasonable, to the party in whose favour they determine, *id. s. 9.*

26. Such two justices or sessions may mitigate such penalties as they deem fit, provided they shall in no case be reduced below one-half, or where less than 40*l.*, below 20*l.*, *id. s. 10.*

27. No conviction for any offences under this act shall be set aside by any court for want of form, or through the mistake of any fact or other matter, provided the material facts alleged in such conviction be proved, *id. s. 11.*

28. A conviction, in the form or to the effect following (*mutatis mutandis*) shall be good, *viz.*

'Be it remembered, that on the — day of — in the year of our Lord — at — in the county — A.B. came before us, *C.D.* and *E.F.*, two of H.M.'s justices of peace for the said county [city, *or* place, *as the case may be*] and informed us that *G.H.* of — on the — day of — now last past, at — in the county, [city, *or* place, *as the case may be*] [*here set forth the fact for which the information is laid*] whereupon the said *G.H.*, after being duly summoned to answer to such charge, appeared before us on the — day of — in the said county, city, *or* place], and having heard the charge contained in such information, declared he was not guilty of the said offence [*or, as the case is*, did not appear before us pursuant to the said summons, *or* did neglect and refuse to make any defence against such charge,] but the same being fully proved before us on the oath of *I.K.*, a credible witness [*or, as the case may be*, acknowledged and voluntarily confessed the same to be true,] and it manifestly appeared to us that the said *G.H.* is guilty of the offence charged upon him in the said information; we do therefore hereby convict him of the offence aforesaid, and do declare and adjudge that he, the said *G.H.*, hath forfeited the said buttons, together with the sum of — *l.* of lawful money of *G.B.* for the offence aforesaid, to be distributed as the law directs according to the form of the statute in that case made and provided. Given under our hands and seals the — day of —, *id. s. 12.*

29. Persons summoned as witnesses on either side, touching such matters, neglecting to appear at the time and place appointed, without excuse to be allowed by such justices, or refusing to be examined on oath, shall forfeit 5*l.*, to be levied and paid as in *s. 8. pl. 24.* directed, *id. s. 13.*

30. All the penalties aforesaid may be recovered by action in any court of record at *Westminster*, with full costs, wherein no essoin, &c. or more than one imparlance shall be allowed; and any justice for the county or place where such offence is committed, or the offender resides, may, by warrant under his hand and seal, cause any such metal buttons as are liable to forfeiture under this act, to be seized, and, when seized, may keep the same to be produced in evidence on any prosecution or action under this act; and when the same are so produced, they shall, by order of such justices, be destroyed, *36 G. 3. c. 60. s. 14.*

31. No information or action shall be commenced under this act, unless within three calendar months after the offence done, *id. s. 15.*

32. All penalties recovered under this act shall be paid, one moiety to the poor of the place where the offence was committed, and the other to the person suing or informing for the same, *id. s. 16.*

33. In all actions, informations, or other proceedings under this act, any inhabitant of the parish where the offence was committed, shall be admitted to give evidence, and be deemed a competent witness, *id. s. 17.*

34. If any person, who shall be liable to any penalties under this act for any thing done by the order of another, shall, before information or complaint laid against him, discover to two justices the name of the person by whose order such act was done, so that he may be prosecuted to conviction, such person so discovering shall not be liable to any such penalties, but shall be entitled to a moiety of the penalty, *id. s. 18.*

35. If any manufacturer of buttons, who has ordered any metal buttons to be gilt with gold, shall, before the same are burnished, appear before two justices for the county, city, or place where the gilder shall reside, or his offence be committed, and prove by one witness that he ordered such buttons to be gilt as in *s. 7. pl. 23.* required, and delivered gold sufficient for that purpose, or had contracted to pay a proper sum in that behalf, and shall afterwards prosecute such gilder to conviction, then such manufacturer shall not be liable to any penalty hereby inflicted on account of such buttons, not being gilt with gold, *id. s. 19.*

36. This act shall not extend to any buttons made of gold, silver, tin, pewter, lead, or mixtures of tin and lead, or iron tinned, or of the mixed metals called *Bath metal* or *white metal*, or of any of these metals inlaid with steel, or buttons plated on shells, *id. s. 20.*

37. Actions against persons for things done under this act, shall be commenced within 6 calendar months after the fact committed, and be laid and tried in the county or place where the offence was committed, and the defendant may plead the general issue and give the special matter in evidence; and if any action is brought after the time so limited, or is laid in the wrong county, &c. the jury shall find for the defendants, and upon such verdict, or if the plaintiff is nonsuited or discontinues, or if a verdict, or on demurrer judgment is given against him, the defendant shall have treble costs, *id. s. 21.*

CALENDAR.

1. FOR REGULATING THE COMMENCEMENT OF THE YEAR, AND CORRECTING the calendar now in use, *24 G. 2. c. 23.* [AMD. *25 G. 2. c. 30.*, and as to *Chester*, *26 G. 2. c. 34. s. 4.*]

2. [*Recital*, that the year in *Eng.* begun on the *25th March*, by legal supputation, and its inconvenience in differing from the usage of neighbouring nations, and from that of *Scot.*, and from common usage throughout this kingdom; that the *Julian Calendar* then in use was erroneous, by which the vernal equinox, which, at the council of *Nice*, in *1325*, happened on or about the *21st March*, now happens on or about the *9th* or *10th March*, and that a method of correcting the same, so that such equinoxes may fall nearly on the same nominal days, was received and practised in almost all other nations of *Europe*, which, if adopted in this country, would prevent mistakes in foreign correspondence, and disputes as to dates of letters, accounts, &c., *24 G. 2. c. 23. s 1.*]

3. Throughout all H.M.'s dominions in *Europe*, *Asia*, *Africa*, and *America*, the supputation (or style), according to which the year of our Lord begins on *25th March*, shall not be used after the last day of *Dec.* 1751; and the *1st Jan.* next following the last mentioned day, shall be deemed *1st Jan.* 1752, and so on the *1st Jan.* in every year shall be reckoned the first day of the year. After *1st Jan.* 1752, the days of each month shall be reckoned in the same order, and the feast of *Easter*, and other moveable feasts thereon depending, be ascertained according to the same method as they now are, till *2d Sept.*, 1752, inclusive; and the natural day next immediately following *2d Sept.*, 1752, shall be called *14th Sept.*, omitting for that time only the 11 intermediate nominal days of the common calendar; and the natural days following the said *14th Sept.* shall be numbered forwards in numerical order, from that day, according to the order used in the present calendar, and all acts, deeds, writings, and other instruments, executed or signed, upon or after *1st Jan.* 1752, shall bear date according to the said new method of supputation, and the 2 fixed terms of *Saints Hilary* and *Michael* in *Eng.* and the courts of great sessions in the counties palatine and *Wa.*, and of the general quarter-sessions and general sessions of the peace, and all other courts, and all meetings of any bodies politic, which by law or usage within this kingdom, or the dominions subject to the crown of *G.B.*, are to be holden on any fixed day of any month, or on any day depending on any certain day of any month, (except courts usually held with fairs or marts,) shall, after *2d Sept.*, 1752, be holden on the same respective nominal days, whereon or according to which they are now to be holden, but which shall be computed by the new method, *24 G. 2. c. 23. s. 1.* [*Proviso*, that acts of corporations and affairs thereof may be done on same natural days between *2d* and *14th Sept.*, A.D. 1752 only, as before the above enactment, *25 G. 2. c. 30. s. 1.* EXP.]

4. The annual meeting of the citizens of *Chester*, for election of the mayor, and other annual officers of the city, shall not be held on *Friday* next after the feast of *St. Dennis*, but in the usual manner on the *Friday* next after *20th Oct.*, yearly, and not before, *26 G. 2. c. 34. s. 4.*

5. No future 100th years, *viz.* A.D. 1800, 1900, &c. (except only every 400th year), of which A.D. 2000 is to be the first, shall be taken to be bissextile or leap years, but common years of 365 days; and A.D. 2000, A.D. 2400, &c. and every other 400th year from A.D. 2000, inclusive, and all other years of our Lord, esteemed leap-years by new style, shall be taken to be leap-years, consisting as such of 366 days, in the same manner as is now used with respect to every fourth year, *24 G. 2. c. 23. s. 2.*

6. The feast of *Easter*, or any of the moveable feasts thereon depending, shall be no longer observed in the dominions of the crown of *G.B.* according to the present method of supputation, or the table

prefixed to the common prayer book, which table, and the column of golden numbers, as now prefixed to the respective days of the month, shall be left out in all future editions of the common prayer, and the new calendar table and rules shall be prefixed to the same; and all the fixed feast, holy, and fast days now observed by the church of *Eng.*, and also the several solemn days of thanksgiving, fasting, and humiliation, which by any statute now in force are to be observed, shall be observed on the respective days marked for celebration thereof in the new calendar, *i. e.* on the same nominal days on which they are now observed, but which, according to the alteration made by this act will happen 11 days sooner than they now do, and the feast of *Easter*, and all other moveable feasts thereon depending, shall be observed according to the new calendar tables and rules in the above dominions wherein the liturgy of the church of *Eng.* now is, or hereafter shall be used, and the two moveable terms of *Easter* and *Trinity*, and all courts and meetings of bodies politic, and all markets, fairs and marts, and courts thereto belonging, or used to be holden at any moveable times depending on *Easter*, or any other moveable feasts, shall be holden on the days whereon the same happen, according to the falling of *Easter*, or such other moveable feasts, to be computed according to the new calendar, 24 *G.* 2. *c.* 23. *s.* 3.

7. The meetings of the court of session and terms fixed for the court of exchequer in *Scot.* the *April* meeting of the company of conservators of the great level of the fens, and the holding of all markets, fairs, and marts, being either fixed to certain nominal days of the month, or depending on the beginning or certain day thereof, and all courts incident thereto shall not be continued upon, or according to the nominal days of the month, computed by the new calendar, but according to the same natural days on, or according to which they should have been holden by old style, (*viz.* 11 *days* later than those nominal days of the new style, *id. s.* 4.

8. Nothing in this act shall accelerate the days for opening, inclosing, or shutting up any lands for common of pasture and other purposes, or the days on which any temporary or distinct property therein shall commence, but the same shall be opened, inclosed, or shut up, and such temporary and distinct rights commence on the same natural days on which they would have been opened, &c. if this act had not been made, [*viz.* 11 *days* later than the same would otherwise commence, reckoning by new style,] *id. s.* 6.

9. But the times for opening, inclosing, and shutting up such lands, for paying rents, or other payments, and for doing every other thing, if depending *on moveable feasts, or days depending thereon*, shall be computed and take place according to the new calendar tables and rules; and the temporary and distinct property of all persons, bodies politic, and corporate, &c. in such lands, &c. shall commence, and all payments be due and payable, and all matters transacted accordingly, 25 *G.* 2. *c.* 30. *s.* 2.

10. No title to lands is hereby altered, except as to new computation of time when the enjoyment of such right shall commence, *id. s.* 3.

11. Nothing in this act shall accelerate the time of payment of any rent, annuity, or sum, or interest thereon, payable by virtue of any custom, deed or agreement, or of any statute made before 24*th Sept.* 1752, or the time of doing any thing directed by such act, or accelerate the time of delivery of any goods, or other things, or of the commencement or determination of any lease of lands or hereditaments, or of any other agreement, or of accepting or giving up possession of any lands or hereditaments, or the commencement or determination of any annuity or rent, or of any grant for term of years, or the time of attaining the age of 21 years, or any other age requisite by any law, custom, will, or writing for doing any act by any person born before 14*th Sept.* 1752, or the time of expiration of any apprenticeship or other service, 24 *G.* 2. *c.* 23. *s.* 6. [For the calendar-table and rules annexed to this act, see the Book of Common Prayer, (and *s.* 3.)]

CALICO.

1. To preserve and encourage the woollen and silk manufactures of this kingdom, and for more effectual employing the poor, by prohibiting the use and wear of all printed, painted, stained or dyed calicoes in apparel or household stuff furniture, or otherwise, (after 25*th Dec.* 1722), 7 *G.* 1. *st.* 1. *c.* 7. Amd. 9 *G.* 2. *c.* 4.

2. It shall not be lawful to use or wear any printed, painted, stained, or dyed calico on penalty of 5*l.* to the informer, on conviction before one justice at least, who, on complaint exhibited in six days after the offence committed, shall summon the accused, and on his appearance or contempt shall proceed to examination of the matter, and on due proof, either by confession or oath of one witness, shall determine the same, and on conviction shall, by warrant, cause the penalty to be levied by distress and sale of goods; but any party grieved may appeal to the next quarter sessions, giving six days' notice to the prosecutor, and their judgment is final, 7 *G.* 1. *st.* 1. *c.* 7. *s.* 1.

3. Every yerson convicted of selling or exposing to sale any printed, &c. calico, or any household stuff made up or mixed therewith, unless for exportation and cleared outwards accordingly, shall, on conviction forfeit 20*l.*; and every officer of a corporation offending herein, shall besides the said penalty, lose his office, and be incapable to hold the same, 7 *G.* 1. *S.* 1. *c.* 7. *s.* 2.

4. It shall not be lawful to use or wear about any household stuff, or furniture, any printed, &c. calico, (except as in *s.* 10. excepted), on penalty of 20*l.*, *id. s.* 3.

5. One moiety of all pecuniary penalties hereby imposed, and exceeding 5*l.* shall go to the informer, and the other to the poor of the parish, and those not herein directed to be otherwise recovered, shall be recovered by action of debt or information in any court of record at *Westminster*, for offences committed in *Eng.*, *Wa.*, or *Ber.*, or in the courts of session, justiciary, or exchequer in *Scot.*, for offences committed in that part of *G. B.*, with costs, by any who shall sue for the same within six calendar months after the offence, and without essoin, &c. allowed, or more than one imparlance, *id. s.* 4.

6. Every person convicted of any offence against this act who shall reside in any pretended privileged place, may be taken from thence by warrant of any justice or baron of K.B., C.P., or exchequer in *Eng.* and *Ber.*, or lords of session, judge of justiciary, or barons of exchequer in *Scot.*, and shall by him be committed to the common gaol of the same county or place till payment of all the penalties hereby imposed, with costs, *id. s.* 5.

7. This act shall not repeal any law for prohibiting calicoes printed, painted, stained, or dyed in foreign parts, or any other goods or manufactures soever, *id. s.* 7.

8. Persons sued for any thing done in pursuance hereof may plead the general issue, giving this act and the special matter in evidence, and if plaintiff is nonsuit, discontinues, or loses a verdict, defendant shall have treble costs, *id. s.* 10.

9. This act shall prohibit wearing or using in apparel or furniture any stuff made of cotton, or mixed therewith, which shall be printed or painted, or any calico chequered or striped, or stitched, or flowered in foreign parts with any colours, or with coloured flowers made there, except muslins, neckcloths, and fustians, *id. s.* 10.

10. Nothing in this act shall extend to calicoes dyed all close, *id. s.* 11.

11. Nothing in 7 *G.* 1. *c.* 7. shall prohibit the wearing any stuff made of linen yarn and cotton wool manufactured and printed, or painted in *G. B.*, provided the warp be entirely linen yarn, 9 *G.* 2. *c.* 4. *s.* 1.

CAMBRIC.

1. For improving, regulating, and extending the manufacture of cambrics and lawns in *Eng.*, 4 *G.* 3. *c.* 37. *s.* 1. *ss.* 17. 33. (Public *clause, s.* 33., *rest of* this act is of a local and personal nature, except *s.* 16. for which see *title* Linen Manufacture, [re-enacted and Ext. to *Scot.*, 7 *G.* 3. *c.* 43. *ss.* 10.—24.]

2. Any person may make, vend, or wear all linen goods called cambrics or lawns, or goods usually known under either denomination made in this kingdom, and stamped as in *ss.* 17, 18., 4 *G.* 3. *c.* 37. *s.* 1.

3. Cambrics, lawns, or goods known under either denomination, woven or fabricated in *G. B.* shall be marked or sealed at each end of every piece, with such mark, and by such officer as the commissioners of excise in *Eng.* and *Scot.* respectively shall direct, 4 *G.* 3. *c.* 37. *s.* 17., 7 *G.* 3. *c.* 43. *s.* 10.

4. The commissioners of excise may, from time to time, at the request and expence of the manufacturer, provide proper seals or marks for this purpose, and may appoint a district supervisor or other officer of excise, to seal, mark, or stamp each piece, as in *s.* 20. directed, and he shall be paid such sum for every piece so marked, before cutting or taking same out of the loom, as the commissioners of excise shall appoint, 4 *G.* 3. *c.* 37. *s.* 18., 7 *G.* 3. *c.* 43. *s.* 11.

5. Every person who shall make such cambrics or lawns, shall, before taking them out of the loom, give notice in writing of the finishing of every piece to such supervisor or officer who, before such piece shall be cut out of the loom, shall mark both ends thereof with the proper stamp on penalty of 5*l.* for taking or permitting to be taken any finished piece out of the loom without giving such notice, or without having the ends so stamped, besides incurring forfeiture and seizure thereof by any customs or excise officer, 4 *G.* 3. *c.* 37. *s.* 19., 7 *G.* 3. *c.* 43. *s.* 12.

6. Such officer, on reasonable notice given that any piece is finished, shall forthwith, or as soon as convenient with other duty, mark or seal both ends thereof with the proper mark, and fix a distinct number to any piece before taking it out of the loom, and shall make entry in writing in proper books provided for that purpose, at manufacturer's expence, of the number set to each piece, of its number of yards in length, and threads in the warp thereof, on penalty of 10*l.* for neglect in either article hereof, 4 *G.* 3. *c.* 37. *s.* 20., 5*l.* by 7 *G.* 3. *c.* 43. *s.* 13.

7. Any supervisor or other officer appointed to mark, or having custody of any mark or seal, who shall therewith mark, &c. any cambric or lawns not made in *G. B.*, or who shall knowingly permit it to be done, or shall mark any piece after taken out of loom, shall forfeit 50*l.* for every piece; to be recovered in any court of record at *Westminster*, by bill or information, by any person who will inform; and, on conviction, shall lose his office under the excise, and be disabled to hold any under H. M., 4 *G.* 3. *c.* 37. *s.* 21., 7 *G.* 3. *c.* 43. *s.* 14.

8. Every person and his abettors who shall by bribes, fraud, or in any way soever, procure any officer (as in last *pl.*) to set such mark, seal, or stamp to any piece not actually made in *G. B.*, or after taken out of loom, shall, on conviction, forfeit 100*l.*, and stand in pillory for 2 hours; and any person giving or securing, or offering to, &c. to any such officer, a bribe for either of the above purposes, shall forfeit 50*l.* 4 *G.* 3. *c.* 37. *s.* 22., 7 *G.* 3. *c.* 53. *s.* 15.

9. Every such officer so appointed to mark or seal cambrics, &c. under this act, shall yearly (while the seal remains in his custody) in the month of *June*, transmit to the excise offices in *London* or *Edinburgh* respectively, a full account, in writing, of every piece sealed by him in pursuance hereof, and a true copy of every entry made, (as in *s.* 20.) distinguishing in such accounts the several manufacturers, (if more than one,) within his district, on pain of dismissal, 4 *G.* 3. *c.* 37. *s.* 23. 7 *G.* 3. *c.* 43. *s.* 16.

10. Every such officer, or his representatives, or other persons, having the custody of such seal, &c. after his death, or in any other manner, shall, on demand thereof by the excise commissioners, deliver it up to the person appointed to receive it, on penalty of 200*l.*, to be recovered by informer, as in *s.* 28. *pl.* 14. &c., 4 *G.* 3. *c.* 37. *s.* 23. [same penalty given by 7 *G.* 3. *c.* 43. *s.* 16. *to be recovered as in s.* 21. *pl.* 14.]

11. Any cambrics, &c. (as in *s.* 1.) made in *G. B.*, and found in any house, or place therein, without being marked or sealed at each end of every entire piece, and at one end of every remnant thereof, shall be forfeited and may be seized by any officer of customs or excise, and shall be deposited in the custom-house, warehouse, or nearest excise office, and, after condemnation, publicly sold to the best bidder; and one moiety of the produce arising by the sale, after deducting charges of condemnation and sale, shall go to H. M., and the other to the officer who shall seize or sue for same; and every person selling or having in custody any cambrics, &c., as in *s.* 1., made in *G. B.*, and not marked at both ends of every entire piece, and at one end of each remnant, shall forfeit 200*l.*, to be recovered and divided, as in *s.* 28., 4 *G.* 3. *c.* 37. *s.* 24. 7 *G.* 3. *c.* 43. *s.* 17. recoverable as in *s.* 21. *pl.* 14.

12. No cambrics, lawns, or goods, &c. seized and condemned under this act, shall be consumed or worn in this kingdom, or sold otherwise than on condition of exportation, and not delivered out of the warehouse where secured, till security by bond, approved by the collector at the port of exportation, in double the value of the goods, is given by the exporter, that every part thereof shall be exported, and not relanded in *G. B.*, 4 *G.* 3. *c.* 37. *s.* 21.

13. Persons forging or counterfeiting any mark or stamp to resemble those provided in pursuance hereof, or forging, &c. the impression thereof on any goods, or importing into *G. B.* such foreign cambrics, &c. (as in *s.* 1.) with counterfeit stamp, &c. thereon, or wilfully selling, or exposing to sale such cambrics, &c. with such counterfeit stamp, &c. shall suffer death as a felon, without clergy, 4 *G.* 3. *c.* 37. *s.* 26. 7 *G.* 3. *c.* 43. *s.* 18.

14. All goods seized or condemned, and penalties inflicted under these acts, may be recovered in any court at *Westminster*, or in exchequer in *Scot.*, by action of debt or information, in the name of the attorney-general, or of any such officer of the customs or excise as aforesaid, except where otherwise hereby provided, and one moiety of the clear produce of the sale, and of all penalties inflicted, after deducting charges, shall go to H. M., and the other to the party suing, 4 *G.* 3. *c.* 37. *s.* 28., 7 *G.* 3. *c.* 43. *s.* 21.

15. A *capias* shall be the first process, and shall specify the sum of the penalty sued for; defendant shall give bail below, by natural-born subjects, persons naturalized or denizens, for his appearance at return thereof; and bail above, on such appearance, to answer all penalties incurred for such offences, if convicted; or shall render his body to prison, 4 *G.* 3. *c.* 37. *s.* 29., 7 *G.* 3. *c.* 43. *s.* 22.

16. Any action *for* [*for* here seems to mean for an *illegal recovery* under *colour* of the act,] the recovery of any of the penalties shall be brought within 12 calendar months after the cause of action arose; the venue is local; the defendant may plead the general issue, giving this act and the special matter in evidence; and if it appear to be so done, the jury shall find for defendant; or if plaintiff is nonsuit, or discontinue after appearance, or has judgment against him, on demurrer or otherwise, defendant shall recover treble costs, 4 *G.* 3. *c.* 37. *s.* 30.

17. In actions commenced against any person for any thing done in pursuance of this act, defendant shall plead the general issue, giving this act and special matter in evidence, and that same was done by authority hereof; on proof of which the jury shall find for the defendant; and if plaintiff shall discontinue after appearance, be nonsuited, or have judgment against him on verdict or demurrer; defendant shall have treble costs, 7 *G.* 3. *c.* 43. *s.* 23.

18. Where any such cambrics, &c. (as in *s.* 1.) are seized under these acts, and the owner thereof shall bring an action against a customs' or excise-officer, for any act done in pursuance thereof, the proof of the place where they were manufactured, shall lie on the owner, and not on the seizer, 4 *G.* 3. *c.* 37. *s.* 31., 7 *G.* 3. *c.* 43. *s.* 24.

19. This act shall not extend to prevent or lay any restriction on the sale or use in *Eng.* of linens really wove or fabricated in *Scot.* or *Ire.*, 4 *G.* 3. *c.* 37. *s.* 32.

CANADA.

1. FOR MAKING MORE EFFECTUAL PROVISION FOR GOVERNMENT of the province of *Quebec*, [divided into *Upper* and *Lower Canada*, 31 *G.* 3. *c.* 31. *s.* 2.] in *North America*, 14 *G.* 3. *c.* 83. [AMD. 30 *G.* 3. *c.* 29. *s.* 2. 31 *G.* 3. *c.* 31., 43 *G.* 3. *c.* 138. N. B. Acts to be done by the governor of *Canada*, may be done by the lieutenant-governor, or person administering the government thereof; see these acts *passim.*]

2. All the territories, islands, and countries in *North America*, belonging to the crown of *G. B.*, bounded on the south by a line from the bay of *Chaleurs*, along the high lands which divide the rivers that empty themselves into the river *St. Lawrence* from those which fall into the sea, to a point in 45 degrees N. lat. on the eastern bank of the river *Connecticut*, keeping the same latitude directly west, through the lake *Champlain*, until, in the same latitude, it meets the river *St. Lawrence*; from thence up the eastern bank of the said river to the lake *Ontario*; thence through the lake *Ontario*, and the river commonly called *Niagara*; and thence along by the eastern and south-eastern bank of lake *Erie*, following the said bank, until intersected by the northern boundary, granted by the charter of the province of *Pennsylvania*, in case the same shall be so intersected; and from thence along the said northern and western boundaries of the said province, until the said western boundary strike the *Ohio*; but in case the said bank of the said lake shall not be found to be so intersected, then following the said bank until it shall arrive at that point of the said bank which shall be nearest to the north-western angle of the said province of *Pennsylvania*, and thence by a right line, to the said north-western angle of the said province; and thence along the western boundary of the said province, until it strike the river *Ohio*; and along the bank of the said river, westward, to the banks of the *Mississippi*, and northward to the southern boundary of the territory granted to the merchants adventurers of *Eng.* trading to *Hudson's Bay*; and all such territories, &c. which since *Feb.* 10. 1763, have been made part of the government of *Newfoundland*, are annexed to the province of *Quebec*, or created by proclamation of *Oct.* 7. 1763, 14 *G.* 3. *c.* 83. *s.* 1.

3. Recital of the division of the province of *Quebec* into the *Upper* and *Lower Canadas*, 31 *G.* 3. *c.* 31. *s.* 2., 49 *G.* 3. *c.* 27. *s.* 14.

4. The coast of *Labrador*, from the river *St. John* to *Hudson's Straits*, and the adjacent islands, *viz.* of *Anticosti*, &c. except the *Madelaines*, are separated from *Lower Canada*, and re-annexed to the government of *Newfoundland*, as they were by proclamation of *Oct.* 7. 1763, and before their annexation to the province of *Quebec* by 14 *G.* 3. *c.* 83. *s.* 1., 49 *G.* 3. *c.* 27. *s.* 14.

5. Nothing herein shall affect the boundaries of any other colony, (*s.* 2.) or alter any right, title, or possession, derived under any grant, conveyance, or otherwise, of any lands within the province, or the adjoining provinces, 14 *G.* 3. *c.* 83. *ss.* 2, 3.

6. Provisions for government of *Canada*, previous to this act, are null, *id. s.* 4.

7. Roman catholic inhabitants of the *Canadas* shall have free exercise of their religion, subject to H. M.'s supremacy, as declared by 1 *El. c.* 1., and their clergy shall enjoy their accustomed dues, tythes, &c. with respect to persons of that religion only, *id. s.* 5. [ENFORCED 31 *G.* 3. *c.* 31. *s.* 35., with a similar provision made by H. M. in consequence thereof, by his instructions of *Jan.* 3., 1775, to Sir *Guy Carleton*, Sir *F. Haldimand*, and Lord *Dorchester*, except so far as either are varied or repealed by act of the legislative council and assembly, assented to by H. M. (as in *s.* 42.), 31 *G.* 3. *c.* 31. *s.* 35.

8. No person, professing the religion of the church of *Rome*, residing in *Canada*, shall be obliged to take the oath required by 1 *El. c.* 1. *s.* 19. (*comm. semb.*) or any other oaths, by any other act, in place thereof; but shall take and subscribe the following oath before the governor, or such other person in such court of record as H. M. shall appoint, who shall administer the same; *viz.*

'I *A. B.* do sincerely promise and swear, that I will be faithful, and bear true allegiance to H. M. king *George*, and him will defend to the utmost of my power, against all traiterous conspiracies and attempts whatsoever, which shall be made against his person, crown, and dignity; and I will do my utmost en-

deavour to disclose and make known to H.M., his heirs and successors, all treasons and traiterous conspiracies and attempts, which I shall know to be against him, or any of them; and all this I do swear without any equivocation, mental evasion, or secret reservation, and renouncing all pardons and dispensations from any power or person whomsoever to the contrary.

'So help me God.'

And for neglect or refusal to take the same, shall be liable to the same penalties as for neglect, &c. to take the oath required by 1 *El. c.* 1., [*but that* oath is repealed, 1 *W.& M. S.* 1. *c.*8. *s.*2.] 14 *G.*3.*c.*83. *s.*7.

9. All H.M.'s *Canadian* subjects within the province of *Quebec*, the religious orders and communities only excepted, may also enjoy their property and possessions, together with all customs relative thereto, and all other their civil rights, as amply as if the proclamation, commissions, ordinances, and other acts had not been made, and as may consist with their allegiance to H.M., and subjection to the crown and parliament of *G.B.*; and in all matters of controversy, relative to property and civil rights, resort shall be had to the laws of *Canada*, as the rule for decision of the same; and all causes that shall hereafter be instituted in any of the courts of justice, to be appointed within and for the said province by H.M., shall, with respect to such property and rights, be determined agreeably to the said laws and customs of *Canada*, until they shall be varied by any ordinances passed in the province by the governor, lieut.-governor, or commander-in-chief, with the advice and consent of the legislative council of the same, to be appointed as aftermentioned, [*See* 31 *G.*3. *c.*31. *s.*41. *pl.* 17. *&c.*] *id. s.*8.

10. Nothing herein shall extend to grants of land by H.M. in free socage, *id. s.*9.

11. H.M. may make provision out of the rest of the accustomed dues (as in *s.* 5. *pl.* 7.) for encouragement of the protestant religion, and for maintenance and support of a protestant clergy within *Canada*, *id. s.*6.

12. H.M. may authorize the governor of the *Canadas* to make out of the crown-lands within the provinces, such allotment and appropriation thereof, for support of a protestant clergy therein, as may bear a due proportion to the amount of lands within the same at any time granted by H.M., and in all future grants under H.M.'s authority shall at the same time be made a proportionable appropriation, and no such grant shall be valid, unless containing a specification of the lands appropriated in respect of those thereby granted; and the former shall, as near as possible, be of the like quality with the latter, equal in value to one-seventh of the lands granted, 31 *G.*3. *c.*31. *s.*36.

13. The rents or profits arising from lands so appropriated shall be applicable solely to the support of a protestant clergy within the province, and to no other purpose, *id. s.*37.

14. H.M. may authorize the governor, &c. of each province, with the advice of the executive council appointed therein, from time to time, to erect in every parish, &c. a parsonage or rectory according to the church of *Eng.* establishment, and by instrument under great seal of the province, to endow same with such allotment of lands, as he with like advice may deem expedient under circumstances of the parish, *id. s.*38.

15. H.M. may authorize the governor, &c. to present to every such parsonage, and to vacancies thereof, incumbents of the church of *Eng.* duly ordained, who shall enjoy the same as in *Eng.*, *id. s.*39.

16. Such presentation and enjoyment shall be subject to institution and a spiritual jurisdiction of the bishop of *Nova Scotia*, according to laws and canons of church of *Eng.*, *id. s.*40.

17. These provisions respecting appropriations of lands for support of protestant clergy, the endowment and constitution of parsonages, and presentation of incumbents, may be varied by act of legislative council and assembly, assented to by H.M., *id. s.*41.

18. All lands in *Upper Canada* shall be granted in free and common socage, and also in *Lower Canada*, where the grantee shall desire that tenure subject to alterations therein established by law made by H.M. with advice and consent of the legislative council and assembly, 31*G.*3. *c.*31. *s.*43., *see pl.*30.

19. If any person holding lands in *Upper Canada* by certificate of occupation under authority of the governor and council, and having power to alienate same, shall surrender them to H.M. by petition to the governor, setting forth that he is desirous of holding the same by that tenure, the governor shall thereupon make a fresh grant in free socage, *id. s.*44.

20. But such surrender and grant shall not bar any right to such lands, which other persons may have, *id. s.*45.

21. Every owner of lands, goods, or credits in *Canada*, having a right to alienate the same in his lifetime by deed of sale, gift, or otherwise, may devise or bequeath the same at his death by will executed according to the laws of *Canada* or of *Eng.*, *id. s.*10.

22. The criminal law of *Eng.* shall be administered and observed as law in the *Canadas*, as well in the description of the offence as in the method of prosecution and trial and the punishments and forfeitures thereby inflicted, to the exclusion of every other mode which prevailed before 1764, subject to such alterations and amendments as the governor, lieut.-governor, or commander-in-chief, with advice and consent of the legislative council, shall cause to be made therein, 14 *G.*3. *c.*83. *s.*11.

23. Nothing herein shall prevent H.M., by letters patent under great seal of *G.B.*, from appointing such courts of criminal, civil, and ecclesiastical jurisdiction within the *Canadas*, and appointing the judges and officers thereof, as he shall think necessary, *id. s.*17.

24. ALL OFFENCES COMMITTED WITHIN ANY OF THE INDIAN TERRITORIES, or parts of *America*, not within the *Canadas*, or any civil government of the *United States*, shall be deemed offences of the same nature, and shall be tried and punished as if committed in the *Canadas*, 43 *G.*3. *c.*138. *s.*1.

25. The governor of *Lower Canada* may, by commission under his hand and seal, authorize any persons, wheresoever resident, to act as justices of peace for any *Indian* territory, &c. (as in *s.*1.) as well as within *Canada*, on informations taken or given within the former or latter, for the purpose only of hearing offences, and committing the criminals to safe custody in order to their being conveyed to *Lower Canada*, to be dealt with according to law; and any person may apprehend, and take before any persons so commissioned, or convey to *Lower Canada* any such offender, *id. s.*2.

26. Such offenders shall be tried in the courts of *Lower Canada*; or if the governor shall think that justice may more conveniently be administered in *Upper Canada*, and shall by instrument under the great seal of *Lower Canada* declare the same, then in those of *Upper Canada*, and shall be punished according to the law of the province where they are tried; the crime may be laid to have been committed within the jurisdiction of such court, which may proceed to trial, and issue subpœnas and other process accordingly, which subpœnas, &c. shall be executed, as well in the *Indian* territory, &c. (as in *s.* 1.) as within the limits of the jurisdiction of such court, *id. s.*3.

27. Where it is proved that any crime prosecuted under this act was committed by any person not a subject of H.M., and also within the limits of any colony or territory belonging to any *European* state, the court shall forthwith acquit him, *id. s.*4.

28. But subjects of H.M. shall be tried, though their offence was committed within the limits of any such *European* colony or territory, *id. s.* 5.

29. Nothing herein shall repeal within the *Canadas* any act heretofore made for prohibiting or regulating the trade or commerce of H.M.'s plantations in *America*, but those and all former statutes concerning the plantations shall be in force in the *Canadas*, 14 *G.*3. *c.*83. *s.*18.

30. There shall be within each *Canada*, *a Legislative Council and an Assembly* constituted as after described; in each of which H.M. may, with their advice and consent, make laws for the peace, welfare, and government thereof, not being repugnant to this act, all which laws so passed and assented in H.M.'s name by the governor or lieut.-governor shall be binding within the province, 31 *G.*3. *c.*31. *s.*2.

31. In order to constitute such legislative assembly in each province H.M. may, by sign-manual, authorize the governor or lieut.-governor in each province, in H.M.'s name, and under the great seal of the province, to summon to the legislative council a sufficient number of discreet and proper persons, not fewer than 7 for *Upper*, and 15 for *Lower Canada*, and H.M. may, by sign-manual, authorize the governor, &c. to summon to the legislative council, in like manner, such other persons as H.M. shall think fit, who shall then become members thereof, *id. s.*3.

32. No person under 21 years of age, or not being a natural-born *British* subject, or naturalized by act of parliament, or a subject by conquest and cession of *Canada*, shall be so summoned, *id. s.*4.

33. Every member of the legislative councils shall hold his seat for life, subject to this act, *id. s.*5.

34. Whenever H.M. shall confer on a *British* subject by patent, under great seal of either province, any hereditary title of honour of such province, descendible as limited in the patent, he may annex the hereditary right of summons to legislative council of such province descendible therewith; and the person entitled to such title may demand his writ of summons of the governor, &c. after attaining 21, *id. s.*6.

35. If any person to whom such hereditary right has descended, shall, without H.M.'s permission, signified to the legislative council by the governor, &c. have been absent from the province for 4 years, between his succeeding to such right, and his application for such summons, (if he was 21 years old on his so succeeding, or at any time between the date of his attaining that age and of such application,) or if any such person shall, before such application, have taken any oath of allegiance or obedience to any foreign power, he shall not be entitled to writ of summons, unless H.M., by sign-manual, direct him to be summoned: and the governor, &c. before granting such summons, shall interrogate him on oath, touching the above particulars, before the executive council of the province, *id. s.*7.

36. If any member of the legislative councils of either province shall

reside out of the same for 4 years without H.M.'s, or for 2 years without governor's permission, or shall take any oath of allegiance to any foreign power, his seat shall be vacant, 31 *G.3. c.*31. *s.*8.

37. Where any such writ of summons is lawfully withheld (as in *s.*7.) or vacated (as in *s.*8.) the hereditary right shall remain suspended during life, unless H. M. afterwards direct him to be summoned, but on his death shall go to the persons next entitled by descent, *id. s.*9.

38. Any member attainted of treason vacates his seat, and the hereditary right is forfeited, *id. s.*10.

39. Questions arising respecting the right of any person to be summoned or the vacancy of a seat, shall be referred to the legislative council to be determined; and either such person, or the attorney-general of such province, may appeal from their determination to H.M. in parliament, which is final, *id. s.*11.

40. The governor, &c. may, under great seal of the province, appoint and remove the speakers of the legislative councils, *id. s.*12.

41. In order to constitute such an assembly [*viz. Legislative Assembly*] in each province, H.M., by sign-manual, may direct the governor or lieutenant-governor, in H.M.'s name, under great seal of the province, to summon and call together an assembly therein, *id. s.*13.

42. In order to election of members thereof, H.M. may, by sign-manual, authorize the governor, &c. to issue a proclamation dividing such province into districts, or counties, or circles, or towns, and appointing the limits thereof, and the number of representatives for each district, [and to appoint proper returning officers for 2 years only, *s.*15.] which division and appointment shall be valid, unless otherwise provided by act of legislative council and assembly assented to by H.M., *id. s.*14.

43. No person shall be obliged to execute the office of returning officer for more than one year, or oftener than once, unless otherwise provided, (as in *s.*14.) *id. s.*16.

44. There shall not be less number of members in *Upper Canada* than 16, or in *Lower Canada* than 50, *id. s.*17.

45. Writs for election of such members shall be issued by the governor, &c. within 14 days after sealing the instrument for summoning the *assembly*, and shall be directed to the returning officers, returnable within 50 days from then date, unless otherwise provided, (as in *s.*14.) and in case of vacancy, by death of the person chosen, or by his being summoned to legislative council of province, like writs returnable as above, shall be issued in 6 days after the vacancy is notified to the proper office of issuing such writs, *id. s.*18.

46. Every returning officer shall execute such writs, *id. s.*19.

47. Members for the *districts*, *counties*, or *circles*, shall be chosen by a majority of votes of persons severally possessed for their own use and benefit of lands and tenements within such district, &c. held in freehold, fief, or roture, or by certificate of the governor and council of the province, being of 40*s.* sterling clear yearly value above all charges thereon; and members for the *towns* or *townships* shall be chosen by majority of votes of persons so possessed of a dwelling-house, and lot of ground therein, of 5*l.* clear annual value, or who having been resident thereon for a twelvemonth next, before date of writ of summons, have *bonâ fide* paid 1 year's rent for their dwelling-house, at 10*l. per ann.* or more, *id. s.*20.

48. No person shall be capable of being elected a member, or of sitting or voting in either legislative assembly, who is a member of either legislative council, or who is a minister or teacher of the church of *Eng.*, *Rome*, or any other faith or worship, *id. s.*21.

49. No person shall vote or be elected who is not full 21 years old, and a natural born, or naturalized subject, or a subject by the conquest and cession of *Canada*, *id. s.*22.

50. No person shall vote or be elected who has been attainted for treason or felony within any of H.M.'s dominions, or who is within any description of persons disqualified by act of legislative council and assembly assented to by H. M., *id. s.*23.

50. Every voter, before being admitted to vote, shall, if required, take the following oath in *English* or *French*, as the case requires:

'I, *A. B.*, do declare and testify, in the presence of Almighty God, that I am, to the best of my knowledge and belief, of the full age of 21 years, and that I have not voted before at this election.'

and, if so required, that he is duly possessed of lands, or house and ground, or has been *bonâ fide* resident, and paid rent as in *s.*20., *id. s.*24.

52. H.M. may authorize the governor in each province to fix the time and place of holding such elections, giving not less than 8 days' notice, subject to any provisions hereafter made by acts of legislative council and assembly, with royal assent, *id. s.*25.

53. And to fix the places and times of holding the sessions of such council and assembly, giving due notice thereof, and to prorogue and dissolve the same, by proclamation or otherwise, whenever expedient, *id. s.*26.

54. The council and assembly in each province shall be called together once in every 12 calendar months, and shall continue 4 years, from return-day of writs, subject to be sooner prorogued or displaced by the governor, &c. 31 *G.3. c.*31. *s.*27.

55. Questions in the above respective councils or assemblies shall be decided by the majority of voices, and when they are equal, by the speaker's casting voice, *id. s.*28.

56. No member thereof shall sit or vote till he has taken and subscribed the following oath, either in *English* or *French*, as the case requires:

'I, *A. B.*, [as in 14 *G.* 3. *c.*83. *s.* 7. *ante*, *pl.* 8,] adding, after king *George*, 'as lawful sovereign of the kingdom of *G.B.*, and of these provinces dependant on and belonging to the said kingdom.' *id. s.*29.

57. Whenever any bill passed by council and assembly is presented for H.M.'s assent to such governor, &c. he shall declare that he assents thereto, in H.M.'s name, or that he withholds such assent, or receives such bill for signification of H.M.'s pleasure, *id. s.*30.

58. The governor shall, by the first opportunity, transmit to a secretary of state authentic copies of bills assented to, and H.M., within 2 years, and by order in council, may disallow the same, which disallowance, with a certificate under hand and seal of such secretary, testifying the day of receiving the bill, being signified by governor to such council and assembly, or by proclamation, shall annul same from date of signification, *id. s.*31.

59. No bills reserved for H.M.'s pleasure shall have force till royal assent is signified by the governor's speech or message to the council and assembly, or by proclamation; (an entry of which message, &c. shall be made in journals of the council, and an attested duplicate delivered to officer of public records of province;) or unless the royal assent is given in 2 years from the date of presentment to the governor for such assent, *id. s.*32.

60. All laws in force at the commencement of this act, (*viz.* 31*st Dec.* 1791, *id. s.*48.) shall remain in force, except hereby expressly repealed or varied, or so far as they may hereafter be repealed or varied by H.M., with consent of the legislative councils and assemblies, *id. s.*33.

61. The governor and executive council of each province shall be a court of civil jurisdiction therein as before this act, subject to any other provisions made by act of council or assembly assented to by H.M., *id. s.*34.

62. Whenever any act shall be passed by the legislative council and assembly, containing any provisions to vary or repeal the declaration and provision in 14 *G.*3. *c.*83. *s.*5., or H.M.'s instructions in *s.*35. of this act, [*see supra*, *pl.* 7.] or any of the above provisions respecting appropriation of lands for support of a protestant clergy, or constituting or endowing parsonages, or presentation of incumbents, or the manner in which they hold the same; or containing any provisions relative to exercise of religious worship, or creating penalties in respect thereof; or affecting the accustomed dues or rights before mentioned, or any otherwise relating to the granting or recovering any other dues soever, to be paid for the use of any minister, priest, ecclesiastic, or teacher, or in any manner relating to the discipline of the church of *Eng.*, or affecting H.M.'s prerogative touching waste lands, every such act, previous to H.M.'s assent, shall be laid before parliament in *G.B.*, and the royal assent shall not be given till 30 days after, or if either house shall within 30 days address H.M. to withhold the same; and no such act shall be valid within either province, unless the legislative council and assembly thereof shall in the same session have presented to the governor of the province an address specifying that such act contains provisions for some of the above purposes, and desiring it to be transmitted to *Eng.* without delay, for being laid before parliament previous to signifying H.M.'s assent, *id. s.*42.

63. [Recital of 18 *G.*3. *c.*12. *s.*1., *ante*, AMERICAN COLONIES, *pl.*30—31.]

64. Nothing in this act shall prevent or affect the execution of any law made in the parliament of *G.B.* for establishing regulations or prohibitions, or imposing duties for regulation of navigation, or of the commerce to be carried on between the said provinces, or between either of them, and any other part of H. M,'s dominions, or any foreign country, or for directing payment of drawbacks. *id. s.*46.

65. All goods, the produce of any countries bordering on the *Canadas*, and legally brought into them by land or inland navigation, may be imported into *G.B.* from any ports thereof, with or without payment of duty, according to regulations for goods the produce of the *Canadas*, (provided it appear by certificate of collector, and officer of comptroller of customs, and naval officer there, that they were legally brought into the *Canadas*;) and specifying the places from which they were brought into such provinces, and subject to laws of *Canadian* imports into *G. B.*, 30 *G.*3. *c.*29. *s.*2. [and *see* 59 *G.*3. *c.*52. Table A. Inwards, *tit.* QUEBEC.]

CARRIAGES.

(STATUTES *repealed.*)

1. TO RESTRAIN all waggoners, carriers, and others, from drawing any carriage with more than 5 horses in length, 1 *G.*1. *st.*2. *c.*11. [REP. 7 *G.*3. *c.*42. *s.*57.]

2 FOR ALLOWING carts to be drawn with four horses, 16 *G.*2. *c.*29. [REP. 7 *G.*3. *c.*42. *s.*57.]

(STATUTES *in force.*)

1. FOR BETTER REGULATING CARTS, DRAYS, AND WAGGONS within the cities of *London* and *Westminster*, and the weekly bills of mortality, and for preventing mischiefs occasioned by drivers riding upon such carts, &c. 1 *G.*1. *st.*2. *c.*57. *ss.*8, 9. [AMD. *and* EXT. to within 10 miles of *London*, 24 *G.*2. *c.*43. *ss.*8,9.]

2. Every person driving any cart, dray, car, or waggon, in or through any street in *London*, *Westminster* or *Southwark*, and other streets within the weekly-bills of mortality, who shall ride upon such cart, &c. not having some person on foot to guide the same, shall, on conviction before the alderman of the ward, or one justice for the place where the offence was committed, by oath of one witness, forfeit 10*s.*, to be levied by distress and sale of his goods by warrant from such alderman or justice, to go in moieties to the poor of such place and the informer, and in default of payment shall be sent to the house of correction, to be kept to hard labour for 3 days, 1 *G.*1. *st.*2. *c.*57. *s.*8.

3. Nothing herein contained shall deprive the mayor, commonalty, &c. of *London* and the governors of *Christ's Hospital*, of any power they have to punish such offenders not having been before punished for the same offence, *id. s.*9.

4. Every driver of any cart, dray, car, or waggon, riding on the same, in the city of *London*, or within 10 miles thereof, not having some person on foot to guide the same, shall forfeit, on conviction, according to 1 *G.*1. *st.*2. *c.*57. *s.*8. *pl.*2. 10*s.* if not the owner of such carriage, and if the owner any sum not exceeding 20*s.*, to be recovered and applied as by such act (*s.*8.) is directed concerning the 10*s.* penalty, 24 *G.*2. *c.*43. *s.*8.

5. Any person may apprehend such offender and carry him before some justice, and any person who shall resist or abuse the person so endeavouring to apprehend him, or who shall endeavour to rescue the offender, shall forfeit 20*s.* to be recovered and applied as before said, *id. s.*9.

6. IF THE DRIVER OF ANY CART, CAR, DRAY, OR WAGGON, shall ride on any such carriage, not having some other person on foot or horseback to guide the same, (carts drawn by one horse only or by two abreast, and conducted by some person holding the reins, excepted,) or if the driver of any carriage soever, on any part of any street or highway shall, by negligence or wilful misbehaviour, cause any hurt or damage to any person passing or being therein, he may, under this act, without other warrant, be apprehended by any persons who shall see the offence committed, and shall be immediately delivered to a constable or other peace-officer, to be conveyed before some justice of the same county or place, on conviction before whom, by confession or oath, of one or more credible witnesses, he shall, for every offence, forfeit not exceeding 10*s.*, or shall be committed to the house of correction for not exceeding one month, at discretion of the justice, 27 *G.*2. *c.*16. *s.*7.

7. TO ALLOW CARTS USED WITHIN THE LIMITS OF THE WEEKLY bills of mortality, to be drawn with 3 horses, and to prevent the misbehaviour of the drivers of carts in streets within such limits, 18 *G.*2. *c.*33. [EXPL. *and* AMD. 30 *G.*2. *c.*22., *which act is* REP. as to its operation out of such limits by 7 *G.*3. *c.*42. *s.*57., 7 *G.*3. *c.*44. *s.*20. 24 *G.*3. *S.*2. *c.*27. *s.*8.]

8. Any person may use within the bills of mortality any cart, car, or dray, drawn by 3 horses, the (LONDON *local act*,) 2 *W.* & *M. S.*2. *c.*18. *s.*19. notwithstanding, 18 *G.*2. *c.*33. *s.*2.

9. Provided that every person who shall use any cart, &c. drawn by more than 3 horses, after they are up the hills from the water-side, shall be subject to the penalties, (*viz.* 40*s.*) of such act for drawing with more than 2, *id. s.*3.

10. No person shall use any cart, &c. within *London*, *Westminster*, *Southwark*, or the weekly bills of mortality, unless the master or owner of such cart shall place the name of the owner and the number of such cart thereon, *id. s.*4.

11. Every owner of such cart, &c. residing within such limits, shall enter his name and place of abode with the commissioners for licensing hackney-coaches, for which entry he shall pay 1*s.*, *id. s.*5. [*See as to* entry on change of property, 30 *G.*2. *c.*22. *s.*2. *pl.*16., *and as to* searching the register, 7 *G.*3. *c.*44. *s.*20. *pl.*17.]

12. No persons shall drive any cart, dray, car, or other such carriage within the cities of *London* or *Westminster*, or the suburbs thereof, or within *Southwark*, and other places in the bills of mortality, or 5 miles from *Temple Bar*, except the owner has entered his name and place of abode with the commissioners of hackney-coaches, and unless such cart, &c. has the name of the owner and the number affixed to it; and in case of neglect or refusal so to do, or of driving of such cart, &c. within such limits, the owner, residing out of such limits, and driving such cart, &c. within 5 miles of *Temple Bar*, shall be liable to the like penalties relative to such owners or drivers within such limits, which shall be recovered and applied in such manner as such penalties may be, from the owners of such carts, &c. driven within such limits, 24 *G.*3. *S.*2. *c.*27. *s.*8., general issue, treble costs, 18 *G.*2. *c.*33. *s.*10.

13. All persons driving any such cart, &c. within such limits not so marked, numbered, and entered, shall forfeit 40*s.*, and any person may detain such cart, &c. and the horses drawing the same, till the penalty is paid, *id. s.*6. [*See as to* the penalty, 30 *G.*2. *c.*22. *s.*1., *post, pl.* 15.]

14. All persons using any carts, &c. having wheels of the breadth of 6 inches, when worn, may have the same bound with iron tire of the breadth of 6 inches, and made flat, and not set on with rose-headed nails, *id. s.*7.

15. One moiety of the penalty forfeited by the driver of any cart, car, or dray, under 18 *G.*2. *c.*33. *s.*6., shall go to the party who shall apprehend and prosecute to conviction such offender, and the other to the overseers of the poor of the parish where the offence was committed, and if no such overseers, then to some other officer thereof for the use of the poor there; and if the offender on conviction under such act, before one justice, shall not, within 24 hours after conviction, pay the 40*s.* forfeited, then same may be raised by sale of the cart, &c. or horse, which shall be seized; and every justice shall issue his warrant directed to the constable or other peace-officer of the parish where such seizure shall be made, to cause sale thereof to be made, rendering overplus to the offender, after deducting the charges of sale, and the expences of seizure thereof by detaining such cart, &c. or keeping such horse until sale made, or the money forfeited be paid, 30 *G.*2. *c.*22. *s.*1.

16. Every time the property of any cart, &c. entered as in 18 *G.*2. *c.*33 *s.*5. *pl.*11. directed, shall be changed, the new owner shall, within 7 days after he shall have become owner, cause the name of the former owner to be taken off, and that of the new one painted in some conspicuous place put on, and also enter the same with the commissioners of hackney-coaches; and if any omission is made in doing so, and any person shall drive any such cart, &c. within *London*, *Westminster*, *Southwark*, or the bills of mortality, without such name put on it, and such entry made, he shall forfeit 40*s.* on conviction, either by confession, or oath of one witness before any justice for the county, &c. where the offence was done, to go in moieties as in (*s.*1.) aforesaid, and every such cart, &c. and any horse drawing same, may be seized and sold to raise the money forfeited, and the expences of such seizure, together with the reasonable charge of such sale, the housing of such cart, &c. and keeping such horse, *id. s.*2. [*See ss.*3 & 4., *tit.* CARRIER, *pl.*6—7.]

17. All persons may inspect the registers of carts, cars, and drays kept by the commissioners of hackney-coaches, and such commissioners, or their clerks, shall produce such register upon request, and shall make and give such persons a true copy of such entry herein as they shall require, on paying 4*d.* for each entry, and the like sum where only search is made, 7 *G.*3. *c.*44. *s.*20.

18. No person shall wilfully obstruct the passing or repassing, if within any public street in *London* or *Westminster*, or the weekly bills of mortality, or put or set any empty pipes, or other vessels therein, or set or place any empty cart, &c. or other carriage in any such street, &c. except only during such time as such cart, &c. shall be plying for hire in places appointed for the standing thereof, and except during the time such cart, &c. shall be waiting in any such street, &c. to load or unload goods, or take up or set down a fare; and all persons so offending herein, and being convicted thereof by confession, or by oath of one witness before any justice for the county, city, &c. where such offence was committed, shall forfeit from 5*s.* to 20*s.*, or be committed to the house of correction or other prison in the county, &c. to be kept to hard labour for not exceeding one calendar month, as any such justice shall think fit, 30 *G.*2. *c.*22. *s.*5.

19. No person shall ply for hire in *Bridge-street*, *Parliament-street*, *Great George-street*, *St. Margaret's-street*, or *Abingdon-street* in *Westminster*, or stop in any of such streets with any coach, cart, or other carriage longer than necessary, to set down or take up a fare, or load or unload goods, on pain on conviction, before one justice for *Westminster*, by confession or oath of one witness, to forfeit from 5*s.* to 20*s.*, or be committed to the house of correction in *Westminster* for 1 calendar month, and to be kept to hard labour, *id. s.*6.

20. Every driver of any carriage in *London* or *Westminster*, or in any public-street or highway within the weekly bills of mortality, who shall, by negligence, or wilful misbehaviour, prevent or hinder the free passage of any streets in *London*, *Westminster*, or the weekly bills of mortality, such, on conviction as aforesaid, (*s.*5.) shall forfeit any sum not exceeding 20*s.*, or be committed to prison as in *s.*5. *pl.*18., *id. s.*7.

21. Every person apprehended for any offence against this act, who shall refuse to give his name, and place of abode to any justice before whom brought, shall be delivered to a peace-officer, to be conveyed to the common gaol or house of correction, till he does declare the same to such or another justice, 30 *G.* 2. *c.* 22. *s.* 11.

22. All forfeitures hereby incurred, shall be levied by distress and sale of the offender's goods (restoring the overplus after the charges of distress deducted), by warrant from the justice by whom convicted, and shall go in moieties to the prosecutor and overseers of the poor (if there be any) of any parish where the offence was committed; and if none, to some other officer of such parish, for use of the poor thereof, *id. s.* 12.

23. All persons seeing any offences against this act committed, may without warrant apprehend the offender, and convey him to some constable or other peace-officer of the place, who shall carry him before some justice of the county, &c., *id. s.* 13.

24. In all actions and proceedings under this act, the inhabitants of any parish or place in which any offence is committed contrary to this act or 18 *G.* 2. *c.* 33., shall be admitted to give evidence, and be deemed a competent witness, *id. s.* 14.

25. No person punished for any offence by virtue of this act, shall be again punished for it under any other law; and in actions for any thing done under this act, the defendant may plead the general issue, and give this act and the special matter in evidence, and that same was done in pursuance hereof; and if it shall so appear, a verdict shall pass for the defendant, and if the plaintiff is nonsuited or discontinues after appearance, or has judgment against him on verdict or demurrer, the defendant shall have double costs, with usual remedy to recover the same, *id. s.* 15.

CARRIER.—(See LONDON *Porterage act*, 39 *G.* 3. *c.* lviii.)

1. FOR THE BETTER REPAIRING AND AMENDING the highways, and for settling the rates of carriage of goods, 3 *W.* & *M.* *c.* 12. *ss.* 24—35. [REP. *as to s.* 16., 18 *G.* 2. *c.* 33. *s.* 1., *and as to* highways, 7 *G.* 3. *c.* 42. *s.* 57., *and* AMD. *as to s.* 24., *by* 21 *G.* 2. *c.* 28. *ss.* 3—5.]

2. The justices for any county in *Eng.* and *Wa.*, shall, at the *Easter* quarter-sessions, yearly assess and date the prices of all land carriage of goods brought within their jurisdiction by any common waggoner or carrier, and shall certify the same to the several mayors and other chief officers of each market town within their jurisdiction; and no carrier shall take above the rates and prices so set, upon pain to forfeit 5*l.* to be levied by distress and sale of goods, by warrant of 2 justices where such offender resides, to the use of the party aggrieved, 3 *W.* & *M.* *c.* 12. *s.* 24.

3. If any common waggoner or carrier shall take any greater price for bringing goods to *London*, or to any place within the bills of mortality, than allowed by the justices of the place whence such goods are brought, for carrying goods from *London* to such place, he shall forfeit 5*l.* to the use of the party grieved, to be recovered and levied as by 3 *W.* & *M.* *c.* 12. directed, orby distress and sale of his goods, by warrant under the hand and seal of two justices for *Middlesex* or *Surry*, *London* or *Westminster*, and the clerks of peace for each county and place shall certify yearly to the mayor of *London*, and the clerks of peace for *Middlesex*, *Surry*, and *Westminster*, the rates so allowed and made, in pursuance of 3 *W.* & *M.* *c.* 12., which certificate, or an attested copy thereof, signed by the proper officer, shall be deemed evidence of such rates, 21 *G.* 2. *c.* 28. *s.* 3.

4. Every common waggoner or carrier shall place on some conspicuous part of his waggon or cart, before he shall drive the same, his Christian and surname at length, and place of abode, in large capital letters, on pain to forfeit 20*s.*, to be recovered as in *s.* 3., *id. s.* 4.

5. In actions for any thing done under this act, defendant may plead the general issue, and give this act and the special matter in evidence; and if the plaintiff is nonsuited, discontinues,, or has [a verdict, 3 *W.* & *M.* *c.* 12. *s.* 25.] [or judgment in demurrer, 21 *G.* 2. *c.* 28. *s.* 5.] against him, the defendant shall have [double, 3 *W.* & *M.* *c.* 12. *s.* 25.] [treble, 21 *G.* 2. *c.* 28. *s.* 5.] costs, with the usual remedy to recover the same, 3 *W.* & *M.* *c.* 12. *s.* 25., 21 *G.* 2. *c.* 28. *s.* 5.

6. THE JUSTICES OF PEACE FOR *London* SHALL, at the general sessions holden for *London*, next after 24*th June*, in each year, assess reasonable prices for the carriage of all goods taken up in *London*, and carried by carts, &c. licensed as herein-directed (*ss.* 1, 2.), as well in *London* as from *London* to *Westminster*, and other places not exceeding 3 miles from *London*; and shall frame rules for regulating such carts, &c. and the drivers thereof, and compel payment for carriage of goods by such licensed carts, &c. according to such prices, and annex penalties for breach thereof, not exceeding 5*l.* for one offence, as they deem proper; and at any other such sessions may alter and amend such rules, 30 *G.* 2. *c.* 22. *s.* 3.

7. All rules made, shall, within 30 days after, be printed and affixed to some public place in *London*, and be otherwise made public, as such justices in sessions seem fit, *id. s.* 4. [*See the rest of this act*, CARRIAGES, *pl.* 15—16.]

CATTLE.

(STATUTES *repealed and expired.*)

1. FOR BRINGING UP and rearing of calves to increase the multitude of cattle, 21 *H.* 8. *c.* 8. [CON. 24 *H.* 8. *c.* 7. SUSP. by 24 *H.* 8. *c.* 1. and 27 *H.* 8. *c.* 9. REV. 14 *El.* *c.* 11. (*s.* 1.) and *s.* 20., but now EXP.]

2. AGAINST TITHING young beasts called weanlings, 24 *H.* 8. *c.* 9. [CON. 14 *El.* *c.* 11. *s.* 1. &c., 27 *El.* *c.* 11., 39 *El.* *c.* 18., 1 *J.* 1. *c.* 25. *s.* 2., 21 *Ja.* 1. *c.* 28. *s.* 1., ALL EXP.]

3. FOR BUYING OF ROTHER beasts and cattle in open fair or market only, and against selling them alive in the same fair, &c., 3 & 4 *E.* 6. *c.* 19. [*semble* EXP.]

4. FOR KEEPING milch kine, and breeding and rearing calves, 2 & 3 *P.* & *M.* *c.* 3. [ENLARGED 7 *J.* 1. *c.* 8. REP. 12 *G.* 3. *c.* 71. *s.* 1.]

5. TOUCHING badgers of corn and drovers of cattle to be licensed, 5 *El.* *c.* 12. [REP. 12 *G.* 3. *c.* 71. *s.* 1. AMD. 13 *El.* *c.* 25. *ss.* 20—21., which appear EXP. since the above repeal, and that of 5 & 6 *E.* 6. *c.* 14., by 12 *G.* 3. *c.* 71. *s.* 1.]

6. AGAINST importing cattle from *Ire.* and other parts beyond the seas, 18 *C.* 2. *c.* 2. [*Semble* REP. as to imports from *Ire.*, 5 *G.* 3. *c.* 10. *infra*, *pl.* 19.]

7. FOR PREVENTING frauds in buying and selling cattle in *Smithfield* and elsewhere, 22 & 23 *C.* 2. *c.* 19. [EXP. and REP. 25 *C.* 2. *c.* 4. (EXP.)]

8. FOR PROHIBITING the importation of cattle from *Ire.*, 32 *C.* 2. *c.* 2. [Virtually REP. as to *Ire.*, by 5 *G.* 3. *c.* 10.]

9. FOR REGULATING THE buying and selling of cattle in *Smithfield*, 5 & 6 *A.* *c.* 34. *s.* 2. (*and s.* 4.) [REP. 12 *G.* 3. *c.* 71. *s.* 1.]

10. TO ENABLE H.M. to make orders and regulations more effectually to prevent the spreading of the distemper then raging among the horned cattle of the kingdom, 19 *G.* 2. *c.* 5. [CON. and ENF. 20 *G.* 2. *c.* 4., *and* 21 *G.* 2. *c.* 33. *s.* 4., 22 *G.* 2., *c.* 46. *s.* 24. *to s.* 33. *inclusive*, (*ss.* 24, 25. 27, 28, 29. 33. *seem in force.*) Cow calves not to be killed, &c. And see 22 *G.* 2. *c.* 46. *s.* 26. (EXP.) 23 *G.* 2. *c.* 23., 24 *G.* 2. *c.* 54., 25 *G.* 2. *c.* 31., 26 *G.* 3. *c.* 34. *s.* 1., 27 *G.* 2. *c.* 14., 28 *G.* 2. *c.* 18., 29 *G.* 2. *c.* 28. *s.* 2., 30 *G.* 2. *c.* 20., (all EXP.)]

11. TO INDEMNIFY all persons for advising or executing the orders in council made to prevent the spreading of the murrain among the horned cattle, and for extending, &c. and continuing same, 10 *G.* 3. *c.* 4. [CON.] to 29*th Sept.* 1774, 12 *G.* 3. *c.* 51. [EXP.]

12. TO PREVENT the further spreading of the contagious disorder amongst the horned cattle in *G.B.*, 10 *G.* 3. *c.* 45. [CON. 12 *G.* 3 *c.* 51., and till 29*th Sept.* 1776, 14 *G.* 3. *c.* 86. *s.* 13. (EXP.)]

13. FOR PROHIBITING export of live cattle and other flesh provisions from *G.B.* for a limited time, 11 *G.* 3. *c.* 37. [EXP.]

(STATUTES *in force.*)

1. AGAINST IMPORTING cattle from *Ire.* and other parts beyond the seas, 18 *C.* 2. *c.* 2. (and see *s.* 4.) [AMD. 20 *C.* 2. *c.* 7. MADE PERP. 32 *C.* 2. *c.* 2. *s.* 2. REP. as to *Ire.*, 5 *G.* 3. *c.* 10., 5 *G.* 3. *c.* 1., 8 *G.* 3. *c.* 9., which are MADE PERP. 16 *G.* 3. *c.* 8.]

2. Importation of cattle is a common nuisance, and any great cattle, sheep, or swine, beef, pork, or bacon, (other than ship's provisions, not exposed to sale) so imported, may be seized by any *person soever* [32 *C.* 2. *c.* 2. *s.* 3.], and kept for 48 hours in some public place where the seizure is made; during which time, if the owner shall make it appear to some justice of the county, by oath of two credible witnesses, that the same were not imported from parts beyond sea, they shall be re-delivered by his warrant without delay, but in default thereof are forfeited, one-half to the use of the poor of the parish, and the other to that of the seizers, 18 *C.* 2. *c.* 2. *s.* 1., as AMD. by 32 *C.* 2. *c.* 2. *s.* 3.

3. Nothing in these acts shall hinder the import of 600 *Manx* cattle yearly to be landed at the port of *Chester*, or some of its members only. 18 *C.* 2. *c.* 2. *s.* 3., 20 *C.* 2. *c.* 7. *s.* 9. [Old regulation included *Liverpool*, and *Wirewater*, 15 *C.* 2. *c.* 7. *s.* 21.]

4. Any person may seize cattle so imported, and shall have the benefit of the seizure given by 32 *C.* 2. *c.* 2. *s.* 5. *&c.*, 20 *C.* 2. *c.* 7. *s.* 3., 32 *C.* 2. *c.* 2. *s.* 3.

5. The seizor shall cause them to be killed in 6 days after conviction; and the hides and tallow thereof shall be to his use, and the remainder shall be forthwith distributed among the poor by the churchwardens and overseers, on notice given them by such seizors, 32 *C.* 2. *c.* 2. *s.* 5.

6. Every such seizer or overseer, &c. neglecting their respective duties herein, shall forfeit 40*s.* for every one of the great cattle, and 10*s.* for every sheep or swine which should have been so killed and distributed; one moiety to the poor and the other to the informer;

to be levied by distress and sale, with costs, under justice's warrant, on conviction of the offender by confession, view of justice, or oath of any witness, except the informer; and for default, the offender shall be committed to county-gaol for 3 months, 32 *C.* 2. *c.* 2. *s.* 6.

7. Where no such seizure is made in the parish or place where such cattle are first imported, the inhabitants thereof, neglecting to make the same, shall forfeit 100*l.* for the use of the county house of correction; and this and all other penalties inflicted by this act, or by 18 *C.* 2. *c.* 2., shall be accounted for to such persons, at such times, and in such manner, as the overseers of the poor are to account by 43 *El.* *c.* 2., 20 *C.* 2. *c.* 7. *s.* 4.

8. Every ship, with all her tackle, in which such cattle, &c. (as in *pl.* 2.) shall be imported, shall be forfeited, seized, and sold within one year; and the proceeds shall go, one-half to the poor of the parish where service is made, and the other to the seizor; and any justice of the county, or chief officer of port town, may issue warrant to apprehend the seamen, and all others landing or taking charge of the cattle, and may imprison them in county-gaol for 3 months, *id.* *s.* 5.

9. Where, by connivance of parish officers, such cattle are removed, and found alive in another parish or place after their first seizure, they are liable to seizure there, subject to like proof from the owner, with like benefit to the seizor and poor of the latter parish, as if they had never been seized before, 32 *C.* 2. *c.* 2. *s* 10., extending 20 *C.* 2. *c.* 7. *s.* 6.

10. Actions or prosecutions commenced against any person for any seizure under this act, shall be laid in the county where the seizure was made; and if, on the trial, plaintiff shall fail in proof that the cause of action arose there, defendant shall be found not guilty, without hearing plaintiff's evidence, 20 *C.* 2. *c.* 7. *s.* 7.

11. Defendant may plead general issue, and give 18 *C.* 2. *c.* 2. and this act, with the special matter in evidence, and shall have treble costs, if plaintiff is nonsuited, nonprossed, suffers discontinuance, or loses a verdict, *id.* *s.* 8.

12. Confederacy to elude this act, incurs the penalties of a *præmunire* in 16 *R.* 2. *c.* 5. *id.* *s.* 10.

13. No mutton or lamb shall be imported [from *Ire.* *semble* repealed by effect of act of union,] or beyond the seas, and if so imported is liable to the penalties and seizures under 18 *C.* 2. *c.* 2. *s.* 1. *pl.* 2. incurred by such importation of beef, pork, or bacon, 32 *C.* 2. *c.* 2. *s.* 8. [*sed quære.*]

14. To RENDER THE LAWS MORE EFFECTUAL FOR PREVENTING the stealing and destroying of sheep and other cattle, 14 *G.* 2. *c.* 6. [EXT. to any bull, cow, ox, steer, bullock, heifer, calf, and lamb as well as sheep, and to no other cattle, 15 *G.* 2. *c.* 34.]

15. Every person feloniously driving away, or otherwise feloniously stealing one or more sheep, &c. or other cattle of any other person, or wilfully killing the same with a felonious intent to steal the carcase, or any part thereof, or aiding any person in such offence, shall on conviction be guilty of felony, and suffer death as a felon without clergy, 14 *G.* 2. *c.* 6. *s.* 1., 15 *G.* 2. *c.* 34.

16. Every person and persons who shall apprehend and prosecute to conviction any offender herein, shall receive a reward of 10*l.* clear on every conviction, [*this reward, and the allowance* thereof in the sheriff's accounts, (*s.* 3.) are repealed by 58 *G.* 3. *c.* 70. *s.* 1. but *ss.* 2, 3. are given at length here as enactments which must still be acted upon, when the *court orders* a reward to be paid, *see* 58 *G.* 3. *c.* 70. *s.* 5.] payable in one month after by the sheriff of the county, on tendering him a certificate, signed by the judge before whom the offender was convicted, certifying such conviction, and the place where the offence was committed, and that such offender was apprehended and prosecuted by the person claiming the reward, which certificate the judge shall sign before the end of the sessions or assizes where the conviction is, and shall appoint the shares to be paid to each person, where there is more than one claimant; and if such sheriff dies, or is removed before expiration of one month after conviction, and before demand made of the said reward, (the same not being paid), the next sheriff shall pay the same in one month after demand, and certificate brought as aforesaid, on pain of forfeiting to such claimant double the sum detained, recoverable with treble costs by him, his executors, or administrators, &c. in any court at *Westminster*, by action of debt, &c. or information, with only one imparlance and no essoin allowed, 14 *G.* 2. *c.* 6. *s.* 2.

17. All sheriffs, their executors and administrators, on producing such certificates, and the receipts for the monies paid, shall be allowed in their accounts all monies, other than double the sum of money and treble costs disbursed as in *s.* 2.; and if on the account of any sheriff there is not money sufficient in his hands to reimburse him, he shall be repaid by the treasury out of the revenue of the crown, on certificate from the clerk of the pipe, *id.* *s.* 3. [*But sheriffs are not* obliged to advance such rewards from their own funds, 3 *G.* 1. *c.* 15. *s.* 4. *tit.* SHERIFF.]

18. FOR PERMITTING THE FREE IMPORTATION of cattle from *Ire.*, 32 *G.* 2. *c.* 11. [CON. and AMD. 5 *G.* 3. *c.* 10., 12 *G.* 3. *c.* 56. *s.* 5. MADE PERP. 16 *G.* 3. *c.* 8.]

19. Importation of cattle from *Ire.* may be made duty-free, 32 *G.* 2. *c.* 11. *s.* 1., 5 *G.* 3. *c.* 10. *s.* 1.

20. Where action is commenced against any person for thing done in pursuance of these acts, defendant may plead the general issue, and give these acts and the special matter in evidence; and if it is proved that the thing complained of was done in pursuance thereof, the jury shall find for defendant, and if plaintiff discontinue after appearance is nonsuited, or has judgment against him on verdict or demurrer, defendant shall have treble costs, 32 *G.* 3. *c.* 11. *s.* 2., 5 *G.* 3. *c.* 10. *s.* 2.

21. TO PREVENT THE SPREADING OF THE INFECTIOUS DISTEMPER amongst the horned cattle, 22 *G.* 2. *c.* 46. [*ss.* 24, 25. *tit.* HIDES and SKINS], and *ss.* 27, 29. [These provisions seem still in force, *sed quære*, *see s.* 29.]

22. No person shall dispose of any live cattle till they have been 40 days his property: and in proof of such property, the seller shall produce a certificate from the person of whom he purchased, signifying the time of his purchasing the same; and every person who shall sell any such cattle, without producing such certificate, and is convicted thereof by confession or oath of one or more credible witnesses, before any justice or justices of the same county, city, or place, shall, for every ox, bull, cow, calf, steer, or heifer so sold, forfeit 10*l.*, unless he make oath before such justice, &c. that such ox, &c. has been his property for more than 40 days: the penalty being recoverable as in 19 *G.* 2. *c.* 5. [EXP.] one moiety to the informer, and the other to the poor of the parish where the offence is committed, 22 *G.* 2. *c.* 46. *s.* 27.

23. Every person selling any such cattle, and giving a false certificate at their time of sale, and the person accepting the same, knowing it to be such, shall forfeit 10*l.* recoverable and applicable as in *s.* 27. *id.* *s.* 28.

24. When drovers find any of their cattle sicken on the road, so as to be unable to proceed on their journey, they shall give notice to the constable or churchwarden of the place where the beast sickens, that he may be slain and buried, having first slashed his skin, if he is deemed ill of the distemper now raging among the horned cattle, in the opinion of such constable, &c. and two substantial inhabitants of the place, whom he may summon to his assistance by note in writing, on penalty of 10*l.* to the poor of such parish, &c. from such drover for neglect hereof, or concealing or driving out of the way any such sick beast, to be levied on his goods by distress-warrant of a justice of any place where he is taken; and on non-payment shall be committed to gaol for six calendar months, or until he has paid the penalty, *id.* *s.* 29.

25. Actions commenced for things done in pursuance hereof must be brought in six months, and the venue is local; the defendant may plead the general issue, and give the special matter in evidence, and on proof that the fact was done in pursuance hereof, or that venue is laid in wrong county, or that the six months are elapsed, jury shall find for defendant, who shall have treble costs on such verdict, or if plaintiff discontinue after appearance, or is nonsuited, or have judgment against him on demurrer or otherwise, *id.* *s.* 33.

CERTIORARI.

1. FOR PREVENTING ABUSES IN PROCURING WRITS of *certiorari* out of chancery and K. B. for removing indictments found before justices of peace in their general sessions, 21 *J.* 1. *c.* 8. (*ss.* 6, 7.) [*See* rest of the statute, *tit.* PEACE (SURETY OF). AMD. virtually by 13 *G.* 2. *c.* 18. *s.* 5.]

2. Writs of *certiorari* to remove indictments of riot, forcible entry, or assault and battery from quarter sessions into K. B. shall be delivered at some quarter sessions in open court of the former, and the parties indicted shall, before allowance thereof, become bound to the prosecutors in 10*l.* in such sureties as the justices shall think fit, with condition to pay to the prosecutors in one month from conviction such costs as they shall think fit, in default whereof the justices shall proceed to trial, 21 *J.* 1. *c.* 28. *s.* 7.

3. No writ of *certiorari* shall be granted to remove any conviction, judgment, order, or other proceedings had before any justice or justices of any county, city, or place, or the general or quarter-sessions thereof, unless moved for within six months next after such conviction, &c. so had, and unless it be duly proved on oath, that the party suing forth the same hath given 6 days' notice thereof in writing to the justice or justices, or two of them before whom such conviction, &c. was had, to the end that they, or the parties therein concerned, may show cause if they think fit against granting such *certiorari*, 13 *G.* 2. *c.* 18. *s.* 5.

4. FOR PREVENTING DELAYS OF PROCEEDINGS at quarter sessions of the peace, 5 & 6 *W.* & *M.* *c.* 11. (and recital in *s.* 1.) [MADE PERP. 8 & 9 *W.* 3. *c.* 33. *s.* 1. AMD. *id.* *s.* 2.]

5. In term time no *certiorari*, at the prosecution of any person indicted, shall be granted out of K. B. to remove any indictment or presentment of trespass, or misdemeanor before trial had from before the general or quarter-sessions, but on counsel's motion, and by rule of court for granting the same before the judge or judges of K. B. sitting in open court: and the parties prosecuting the same shall find 2 manu-

captors before 1 or more justices of the county or place, or [a judge of K. B. 8 & 9 *W.* 3. *c.* 33. *s.* 2.] in 20*l.* with condition at the return thereof to appear and plead in K. B. and at their own charges to procure the issue to be tried at the next assizes for the county, if not in *London*, *Westminster*, or *Middlesex*, and if in those cities or county, then to cause it to be tried the next term, or at the sitting after the same, if the K. B. appoint no other time: and if any other time, then at such other time; and to give due notice of trial to the prosecutor or his clerk in court, [and that the party presenting such *certiorari* shall appear from day to day in K. B. and not depart till discharged by such court, of which condition mention shall be made at back of the writ under the hand of the judge taking the same, 8 & 9 *W.* 3. *c.* 33. *s.* 2.] and such recognizance and *certiorari* shall be certified into K. B. and there filed, and the prosecutor's name indorsed; and if the party prosecuting the *certiorari* being the defendant, shall not before allowance thereof procure such manucaptors, the sessions may try the indictment notwithstanding such *certiorari*, 5 & 6 *W.* & *M.* *c.* 11. *s.* 2. as AMD. by 8 & 9 *W.* 3. *c.* 33. *s.* 2.

6. If the defendant prosecuting such *certiorari* be convicted, K. B. shall give costs to the prosecutor, if he is the party grieved, or any justice, or constable, churchwarden, overseer, or other civil officer, who shall prosecute on account of any fact that concerned him as such, and within 10 days after demand, on oath, and refusal, he shall have an attachment against defendant for a contempt, and the recognizance shall not be discharged till the costs are paid, 5 & 6 *W.* & *M.* *c.* 11. *s.* 3.

7. In vacation, writs of *certiorari* may be granted by any judge of K. B. whose name shall be indorsed as well as that of the party at whose instance it is granted; and before allowance thereof, the party indicted prosecuting the same, shall find sureties, as in *s.* 2. *id.* *s.* 4.

8. Upon any *certiorari* granted within *Chester*, *Lancaster*, or *Durham*, to remove indictments, the parties indicted prosecuting the same, shall find sureties, (as in *s.* 2.) to try them at the next assizes, or general gaol-delivery; and if convicted, shall be liable to like costs, (as in *s.* 3.) *id.* *s.* 5.

9. If any indictment be against any person for not repairing highways, causeways, pavements, or bridges, and the title to repair them comes in question, on such suggestion and affidavit made thereof, a *certiorari* may be granted to remove the same into K. B., provided that the parties prosecuting such writ shall find 2 manucaptors, to be bound in recognizance with condition, as in *s.* 2. *id.* *s.* 6.

CESSAVIT.

(STATUTE *expired.*)

1. A CONTRA *formam collationis* and a *cessavit* to recover lands given in alms, 13 *E.* 1. *c.* 41. [EXP. *comm. semb.* since 31 *H.* 8. *c.* 13. 23 *H.* 8. *c.* 10.

(STATUTE *in force.*)

1. REMEDY by *cessavit*, against a tenant in fee farm, 6 *E.* 1. *c.* 4. *st. Gloucester*. [EXT. as well to leases made before the statute as after, EXPLANATIONES *st. Glouc.* *c.* 4.

2. If a man let his land to farm, [*viz.* rent,] or to find estovers in meat or cloth, amounting to the 4th part of the very value of the land, and he which holdeth the land so charged lets it lie fresh, so that the party can find no distress there for 2 or 3 years, to compel payment of the rent, or doing what is contained in the lease; after 2 years passed, the lessor shall have action to demand the land in demesne, by a writ out of chancery; and if defendant come before judgment, and renders the arrears and damages, and finds such security as the court think sufficient, to render afterwards what is contained in the lease, he shall keep the land; but if he stay till it is recovered by judgment, shall be barred for ever, *id. ibid.*

3. IN LIKE MANNER AS IN 6 *E.* 1. *c.* 4., if any withhold from his lord the service due and accustomed for 2 years, the lord shall have an action to demand the land by this writ;

'Command A. that justly, &c. he render to B. such a tenement, which A. of him held by such service, and which ought to revert to the aforesaid B. for that the aforesaid A., in doing the aforesaid service, has ceased for 2 years, as he says,' 13 *E.* 1. (*West Sec.*) *c.* 21. *s.* 1.

4. And not only in this case, but also in that of the statute of *Gloucester*, writs of entry shall be made for the heir of demandant against the heir of the tenant, and all alienees of the land, *id.* *s.* 2.

CHAMPERTY AND MAINTENANCE.

1. CHAMPERTORS ARE THEY THAT MOVE pleas and suits, or cause to be moved, either by their own or others procurement, and sue them at their proper costs, to have part of the land in variance, or of the gains, 33 *E.* 1. *st.* 1. *Definitio de Conspiratoribus.* [*See rest of the act, tit.* CONSPIRATORS.]

2. NO OFFICER OF H. M., BY HIMSELF OR OTHER, shall maintain pleas or suits in H. M.'s courts, for lands, tenements, or other things, to have part or profit thereof, by covenant made, but shall be punished for the same at H. M.'s pleasure, 3 *E.* 1. *c.* 25. (*West. prim.*)

3. NONE OF H. M.'S OR JUSTICES' CLERKS, shall receive the presentation of any church for which any plea is in H. M.'s court, without H. M.'s special licence, on pain to lose the church and his service; and no clerk of any justice or sheriff shall take part in [maintain] any matters pending in H. M.'s court, nor work any fraud, in delay or disturbance of common-right, under the above or a more grievous penalty, 3 *E.* 1. *c.* 28. (*West. prim*)

4. REMEDY ON DISTRESSES TAKEN on malicious suits in courts baron, &c. 13 *E.* 1. *c.* 36. (*West. sec.*)

5. Lords of courts and other that keep courts, and stewards, shall not to grieve those within their jurisdiction, procure others to move matters against them, and to put in surety and offer pledges, or to purchase writs, and at suit of such plaintiffs compel them to follow the county, hundred, wapentake, and other like courts, until they have made fine with them. And if any be attached on such false complaints, he shall replevy his distress, and cause the matter to be brought before the justices, before whom if the sheriff, bailiff, or other lord, will avow the distress lawful, by reason of such complaints made unto them, and it be replied that such plaints were moved maliciously against the party by solicitation or procurement of the sheriff, or other bailiffs or lords, the replication shall be admitted; and if they be convict hereupon, they shall make fine to H. M., and restore treble damages, 13 *E.* 1. *c.* 36. (*West. sec.*)

6. THE CHANCELLOR, TREASURER, JUSTICES, nor any of H. M.'s council, nor clerk of chancery or exchequer, nor of any justice or other officer, nor of any of H. M.'s house, clerk or lay, shall not receive any church, nor advowson, land nor tenement, in fee, by champerty nor otherwise, so long as the thing is in plea before us, nor shall take reward; and he that doth contrary shall be punished at H. M.'s pleasure, as well purchaser as seller, *id.* *c.* 49.

7. No officer nor other, to have part of the thing in plea, shall take upon him business that is in suit; and none on any such covenant shall give up his right to another. And if any is attainted thereof, the taker shall forfeit to H. M. so much of his lands and goods as doth amount to the value of the part purchased. And whosoever will shall be received to sue for H. M. before the justices before whom the plea shall have been pending and judgment given; but no person shall be hereby prohibited from having counsel of pleaders or learned men for his fee, or of his relations or neighbours, *Artic. sup. chart.* 28 *E.* 1. *c.* 11. or *Stat. incert. Temp.* *c.* 8. 8*voed.* 398.

8. NO PLEADERS, APPRENTICES, ATTORNIES, stewards of great men, bailiffs, nor any other, shall take for maintenance, or the like bargain, any suit against other; and all such as shall be attainted of such bargains, and such as consent thereto, shall have imprisonment of three years, and make fine at H. M.'s pleasure, 33 *E.* 1. *st.* 3. *St. of Champerty.*

9. NONE OF H. M.'s counsellors, nor of his house, nor of his ministers, nor no great man of the realm, by sending of letters nor otherwise, nor none other, shall maintain quarrels nor parties in the country, 1 *E.* 3. *st.* 2. *c.* 14. [CONF. 7 *R.* 2. *c.* 15.]

10. Where divers have made alliances to maintain parties, whereby divers have been disinherited, ransomed and destroyed, and some for fear to be maimed and beaten, durst not sue for their right, nor jurors give their verdicts; the justices of both benches and of assizes, shall enquire, hear, and determine, as well at H. M.'s suit as at that of the party, of such maintainers, bearers and conspirators, and of them that commit champerty, as justices in eyre should do; and that which cannot be determined at *nisi prius*, shall be adjourned for determination into the courts whereof they be justices, 4 *E.* 3. *c.* 11. and 7 *R.* 2. *c.* 15.

11. NONE OF H. M.'S HOUSE NOR OTHER which be near the queen or prince, or the courts, nor prelates, earls, barons, nor others, shall take in hand quarrels [suits] other than their own, nor the same maintain, for gift, promise, favour, nor fear, but every man may sue for, and defend his right according to law, 20 *E.* 3. *c.* 4.

12. LORDS AND GREAT MEN SHALL PUT OUT of their services all maintainers of quarrels, by whose maintenance many people are disinherited and delayed of their right, and many not guilty are convict and oppressed, 20 *E.* 3. *c.* 5.

13. NO KING'S COUNSELLORS, OFFICERS, nor other, shall take any quarrel by maintainance in the country, nor elsewhere, on a grievous pain, *viz.* the counsellors and H. M.'s great officers, upon a pain ordained by H. M. himself, by advice of the lords, and other officers and servants of H. M. as well in the exchequer and all his other courts, as of his own *meiny*, on pain to lose their offices, and be imprisoned and ransomed at H. M.'s will; and all other persons, upon pain of imprisonment, and to be ransomed, 1 *R.* 2. *c.* 4. CONF. as above.

14. No livery shall be given to any man for maintenance of suits or other confederacies on pain of imprisonment and grievous forfeiture. And

the justices of assize shall enquire of all them that gather together in fraternities by such livery to do maintenance, 1 *R.* 2. *c.* 7. [CONF. 20 *R.* 2. *c.* 1.]

15. AGAINST maintenance, embracery, and unlawful buying of titles, 32 *H.* 8. *c.* 9.

16. All statutes concerning champerty, maintenance, embracery, are confirmed, *id. s.* 1.

17. No person shall buy, sell or obtain, any pretended rights or titles, or take, promise or covenant, to have any right or title, of any person in or to any lands or hereditaments (except such persons which shall sell, covenant, or promise the same, or they by whom they claim, have been in possession of the same, or of the reversion or remainder thereof, or taken the rents or profits thereof, one year next before the bargain made), on pain that he that shall make any such sale, promise, covenant or grant, shall forfeit the whole value of the lands so bargained, &c. and the buyer knowing the same shall forfeit also the value of the said lands; the one half to H. M., and the other to the party that will sue for the same by action of debt, or information without essoin, *id. s.* 2.

18. No person shall unlawfully maintain, or procure any unlawful maintenance, in any action in chancery or elsewhere, where any persons have authority by commission, patent, or writ, to hold plea of lands or any matter concerning the title of lands; nor shall unlawfully retain for maintenance of any suit, any person, or embrace any freeholders or jurors, or *suborn any witness*, by letters, rewards, promises, or other sinister means, to maintain any cause, or to the hindrance of justice, or procurement of perjury by false verdict, or otherwise, upon pain to forfeit 10*l.* [40*l.* 5 *El. c.* 9. *s.* 1.; and transportation added, 2 *G.* 2. *c.* 25. *s.* 2. See PERJURY.] the one moiety to H. M. and the other to him that will sue, as in *s.* 2. *id. s.* 3.

19. Persons being in lawful possession by taking of the rents or profits of any tenements, may buy the pretended right of any other person thereto, *id. s.* 4.

20. The justices of assize shall, in every county, twice a year, *viz.* in their sittings, cause proclamation to be made, as well of this act as of all other statutes against unlawful maintenance, champerty, embracery, or unlawful retainers, *id. s.* 5.

21. This act shall not charge any person with the penalties, except the offender be sued within one year after the offence committed, by action of debt, &c. or information without essoin, &c. *id. s.* 6.

CHARITIES.

(STATUTES *repealed and expired.*)

1. To REFORM deceits and breaches of trust touching lands given to charitable uses, 39 *El. c.* 6. [REP. 43 *El. c.* 9. *s.* 30.]

2. SEVERAL ACTS to compel production of the accounts of the effects of the "Charitable Corporation for relief of industrious poor, by assisting them with small sums on pledges at legal interest," 5 *G.* 2. *cc.* 3. 31. 6 *G.* 2. *cc.* 2. 35. (*ss.* 1—28.) 36. EXP.

3. FOR PROCURING on oath returns of all charitable donations for the benefit of poor persons in the several parishes and places in *Eng.*, 26 *G.* 3. *c.* 58. [*sembl.* EXP. *see ss.* 3. 7, *&c.*]

(STATUTES *in force.*)

1. To REDRESS THE MISEMPLOYMENT OF LANDS, goods, and stocks of money heretofore given to charitable uses, 43 *El. c.* 4.

2. [Whereas lands, tenements, rents, annuities, profits, hereditaments, goods, chattels, money, and stocks of money, have been heretofore given, limited, appointed, and assigned, as well by H. M. and her most noble progenitors as by sundry other well-disposed persons, some for relief of aged, impotent, and poor people; some for maintenance of sick and maimed soldiers and mariners, schools of learning, free schools, and scholars in universities; some for repair of bridges, ports, havens, causeways, churches, sea-banks, and highways; some for education and preferment of orphans; some for or towards relief, stock, or maintenance for houses of correction; some for marriages of poor maids; some for support, aid, and help of young tradesmen, handicraftmen, and persons decayed; and others for relief or redemption of prisoners or captives, and for aid or ease of any poor inhabitants concerning payments of fifteenths, setting out soldiers, and other taxes, which lands, &c. nevertheless have not been employed according to the charitable intent of the givers.] The lord chancellor and chancellor of the duchy for lands within the county palatine of Lancaster, may respectively award commissions under their seals, according to their several jurisdictions, to the bishop of every several diocese, and his chancellor, and other persons, authorising them, or any four of them, to enquire, as well by oaths of an inquest of 12 men of the county, as by all other lawful means of all gifts and limitations of lands, tenements, and hereditaments, money or effects to the above charitable uses, and of the abuses, frauds, and mismanagements therein; and the orders of the commissioners for due and faithful application thereof, on calling the parties interested, and on enquiry, by oaths of 12 men, (to whom the parties interested may have their challenges) shall be executed, (if agreeable to the laws of the founders) until reversed, on complaint of party grieved, by order of either such chancellor in his respective jurisdiction, 43 *El. c.* 4. *s.* 1.

3. This act does not subject to the commissioners' enquiry, any such donation (as in *s.* 1.) to any college or hall in *Oxford* or *Cambridge*, or to the colleges of *Westminster*, *Eaton* or *Winchester*, or to any cathedral or collegiate church in the realm, *id. s.* 2. [*and see the like* and other exceptions in 52 *G.* 3. *c.* 102. *ss.* 10—13., 58 *G.* 3. *c.* 91. *s.* 12., and 59 *G.* 3. *c.* 81. *s.* 7. from the commissions by those acts appointed.]

4. Nor to any city or town corporate, or to any lands or tenements given to such uses within any such city or town corporate, where a special governor is appointed to govern the same, nor to any college, hospital, or free school, which have special visitors, governors, or overseers appointed by their founders, *id. s.* 3.

5. This act shall not prejudice the jurisdiction of the ordinary, *id. s.* 4.

6. No person having any such lands, &c. (as in *s.* 1.) in his possession, or pretending title thereto, shall be named or serve as a juror or commissioner under this act, *id. s.* 5.

7. Purchases for valuable consideration of any estate or interest in any lands or chattels (as in *s.* 1.) which are so given to any charitable uses (as in *s.* 1.), without fraud, having no notice thereof, shall not be impeached by decrees of the commissioners; but they, or any four of them, may decree recompence to be made by any person (or his heirs, executors, or administrators, having assets in law or equity) who being in trust, or having notice of the above charitable uses, shall break the former, or defraud the latter, by any conveyance, gift, or conversion soever, *id. s.* 6.

8. This act shall not extend to lands, &c. conveyed, &c. to *H.* 8. *E* 6. or *M.* except such as have been so granted out since the beginning of this reign, *id. s.* 7.

9. All orders and decrees of the commissioners, or of any four of them, shall be certified under their seals, either into the chancery of *Eng.* or that of the county palatine of *Lancaster*, within the time limited in the commissions, *id. s.* 8.

10. The said chancellors shall, at their discretion, take or order the due execution of such decrees or orders, *id. s.* 9.

11. Parties aggrieved by any of the commissioners' orders or decrees, after certificates made (as in *s.* 8.), may complain to the said chancellors, according to their several jurisdictions, for redress therein, who shall proceed to hear and determine the same, and in so doing may annul or alter any such order as appears to them consistent with equity, and with the true intent of the founders; and shall tax costs at their discretions against persons so complaining without just cause, *id. s.* 10.

12. FOR BETTER COLLECTING CHARITY MONEY ON BRIEFS BY letters patent, and preventing abuses in relation to such charities, 4 *& 5 A. c.* 14.

13. Upon the issuing of letters patent for collecting of charity money, called *briefs*, copies to the number required by the petitioners, and no more, shall be printed by H. M.'s printer at the usual rates, and delivered to such persons as by the petitioners are appointed to dispose of the copies, who shall give a receipt expressing the number; which receipt, or an attested copy thereof, the printer shall deliver to be filed in the register's office in chancery. And the persons undertaking the collection shall cause to be indorsed on the printed copies, one or more of the commissioners' names, written with their own hands, and the time of signing thereof; and the same copies to be stamped, as after mentioned; and to be delivered to the church and chapelwardens, and preachers of every separate congregation, and to any person who hath preached in any quakers' meeting in the places comprised in the letters patent: and the churchwardens and preachers, immediately after receipt, shall indorse the time of receiving, with their names thereto. And the churchwardens shall forthwith deliver over the briefs received to the ministers and curates; who shall indorse the time they received the same, with their names thereto. And the ministers, curates, and preachers, shall on some *Sunday* in 2 months after receipt thereof, immediately before preaching, openly cause to be read such briefs in their respective places of meeting. And the churchwardens and teachers of such separate congregation, and quakers, shall collect the money that shall be given in the assemblies, or by going from house to house, as the briefs shall require: and the sum collected, place and time, shall be indorsed and signed by the minister or curate, and churchwardens, and by the teacher and 2 substantial persons of such separate congregation: and thereupon the persons required to make the collection, on request of persons undertaking to disperse the briefs, shall deliver to such person the briefs indorsed, and monies collected, taking a receipt in some book to be kept for that purpose: on pain that every the said ministers, curates, preachers, and churchwardens, neglecting the matters aforesaid, shall forfeit 20*l.* And the persons dispersing the briefs shall in 6 months demand the briefs and monies received, and give receipts for the same, on pain of 20*l.*, *id. s.* 1.

14. The undertakers to disperse briefs shall make entry in a book (to

which persons concerned may have recourse) of the number of briefs by them received, when signed and sent away, to what places, when received back, and the monies thereon collected; the said printed copies so received back, to be left with the register of chancery: and if the whole number shall not be returned, the undertaker for every copy not returned, shall forfeit 50*l*., unless he make proof in chancery of the briefs wanting being lost by inevitable accident, and of what money was collected thereon. And a register shall be kept by the respective teachers of all monies collected, inserting the occasion of the brief, and the time when collected, to which all persons may resort without fee, *s*. 2.

15. On the back of the printed copy shall be printed the form of indorsement, with blanks for time, place and sum of money, to be filled up; which copy (before it be carried where the collection is to be made) shall be stamped by the register of chancery, who is to see that no greater number be stamped, than is in the receipts given to the printer. And every person who shall forge or counterfeit such stamp, shall be set on the pillory 1 hour, *id. s*. 3. [*Pillory* abolished in this case, *See that title*.]

16. The undertakers, in 2 months after receipt of the monies, and notice to sufferers, shall account before a master in chancery, to be appointed by the lord chancellor; and the master shall report what is found due, which being confirmed as usual, shall be a charge on the undertakers as if decreed in a suit. And the master shall make allowances to, and examine fraud in undertakers and their agents; and the chancellor may fine such offenders; which fine, and all forfeitures of the said undertakers and agents, shall be for the benefit of the sufferers, and be recovered by order of the court of chancery founded on such report, *id. s*. 4.

17. All penalties inflicted on others than undertakers and their agents shall be recovered by action of debt or information, *id. s*. 5.

18. All farming and purchasing such charity-money is unlawful and void; and each person agreeing to purchase the benefit of such brief shall forfeit 500*l*. for the benefit of the sufferers, to be recovered as last before mentioned, *id. s*. 6.

19. For extending so much of the powers of 33 *G*. 3. *c*. 54. (*see* Friendly Societies) as relates to the forming rules and regulations for the better management of the funds of such societies, and the appointment of treasurers to other institutions of a charitable nature, 35 *G*. 3. *c*. 115. *s*. 2, 3.

20. The governors, directors, managers, or members of any institution for the relief of widows, orphans, and families of the clergy, and others in distressed circumstances, may frame rules for the management of their funds, and may amend and alter the same, and make new ones, and may procure the same to be presented to the justices for their confirmation at any time before the *Michaelmas* sessions, 1796, and to be registered under and subject to the same conditions as societies established under 33 *G*. 3. *c*. 54. are directed to make, alter, &c. and register their rules *id. s*. 2.

21. The governors, directors, managers, or members of any such institution, whose rules shall be so confirmed and registered, may appoint a treasurer, who shall give security as by 33 *G*. 3. *c*. 54. *s*. 4. directed, and who shall account for their funds, and the same shall be vested in him; and all the powers, rules, conditions, &c. in such act contained, as to appointment of treasurers for taking security, and for protecting, securing, or recovering their funds, shall extend to such institutions, and the same shall be enjoyed and put in execution accordingly, *id. s*. 3.

22. For registering and securing of charitable donations, 52 *G*. 3. *c*. 102.

23. A memorial or statement of the real and personal estate, gross annual income and investment, and the general and particular objects of every charity and charitable donation for benefit of any poor or other person in *Eng*. or *Wa*., founded, benefited, increased, or secured, with the names of the founders or benefactors where known; and also of the person in whose custody the deeds, wills, and other instruments whereby such charities have been founded, &c. may be; and also of the then trustees, feoffees, or possessors of such real or personal estate, shall, within 6 months from 9 *July*, 1812, be registered by the latter, or some or one of them, as in *schedule* of the act, in the office of the clerk of the peace of the county, or city, or town, if a county of itself, within which such poor or other person is: which memorial, signed by the person registering the same, shall be left in the office of the clerk of the peace, who shall forthwith transmit a copy to the enrolment office of chancery, *id. s*. 1.

24. A like memorial shall be registered, left, and transmitted within 12 months after the decease of any person who shall found, &c. (as in *s*. 1.) any charity, &c. by deed or will, *id. s*. 2.

25. All clerks of the peace in *Eng*. and *Wa*., shall, as occasion requires, provide proper books of parchment or vellum for entry of such registers therein, and every such original, memorial, and book so provided, shall be carefully preserved for public use and inspection in the office to which it belongs, with a correct index of such charities, distinguishing each by the name of its founder, or by its most general appellation, *id. s*. 3.

26. Where the persons to be benefited shall not be wholly within one county, then the clerk of the peace of the county where the charity is registered, shall forthwith notify in the *London Gazette*, the name and title thereof as entered in such index, the names of the places wherein the objects of the charity are, its particular or general objects, and the name of the county where the memorial is registered, 52 *G*. 3. *c*. 102. *s*. 4.

27. If such donations are not duly registered (as in *s*. 1.), any two persons interested in the charity, may petition the lord chancellor, master of the rolls, or court of exchequer, who shall summarily hear the same, and on affidavits or other evidence, shall make such order therein, and as to the costs of the application and proceedings, as seems fit, *id. s*. 5.

28. No proceedings under these provisions shall decide any title as to the property registered, or persons interested therein, *id. s*. 6.

29. Every clerk of the peace shall, when required, make searches and give copies of the memorials hereby directed to be entered in his office, to any person tendering the proper fee (as in *s*. 8.), *id. s*. 7.

30. He shall have 4*s*. for registering such memorial if it does not exceed 400 words; if exceeding that number 1*s*. per 100 words in the entry, and like fees for every copy of any entry given out of such register; and he shall have the costs of every notification in the *London Gazette* (as in *s*. 4.), with the further sum of 10*s*. for drawing and inserting the same, and transmitting the copy to the enrolment-office, (as in *s*. 1.) *id. s*. 8.

31. Where any difficulty occurs in preparing such statements, the quarter sessions may, on motion to them and examination of the circumstances, grant more time for the purpose, not exceeding six calendar months, *id. s*. 9.

32. The quarter sessions may allow to the person registering such memorial, the reasonable costs of preparing, registering, notifying, and transmitting the same, with reference to the income of the charity, and the sums so allowed, may be deducted by such persons from the funds in their hands; but, no such costs shall be allowed, unless stated to the quarter sessions on the declaration in writing of the applicant, signed by him, that such statement is true, and contains to the best of his belief a true account of all the property and objects of the charity, the names of its benefactors, and of the persons having the custody of the title-deeds and of the feoffees, trustees, &c. (as in *s*. 1.) of the charity property, *id. s*. 10.

33. These provisions do not extend to charitable donations, not secured on lands, or directed to be so secured, or permanently invested in government, or public stocks, or securities, nor to any charitable donation, which, by the donor's direction, or by lawful rules of the institution, may be wholly or in part expended in the charitable purposes for which it is given, at discretion of the governors or trustees of any charitable institution, *id. ibid.*

34. This act does not extend to any hospital, school, or charitable institution, founded, improved, or regulated by H. M., or any of his predecessors, or of any special act particularly relating thereto; or to any charitable donation under superintendance of any such royal hospital, or to the governors of the corporation for relief of poor widows, and children of clergymen, nor to any friendly society, the rules of which are legally confirmed, nor to either of the *English* universities, their colleges or halls, nor to charitable gifts or foundations under their control, nor to the *Radcliffe* infirmary in *Oxford*, nor to *Westminster*, *Eton*, or *Winchester* colleges, the Charter-house, the cathedrals, or collegiate churches in *Eng*. and *Wa*., the Trinity-house of *Deptford Strond*, nor to funds applicable to charitable purposes for benefit of any *Jews*, *id. s*. 11.

35. Nor to charitable institutions of quakers under superintendance of quakers, *id. s*. 12.

36. Nor to charitable foundations, the accounts of which are directed to be annually passed in the court of chancery, nor to any charity or charitable foundation, not exceeding 40*s*. in annual gross income, and of which the trustees, feoffees, or possessors, shall, in 6 months from this act passed, deposit in the hands of the minister of the parish a statement in writing as in the schedule to be deposited by him in the parish chest, *id. s*. 13. [*See the like* and other exceptions in 43 *El. c*. 4. *s*. 2., 58 *G*. 3. *c*. 91. *s*. 12., and 59 *G*. 3. *c*. 81. *s*. 7., from the commissions by those acts appointed.]

37. Where any corporation, guild, or fraternity, are entrusted with the distribution of divers charities, or of the rents and profits thereof, they may be stated in one memorial, *id. s*. 14.

38. Saving to H. M. and all other persons, their powers of superintending and regulating charities, and the property and funds thereof, as before this act, *id. s*. 15.

39. For appointing commissioners to enquire concerning charities in *Eng*. for education of the poor, 58 *G*. 3. *c*. 91. [Public *clause*, *id. s*. 16. Amd. and Ext. to other charities in *Eng*. and *Wa*., 59 *G*. 3. *c*. 81. *Both* Exp. at end of the session next after 1*st Aug*. 1823. (*id. s*. 15.) and Amd. by 59 *G*. 3. *c*. 91. *s*. 4.]

40. 58 *G.*3. *c.*91. and 59 *G.*3. *c.*81. shall be construed together as one act so far as they are consistent with each other, 59 *G.*3. *c.*81. *s.*10.

41. H.M. may appoint, under the great seal, any number of commissioners, not exceeding 20, [14 only were required by 58 *G.*3. *c.*91. *s.*1.] for the purposes of these acts; and they or any 2 of them [3 were required, *id. ibid.*] shall have power to investigate the amount, nature, and application of all estates and funds soever, and their produce destined or intended to be applied for education of the poor in *Eng.* and *Wa.* [or to the support of any charity, or to charitable donations for benefit of poor persons, or held under trusts created for any charitable uses or purposes soever, except as in *ss.*7—8. *pl.*55—56. excepted 59 *G.*3. *c.*81. *s.*5.] and to investigate all breaches of trust, abuses, or misconduct in the management or appropriation of such estates and funds, and they [or any 5 or more of them, 59 *G.*3. *c.*81. *s.*1.] shall report and certify their proceedings to H.M. [the report to both houses of parliament required by 58 *G.*3. *c.*91. *s.*1., is repealed by 59 *G.*3. *c.*81. *s.*2.] half-yearly in writing, under their hands and seals, specifying the amount, management, and appropriation of the estates and funds enquired into by them, the nature thereof respectively, their actual annual produce and value, and who are tenants in possession of the estates; adding observations on the best methods of recovering any part of such estates or funds, which has been misapplied, or omitted to be applied in pursuance of the trusts created in respect thereof, and of securing such estates, &c. and their produce against future misapplication, 58 *G.*3. *c.*91. *s.*1., 59 *G.*3. *c.*81. *s.*1. *and s.*5.

42. Commissioners may employ one secretary, 5 clerks, 5 messengers, and 2 other officers, and appoint their salaries, 59 *G.*3. *c.*81. *s.*1. 58 *G.*3. *c.*91. *s.*4.

43. If, on such enquiry as in *s.*1., it appears that from any cause soever, it has become impossible to apply the estates or funds to the purposes destined, the commissioners shall report the special circumstances, 58 *G.*3. *c.*91. *s.*2.

44. The commissioners shall not be obliged to report their proceedings to either house of parliament, 59 *G.*3. *c.*81. *s.*2.

45. They shall take an oath of office before chancellor of exchequer, or master of rolls, for faithful exercise of their duty, 58 *G.*3. *c.*91. *s.*3.

46. H.M. may fill up all vacancies among the commissioners, *id. s.*11. 59 *G.*3. *c.*81. *s.*3.

47. The treasury may, from time to time, issue out of the consolidated fund, any sum not exceeding 10,000*l.* in one year, for payment of salaries to any number of commissioners, not exceeding 10, and not members of either house of parliament; out of which sum, a salary of 1000*l.* a-year shall be paid to each of them half-yearly, free and clear from all taxes, on 10*th Oct.* and *5th April*, and in case of resignation or death, the commissioners so resigning, or the executors or administrators of such commissioners so dying, shall be entitled to the proportional part, accrued during the time that such commissioner has executed his office; and the treasury in like manner may issue any further sums not exceeding 8000*l.* in one year, for payment of the travelling expences of any of the commissioners, and of the secretary, clerks, messengers, and officers, and in paying other necessary charges, as appointed in writing by the commissioners, to be accounted for by the persons to whom the money is paid, *id. s.*4. 59 *G.*3. *c.*81. *s.*4.

48. The commissioners, or any 2 of them by direction of the rest, shall, from time to time, meet and with or without adjournment hold their sittings in *Westminster* or any other place in *Eng.* and *Wa.*, most convenient for the purposes of these acts, and may require by precept under their hands and seals, any person acting as a trustee of such estates or funds, or concerned in the management, payment, or receipt of any part thereof, to render a true account of all that relates to the estates or funds under their trust or management, or on account of which they have acted in making or receiving payments, and may by like precept summon any persons to attend them at any place, not more than 10 miles from their place of abode, and to bring with them any deed, &c. or other document in their custody [or true copies of any parts thereof, 59 *G.*3. *c.*91. *s.*4.] relating to such funds or their produce, and to the receipt or non- or mis-application thereof, and such persons shall punctually attend on being paid their just and reasonable expences, 58 *G.*3. *c.*91. *s.*5. *and s.*9., 59 *G.*3. *c.*91. *s.*4.

49. Every person summoned to appear before any two or more such commissioners, who shall wilfully omit to appear, or to produce any deed or document in his possession, which he is required by their precept to produce, relating wholly to such estates or funds, or to the receipt, mis- or non-application thereof, or to the state of the schools or charities then the subject of enquiry, or to produce the true copy of any part of any such deed, &c. or who shall refuse to be sworn, or to affirm, or being sworn, or having affirmed, shall refuse to answer, or answer fully, any lawful question concerning such estates or funds, or the state of such schools and charities [except those exempted by 58 *G.*3. *c.*91.] shall pay such fine as the K.B., or exchequer shall impose on application on behalf of the commissioners, payment of which may be may be enforced by attachment, as in cases of contempt, 59 *G.*3. *c.*91. *s.*4.

50. Every 2 (*see* 59 *G.*3. *c.*81. *s.*1.) commissioners, so authorized, shall cause all examinations taken before them, and all papers and documents parts thereof to be from time to time transmitted to the secretary of the commissioners at their office in *Westminster*, 58 *G.*3. *c.*91. *s.*9.

51. *Bonâ fide* purchasers of any lands, hereditaments, or estates, without notice that the same were given or limited, &c. to any charitable use, shall not be bound after declaring the same to make further answer to commissioners' interrogatory, nor to produce to them any deed or document relating to his estate therein, *id. s.*6.

52. The commissioners may examine on oath or affirmation, all persons summoned before them, touching all things necessary for the execution of the powers vested in them, *id. s.*7.

53. No mortgagee, trustee, agent, solicitor, or attorney, shall be compellable to produce any document, of which he has charge as such, or to give evidence as to its contents, without notice first given to the mortgagor, *cestuique* trust, or principal, and the latter being first examined touching the same before the commissioners; and if such mortgagor, &c. is exempted from producing such document, the mortgagee, &c. shall not be required to produce the same, or give evidence of its contents, and no person shall be compelled to answer any question, or produce any document, where the answer or production shall tend to criminate or expose him to penalties, *id. s.*8.

54. Every person wilfully giving false evidence on such oath or affirmation (as in *s.*7.), is subject to the penalties of perjury, *id. s.*10.

55. No provisions in these acts extend to the universities of *Oxford* or *Cambridge*, or to any college or hall therein, or to any schools or endowments of which they are trustees, or to the colleges of *Westminster*, *Eton*, or *Winchester*, or to the *Charter House*, *Harrow*, or *Rugby* schools, or to any cathedral or collegiate church within *Eng.* or *Wa.*, nor to the *Trinity House* corporation of *Deptford Strond*, nor to any college, free school, or other charitable institution, or charity whatever, having special visitors, governors, or overseers appointed by the founders, nor to any funds applicable to the benefit of *Jews*, *Quakers*, or of *Catholics*, and being under the superintendance and control of persons of such persuasions; but the commissioners shall report to H.M. [and both houses, *but see pl.*44.] the names of the charities which have such special visitors, 58 *G.*3. *c.*91. *s.*12., 59 *G.*3. *c.*81. *s.*7., [*see the like* and other exceptions in 43 *El. c.*4. *s.*2., 52 *G.*3. *c.*102. *s.*10. *to s.*13.]

56. Nor to any establishment or society for charitable purposes wholly or principally maintained by voluntary contributions, and under the control of any committee or governors, or other persons appointed out of or by voluntary subscribers thereto; nor to empower the commissioners to interfere with the application of any donation or bequest to the general purposes of such an establishment, in aid of such voluntary contributions; but the management and application of the rents of any lands or hereditaments belonging to such institution for 20 years before passing this act, shall be subject to their examination at their discretion, 59 *G.*3. *c.*81. *s.*8.

57. No petition or information presented, filed, or prosecuted under this act, nor any answer thereto, nor any depositions, interrogatories, affidavits, or proceedings, nor any order or decrees on the same, or in relation thereto, nor any copies of any proceedings soever under this act, shall be liable to stamp-duty; nor shall copies of, or extracts from wills, relating to such charities, required by an order signed by two commissioners, for the purposes of these acts, from the office of the prerogative court of the archbishop of *Canterbury*, in *Doctors Commons*, or from other offices where the will has been proved, or copies of, or extracts from, any deeds so required, be charged with stamp-duty, *id. s.*6.

58. Proviso for the acts of commissioners and their agents, heretofore done in execution of 58 *G.*3. *c.*91. *id. s.*9.

59. Actions brought against any such commissioners or their agents, for any thing done by them in pursuance of these acts, shall be commenced in 6 calendar months after the cause of action accrued; defendant may plead the general issue, and give both acts and the special matter in evidence; and if such actions are brought after the time limited, the jury shall find for defendant; and in that case, or if they find a verdict for defendant on the merits, or if plaintiff discontinue after appearance, is nonsuited, or has judgment against him on demurrer, defendant shall have treble costs, 59 *G.*3. *c.*81. *s.*11., 58 *G.*3 *c.*91. *s.*3.

60. TO PROVIDE A SUMMARY REMEDY IN CASES OF ABUSES OF TRUSTS created for charitable purposes, 52 *G.*3. *c.*101.

61. FOR GIVING ADDITIONAL FACILITIES TO COURTS OF EQUITY regarding the management of estates or funds belonging to charities, 59 *G.*3. *c.*91.

62. When it appears to the commissioners appointed under 58 *G.*3. *c.*91. and 59 *G.*3. *c.*81., that the directions of a court of equity are requisite for remedying any neglect or abuse in the management of any trust created for charitable purposes, or of the estates or funds thereto belonging, or for regulating the administration thereof, any 5 or more

of them may certify the particulars of the case, in writing signed by them, to the attorney-general, who may apply summarily, in the nature of a petition, or commence a suit by information to or in the courts of chancery or exchequer, sitting in equity, setting forth the neglect or abuse, and praying relief; and the decrees of the exchequer, made according to the course of the court, shall be final, except on appeal to the lords within one year; and when such petition is made in chancery, the lord chancellor may direct the master of the rolls or vice-chancellor to hear the same, subject to his reversal of their decrees, which shall not be enrolled till signed by him, 59 *G.*3. *c.*91. *s.*1. *See the old* regulation, 52 *G.*3. *c.*101. *s.*1.

63. When any appeal is made to the lord chancellor, from any order or decree of the master of the rolls or vice-chancellor in such petition, the decree made thereon by the lord chancellor shall be final, without appeal to the lords, 59 *G.*3. *c.*91. *s.*2., [*virtually* repealing, as to appeal from the chancellor, 52 *G.*3. *c.*101. *s.*1.]

64. No petition or information presented or prosecuted under this act, nor any answer thereto, nor any depositions, interrogatories, affidavits, or proceedings, nor orders or decrees thereon, nor copies thereof, shall be liable to payment of stamp-duties, 59 *G.*3. *c.*91. *s.*3., 52 *G.*3. *c.*101. *s.*3.

65. Where it appears to the trustees of any free-school, hospital, or other charitable institution or donation within this act, that the statutes or regulations thereof are insufficient for due administration of the funds thereof, such number of them as by their regulations may do any act, may, with consent of any 5 or more commissioners, present a petition to the lord chancellor, or to the court of exchequer sitting in equity, praying relief, and the order given by either court shall be final, unless an appeal to the house of lords is entered in 2 years after the order made, 59 *G.*3. *c.*91. *s.*5.

66. Any 2 or more persons may present such a petition, 52 *G.*3. *c.*101. *s.*1. [*Qu.* how far *superseded by* 59 *G.*3. *c.*91. *pl.*62., *&c.?*]

67. Such petition must be signed by the persons preferring the same, in the presence of their solicitor, and attested by him; and an allowance thereof by the attorney or solicitor general must be certified before presenting the same (as in *s.*1.), 52 *G.*3. *c.*101. *s.*2. [*but see note to last placitum.*]

68. TO AUTHORIZE THE EXCHANGE OF LANDS, TENEMENTS, OR HEREDITAMENTS, subject to trusts for charitable purposes, for other lands, &c., 1 & 2 *G.*4. *c.*92.

69. From and after 10*th July*, 1821, any person or persons, body politic or corporate, in whom any lands, tenements, or hereditaments are vested, subject to trust for any charitable purpose, may grant and convey to any person, &c., or their heirs, successors, and assigns, or otherwise, as he or they shall direct, any such lands, &c. in exchange for any other lands, subject to the provisions of this act, and not otherwise, *id. s.*1.

70. Whenever it is thought advisable by the trustees of any lands subject to such a trust, &c. to exchange the same, or part thereof, for any other lands, &c., application shall be made to the bishop of the diocese in which the first-named lands, &c. are situate, stating the objects of the charity, the manner in which such charity-lands, &c. are become vested in such trustees, and for what reasons it may be proper that any such exchange should be made, and what benefit will be derived to the objects of the charity by means thereof, which statement shall be verified on oath before a justice of peace for the county or place where such lands are situate, upon which such bishop may direct such enquiries to be made as he thinks proper, and may require such information to be given him as he thinks necessary, previous to issuing the commission hereinafter mentioned; and in case he is satisfied that reasonable ground has been laid before him to warrant his issuing, he shall issue a commission under his episcopal seal, directed to 4 or more fit persons, 2 of whom, at least, shall be beneficed clergymen, and 1 a barrister at law of at least 5 years' standing, by which commission the commissioners therein named, or any 3 of them, 1 of whom shall be a beneficed clergyman and 1 such barrister as aforesaid, shall inquire whether, and for what reason, such proposed exchange will be beneficial to the objects of the trust, to which the charity-lands, &c. so proposed to be exchanged are subject; and for the purpose of such enquiry shall examine on oath (which oath they may administer) all persons brought before them for that purpose, and shall require the applicants for such exchange to bring before them any other persons to be examined on oath touching any matters they may deem necessary for their information; and shall also require all deeds, papers, and writings so deemed necessary, to be also laid before them, and shall direct such surveys, maps, and plans to be made of the lands proposed to be given and taken in exchange, as they think proper; and shall cause such lands, &c., and the timber and trees thereon respectively, and rights of common, and other rights belonging thereto, to be valued, so as clearly to ascertain whether, and if so, for what reason, the proposed exchange will be permanently beneficial to the charity, and whether it is proposed for the convenience of the charity, or of any other person or body, and whether the terms on which it is proposed to be made are the best which can reasonably be obtained for benefit of the charity; and shall also enquire into the title to the lands, &c. proposed to be given in exchange for benefit of such charity, so as to enable the bishop, on the return of such commission, to judge of the propriety of such exchange taking place; and shall thereupon certify to the bishop the several matters made to appear to them, together with the surveys and other evidence laid before them, closed up, under their hands and seals, to be deposited with the registrar of the diocese, 1 & 2 *G.*4. *c.*92. *s.*2.

71. Before such commissioners proceed to execute such commission, they shall respectively take this oath, administered by one to the other, and certified to the bishop, with the other proceedings under the commission:

'I, *A. B.* one of the commissioners named in a commission [*describing the commission,*] do swear, that I will faithfully do and execute all the matters by the said commission required to be done by me, and a true report make to the best of my ability, as by such commission required. So help me God.' *id. s.* 3.

72. On the return of such commission the bishop may examine the proceedings under it, and, if he sees fit, shall direct the same to be laid before some counsel for his opinion and advice thereon, and may also direct the title to the lands proposed to be given in exchange to the charity, to be examined in what manner he thinks fit; and if he thinks fit, shall cause the same to be laid before counsel for his opinion thereon; and in case the bishop is not satisfied with the return, he may issue 1 or more new commissions, directed to the same or other commissioners, that he may be fully satisfied of the propriety of such proposed exchange; and such new commission, &c. shall be executed and returned, and the returns thereto deposited with the registrar of the diocese, as in *s.*2. *pl.*70. directed with respect to the first commission; and if he is satisfied, on the return of the commission so to be issued by him, or by other and further information obtained as aforesaid, that the proposed exchange is beneficial to the charity, he may signify his approbation thereof, by signing and sealing with his episcopal seal 2 parts of the deed of bargain and sale hereinafter mentioned; and the trustees of the charity-lands, &c. proposed to be exchanged, by deed of bargain and sale, inrolled in the high court of chancery within 6 calendar months after the date thereof, may convey the lands, &c. to be given by them in exchange, to the other exchanging party; and by the same deed the lands, &c. proposed to be given to the charity in exchange, shall also be conveyed to the uses thereof, and such deed shall be acknowledged by the person making the conveyance of such lands, &c. to the uses of such charity, for the purpose of inrolment; and 2 parts thereof shall be prepared and executed, and a memorandum of the inrolment indorsed on each part; and both parts of such deed, after they have been so inrolled, shall be produced to the bishop, and a transcript of such deed, and of the memorandum of inrolment, entered in the registry of the diocese; and the bishop shall thereupon, by writing under his hand indorsed on each part, authorize delivery of possession, according to the terms of such deed, of the lands before belonging to the charity, and so conveyed in exchange; and the delivery of possession to the trustees of the charity, of the lands, &c. so conveyed to them in exchange, and the execution of both parts of such deed by the several parties thereto, and the signing of such authority for delivery of possession, shall be attested by 2 or more credible witnesses, which attestation shall be indorsed on both parts of such deed; and the attestation of the execution of such deed by the trustees of the charity-lands thereby conveyed shall express that both parts of such deed were signed by the bishop before execution thereof by such trustees; and a transcript of such authority, and of such several attestations, shall be entered in the registry of the diocese, and one part thereof shall remain with such trustees for the benefit of the charity, and the other part shall be delivered to the person or body to whose use the charity-lands, &c. are thereby conveyed in exchange, *id. s.* 4.

73. Before any such commission issues, three months notice shall be given of the intention to propose such exchange, by inserting the particulars, extent, situation, and tenure of the lands, &c. respectively proposed to be given and taken in exchange, for 3 successive weeks in some one and the same newspaper generally circulating in that part of the country where the lands, &c. are situate; and also by affixing such notice in writing on a conspicuous part of the door of the church or chapel of each parish or chapelry wherein they or any part thereof are situate, on 3 successive *Sundays* whereon divine service shall be performed, and shortly before its commencement, *id. s.* 5.

74. Where there were originally two or more trustees of charity lands proposed to be exchanged under this act, which number is reduced by death or otherwise, such vacancies shall be filled up in the usual manner, prior to any application for an exchange pursuant to this act, except where the trustees living and capable of acting are 6 or more, in which cases the majority shall signify their consent to any proposed exchange in writing, by signing the application to the bishop to authorize the

same; and when the original trustees have been fewer in number than six, and more than three, then the consent of not less than four of them shall be so signified to the bishop; and if the original trustees have been only three or two, the consent of all shall be signified by all; or if there be originally only one trustee, the consent of the then sole trustee shall be so signified; and if any body politic or corporate is a trustee for any such charity lands, &c. such consent shall be signified under seal of the corporation, whether aggregate or sole, having a corporate seal, which signatures, and affixing of seals respectively, shall be attested by two or more credible witnesses, 1 & 2 *G.* 4. *c.* 93. *s.* 6.

75. In all cases where it shall not appear in whom charity lands, &c. are vested, the bishop of the diocese where they are situate, on sufficient proof of the fact, by instrument in writing under his hand and seal, may nominate proper persons to act as trustees for the charity, for the purposes of such exchange, before any other proceedings are had therein, which trust the nominees shall accept, by executing such instrument, before acting in such trust; and the trustees may do all things necessary for the purpose of such exchange, as if the lands, &c. subject to such charitable purposes had been duly vested in them for the same, and may convey the charity lands proposed to be exchanged under this act: provided, that if it at any time afterwards appears in whom such lands, &c. were actually vested at the time of such exchange, the person or body, in whom they are then vested by means of such exchange, may obtain, at their own expence, a confirmation thereof by conveyance from such person; but the defect of title of the trustees so to be nominated by the bishop shall not prejudice the title to the lands, &c. received in exchange in trust for such charitable purposes, but the same shall be held and enjoyed for the same purposes, notwithstanding the lands, &c. originally subject thereto, and so given in exchange, were not vested, except by authority of this act, in the persons who may have conveyed the same in exchange under such authority, *id. s.* 7.

76. Under the several provisions of this act, but not otherwise, any trustees of any lands, &c. vested in them, either alone or jointly with any other trustees for any charitable purpose, may convey or join in conveying, as the case is, any such trust lands, &c. in lieu of and exchange for any other lands, &c. of which they shall be seised in fee, to their own use and benefit; provided, that in every such case the bishop on application, (as in *s.* 2. *pl.* 70.) and before other proceedings had therein, shall nominate and appoint some one or more proper persons, not interested in such exchange, to act as trustees on behalf of the charity, in the matter of such exchange, instead of the trustees so disqualified to act therein; and the concurrence of the persons so to be appointed to act as temporary trustees, shall be necessary in all subsequent proceedings relating to such exchange, *id. s.* 8.

77. In case the title of any person or body, by whom any lands, &c. are attempted to be conveyed in exchange for any charity lands, &c. shall at any time appear to be in any way defective, so that such lands, &c. shall in all or part be recovered from the trustees, &c. in whom they have been vested in exchange under authority hereof, or shall be in any manner incumbered, then the trustees, &c. in whom such lands, &c. or any part thereof, ought to have been vested indefeasibly for charitable purposes, shall enter on the original charity lands, &c. conveyed in exchange as above, and hold them according to the original right before the exchange, for benefit of the charity, in case the lands, &c. intended to have been vested by way of exchange for the purposes of the charity are wholly or partially evicted, or in any way incumbered, then to hold them for indemnifying the charity against the consequences of any such partial eviction or incumbrance, and till full satisfaction made to the charity for such defect of title, and all costs incurred in consequence, *id. s.* 9.

78. No part of the expences attending any such exchange shall be paid out of the funds of any charity, unless it is made appear to the bishop on application for such exchange, that it is solely intended for the benefit of such charity, and for no other purpose, and is in respect of such convenience advantageous to the charity, notwithstanding any expence incurred in effecting it; and then so much of such expences only shall be so borne as the bishop shall find reasonable, and shall, by instrument under his hand, declare to be, in his opinion, an expence incurred for benefit of the charity, and such as ought to be discharged out of its funds, *id. s.* 10.

79. Where charity lands, &c. are within a peculiar jurisdiction, application for exchange under this act shall be made to the bishop, and to no other authority, and the bishop shall proceed in the same manner, as if such charity lands, &c. were within his jurisdiction as diocesan; and if they are within two or more dioceses, application shall be made to the several bishops thereof, to direct before which of them the proceedings touching such exchange shall be had, and they shall accordingly direct the same; and such proceedings shall be thereupon had before such bishop, as if all such charity lands, &c. had been within his diocese, *id. s.* 11.

CHEATS. (*See* EMBEZZLEMENT.)

1. Concerning counterfeit letters or privy tokens, to receive money or goods in other men's names, 33 *H.* 8. *c.* 1., and recital in *s.* 1.

2. Every person who shall falsely and deceitfully get into his possession any money, jewels, goods, or other things of any other persons, by colour of any false token or counterfeit letter made in any other man's name, shall, on being convicted by witnesses taken before the lord chancellor, or by examination of witnesses, or confession before the justices of assize, or of peace, in their general sessions, or by action in any courts of record, shall have such punishment by imprisonment, setting in the pillory, or by any corporal pain (except those of death) adjudged by those before whom he shall be convict, *id. s.* 2.

3. As well the justices of assize as also two justices of peace in every county (one being of quorum,) may call to such assizes or general sessions any persons suspected of any such offence, and commit them to ward, or let them to bail till the next assizes or general sessions, at which they shall be proceeded against (as in *s.* 1.), *id. s.* 3.

4. Justices of peace, within every city, town, and franchise in this realm, and other H. M.'s dominions, shall have like jurisdiction as justices of assizes in circuits, or of peace in the counties, for punishment of offenders by this act, saving to the party grieved by such deceit, such remedy as he might have had, *id. s.* 4.

5. For the more effectual punishment of persons who shall attain, or attempt to attain, possession of goods or money, [bonds and other securities, 52 *G.* 3. *c.* 64.] by false pretences, 30 *G.* 2. *c.* 24. *ss.* 1, 2. [see *ss.* 3—13. in sections Rep. and Exp. and *ss.* 14—23. Gaming. Amd. 52 *G.* 3. *c.* 64.]

6. All persons who, knowingly and designedly by any false pretences, shall obtain from any persons money, goods, wares, or merchandizes, with intent to defraud any person of the same, or shall knowingly send or deliver any letter or writing, with or without a name subscribed thereto, or signed with a fictitious name or letter, threatening to accuse any person of any crime punishable by law with death, transportation, pillory, or other infamous punishment, with intent to extort money or goods from the person so threatened to be accused, shall be deemed offenders against law and public peace, and the court before which they are tried shall, on conviction of any such offences, order the offenders to be fined and imprisoned, pillored or publicly whipped, or transported for seven years, as they shall think fit, 30 *G.* 2. *c.* 24. *s.* 1.

7. Any justice or justices of the county, division, city, or place, before whom any person charged on oath by any credible person with having committed *any of the offences by this act, intended to be punished*, [*semble extending to ss.* 14—23. Gaming, *infra*,] shall be brought, shall examine by oath and such other lawful means, as he or they shall think meet, touching the same, and shall deal with the offenders according to law; and if the party charged is committed to prison, or admitted to bail, to answer the charge at the next general or quarter sessions, or sessions of oyer and terminer held for the county, &c. or place, wherein the offence is charged on oath to have been committed, then such justice shall, by recognizance in such reasonable sum as he shall think fit, bind over the prosecutor to appear at such sessions, &c. and to prosecute with effect; and if any money or goods, so fraudulently obtained, appear to such justice to exceed 20*l.* value, the prosecutor's recognizance shall be in not less than double such apparent value, *id. s.* 2.

8. All persons who knowingly and designedly, by any false pretence, shall obtain from any person, or body politic or corporate, any money, goods, wares, or merchandizes, or any bond, bill of exchange, bank, or promissory-note, or other security for payment of money, or any warrant, or order for payment of money, or delivery or transfer of goods, or other valuable thing, with intent to defraud any person or body &c. of the same, or shall knowingly send or deliver any letter or writing with or without a name or names subscribed thereto, or signed with a fictitious name, &c. letter or letters, threatening to accuse any person of any crime punishable by law with death, transportation, pillory, or other infamous punishment, with intent to extort any bond, bill, &c. (*as above*,) shall be deemed offenders against law and public peace, and shall be liable to be prosecuted and punished under 30 *G.* 2. *c.* 24., 52 *G.* 3. *c.* 64.

CHELSEA AND KILMAINHAM HOSPITALS.

1. For relief of out-pensioners of the *Royal Chelsea Hospital*, 28 *G.* 2. *c.* 1. [Amd. 55 *G.* 3. *cc.* 125, 136., 58 *G.* 3. *c.* 74.] For preventing distress of these meritorious persons by the yearly payment only of their pensions, and their consequent assignments thereof to money-lenders on usurious terms for present subsistence, all such assignments, bargains, sales, orders, contracts, agreements, or securities soever, made by

any out-pensioner, for or on account of his out-pension of *Chelsea Hospital*, are void, 28 *G.*2. *c.*1. *s.*1., [*and see* 46 *G.*3. *c.*69. *s.*7., *as to pensions* in general, *infra*, *pl.*8.]

2. Commissioners of *Chelsea Hospital* may make such regulations as they think fit in relation to payments in advance to out-pensioners, on their first admission on the pension list, being either for payment of a proportion at the time of their admission, and the rest of the current quarter's pension on their arrival at their residences, as appears best calculated to prevent the improvident expenditure thereof, and the consequent distress of the pensioner, and shall make all subsequent payments of such pensions by quarterly payments in advance, 55 *G.*3. *c.*125. *s.*2. [The provisions in this *placitum* are extended to the commissioners and out-pensioners of *Kilmainham Hospital*, *id. c.* 136.]

3. The agent of the crown for payment of out-pensions shall receive in advance, from the treasurer of *Chelsea Hospital*, the money necessary to discharge, pay, and remit the same, giving the latter a receipt in final discharge thereof, which shall be allowed by the commissioners of public accounts in his accounts; and the treasury shall advance the same, on any warrant signed by any three or more commissioners of *Chelsea Hospital*, 28 *G.*2. *c.*1. *s.*4.

4. Lists of out-pensioners who have personally appeared, or have been certified by proper affidavits to be living during all or part of the expiring *half-year*, shall be made up by the commissioners of *Chelsea Hospital*, or any 3 of them, on the last day of every *half-year*, *id. s.* 5. [*Qu.* if not *quarter* since 55 *G.*3. *c.*125. *s.*22. *pl.*2.]

5. Any three such commissioners shall, on such lists being exhibited to them, make out a warrant signed by them, to the treasurer of *Chelsea Hospital*, authorising him to pay in advance unto the hands of such agent (as in *s.*4. *pl.*3.) the sums requisite for payment of the out-pension as aforesaid, *id. s.*6.

6. The treasurer may deduct 1*s.* in the pound from all monies applicable to payment of out-pensions, as well as from all monies paid in advance (as in *s.*2.), and the same shall be applied as directed by warrant under H. M.'s sign-manual; but the remainder shall be paid without other deduction, and if the agent appointed, as in *s.*4., or any other agent or clerk employed in paying the same shall take any fee soever on account of paying such pension, he shall, *ipso facto*, lose and be for the future disabled to hold his office, and shall forfeit 100*l.* to any person suing for the same by action of debt, or information, within 12 calendar months; without essoin, &c. or more than one imparlance allowed, *id. s.*7.

7. For further regulating of payments of out-pensions to soldiers on the establishments of *Chelsea* and *Kilmainham*, 58 *G.*3. *c.*74.

8. No deduction of 1*s.* in the pound (as in 28 *G.*2. *c.*1. *s.*7. *pl.*6. provided,) shall take place from out-pensions on the *Chelsea* establishment paid in *Ire.*, but the full amount shall be paid in *Irish* currency, *id. s.*1.

9. The deduction of 1*s.* in the pound shall be made from all pensions paid in *English* money to the pensioners of *Kilmainham Hospital* while such payment is made in *G. B.*, *id. s.*2.

10. The commissioners of *Chelsea* and *Kilmainham Hospitals* respectively, may make any necessary regulations for making such payments and deductions, *id. s.*3.

11. For making better provision for soldiers, [*viz.* pensioners of *Chelsea* and *Kilmainham Hospitals*,] 46 *G.*3. *c.*69. [Amd. as to *Kilmainham Hospital*, 47 *G.*3. *S.*2. *c.*5.]

12. Payment of all pensions, allowances and relief to disabled, invalid, or discharged soldiers, shall be under management of commissioners of *Chelsea Hospital*, 46 *G.*3. *c.*69. *s.*1. [*But this is* repealed as far as gives them any powers over the pensioners of *Kilmainham Hospital*, 47 *G.*3. *S.*2. *c.*5. *s.*1.]

13. Any three or more commissioners of *Chelsea Hospital* may make orders and regulations, and from time to time alter the same in relation to the payment of persons, allowances, or relief to soldiers entitled thereto, and as to the certificates, vouchers, receipts, or orders for regulating and making such payments; and may require the proofs and affidavits requisite for securing payment thereof, whether made at *Chelsea Hospital* or elsewhere; but such orders may be revoked by warrant under H. M.'s sign-manual, 46 *G.*3. *c.*69. *s.*2. [*Same powers* are given to the commissioners of *Kilmainham Hospital*, 47 *G.*3. *S.*2. *c.*5. *s.*2.]

14. Every soldier entitled to his discharge by the expiration of any fixed period of service, or by being an invalid, disabled, or having been wounded, shall thereupon become legally entitled to receive such pension, &c. (*see s.*1.), as shall be fixed in the regulations in any such case made by H. M. at his enlistment, and for payment of which money has been voted by parliament; and may claim to be paid the same under this act, or the regulations made by the commissioners as in *s.*2., 46 *G.*3. *c.*69. *s.*3.

15. All orders and regulations of H. M. relating to the discharge of soldiers after the expiration of their periods of service, and to pensions, shall be annually laid before parliament, with the estimates of the amount thereof, and of all expences contingent to their payment and management, 46 *G.*3. *c.*69. *s.*4.

16. Every soldier shall remain entitled to the benefits accruing under the regulations made at the time of enlistment, though afterwards annulled, *id. s.*5.

17. The respective treasuries of *G. B.* and *Ire.* may order any pensions for payment of which money shall have been voted by parliament, to be paid by any receiver-general of land-tax, or collector of cess in *Scot.* or by any collector of customs, excise, or taxes, out of any public money in their hands respectively, repayment of which shall be made to the account of the duties from which such pensions have been paid, *id. s.*6.

18. All assignments, &c. [as in 28 *G.*2. *c.*1. *s.*1. *supra*, *pl.*1.,] of or relating to pensions, are void, *id. s.*7.

19. Every person willingly and knowingly personating or falsely assuming the name or character of any person entitled or supposed to be entitled to such pension, or procuring any other person so to do, in order to receive the same or any part thereof, shall suffer death as for felony, without clergy, *id. s.*8.

20. Every person wilfully forging or counterfeiting, or causing or procuring to be forged, or wilfully acting or assisting in forging, &c. the name or hand-writing of any person entitled to any such pension, &c. or of any person required by any regulations made under this act, (*viz. s.*2.) to sign any certificate, voucher, or receipt in relation to payment thereof, in order to the receiving or obtaining any money on any such pension, &c. (*as above*), or altering any such, knowing the same to be forged, &c. with intention to defraud any person soever, is guilty of felony, and shall be transported for life, or term of years at discretion of the court, *id. s.*9.

21. Any justice of peace, magistrate, receiver-general of land-tax, collector of cess in *Scot.* or of customs or excise, may enquire into the truth of any certificates required to be produced to him by claimant of pensions, &c. under the same or their agents, by administering an oath or affirmation to them; and on being satisfied of the truth thereof, shall testify the same on the back, and any false oath or affirmation therein, shall, on conviction, be punished as wilful perjury, *id. s.*10.

22. All such orders, certificates, vouchers and receipts, shall be free of stamp-duty, *id. s.*11.

23. To empower the commissioners of Chelsea Hospital to commute pensions for a sum of money in certain cases, 52 *G.*3. *c.*109. [Ext. to *Kilmainham Hospital*, 55 *G.*3. *c.*133. *s* 3. *pl.*26.]

24. The commissioners of *Chelsea Hospital* may give to any soldier, not a native of U. K., who being discharged, and entitled to an out-pension from *Chelsea Hospital* for his service, or being invalided or disabled, is desirous of residing out of *Eng.* and is recommended by any order of H.M., signified to the commissioners by the secretary at war, a sum in gross, in lieu and for the purchase of such annual pension, notwithstanding 28 *G.*2. *c.*1. *s.*1. *pl.*1., &c. 52 *G.*3. *c.*109. *s.*1.

25. Such sums shall be paid from any money voted for or applicable to payment of soldiers' pensions under management of *Chelsea Hospital*, and the soldier's receipt shall be free of stamp-duty, and a full discharge of all claims for the same, *id. s.*2.

26. The lord-lieutenant of *Ire.*, or the governors of *Kilmainham Hospital*, shall apply the provisions of 52 *G.*3. *c.*119. and of 55 *G.*3. *c.*133., to the allowing to discharged soldiers, pensioners of that hospital, a like commutation of pensions as is by either act allowed, 55 *G.*3. *c.*133. *s.*3.

27. To grant further powers to the commissioners of *Chelsea Hospital* with respect to pensions on those establishments, 55 *G.*3. *c.*133. *ss.*1, 2, *and* 5. [*See s.*3., *last pl.*, *and s.*4. Greenwich Hospital.]

28. The agents of the out-pensioners of *Chelsea Hospital* may pay and discharge by accepting and paying bills of exchange or otherwise, as directed by the commissioners, out of the parliamentary funds for the use of the hospital, in addition to the commutation in lieu of pension allowed by 52 *G.*3. *c.*109. all the contingent expences of such discharged soldiers, whether for passage-money, ship's provisions, subsistence while detained by competent authority at any station abroad, losses by exchange on bills drawn on such agent for commuted pension, or on any other account if duly incurred, under orders prescribed by the secretary at war, which payments shall be allowed him in his accounts by the commissioners of public accounts, *id. s.*1.

29. The commissioners of *Chelsea Hospital* shall make arrangements to enable out-pensioners resident out of the U. K., but within H. M.'s dominions, to receive their pensions abroad, by bills of exchange or otherwise, *id. s.*2.

30. And may apportion pensions for army services, according to their length, allowing for all time of previous service, either as a petty-officer, seaman, or landman in H. M.'s fleet, or as a non-commissioned officer, or private-marine, 55 *G.*3. *c.*133. *s.*5., [*as to such* apportionment of pensions to sailors who have served in the land-forces, *id. s.*4. Greenwich Hospital.]

CHILD-STEALING.

1. For the more effectual prevention of child-stealing, 54 *G.*3. *c.*101. [*Not to* extend to *Scot.*, *id. s.*3.]

2. Every person who shall maliciously, either by force or fraud, lead, take, or carry, decoy, or entice away any child under 10 years of age, with intent to deprive its parent, parents, or other person having its lawful care or charge, of the possession of it, by concealing it from either, or with intent to steal any article of apparel, ornament, or other thing of value or use, to whomsoever belonging, on or about the person of such child, or who shall receive and harbour with any such intent any such child, knowing the same to have been so by force, &c. led, &c. away as above, shall, with his counsellors, &c. aiders and abettors, be deemed guilty of felony, and be subject to the punishments of grand larceny, *id. s.*1.

3. Nothing herein shall extend to any person who claims to be the father of or to have legal claim to the possession of an illegitimate child, on account of his getting possession of it, or taking it out of the possession of the mother or other person having lawful charge thereof, *id. s.*2.

CHIMNEY-SWEEPERS.

1. For better regulation of chimney-sweepers and their apprentices, 28 *G.*3. *c.*48. [Public *clause*, *s.*17.]

2. The churchwardens and overseers of the poor, within *G. B.*, with consent of two or more justices specified in writing under their hands, according to the form prescribed by the indenture in the schedule, may bind any boy of 8 years of age or upwards, who is, or whose parents are chargeable to the parish, or who shall beg for alms, or with the parents' consent, to be apprentice to a chimney-sweeper till he attains the age of 16 years, which binding shall be as effectual in the law as if he was of full age, and had bound himself apprentice by indenture, *id. s.*1.

3. The age of such apprentice shall be inserted in the indenture, being truly taken from the copy of the entry of his baptism in the register-book, (where the same can be had,) which copy shall be given and attested *gratis* by the minister, vicar, or curate, and written on paper or parchment without stamp; and where no such copy can be had, the justices shall insert his age from such information as can be got, which when so inserted shall, (in relation to continuance of his service,) be taken to be his time of age without further proof, *id. s.*2.

4. The indenture shall be in the form in the schedule, and shall not be charged with higher stamp-duty than the indentures of binding out poor children parish apprentices, [*sed quære*, as no such duty exists, *see* 55 *G.*3. *c.*184. *Sched. part* 1. *tit.* Apprenticeship,] *id. s.*3.

5. All indentures and bargains hereafter made for taking any boys under 8 years old, as apprentices or servants employed as climbing-boys or chimney-sweepers, shall be void, and the person so keeping or employing such boy shall forfeit not exceeding 10*l.* nor less than 5*l.*, *id. s.*4.

6. The overseers of every township or village within any large parish of the realm, may execute all the acts hereby ordered to be done by the churchwardens or overseers of a parish, *id. s.*5.

7. Any one or more justices may hear and determine all complaints of ill usage by the masters, both of boys so bound, or who have voluntarily bound or put themselves apprentices to a chimney-sweeper, and likewise all complaints of masters against such apprentices, and may make such orders therein as are usual between masters and apprentices, *id. s.*6.

8. No chimney-sweeper shall keep more than six apprentices at one time, and his name and place of abode shall be marked on a brass plate affixed on the front of a leather cap, provided for and worn by the apprentice when out on duty; under a penalty of not exceeding 10*l.* nor less than 5*l.* for every apprentice above 6 by him retained, or for neglecting to provide such cap and brass plate so marked as above, *id. s.*7.

9. Every master ill treating his apprentice, or breaking any of the covenants in the indenture, shall forfeit not exceeding 10*l.* nor less than 5*l.*, *id. s.*8.

10. No chimney-sweeper shall hire out or lend by day, or otherwise, his apprentices to any person for sweeping chimneys, nor cause them to call the streets before 7 *a.m.* or after 12 at noon, between *Michaelmas* and *Lady-day*, or before 5 *a.m.*, nor after 12 at noon, between *Lady-day* and *Michaelmas*, on penalty of not less than 5*l.* nor more than 10*l.*, *id. s.*9.

11. All convictions for penalties incurred for offences against this act shall be made before one or more justices acting for the county, city, or division, where the offence was committed, either by offender's confession, or on oath of one or more credible witness or witnesses, and the justice may summon the offender, *id. s.*10.

12. All the penalties by this act imposed shall be levied by distress and sale of the offender's goods, with costs thereof, by warrant of such justice, which shall be granted on conviction as above; and shall go one moiety to the informer, and the other to the overseers of the poor of the place where the master shall inhabit; and in default of distress or of payment, the justices may imprison the offender for not exceeding 3 months, unless the penalty and costs be sooner paid, 28 *G.*3. *c.*48. *s.*11.

13. No warrant of distress shall issue for levying any penalty or costs till 6 days after conviction, and order for payment served on the offender, *id. s.*12.

14. No distress under this act shall be deemed unlawful, or the parties levying the same trespassers for want of form in the proceedings, nor trespassers *ab initio* for irregularity afterwards done by them; but the party grieved thereby may recover satisfaction for the special damage in an action on the case, *id. s.*13.

15. But shall not recover if tender of sufficient amends is made before such action is brought; and in case no such tender has been made, defendant by leave of the court may pay any money into court before issue joined, *id. s.*14.

16. Any justice or justices may administer the oaths by this act required to be taken, *id. s.*15.

17. Any person aggrieved by any thing done by a justice under colour hereof, may appeal to the next general or quarter sessions, having first entered into a recognizance, with sufficient surety, before such justice, to prosecute and abide by the order made on the appeal, and also giving him notice of appeal, in writing, and of the matter thereof, in 6 days after the cause of complaint has arisen, *id. s.*16.

CHURCHES.

(Statutes *expired.*)

1. For making ordinances and rules in cathedral churches and schools, 1 *M.* (*S.*3.) *c.*9. [Exp. *see preamble* to 6 *A. c.*21. *s.*1.]

2. For giving authority to H. M. for her life, to make ordinances in collegiate churches and schools, 1 *El. c.*22. [Exp.]

(Statutes *in force.*)

1. Trees growing in the church-yard shall be reckoned among the goods of the church, but shall not be felled by the parsons except the chancel wants repair, neither shall they be converted to any other use, except the body of the church needs like repair, or except bestowed by them in charity; *Stat. ne rector prosternat arbores in cœmeterio*, 35 *E.*1. *stat.*2., or *Stat. Incert. Temp. No.*X. 8*vo. ed.*, *stat.* 400.

2. For union of churches not exceeding 6*l.* yearly value, 37 *H.*8. *c.*21. [Rep. 2 & 3 *P. & M. c.*21. Rev. 1 *El. c.*4. *s.*12. & *s.*24.]

3. For uniting churches in cities and towns corporate, 17 *C.*2. *c.*5.

4. To make parishioners of the united churches contributors to the repairs and ornaments of the church to which the union is made, 4 *W. & M. c.*12.

5. An union of 2 churches, or of a church and chapel in one, the one of them not being above the yearly value of 6*l.* as valued to H. M. in the first-fruits, and not distant from the other above 1 mile, may be had by the assent of the ordinary, incumbents, and of all such as have the patronages, being of full age, to continue for ever as by writing under their seals declared, 37 *H.*8. *c.*21. *s.*3.

6. All unions heretofore made by the like assent, in fee-simple, shall also continue for ever, *id. s.*4.

7. Saving unto H. M. all tenths and first-fruits, *id. s.*5.

8. But all unions had within any city or town corporate, without assent of the mayor, sheriffs, and commonalty of the city, or of such bodies corporate of other towns, by the names under their common seal, shall be void, *id. s.*6.

9. Where the inhabitants of any parish, or a majority of them, in 1 year after the union, shall, by writing, assure the incumbent of the yearly payment of as much money as, with their first-fruits, shall amount to 8*l.*, such unions shall be void, *id. s.*7.

10. In every city or town corporate, having a mayor and aldermen, and particular justices of peace, or bailiffs, or other chief officers and assistants, by charter, in which 2 or more churches or chapels and parishes lie convenient to be united; the bishop, with consent of the chief officers, or a majority of them, and of the patrons, may unite the churches, &c. and shall appoint at which church the inhabitants shall meet, which shall be the church or chapel presentative thereafter; and shall be resorted to as the proper church, and the parishioners of the united parishes shall pay tythes to the incumbent thereof, 17 *C.*2. *c.*3. *s.*1.

11. Notwithstanding such union, each parish shall continue distinct as to all rates and privileges, and churchwardens shall be elected for each, *id. s.*2.

12. Where 1 or more of the churches is full, the union shall take

effect upon the 1st avoidance; and the patrons shall present by turns, in order as the bishop, with consent of the mayor, &c. (as in *s.* 1.) and of the patrons, shall determine; saving all tenths and first-fruits, procurations and pensions, 17 *C.* 2. *c.* 3. *s.* 3.

13. No union made under this act shall be effectual, till registered in the register book of the bishop, *id. s.* 4.

14. Nor where the settled maintenance of the incumbent exceeds 100*l. per* ann. unless the majority of parishioners under their hands desire otherwise, *id. s.* 5.

15. Every minister of churches united according to this act, shall be incumbent thereof, so as he be a graduate in an university of this kingdom, *id. s.* 6.

16. Every owner of impropriations or tythes may annex the same to the parsonage or vicarage of the parish church where the same lie, or settle them in trust for the parsonage, &c. or the curates there successively where it is impropriate, and no vicar endowed, without licence of mortmain, *id. s.* 7.

17. If the maintenance of any parsonage or vicarage, with cure, shall not be 100*l. per ann.* the incumbent may purchase to him and his successors, lands, rents, tythes, or other hereditaments, without licence of mortmain, *id. s.* 8.

18. Where any churches are united under 17 *C.* 2. *c.* 3., and one of them is demolished, then, as often as the church presentative is out of repair, or needs decent ornaments for performance of divine service, the parishioners of the parish whose church has been demolished, shall pay towards the charges thereof such proportion as the bishop shall by the union direct; and for want of such direction, one-third part of them shall be rated, and in default thereof, the same may be recovered against them, as if it were for the repair of their own parish church, 4 & 5 *W.* & *M.* *c.* 12. *s.* 2.

19. AGAINST QUARRELING AND FIGHTING IN CHURCHES AND CHURCH-YARDS, 5 & 6 *E.* 6. *c.* 4.

20. If any person shall, by words only, quarrel, chide, or brawl, in any church or church-yard, the ordinary may suspend him if a layman, *ab ingressu ecclesiæ*, and if a clerk, from ministration of his office, *id. s.* 1.

21. Every person smiting or laying violent hands on another therein, shall be *ipso facto* excommunicate, *id. s.* 2.

22. Every person maliciously striking another with, or drawing any weapon therein with intent to strike another, shall, on conviction by verdict, confession, or two witnesses, before the justices of assize, of oyer and terminer, or of peace, in their sessions, have one of his ears cut off; or, if he have none, shall be burned in the cheek with a hot iron marked F, denoting fraymaker and fighter, and shall be *ipso facto* excommunicate, *id. s.* 3.

23. FOR AVOIDING ALL DOUBTS AND QUESTIONS TOUCHING THE statutes of divers cathedral and collegiate churches, 6 *A. c.* 21.

24. In all cathedral and collegiate churches founded by *H.* 8. such statutes as have been received and practised since the restoration, and to the observance whereof the deans and prebendaries have used to be sworn, shall be good in law, if not inconsistent with the legal constitution of the church or the laws of the land, *id. s.* 1.

25. TO PROMOTE THE BUILDING, REPAIRING, OR OTHERWISE providing of churches and chapels, houses for residence of ministers, and church-yards in *Eng.*, and *Ire.*, 43 *G.* 3. *c.* 108. [AMD. 51 *G.* 3. *c.* 115., 52 *G.* 3. *c.* 161. *s.* 27., *and see* 58 *G.* 3. *c.* 45. *s.* 33. *passim.*]

26. Every person having in his own right any estate or interest in possession, reversion, or contingency of or in lands or tenements, or of property in any goods or chattels, may, by deed enrolled in such manner and time in *Eng.* as by 27 *H.* 8. *c.* 16., and in *Ire.* as by 10 *C.* 2. *c.* 1., or by will in writing duly executed according to law, such deed or will being duly executed 3 months before death of grantor or testator, give and vest in any person, or body politic or corporate, their heirs and successors respectively, any lands not exceeding 5 acres, or goods and chattels not exceeding 500*l.* towards erecting, rebuilding, repairing, purchasing, or providing any church or chapel where the liturgy and rites of the united church of *Eng.* and *Ire.* are observed, or any house for residence of the officiating minister, or any out-buildings, offices, church-yard, or glebe, for the same respectively, and to be for those purposes applied according to the terms of the deed or will, the consent of the ordinary being first obtained; and if no such limitation is made in the deed, the gift shall be applied, as shall be appointed by the patron and ordinary, with consent of the incumbent; and such grantees, their heirs, &c. may take as well from persons charitably disposed to give the same, as from all others willing to sell them, any lands, tenements, or chattels, without licence or writ of *ad quod damnum*, notwithstanding the statute of mortmain; but these powers shall not extend to persons within age, insane, or *femes-covertes*, 43 *G.* 3. *c.* 108. *s.* 1.

27. H.M. by deed [under the great seal, but see now 52 *G.* 3. *c.* 161. *s.* 27. *pl.* 28. or] under the seal of his duchy of *Lancaster*, may give all such his estate or interest in any lands or tenements within survey of exchequer, or of that duchy, for the like purposes, with the like consent, (as in 43 *G.* 3. *c.* 108. *s.* 1.) but no one such grant shall extend to more than 5 acres; and such grants may be held notwithstanding the statutes of mortmain, 9 *H.* 3. *c.* 36., and 1 *A. st.* 1. *c.* 7., 51 *G.* 3. *c.* 115. *s.* 1.

28. H.M. may so grant and vest in any person or body politic or corporate, their heirs and successors, his interest in any lands or tenements not exceeding 5 acres, within survey of exchequer, or of duchy of *Lancaster*, for curtilages, accesses, or other accommodations of any such churches or chapels, *viz.* the treasury may grant a warrant to any such person or body, &c. which shall be enrolled in the office of auditor of land revenue for the county within which such premises are situate, and also in that of the commissioners of woods, forests, and land revenues, or in that of the surveyor-general of land revenue; which auditor and commissioners, or surveyor-general, having enrolled the same, shall certify such enrolment at the foot or back thereof, under their hands, and return it to the grantees who, after such enrolment, shall be deemed in actual possession, and shall hold the premises specified in the warrant, free of all incumbrances, 52 *G.* 3. *c.* 161. *s.* 27.

29. Every person having the fee-simple of a manor may, by deed under his hand and seal enrolled in chancery (as in *s.* 1.) with or without confirmation as the law requires, grant to the rector, vicar, or other minister of any parish, church, or chapel, consecrated for the service of the church of *Eng.* and *Ire.* not exceeding 5 acres, parcel of the waste of the manor, and lying within the parish where such church or chapel shall be erected, or within any extra-parochial district in which such church, &c. shall be erected, for erecting thereon, or enlarging any such church or chapel, or for a church-yard or burying-ground, or enlarging the same, or for glebe on which to erect a residence for the minister, freed from all rights of common, &c. 51 *G.* 3. *c.* 115. *s.* 2. [*see as to* conveyance, *pl.* 98.]

30. Only one such gift or demise shall be made by one person, and where either exceeds 5 acres, or 500*l.* value in goods and chattels, the lord chancellor, on petition, may order its reduction to that amount, and make further reasonable order in the premises, 43 *G.* 3. *c.* 108. *s.* 2.

31. No glebe of more than 50 acres shall be augmented by more than 1 acre, and any excess therein shall be reduced by the chancellor as in *s.* 2., *id. s.* 3.

32. Every body politic or corporate, sole or aggregate, by deed enrolled (as in *s.* 1.) with or without confirmation as the law may require, may give and grant for the purposes in *s.* 1., either by way of exchange or benefaction, any small plot of land not exceeding 1 acre now held in mortmain, lying convenient for the use of some church, chapel, or minister's house of residence, church-yard, or curtilage thereof, or convenient to be employed as the site of some such church, chapel, or house to be hereafter erected, and for the necessary enjoyment thereof, to any person or body, &c. soever, who, with their heirs, &c. shall have full capacity, with consent of incumbent, patron, and ordinary, to take and hold such small plot of land for such purposes, without licence or writ of *ad quod damnum*, notwithstanding the statute of mortmain, *id. s.* 4.

33. In every parochial church or chapel hereafter erected, ample provision shall be made for decent and suitable accommodation of all persons soever entitled to resort thither, whose circumstances may render them unable to pay for the same, *id. s.* 5.

34. Any rights of giving or devising already existing in any person, are not affected by this act, *id. s.* 6.

35. FOR ENABLING ECCLESIASTICAL CORPORATE BODIES, UNDER certain circumstances, to alienate lands for enlarging cemeteries or church-yards, 56 *G.* 3. *c.* 141.

36. Any spiritual or ecclesiastical body corporate or spiritual person, being a corporation sole, possessing any land adjacent to any cemetery, church-yard, or burying-ground, may sell by indenture of bargain and sale (enrolled in chancery within 6 calendar months), for the purpose of consecration, any portion thereof, not exceeding 1 acre, for enlarging such church-yard, &c. *id. s.* 1.

37. In case of any spiritual person being a corporation sole, the consent of the bishop or ordinary, and of the patron of the living, shall be testified by their being parties to the alienation of the land; previous to which, the value thereof shall be ascertained, and with a description thereof committed to writing by some competent person, appointed by the ordinary, who shall verify the same on oath before a justice of the county, town or district, where the land is situated: if the value is above 100*l.*, other lands of equal value, estimated and verified as above, shall be conveyed to the same uses as those conveyed by the spiritual person, and as the consideration thereof: and if the value does not amount to 100*l.* but is above 20*l.*, such value shall be paid to the governors of Queen *Anne*'s bounty, to be applied to the benefit of such spiritual person: and if it shall not amount to 20*l.* it shall be paid to such spiritual person, to be used at his discretion, *id. s.* 2.

38. No alienation by virtue of this act shall be questioned after 20 years expired, for want of compliance with the forms hereby prescribed, *id. s.* 3.

39. All ground consecrated as burial-ground shall, after 20 years, be

discharged of all adverse titles and claims thereto, and shall absolutely vest in the trustees thereof; or if there be no such trustees, then in the vicar or perpetual curate; or if no such vicar, &c. then in the rector of the parish, 56 *G.*3. *c.*141. *s.*4.

40. H. M. may, by letters patent, appoint commissioners for carrying into execution this act, and may direct any 5 or more of them to act therein, the commission to continue in force for 10 years from the date, unless sooner altered or revoked, *id. s.*8.

41. H. M. may fill up the vacancies of and appoint additional commissioners, and they shall form a body corporate by the name of "*His majesty's commissioners for building new churches*," and shall have a common seal during the continuance of the commission, 59 *G.*3. *c.*134. *s.*3.

42. FOR BUILDING AND PROMOTING THE BUILDING OF ADDITIONAL churches in populous parishes, 58 *G.*3. *c.*45. [AMD. 59 *G.*3. *c.*134. *See* 58 *G.*3. *c.*45. *s.*86. EXP.]

43. H.M. may authorize the treasury of *G.B.* and *Ire.* to issue exchequer bills not exceeding the sum of 1,000,000*l.*, subject to the rules of 48 *G.*3. *c.*1., 58 *G.*3. *c.*45. *s.*1.

44. The regulations of 48 *G.*3. *c.*1. are extended to the exchequer bills made out in pursuance hereof, *id. s.*2.

45. The exchequer bills made out in pursuance of these acts shall bear the rate of interest prescribed by the treasury, not exceeding 3½ *per cent. per diem*, and all those so advanced shall be made payable, and paid off, with the interest due thereon, at such periods as in each bill so made out is specified pursuant to the directions of the auditor of exchequer by warrant from the treasury, 59 *G.*3. *c.*134. *s.*1., 58 *G.*3. *c.*45. *s.*3.

46. But all bills so advanced shall be made payable in 3 years from their issue, 58 *G.*3. *c.*46. *s.*3.

47. Such bills shall not be exchanged for ready money by any collectors of customs, excise, or taxes, before the days appointed for their payment, and no action lies against the latter for such refusal to exchange them, but after that time they shall pass current to such collectors and to the exchequer; and those received at the latter place may be locked up as cash, *id. s.*4.

48. H.M., by letters patent under the great seal, may appoint such persons as he shall deem fit to be his commissioners for executing this act, and may direct that 5 of them may act in execution thereof; such commission to continue in force for 10 years from the date, unless H.M. shall sooner alter or revoke the same, *id. s.*8.

49. Which commissioners, from time to time, as they find it necessary to apply to its purposes any amount of the exchequer bills so to be advanced, shall represent the same to the treasury, who shall thereupon, if satisfied of such necessity, direct such commissioners to issue a certificate, signed by three or more of them, containing the amount of the sum required, which shall be delivered to the auditor of the exchequer, who shall, on receipt thereof, pay to the bearer the amount in exchequer bills, signed by himself, or by any person duly authorised, and bearing date, either the day specified in the certificate, or on that of its receipt by the auditor, and payable at the period specified in the bills, 59 *G.*3. *c.*134. *s.*2., and 58 *G.*3. *c.*45. *s.*5. [*semb.* EXP.]

50. The officers of exchequer shall, on requisition of the commissioners, deliver to them at their office complete lists of all the exchequer bills so made out and delivered, specifying their dates, sums, and periods of payment, with the names of the persons to whom, and the numbers of the certificates by virtue whereof such bills were delivered, 58 *G.*3. *c.*45. *s.*6.

51. The Bank of *Eng.* may advance 1,000,000*l.* on credit of the exchequer bills issued, notwithstanding 5 & 6 *W. & M. c.*20., *id. s.*7.

52. The commissioners shall examine into the present state of the parishes and extra-parochial places in the metropolis, and its vicinity, and in all other parts of *Eng.* and *Wa.* for ascertaining the parishes and places in which additional churches or chapels for performing divine service, according to the established church of *Eng.* and *Ire.*, are most required, and the most effectual means of affording such accommodation, *id. s.*9.

53. The commissioners may appoint a secretary and clerk, and employ surveyors with reasonable salary, to make plans and estimates, (and if necessary) surveys and reports for ascertaining the best mode of providing proper accommodation for the largest number of persons at the least expence, *id. s.*10.

54. The treasury may issue all necessary sums of money to such persons, in such manner and proportions as the commissioners or any five of them shall by writing under their hands desire, and as shall be approved of by the treasury, and the same shall be applied to paying such salaries, (as in *s.*10.) as also the expences of executing this act, and shall be accounted for before the treasury only, which money shall not be subject to any tax; but an account of the said expences, so long as the said commission shall remain in force, shall be laid before parliament on 25 *March* annually, *id. s.*11.

55. The commissioners shall draw up rules for their general proceedings, specifying therein the largest amount of allowances to be granted, for building any church [*viz.* 20,000*l.* *see their printed report*], and shall make any other necessary regulations for furthering the purposes of the act, which shall be laid before H. M. in council, who may approve or disallow the same, 58 *G.*3. *c.*45. *s.*12.

56. The commissioners may make, in H. M.'s name, out of the sum appropriated by this act, grants for building, or may cause to be built, churches or chapels in such parishes or extra-parochial places only in which there is a population of not less than 4000 persons, and in which there is not accommodation in the churches or chapels therein for more than one-fourth part of such population to attend divine service, or in which there appears to the commissioners to be 1000 persons resident more than 4 miles from any such church or chapel, and in which they shall be satisfied, from the circumstances of such parish, &c. of the inability of the parishioners and inhabitants thereof to bear any part of the charge of such building in addition to the charge in *s.*14. mentioned; and also to make grants or loans to assist in building such churches and chapels in such other parishes or places as may contain a like population, and may equally require further accommodation for divine service, but in which they may deem the parishioners and inhabitants capable of bearing a part of the expence of erecting such churches, &c., or of repaying the same by instalments, if advanced by way of loan, *id. s.*13.

57. The commissioners, on any parish or extra-parochial place offering to raise by rates or subscription, or by rates aided by subscription, such proportion of the expence of building any church or chapel required in any such parish or extra-parochial place, as is fixed as a proper proportion by the commissioners, according to any such regulations as in *s.*12., or shall be deemed by them a proper proportion, to grant to any such parish, &c. the remaining sum necessary to build any such church or chapel, and to lend to such parish, &c. any part of the proportion so proposed to be raised by rates as aforesaid, *id. s.*14.

58. Commissioners may allow the whole of the expences of building any churches or chapels, in all cases where they see fit, either on account of the inhabitants' inability to bear any part of the expence, or for any other cause, which appears in their judgment to be sufficient, 59 *G.*3. *c.*134. *s.*4.

59. The commissioners, in selecting the parishes and extra-parochial places for distributing sums under this act, shall have regard to the amount of population therein, and to its disproportion with the accommodation for attendance on divine service; and in giving the preference of such grants shall have regard to the proportion of the expence, which shall be offered to be contributed in aid thereof, and the pecuniary ability of the inhabitants, and in giving like preference as between parishes &c. not offering to contribute such proportion shall have also regard to the priority in which such parishes &c. shall have given notice to the commissioners of having provided sites for the churches, &c. intended to be built therein, 58 *G.*3. *c.*45. *s.*15.

60. The commissioners may make grants or loans to any townships, hamlets, vills, chapelries, or other division of parishes, which, in their judgment, require further accommodation for divine service, according to the rites of the united church of *Eng.* and *Ire.*, though the population of any such division may not amount to 4000, and though, in the whole parish, there may be accommodation for more than one-fourth of the inhabitants, and they may proceed in relation to such divisions under 58 *G.*3. *c.*45., and this act, as if they were distinct parishes, and all the powers of both acts for making loans to any parishes or extra-parochial places, shall apply to such divisions of parishes, 59 *G.*3. *c.*134. *s.*5.

61. Where the commissioners think it expedient to divide any parish into 2 or more distinct parishes for all ecclesiastical purposes, they may, with consent of the bishop of the diocese signified under his hand and seal, apply to the patron for his consent to such division signified in like manner, and on obtaining it, shall represent the whole matter to H.M. in council, specifying the proposed bounds of each division, with their respective proportions of glebe, &c. tythes, moduses, or other endowments, which will by such division be within each division, and the relative proportions of the estimated value of fees, oblations, or other ecclesiastical dues within each, whereupon H.M. may, by order in council, divide the parishes; but no such division shall completely take effect till after the death, or resignation, or other avoidance of the present incumbent, 58 *G.*3. *c.*45. *s.*16.

62. Where any parish, or extra-parochial place is divided by the commissioners into 2 or more separate parishes, they may with the consents in 58 *G.*3. *c.*45. *s.*16. required, apportion the respective proportions of glebe-land, tythes, moduses, or other endowments or emoluments, which should be assigned to each division, without regard to whether any such proportions are locally situate, or are within the division to which they may be assigned, or within the parish, &c. so proposed to be divided, 59 *G.*3. *c.*134. *s.*8.

63. The commissioners with consent of the bishop, in the division of any parish, and of the relative proportion of glebe, &c. [*as in pl.*61, 62.]

may apportion the permanent charges affecting the same or the existing incumbent, to be thereafter borne by each division, or by the spiritual person serving the same, *59 G.3. c.134. s.9.*

64. Such apportionments of glebes and ecclesiastical profits, and all permanent and other charges made under either *58 G.3. c.45.* or this act, and also the description of boundaries assigned to chapels under this act, in which no marriages are allowed, and all tables of fees under this act, shall be registered in the registry of the diocese, and not enrolled in chancery, *id. s.18.*

65. All tythes, or other ecclesiastical dues soever, belonging to the incumbent of any such parish, shall, after its division, belong to, and be recoverable by the incumbents of the churches of each division, *58 G.3. c.45. s.17.*

66. All fees and emoluments belonging to the parish-clerk or sexton respectively of any such parish, whether by prescription, usage, or otherwise, and arising in any district or division of a parish divided under *58 G.3. c.45.*, shall belong to and be recovered by the respective clerks and sextons of each division, and compensation may be made by the commissioners (as in *58 G.3. c.45. s.32.* and *s.6.* of this act) *pl.86, 87.*, to the original clerk and sexton for the loss sustained by such division, *59 G.3. c.134. s.10.*

67. The commissioners with consent of vestry, or select vestry and bishop, may fix a table of fees for any parish, extra-parochial place, distinct chapelry, or parochial chapelry, in which any church or chapel shall be built under *58 G.3. c.45.* or this act, and with consent of the bishop, and all fees so fixed may be recovered by the spiritual person, clerk, or sexton to whom they are assigned in the usual manner, *id. s.11.*

68. During the incumbency of the existing incumbent, every new church intended as the parish church of any such division, intended to become a distinct parish, shall remain a chapel of ease, and shall be served by a curate, nominated by the incumbent, licensed by the bishop, and paid as in *s.2. pl.75.* directed, *58 G.3. c.45. s.18.*

69. Every such separate parish, when the division becomes complete by avoidance of the existing incumbent, shall be deemed either a rectory, vicarage, donative, or perpetual curacy, and the spiritual person serving the same either a rector, &c. according to the nature of the original parish, *id. s.19.* [*not so* as to *chapels* erected under that act, *59 G.3. c.134. s.19. pl.73.*]

70. All such donatives and perpetual curacies shall be subject to lapse as benefices, if no appointment of a spiritual person thereto shall be made within 6 calendar months after vacancy therein, provided that no spiritual person appointed to any donative or perpetual curacy shall be removeable at pleasure of any patron thereof, *id. s.20.*

71. All new churches built or acquired under either act, shall immediately after consecration become distinct benefices and churches for all ecclesiastical purposes; provided that, during the existing incumbency, they shall be served by lawful stipendiary curates, appointed by the existing incumbent, and subject to all the laws in force, respecting them, except as to the assigning them salaries by the bishop, and the incumbent shall hold all the churches of the several divisions of his parish, as if they were one church, except in case of his voluntary resignation of one of them, *59 G.3. c.134. s.12.*

72. But the right of presentation of spiritual persons to be incumbents, or to serve the churches of the several parishes created by the complete division of any parish under either act, shall belong to the patron of the original church, and the exercise thereof shall commence on the death or other avoidance of the existing incumbent, or where the division has been made, or intended to be made by the commissioners before or during any avoidance, it shall then commence on the consecration of the church of any division, which shall immediately become a benefice, and subject to all the laws of presentation, lapse, &c. incident thereto, provided that, till the incumbents are presented, the cure shall remain in, and the profits shall be received by the original incumbent, *id. s.13.*

73. No chapel built under *58 G.3. c.45.*, and situate in any district parish, made a parish for ecclesiastical purposes under *s.16.* of that act, and which is not the church of the district, shall be deemed a perpetual curacy, or a benefice presentative under that act, *id. s.19.*

74. When the commissioners do not think it expedient to divide any populous parish or extra-parochial place into such separate parishes, but into such ecclesiastical districts, as they with consent of the bishop under his hand and seal may deem necessary to afford accommodation for attending divine service to persons resident therein, in the churches and parochial chapels already built, or to be built therein, and as they may deem convenient for enabling the spiritual persons who may serve the same to perform all ecclesiastical duties within the districts attached thereto, and for due ecclesiastical superintendance of such district, and preservation and improvement of the religious and moral habits of the residents, the commissioners shall represent such opinion to H.M. in council, and state in such representation the proposed bounds of such districts, and H.M.'s order in council, if granted, shall be valid for such division, *58 G.3. c.45. s.21.*

75. When the commissioners do not think it expedient to make such division into ecclesiastical districts, they may build or aid the building of any additional chapels in any parishes or extra-parochial places to be served by curates, respectively appointed by the incumbents of the latter, and licensed by the bishop, and with salaries assigned by the commissioners, *id. ibid.*

76. The new parishes and ecclesiastical districts of parishes and extra-parochial places shall be marked out by described bounds, the description of which shall be enrolled in chancery and registered in the registry of the diocese, and notice thereof given according to commissioners' direction, *id. s.22.*

77. H.M. on representation of the commissioners made by the bishop's consent under his hand and seal, may by order in council alter such boundaries within 5 years after such enrolment, *id. s.23.*

78. Such boundaries shall continue boundaries of such parishes or districts, unless so altered, and such districts shall become and be called *District Parishes* by their names of enrolment, and the churches and chapels assigned to them, shall, when consecrated, become the district parish churches for all ecclesiastical worship and duties, and as to all marriages, christenings, churchings, burials, and registers thereof within the same, and as to all fees, and oblations, and for recovering the same, and for all other purposes except as herein excepted, *id. s.24.*

79. Every church and chapel built, or required under this act, and appropriated to any such district-parish, shall be deemed a perpetual curacy, and a benefice presentative, so far only as that the licence thereto shall operate as an institution to a benefice, and as such shall render voidable other livings, and the spiritual person serving same shall be deemed the incumbent thereof, with perpetual succession as a body politic or corporate, or both, and may take any endowments or augmentations granted to him or his successors, and they and their patrons shall be subject to all common statutes and ecclesiastical law, with lapse in case of 6 months' vacancy in presentation, *id. s.25.*

80. No such district church or chapel shall be held with the original church, or with the church, &c. of any other such parish or district parish, *id. s.26.*

81. All statutes, laws, and customs, relating to publishing banns of marriage, marriages, christenings, churchings, and burials, and the registry thereof, and to all ecclesiastical fees, oblations, or offerings, shall apply to such separate parishes, or district parishes, or chapelries, when they become such after the avoidance of the existing incumbents, [and to all districts, and consolidated or district chapelries, and divisions of parishes, or extra-parochial places, of which the boundaries are enrolled in chancery under either act, and in the churches and chapels of which banns may be published, and marriages, christenings, churchings, and burials solemnized, *59 G.3. c.134. s.17.*] and to the churches, chapels, and ministers of all the parishes, &c. above enumerated, as if they had been ancient and separate parishes, *58 G.3. c.45. s.27., 59 G.3. c.134. s.17.*

82. No banns shall be published, marriages celebrated, or baptisms, or churchings had within any church or chapel of any such separate parish, or in any private house therein, or within any such district church or chapel, or in any private house within such district, nor shall any burials be performed within any cemetery belonging to any such church or chapel by any person whatever, except by the incumbent of the church of the parish, or extra-parochial place, from which such parish has been separated, or his duly licensed curate, till after the death, resignation, or other avoidance of the spiritual person, who is then incumbent of the church of the parish, &c. at the time of consecration of any such church or chapel of any such separated parish or district parish; and after any such avoidance of the incumbent, notified under the bishop's hand and seal, and entered as in *s.29.*, all such acts shall be as effectual as if published or solemnized in the church of the parish, or extra-parochial place wherein they are situate, *58 G.3. c.45. s.28.*

83. Such avoidance of the existing incumbent shall be notified by the bishop, under his hand and seal, to the spiritual person then serving the separated church or chapel, and to the churchwardens; and such notifications shall be preserved with, and copies thereof entered in the parish and chapel registers, and shall be authenticated by the churchwardens, and shall be evidence of the period of commencement, under this act, of performing the ceremonies mentioned in *s.28.*, *id. s.29.*

84. The division of any parish into district-parishes only, and not into separate and distinct parishes, shall not affect any land, glebe, tythes, moduses, or endowment, belonging to the original church of the parish or extra-parochial place, but the same shall continue to belong to the incumbent thereof, and the original parish shall continue such as to the same, as if this act had not passed, *id s.30.*

85. No divisions of any parish or extra-parochial place, whether it be divided into separate parishes or into district parishes, shall affect any parish so divided, or the inhabitants thereof, otherwise than is herein

provided, or in any manner apply to any poor or other parochial rates, except church-rates as by this act regulated, or to any powers relating to poor-rates, or holding vestries or appointment of parish-officers; but the original parish shall remain a parish to all intents, as if no such division thereof into separate parishes or district parishes had been made, 58 *G.3. c.45. s.31.*

86. Commissioners may ascertain the average amount in any parish or extra parochial place of all fees, oblations, or offerings soever, voluntary or not, for the three years preceding the division into district parishes, and for each year subsequent thereto during the existing incumbency, and may summon and examine on oath the incumbent or other persons, and require the production of and examine all necessary books or papers, and shall cause compensation to be made out of the monies hereby granted to the incumbent of any such parish for any loss he may sustain by such division, and by the consequent transfer of such fees, &c. to the clergy of the churches, &c. of the district parishes; but no such compensation or inquiry shall affect any question as to the right to the fees, *id. s.32.*

87. The commissioners (with the consents required by 58 *G.3. c.45. s.16. pl.61.*, in the case of district parishes) may consolidate any contiguous parts of populous parishes and extra-parochial places into a separate and distinct district for all ecclesiastical purposes, and may cause the same to be named and ascertained by described bounds, which, when approved by H.M. in council, shall be enrolled in chancery and in the registry of the diocese, and may make grants or loans for building chapels for the use of such district, with or without cemeteries, and constitute the same a consolidated chapelry, which chapelry shall be under superintendance of the minister appointed to serve such chapel, and he shall have cure of souls therein; and the right of presentation to the same shall be settled by the patrons of the churches of the different parishes, &c. with the approbation of the commissioners; banns of marriage may be published, and marriages, christenings, churchings, and burials solemnized in such chapel after its consecration; its pew-rents shall be fixed, and salaries to the minister and clerk assigned therefrom, as in 58 *G.3. c.45. pl.75.* and this act directed, concerning pew-rents and salaries in separate or district parishes, and all fees and offerings accruing in the chapelry, according to the table of fees made by the commissioners with the bishop's approbation, may be recovered, &c. by the minister, clerk, and sexton of every such chapelry, as if it were a district parish, 59 *G.3. c.134. s.6.*

88. The commissioners may make compensation as in 58 *G.3. c.45. s.32. pl.86.*, for any loss sustained by the incumbent of any contiguous parish, or extra-parochial place, forming part of any such district, by reason of any fees or oblations transferred to the minister of such chapel, and all such chapelries shall be deemed benefices, and subject to the jurisdiction of the bishops and archdeacons, and to all laws in force concerning presentation to and holding of benefice, and lapse, *id. ibid.*

89. Commissioners may require sites to be provided as in 58 *G.3. c.45. s.35.* [*infra, pl.94.*] and may lend money for building churches or chapels, and purchasing sites, and erecting buildings for church of *Eng.* worship, without determining beforehand whether the parish or extra-parochial place in which the same shall be built, shall be divided into separate parishes or districts for ecclesiastical purposes, or whether such building shall, after its consecration, be deemed a church or chapel, or whether it shall be appropriated to the accommodation of the parish at large or to any division thereof, *id. s.7.*

90. The commissioners may accept as a gift any buildings fit to be used for or converted into such additional churches or chapels, and also any lands proper for the sites thereof, not exceeding a sufficient quantity for building such church, &c. and for providing a churchyard with a proper access or approach thereto; and such site on conveyance to the commissioners, and notice to the bishop, shall, with the church, &c. erected thereon, be devoted to ecclesiastical purposes in order to consecration, and they may also accept any house, garden, and appurtenances, not exceeding 10 acres in all, for the residence of the spiritual person serving such church or chapel, or a like quantity of land for the erection of such house, and making such garden, the same to become the house and glebe of such church, &c., 58 *G.3. c.45. s.33.* [*See* 43 *G.3. c.108.* and 51 *G.3. c.115. ante, pl.24, &c.*]

91. The commissioners of woods, forests, and land revenues, with consent of treasury in writing, H.M. by any grant signed by the chancellor of the duchy of *Lancaster*, the duke of *Cornwall* by grant signed by the duchy chancellor, and any bodies politic, corporate or collegiate, or corporation aggregate or sole, may grant any such building or sites for building such churches, &c. with or without cemeteries, and any house or garden for residence of the clergyman, *id. s.34.*

92. They may also, in like manner, grant any stone, slate, timber, or other materials from any quarries, forests, or wastes, belonging to them respectively, for building such churches, chapels, or parsonage-houses, 59 *G.3. c.134. s.20.*

93. The commissioners of customs of U.K., with consent and under regulations of the treasury, may remit or allow the drawback of all or any proportion of the customs or excise duties on stone, slate, bricks, timber, or other materials *bonâ fide* procured for and used in building such churches, 59 *G.3. c.134. s.21.*

94. All parishes or extra-parochial places required so to do by the commissioners, shall furnish sites for any additional churches or chapels to be built under this act; and the latter shall give notice to the churchwardens of such parish, &c. (by leaving the same at their dwellings) of their intention to build such church or chapel, of the extent of ground required for its site and for making a proper approach thereto, and of the part of the parish, &c. in which they must be provided, and the churchwardens shall in 14 days call a vestry, in order to take measures for providing such site; and if such parish, &c. is not able to provide the same without purchase, the vestry shall forthwith treat for purchase of a site, but shall not conclude the bargain without the commissioners' approbation, 58 *G.3. c.45. s.35.*

95. Where the commissioners deem it expedient from the amount or description of the population of any parish, township, hamlet, vill, chapelry, or other division of any parish, and the amount of the rates paid thereon, or other good cause, they may grant money for the purchase of sites, or may treat for their purchase with or without cemeteries, and without requiring repayment or security for repayment by the parishes of the money so expended, and may purchase or grant money for purchasing cemeteries out of the parish for which they are provided, or for enlarging them or providing additional ones within such parish; all which cemeteries, if not within the parish, shall, after consecration, be deemed part of the parish for the use of which they are purchased, 59 *G.3. c.134. s.22.*

96. All bodies politic, corporate, or collegiate, corporations aggregate or sole, tenants for life or in tail, husbands, guardians, trustees, and feoffees in trust, committees, executors and administrators, femes-covert seized in their own right, and all other persons soever seized of or interested in any lands set out for such sites, may for themselves and their *cestuique* trusts, as idiots, femes-covert, issue unborn, &c. sell and convey, or if copyholds may enfranchise the same to the commissioners for the purposes of this act, 58 *G.3. c.45. s.36.*

97. *The form of conveyance* to the commissioner for the purposes of this act shall be made in or as near to the following form as the case will admit, (except in purchases of lands belonging to H.M., or the duchy of *Cornwall*, which are hereinafter provided for,) *viz.*

'I, [*or* we] — of — in consideration of the sum of — to me, [*or* us] paid, do hereby grant and release to — all [*describing the premises to be conveyed*], and all my right, title, and interest to and in the same, and every part thereof, to hold to the said — and their successors, and to be devoted when consecrated to ecclesiastical purposes for ever, by virtue and according to the true intent and meaning of an act passed in the 58th year of the reign of H.M. king *George* the third, intituled, [*here set forth the title of this act.*] In witness whereof I, [*or* we] hereunto set my hand and seal this — day of —, in the year of our Lord —.'

And all such conveyances shall be valid in law, and bar all estates tail and other interests and incumbrances, *id. s.37.*

98. Where any part of a common or waste is granted for the purposes of this act, a conveyance thereof executed by the lord of the manor only shall be sufficient, and any compensation to be paid for any right of common thereon shall be paid to the churchwardens of the respective parishes wherein the common is situate, for such purposes as a vestry shall direct, *id. s.38.*

99. All the persons mentioned in *s.36.* may accept satisfaction for the value of such lands or interests, and thereupon the commissioners may enter and use the same; and if the parties cannot agree, the verdict of a jury shall settle the price, *id. s.39.*

100. If the persons so mentioned in *s.36.* refuse to receive the purchase-money offered by the commissioners or their agent, and give notice thereof in writing to the secretary to the commissioners, in 7 days next after the offer made, requesting a trial thereof by jury; or if they are dissatisfied or unable from absence or disability, want of title, &c. to treat to the satisfaction of the commissioners, the latter shall issue a warrant, under the common seal, to the sheriff of the county where the land, &c. lies, or if he is interested therein to the senior coroner, or if he is interested to the next senior coroner not interested, to impannel and return not less than 24 or more than 48 persons qualified to serve on special juries, *id. s.40.*

101. The persons so impanelled, &c. shall appear at some general or quarter sessions of the county, or at some adjournment thereof, as in such warrant appointed, and shall attend from day to day till discharged by the court, out of whom a jury of 12 men shall be drawn by the clerk of the peace of the county, or his deputy, in the usual manner, and a *tales* shall be allowed in default of special jurors; all parties may challenge individual jurors, but not the array; and the clerk of the peace may call witnesses, and authorize any 3 or more of the jury to view the place or matter in controversy; and the jury shall assess and give by their verdict the purchase-money of such lands, &c. or interest thereon,

to be made conclusive by the judgment of the sessions; whereupon 14 days' notice in writing of the hour and place of the jury's return shall be given to the persons interested, by leaving the same at their dwelling-houses, or at that of the head officer of such bodies politic, &c. or with some tenant or occupier of the premises intended to be valued, 58 *G.* 3. *c.* 45. *s.* 40.

102. If the jury give a verdict for more than is offered by the commissioners, or if no offer has been made, or sufficient legal person found with whom to contract, the expences shall be settled by the justices and paid by the commissioners; but if a verdict is given for the same, or a less sum, the expences shall be borne by the parties conveying under this act (except where, from absence or otherwise, any person is prevented from treating), and shall be deducted out of the sum awarded, and payment or tender of the remainder shall be deemed payment of the whole of the latter sum, *id. ibid.*

103. Every sheriff, or his deputy, or coroner, making default in the premises, shall forfeit any sum not exceeding 20*l.*; and any person so summoned, and returned on such jury, but not appearing, or, after appearance, refusing to be examined or give evidence, without reasonable excuse allowed by the justices, shall forfeit not exceeding 10*l.*; both which penalties may be levied with costs of distress by warrant of the justices, and shall go to the party who shall appear to the justice to be injured by such person's default, *id. s.* 41.

104. Such judgments and verdicts, after signature by the clerk of the peace, or his deputy being present thereat, shall be kept by the clerk of the peace among the records of the county quarter sessions, as records thereof, and all persons may inspect the same for 1*s.* fee, and may copy the same at 6*d.* for every 100, and so in proportion for any less number of words, which copies shall be evidence, *id. s.* 42.

105. On payment or tender of the purchase monies to the parties interested or entitled to receive the same, or if the latter cannot be found, refuse to receive the same, or to execute conveyance of the premises, &c. or cannot make title thereto to the commissioners' satisfaction, then, on payment into the bank of *Eng.*, as in *ss.* 47, 48. directed, the commissioners may enter thereon, and the inheritance shall be vested in such persons and for such purposes as directed by this act, or by any sentence of consecration under the provisions thereof; and such tender or payment shall bar all dower rights and interests soever; but the commissioners shall not dig for their foundation before such payment, without leave of the respective owners, *id. s.* 43.

106. Where any sum, amounting to or exceeding 200*l.*, is agreed or awarded to be paid for any lands, tenements, or hereditaments, or for any interest purchased for the purposes of this act, which belongs to any corporation, feme-covert, infant, lunatic, or person under disability, &c. (as in *s.* 36.) the same shall be paid into the bank of *Eng.* in the name and with the privity of the accountant-general of chancery, to be placed to his account, "*ex parte* the *commissioners for building churches*," together with the name of such person as any three of the latter shall, by writing signed by them, appoint, for its application (under the approbation of the court, to be signified by order made on petition of the persons otherwise entitled to the rents and profits of such lands) in the purchase of the land-tax, or discharging incumbrances affecting other lands settled to like uses, or in purchase of other lands, &c. to be settled in like manner; and in the mean time such sums shall be invested by the accountant-general in the 3 *per cents* consols, or 3 *per cents* reduced bank annuities, paying the dividends to the persons otherwise entitled to the rents, &c. of such lands for the time being, *id. s.* 44.

107. Any such sum being less than 200*l.*, and not exceeding 20*l.*, shall, at the option of the person for the time being entitled to the rents and profits of the lands, &c. so purchased, their guardians or committees, if infants or lunatics, signified in writing signed by them, be paid into the bank of *Eng.* in the name and with the privity of such accountant-general, &c. (as in *s.* 44.), for application as in that section; or shall be paid at the like option to three trustees nominated by such persons, and approved by 3 or more commissioners, signified in writing under the hands of all parties, for applying such principal and dividends as in *s.* 44., without direction of the court of chancery, *id. s.* 45.

108. Any such sum, being less than 20*l.*, shall be applied to the use of the person for the time being entitled to the rents, &c. of the lands, &c. so purchased, for the purposes of this act, as directed by any 3 or more commissioners, or in case of infancy or lunacy, then to the guardian or committee for the use of the party entitled, *id. s.* 46.

109. In case the person to whom such sums are ordered to be paid shall not make a good title to the satisfaction of the commissioners, or any five of them, or shall refuse to execute such conveyances, or if he cannot be found, or is unknown, any five or more commissioners may order the sums so awarded to be paid into the bank of *Eng.* in the name and with privity of the accountant-general, to be placed in his account to the credit of the parties interested in such lands, &c. [*describing them*], subject to the control of chancery, which court may, (on application of any claimant by motion or petition) order the same to be invested in the public funds, or order distribution thereof, or payment of the dividends, according to the respective estate or interest of the claimants, and the cashier of the bank who receives such money shall give a receipt for the same, specifying the uses for which it is received, 59 *G.* 3. *c.* 45. *s.* 47.

110. Where any question shall arise touching the title of any person to any money paid into the bank of *Eng.* in the name and with the privity of the accountant-general, in pursuance of this act, for purchase of any lands, &c. (as in *s.* 44.) or of any interest therein, to be purchased in pursuance thereof, or to any bank-annuities to be purchased with any such money, or to the dividends and interest thereof, the person who is in possession of the lands, &c. at the time of such purchase, shall be deemed entitled according to such possession, till the contrary be shown to the satisfaction of the court of chancery, and as well the dividends as the capital of such bank-annuities shall be paid and disposed of accordingly, unless it appear to the court that such possession was wrongful, and that some other persons were lawfully entitled to such lands, &c. or to some interest therein, *id. s.* 48.

111. The court may order reasonable expences of purchases made by reason of any disability of any person or corporation entitled to the lands, &c. purchased, to be paid by the commissioners, and to be applied to such purchases as the court shall direct, *id. s.* 49.

112. All mortgages not in possession shall, on tender of the principal and interest due to them, with 3 calendar months' interest on the principal by the commissioners or their agent, immediately convey and transfer the mortgage to the commissioners, or if notice in writing is given them by the latter that they will pay off the principal and interest due on such mortgages at the end of two calendar months from the date thereof, they shall transfer their interest in the premises to the commissioners, or their trustee, and on refusal to transfer, all interest thereon shall cease, *id. s.* 50.

113. If any such mortgagee shall neglect or refuse to convey or assign as above, then on payment of the principal and interest due into the bank of *Eng.* at the end of 2 calendar months from such notice given for the use of the mortgagee, the cashier of the bank shall give a receipt for the same, as in *s.* 47.; and all interest therein of the mortgagee or their trustees shall vest in the commissioners, who shall be deemed in actual possession of the premises comprised in the mortgage deed; and where such mortgage comprises any other lands than those taken by the commissioners, the mortgagees shall, on payment or tender of the sum so ascertained as the value of the lands, &c. convey and transfer their interest therein to the commissioners or their trustee; and in default thereof, on payment of such money into the bank of *Eng.* for the use of the mortgagees, the cashier shall give a receipt as in *s.* 47., and all the mortgagee's and their trustee's interest therein vests in the commissioners, who shall be deemed in actual possession; and such sum shall be deducted from the principal and interest due to such mortgagee by virtue of such mortgage, *id. ibid.*

114. The commissioners by indenture under hands and seals, or any 5 or more of them, may convey by way of absolute sale for consideration in money, any lands, &c. purchased but not wanted for the purposes of the act, and on payment of the purchase money, their secretary may sign and give receipts for the same, which shall be sufficient discharges for the payment or subsequent misapplication thereof, but the first offer of resale shall be made to the persons of whom the lands were bought, their resale price being settled by a jury, (as in *s.* 40.) if any dispute arise thereon: after which, if the parties do not agree, or refuse to re-purchase the same, any person not interested in the premises may swear an affidavit before a master extraordinary of chancery, or a justice of the county where the lands are situate, stating the commisioner's offer and party's refusal, which shall be sufficient evidence thereof in all courts, *id. s.* 51.

115. Where any parish, or extra-parochial place is empowered by statute to build any church or chapel, or to enlarge the existing church, &c. or is desirous of so doing, and defraying the expence without aid of the commissioners, but cannot procure a proper site for the purpose, on account of the inability of any person or body interested therein to convey or make good title thereto, discharged from incumbrances, or are unwilling to treat, or cannot agree for sale thereof, the commissioners may, if they think proper, on application, and a statement of all circumstances, procure such site for them under this act, and charge the expences thereof on such parish, &c. in like manner as in cases of money advanced for sites under this act, *id. s.* 52.

116. Nothing herein shall empower the commissioners to take any private dwelling-house, or offices, or garden, orchard, yard, park, pleasure-ground, paddock, or planted walk, or avenue thereto appurtenant, without consent of the owners and occupiers thereof, *id. s.* 53.

117. The commissioners may advance money, on conditions of repayment by instalments within 10 years, to any parish, &c. (as in *s.* 52.) to purchase any site, in case it appear to them, under the circumstances, to be proper so to do, *id. s.* 54.

118. If no site is provided in any parish, &c. (as in *s.* 52.) and duly no-

tified to the commissioners 6 months after notice by the commissioners that a site would be required, the latter may purchase a site, and charge the expence on the rates to be raised, (as in *s.* 57. and *s.* 59.) giving notice of the amount, and of the periods of repayment by instalments, *58 G.3. c.45. s.55.*

119. The church rates of the parish shall, in all cases, be security for repayment of all money expended by the parish in providing any site, or advanced by the commissioners for that purpose (as in *s.* 54.) or paid by them in cases of neglect thereof, and all such sums shall be chargeable on such rates, and the churchwardens may make proper rates for repaying the same at the times specified by the commissioners under this act, *id. s.* 56.

120. Where any money has been expended in purchasing any site, or advanced by the commissioners for any extra-parochial place, where no church rates are raised, the latter may require any justice acting for the division of the county where such place is, to appoint two or more proper persons to make and levy rates for making all such payments and repayments as are hereby required, and they shall have the legal powers of church-wardens, and may make rates sufficient for such purposes, to be deemed church-rates, and to be raised as such under all the powers and regulations of all former statutes or ecclesiastical laws applicable thereto, *id. s.* 57.

121. The churchwardens of any parish, with consent of vestry, and the persons appointed in an extra-parochial place, with the consent of the majority of persons entitled to vote in vestry, if the same had been a parish assembled at any meeting called for the purpose, with notice given in the church or chapel of or nearest adjoining the same, may borrow any money on the credit of the rates to be made, as in *s.* 57. and they may from time to time raise by rate a sum sufficient to pay the interest of the money so borrowed, and one-twentieth of the principal out of the produce thereof, till the whole is repaid, *id. s.* 58.

122. The churchwardens of any parish, with consent of vestry, and of the bishop and incumbent, may borrow on credit of the parish rates any sum necessary for defraying the expences of enlarging the accommodation of the then existing churches or chapels, and may make rates for payment of the interest, and for repaying the principal, by providing a sum of not less than the amount of interest on the whole sum advanced, or as otherwise agreed with the lenders: and one half of the additional accommodation afforded by such expenditure shall be allotted to free seats, *id. s.* 59.

123. All bodies politic, corporate, or collegiate, corporations aggregate or sole, tenants for life or in tail, husbands, guardians, trustees, and feoffees in trust, committees, executors, and administrators, and all other persons and trustees soever, as well for themselves, their heirs and successors, as also for and on behalf of *cestuique* trusts, whether infants, issue unborn, lunatics, idiots, femes-covert, or other persons, and for all femes-covert entitled, &c. in their own right, and for all other persons soever entitled to or interested in any right of patronage or presentation to any ecclesiastical duty soever, may surrender the same, or make any agreement relating thereto with the commissioners or the bishop for regulating the same according to this act; and may endow or agree to the endowment of chapels heretofore built out of the pew-rents thereof, *59 G.3. c.134. s.15.*

124. No offer to build or enlarge any church or chapel, either wholly or in part, shall be made, nor shall the same be built, rebuilt, or enlarged, or any new burial-ground be purchased by means of parish rates in any case in which one-third part or more in value, (to be ascertained by an average of the rate for the relief of the poor for the preceding three years) of the proprietors, whether for estates of freehold, or copyhold, or by leases of which no less than 15 years remain unexpired, or determinable on life or lives, shall *dissent* therefrom; such dissent to be entered in the book containing the proceedings of the vestry, and to be signified in case of any future vestry, within 2 months after any resolution of vestry for the said purposes: and in case of any vestry already holden at which such resolution shall have been passed within 2 months from passing the act, under the hands of such proprietors; and in case of corporations aggregate, under the hand of the chief member, &c.; and in case of femes-covert, minors, insane persons, and persons absent from the kingdom, under the hands of their respective husbands, guardians, committees, trustees or agents, who shall sign the same; and in case of trustees of charitable institutions, under the hands of the majority, or of any body of trustees authorized under their respective trusts to act in execution thereof, *id. s.* 24.

125. The inhabitants of any parish assembled in vestry, or a majority of those so assembled, (notice thereof having been given on the 2 *Sundays* preceding,) or two-thirds of the persons exercising the powers of vestry in such parish assembled, at any meeting of which due notice is so given, may order the making of any rate not exceeding 1*s.* in the pound in one year, or 5*s.* in the pound in the whole, on the annual value of the property in the parish, for building or enlarging any church or chapel, either wholly or in part, by rates without any further number of consents of any inhabitants or proprietors; but no larger rate than the above shall be raised for the above purposes, if any such proportion of dissents are entered, as in *s.* 24.; and every order so made under this act shall be imperative on the church or chapel-wardens, who shall forthwith raise and collect the same, and as church-rates, *59 G.3. c.134. s.25.*

126. The church wardens of the parish or extra-parochial place wherein such church or chapel shall be built, shall, on application of the parishioners or inhabitants thereof, make rates for raising the portion therein stated to be provided by that means, if such building is proposed to take place, partly by subscription, and partly by rates, or for raising the whole sum so required, or to borrow money on the credit of them; and in every such case shall make rates for paying the interest of the sums advanced, and for repayment of the principal, by providing a fund of not less than the amount of the interest of the sum advanced, for repayment of the principal, or for repaying same, at such times and in such proportions as agreed with the persons advancing the same, *58 G.3. c.45. s.61.*

127. Any church or chapel warden of any parish, or division thereof, or of any consolidated or district chapelry, in which any rates shall be made under *58 G.3. c.45.*, or this act, may demand and recover all such rates by all legal methods of recovering church-rates; but no such church or chapel wardens shall, in virtue of such office, be deemed overseers of the poor, *59 G.3. c.134. s.23.*

128. When any parish is desirous to extend the accommodation in the parish church, for which purpose it is found necessary to take down the existing church, and rebuild it on the same or a more convenient site, the church wardens of the parish, with consent of vestry, ordinary, patron, incumbent, and lay-impropriator, may take down and rebuild it on the same or a new site; and may borrow money for those purposes, on the credit of the church or other rates raised under these acts; and may make rates for paying the interest thereof, and for forming a fund of not less than the amount of the interest, for repaying the principal as agreed on by the lenders; (but no church shall be so taken down and rebuilt by parish rates, if such proportion of dissents as in *s.* 24. are signified in writing;) such church, when consecrated, shall be the parish church for celebration of divine offices and marriages, half of such new church being laid out in free and open sittings; and all persons enjoying pews and sittings in the old church, by faculty or prescription shall, have the same allotted to them, of like dimensions and situation, in the new church; and all tomb-stones, monuments, and monumental inscriptions taken down, shall be replaced as soon as possible in the same places in the new church, *id. s.* 40.

129. The commissioners may build churches and chapels under this act, on such plans as they think best for affording the best accommodation at least expence; and shall, with the bishop's consent signified under his hand and seal, arrange a part in pews to be let out under this act, the rest remaining free seats, to be used by the parishioners without any payment whatever, *58 G.3. c.45. s.62.*

130. The commissioners may make such orders as they deem expedient, as to the amount of rents of pews, the produce whereof shall form a fund, out of which shall be made provision for the clergyman and clerk serving such church or chapel, *id. s.* 63.

131. The commissioners may assign from the pew-rents a proper stipend to such clergyman, with the bishop's consent, regard being had to the extent and population of the district assigned thereto, and the sum necessary to procure him a residence therein, and all other circumstances, with salaries to the clerk; and the archbishop of the province shall settle all differences between the commissioners and bishop as to amount of stipends, *id. s.* 64.

132. Where it appears to the bishop that the accommodation in the existing churches or chapels, or those to be built under this act, is insufficient for attendance on divine service in the church of *Eng.* worship, he may require the incumbent to present a curate for his licence to perform a third service with a sermon; and if the incumbent shall not nominate the curate in 6 months after such requisition, the bishop shall do so, and shall require the churchwardens to let for such additional service, a proportion of the pews, not held by faculty or prescription, and at such rates as shall afford the curate a competent salary, levying the rents, &c. as herein directed, and saving not less than one-fourth of the seats; but if the parish are willing to provide such a salary by subscription, and the bishop prefer that mode of raising it to that of pew-rents, the curate shall be appointed as above, and shall be liable to all the laws of stipendiary curates, except as relates to the amount and mode of levying his salary, &c., which is herein regulated, *id. s.* 65.

133. All such subscribers are entitled to the pews so to be let for the time of such third service, according to the amount of the subscriptions, or according to their dates in case of equality thereof, and only whilst they continue them; and if the whole amount do not, in the bishop's opinion, produce the curate a competent salary, (never exceeding 80*l.*

per annum, except when raised entirely by subscription,) he may require the churchwardens to raise the deficiency, by letting a proportion of the pews, 58 *G.*3. *c.*45. *s.*66.

134. The appointment of the spiritual person to serve such district-churches and chapels shall be in the patron of the original church, and he shall be subject to same visitation as the incumbent of the parish, *id. s.*67.

135. The commissioners, in the same manner, and with the like consents required in 58 *G.*3. *c.*45. *s.*21. &c., or this act, may assign a particular district to any chapel of ease, or parochial chapel already existing, or to any chapel built under these acts; which district shall be under the immediate care of the curate of the chapel, subject to the control of the incumbent of the parish church, who shall nominate such curate for the bishop's licence, except where any other person being legally entitled shall so nominate, subject to all the laws in force respecting stipendiary curates, except as to assigning their salaries; but the commissioners, with the bishop's consent, may determine whether any part or proportion of the fees, &c. for marriages, baptisms, churchings, and burials, shall be assigned to such curate, and whether banns shall be published, and marriages, or baptisms, churchings or burials performed in such chapel or not; and where marriages are allowed therein, the commissioners shall cause the boundaries of the chapelry to be enrolled in chancery, and in the registry of the diocese; but no such chapelry shall become a benefice by any augmentation of the curate's maintenance by any bounty under any laws for augmentation of poor livings, 59 *G.*3. *c.*134. *s.*16.

136. The commissioners may order the pew-rents of any church or chapel built under this act, to be assigned to the parish, or district, and received by the church or chapel wardens, who shall thereupon be required to pay the stipend by this act assigned to the minister, or clerk; but the parish shall not, in any case, be answerable to such minister or clerk for a greater annual sum than the amount of rent of the pews actually let in the year preceding; and any surplus thereof remaining after payment of the stipend and other expences shall (*except as in next pl.*) be invested in government securities, in the name of trustees, to be appointed by the bishop of the diocese, and suffered to accumulate as a fund for building or purchasing a house, with the bishop's consent, for the clergyman's residence, and after the completion thereof, then to the augmentation of his stipend, or to the reduction of the pew-rents, or the increase of accommodation in such church or chapel, as directed by the bishop, *id. s.*26.

137. The surplus of such pew-rents, remaining after payment of such stipend and other expences, shall (if thought expedient by the commissioners) be charged with and applied towards the payment of any money borrowed for building any such church or chapel, or for purchasing any site for the same, and defraying all expences relative thereto, and in keeping the same in repair; and such church or chapel wardens, with consent of commissioners, may borrow at interest, by annuity or otherwise, any money towards those purposes, on the credit of the pew-rents, and by writing under their hands may charge them with the payment thereof, with interest, or with any such annuity, subject to such stipend and expences as aforesaid, *id. s.*27.

138. Every assignment of stipend to any minister or clerk under these acts shall be registered in the registries of the diocese, *id. s.*28.

139. The clerk in every church and chapel built under these acts, shall be annually appointed by the minister, *id. s.*29.

140. Where any chapel is built, either wholly or in part, by means of parish-rates, the incumbent of the parish-church shall have the first and subsequent nominations of its ministers, 58 *G.*3. *c.*45. *s.*68.

141. Nothing herein shall affect the right of the principal and scholars of *Brazen Nose*, *Oxford*, to present fit clerks, to officiate in all churches or chapels built, or to be built, in *Stepney*, in *Middlesex*, secured to them by 9 *A.* and 12 *A.*, *id. s.*69.

142. The repairs of district-churches or chapels shall be made by rates on the districts, as in cases of separate parishes, and the repairs of all chapels not made district-churches, shall be made by the parish in which they are built, *id. s.*70.

143. But such district shall remain liable to repair the original parish-church for 20 years, from the consecration of district church or chapel, after which it shall be repaired by the district still remaining annexed to it, *id. s.*71.

144. In every district, parish, or division of any parish or district, chapelry, or consolidated chapelry, in which any church or chapel shall be built under these acts, and in which there is not a distinct vestry belonging to such division, a *select* vestry, consisting of so many persons as shall be directed by the commissioners, shall be appointed by them with advice of the bishop, out of the substantial inhabitants for management of the concerns of the church, &c.; and such select vestry shall annually elect the church or chapel warden, and shall elect new members of such vestry, as vacancies arise by death, resignation, or ceasing to inhabit the parish, and proper pews shall be provided for the use of the church or chapel warden, 59 *G.*3. *c.*134. *s.*30.

145. Every deed, grant, or endowment, for securing a salary to the spiritual person using such church or chapel under this act, shall be enrolled in chancery, and registered in the registry of the diocese, 58 *G.*3. *c.*45. *s.*72.

146. Two fit persons shall be appointed to act as churchwardens for every church or chapel, built or appropriated under this act, at the usual yearly period of appointing parish officers, one being chosen by the incumbent, and the other by the inhabitant householders entitled to vote at such election, or who would be entitled, if such extra-parochial place had been a parish; and such churchwardens shall appear, and be admitted, and sworn according to law, shall collect the pew-rents, pay the stipends of the minister and clerk, and do all other lawful acts, as such for repairs, management, good order, and decency of behaviour to be kept in the church or chapel by the congregation, may enter and sell the pew-rents, or sue for and recover them by action, in the names of "*The churchwardens of the church or chapel of* ————" without specifying their christian or surnames, and without any abatement on account of their death or removal, or going out of office, *id. s.*73.

147. Before consecrating any church or chapel under this act, a pew in the ground-floor of the chancel, near to the pulpit, shall be set apart for the minister and his family, with room for at least 6 persons, and other seats for not less than 4 persons for use of his servants, and that the seats to be marked *free seats*, not being less than 1–5th of the whole, shall be appropriated for the use of the poor for ever, without any rent payable on any of the herein above recited pews or seats, 58 *G.*3. *c.*45. *s.*75.

148. Subscribers being parishioners, to any church or chapel, built under this act, shall have choice of pews, at rates fixed by the commissioners, in the order of their amount of subscription, and, as to subscribers of the same amount, in the order of their subscription, *id. s.*76.

149. All the pews, not being *free seats*, shall for ever be charged with the yearly rents set opposite to the figures marked on each pew, as set down in a list signed by the commissioners and annexed to the deed of conservation, which said yearly rents shall be paid by the possessors and occupiers to the churchwardens half-yearly on the *Monday* after *Christmas*, and on *St. John Baptist's Nativity*, in the vestry-room, between 9 *a. m.* and 4 *p. m.*, *id. s.*77. and *s.*79.

150. The churchwardens, when ordered by the bishop, with consent in writing of the incumbent and the patron, or in any case in which the pew-rents shall have been assigned to the parish, then with the consent of the parish vestry, may alter such yearly rents, in which case a new list thereof, and of the pews on which they are charged, shall be signed by the incumbent, patron, bishop, and churchwardens, and deposited with the deed of consecration, 58 *G.*3. *c.*45. *s.*78., 59 *G.*3. *c.*134. *s.*31.

151. If the pew-rents are in arrear for 3 months after due, and notice in writing, demanding payment, shall have been given to the owner or occupier, the churchwardens may either enter on, or let the pew to any other person, till the arrears of rent and all costs of recovery thereof shall be duly paid, or otherwise sell the pew by public auction to the best bidder, and deduct the rent in arrear, and the above costs from the proceeds, rendering the overplus to the occupier, or they may recover the same by action of debt, or in use and occupation (as in *s.* 73.), and no such action shall abate by death, removal, or going out of office, 58 *G.*3. *c.*45. *s.*79.

152. No church or chapel wardens of such additional church or chapel shall let or sell any pews or seats, except to parishioners, during the time the latter continue inhabitants of the parish, and every sale thereof shall be subject to the reserved rent fixed according to these acts, and shall be by private contract and not by public auction, and all pew-rents under the act shall be payable in advance, (*i. e.*) one year's rent on admission to the pew, if given at *Lady-day* or *Michaelmas*, or if at any intermediate period, then the proportion of the half-year to those days, as the case may be, and a half-year's rent in advance besides: and thereafter, half-yearly payments shall be made in advance, from either of those days immediately following the taking such pew, and every such pew shall be forfeited and vacant by the discontinuing such payment in advance for two following half-years, 59 *G.*3. *c.*134. *s.*32.

153. The commissioners may discharge any subscribers towards building any church or chapel, wholly, or in part, from the payment of pew-rents therein, for a limited time, or for life, in such proportion to the amount of their respective subscription as the commissioners think fit, and may allow any subscriber, on removal from the parish, to assign the remainder of his time to any other parishioner and inhabitant, *id. s.*33.

154. All lands, tenements, and hereditaments, acquired by the commissioners under these acts, by gift or otherwise, and remaining unconsecrated at the end of the term of 10 years, in 58 *G.*3. *c.*45. *s.*8. mentioned, or at any other determination of the commission, shall be im-

mediately vested in H.M. for application to the uses for which they were acquired, under the direction of H.M. in council, unless other provision is made by parliament, 59 *G.*3. *c.* 134. *s.* 34.

155. No opening in the pavement or soil beneath the same shall be made within any church or chapel, erected under this act, for the purposes of burial therein, and no grave shall be made in any cemetery or churchyard thereto belonging, at less than 20 feet from the external walls of such church, &c.; (but nothing herein extends to prevent burials of dead bodies in vaults, wholly arched with brick or stone under such church, &c., to which the only entrance is from without the same,) on penalty of 50*l.* on conviction before any two justices of the county, which shall be recoverable by levy by distress and sale of offender's goods under their warrant, to go one moiety to the informer, and the other to the use of the poor of the parish, 58 *G.*3. *c.* 45. *s.* 80.

156. Accounts of the number of churches built or building; the stipends of their incumbents or curates; the money expended, and for what purposes, and all other necessary particulars, shall be annually laid before both houses, *id. s.* 81.

157. The commissioners of stamps under regulation of the treasury, may allow the full amount of stamp-duties on any instruments relating to the purchase or procuring of sites, building any churches, or providing materials for them, 39 *G.*3. *c.* 134. *s.* 35.

158. All such parishes and extra-parochial places as are required by the commissioners, shall furnish lands for enlarging the existing, or for making such additional church-yards or burial-grounds as they think necessary; and as soon as they have fixed on any parish, &c., they shall give notice to the churchwardens (by leaving it at their respective abodes) of their intentions, and of the extent of ground required for that purpose, and for making a good approach thereto, and of the part of the parish, &c. wherein it is required to be provided; the churchwardens shall, in 14 days, call a vestry to take all measures necessary for providing the same; and in case the parish, &c. cannot provide such land without purchase, the vestry shall forthwith treat for a piece of ground and approach according to notice, but shall not conclude any bargain without commissioner's consent, *id. s.* 36.

159. All powers of both acts which relate to the grant, sale, conveyance, purchase and resale of any lands, tenements or hereditaments, for the purpose of building additional churches or chapels, or advancing or borrowing money for that purpose, shall extend to the grant, sale, &c. of any lands, &c. which may be necessary for enlarging any church-yard or burial-ground, or for making any new burial-ground, and approaches thereto under this act, *id. s.* 37.

160. Any piece of land which shall under this act be added to any existing church-yard or burial-ground, or set apart as a new burial-ground, shall be consecrated for the burial of the dead, and shall for ever thereafter be used for that purpose; the freehold thereof, vesting after consecration in the person in whom that of the ancient church-yard or burial-ground is vested, *id. s.* 38.

161. The commissioners may, if they think fit, alter, repair, pull down, and rebuild the walls or fences of any existing church-yard or burial-ground of any parish or chapelry, and may fence off with walls, or otherwise, any additional or new burial-ground provided, and may also (with consent of any two justices of the county, or place, where, &c. and on receiving notice, as in 55 *G.*3. *c.* 68. *s.* 7., &c.) stop up, discontinue, alter, or vary, any entrances, gates, paths, footways, or passages into, through, or over the same, 59 *G.*3. *c.* 134. *s.* 39.

162. And may pay or lend money for payment of the parliamentary fees of obtaining acts for carrying this act into execution in parishes where special circumstances require them; and all such acts shall be considered public acts, *id. s.* 41.

163. Commissioners may receive and send free of postage, all letters and packets directed "*To H.M.'s commissioners appointed under the act, for the building and promoting the building of additional churches,*" and all letters, &c. sent by them shall be dated from their office, and signed on the outside by such person as they shall appoint, with consent and under regulations of the treasury, 58 *G.*3. *c.* 45. *s.* 82.

164. No action shall be commenced against any person for things done in pursuance hereof, till after 14 days' notice in writing, given to the secretary of the commissioners, nor after sufficient amends made or tendered to party grieved, nor after 6 months from the fact committed; and such action shall be brought in the exchequer in *Eng.* and laid in *Middlesex*, and not elsewhere; the general issue may be pleaded, giving in evidence this act and the special matter, and that the thing was done in pursuance hereof; and if that should be proved, or any of the above requisites neglected, the jury shall find for the defendants, or if plaintiff shall be nonsuited, or discontinue, or have verdict against him, defendant shall have treble costs, *id. s.* 83.

165. Nothing herein shall invalidate any law or constitution of the church of *Eng.*, or destroy any of the rights of bishops, archdeacons, chancellors or officials (*s.* 83.), who may exercise ecclesiastical jurisdiction in all parishes erected or divided in pursuance of this act, *id. ss.* 84, 85.

CLERK OF THE PEACE, AND *CUSTOS ROTULORUM*.

1. FOR REGULATING THE OFFICES OF *custos rotulorum*, AND CLERK of the peace, 37 *H.*8. *c.* 1. [CONF. 1 *W.& M.* (*S.* 1.) *c.* 21. *s.* 4.]

2. No person shall be appointed *custos rotulorum* throughout *Eng.* and *Wa.*, but by bill signed with H.M.'s own hand, which shall be a warrant to the lord chancellor to make a commission, assigning such person to be *custos* till another is appointed by another bill so signed, which *custos* shall exercise the office by himself or deputy learned in the laws, according to the tenor of the commission, 37 *H.*8. *c.* 1. *s.* 2., 3 & 4 *E.*6. *c.* 1. *s.* 4.

3. The appointment of the *custos rotulorum* shall be as directed by 37 *H.*8. *c.* 1., 1 *W.& M. S.* 1. *c.* 21. *s.* 4.

4. The rights of the archbishop of *York*, of the bishops of *Durham* and *Ely*, and the chancellor of the duchy of *Lancaster*, and all who have power, by letters patent or statute, to make any of the said officers of *custos rotulorum*, [*or* clerk of the peace, 37 *H.*8. *c.* 1. *s.* 5.] in counties palatine or elsewhere, are saved and confirmed, 37 *H.*8. *c.* 1. *s.* 5., 3 & 4 *E.*6. *c.* 1. *s.* 5.

5. The *custos rotulorum*, or other person to whom it belongs to appoint the clerk of the peace, shall, in case of vacancy in the office, appoint an able person residing in such county or place, to execute the same by himself or sufficient deputy, [approved by the *custos*, 37 *H.*8. *c.* 1. *s.* 3.] and to take the fees for so long as such clerk of the peace shall well demean himself in his office, 37 *H.*8. *c.* 1. *s.* 3., 1 *W.& M.* (*S.* 1.) *c.* 21. *s.* 5.

6. If a charge in writing of any misdemeanor committed by clerk of the peace be exhibited against him to the quarter sessions, a majority of the justices, on open examination and proof thereof there, may suspend or discharge him from the office; and, in default of appointment of another sufficient person resident in the county or place by the *custos rotulorum*, to the office of such clerk of the peace, before the next quarter sessions, the latter may appoint to the office, 1 *W.& M.* (*S.* 1.) *c.* 21. *s.* 6.

7. He shall be liable to the penalties herein expressed, and may be discharged (as in *s.* 5.), *id. s.* 7.

8. No *custos rotulorum*, or other person to whom of right it belongs to nominate any clerk of the peace, shall take fee or bond, or assurance for reward, directly or indirectly, for such appointment, on penalty that both the seller and buyer are respectively disabled to hold their offices, and shall each forfeit double the value so given or taken, to be recovered by such as will sue by action of debt, bill, plaint or information, in any court at *Westminster*, without essoin, &c. allowed, *id. s.* 8.

9. Every clerk of peace shall take the following oath in open sessions, before entering on duty:

'I *A. B.* do swear, that I have not nor will pay any sum or sums of money, or other reward soever, nor given any bond or other assurance to pay any money, fee or profit, directly or indirectly, to any person or persons soever, for such nomination or appointment. So help me God.' *id. s.* 9.

10. Nothing herein shall extend to the clerk of the peace for the duchy and county palatine of *Lancaster*, who holds his office for lives, by grant from *K.C.*2., in right of that duchy, *id. s.* 10.

11. TO ENABLE JUSTICES OF PEACE TO SETTLE THE FEES OF clerks of peace of counties, and other divisions of *Eng.* and *Wa.*, 57 *G.*3. *c.* 91.

12. The justices of *Kent* and *Lancaster*, at their annual general sessions, and the justices in every other county, riding, city, town, division, or liberty soever, in *Eng.* and *Wa.* at their general quarter sessions, may settle a table of fees and allowances to be taken by the respective clerks of the peace for such county, &c.; which table, when made, shall be subject to the approbation of the next general annual session of the peace for *Lancashire* and *Kent*, and at the then next quarter sessions of every other such county, &c. respectively, or at some adjournment thereof; and when so approved, shall be laid before the judges of assize for their approbation, at the next assizes for such counties, &c. respectively, except in counties where assizes are not regularly holden every year, and then at the assizes to which prisoners are removed for trial from such places, and except the counties of *Chester* and of *Wa.*, and before the justices of great session for *Wa.* and *Chester*; and the fees allowed by the table as approved or altered by the judges, shall be the only fees, but the justices may appoint a new table to be approved, &c. as above, *id. s.* 1.

13. Every clerk of the peace taking greater fees than are thus allowed, shall, for every offence, forfeit 5*l.* to any person suing for the same, by debt, bill, plaint or information, in any court of record at *Westminster*, wherein no essoin, &c. or more than one imparlance shall be allowed, *id. s.* 2.

14. Printed or written copies of such table of fees shall be hung up in some conspicuous part of every room or place wherein any general or quarter-sessions are held, and every clerk of the peace neglecting the

same, shall forfeit 5*l.* for every such offence, recoverable as in *s.* 2., 57 *G.* 3. *c.* 91. *s.* 3.

15. Actions under this act shall be brought within 3 calendar months from the offence, *id. s.* 4.

CLOCKS AND WATCHES.

1. FOR MORE EFFECTUALLY preventing frauds and abuses committed by persons employed in the manufacture of clocks and watches, 27 *G.* 2. *c.* 7.

2. Every person employed by any person practising the trade of clock or watch making, or any branch thereof, to make, finish, alter, repair, or clean any clock or watch, or any part of a clock or watch, or entrusted by any person practising the said trade, with any gold, silver, or other metal or material, to be, or that shall be, in the whole or in part, wrought for any part of a clock or watch, or any precious stone set or to be set in or about any clock or watch, who shall purloin, embezzle, secrete, sell, pawn, exchange, or otherwise unlawfully dispose, of any such goods, and is convicted by oath of the owner, or any other witness, or by confession before any justice or justices, shall, for the first offence, forfeit 20*l.*; and in case the forfeiture be not forthwith paid, the justice shall commit the party convicted to the house of correction or other public prison, to be kept to hard labour for 14 days, unless such forfeiture be sooner paid; and if within 2 days before the expiration of the 14 days, such forfeiture be not paid, shall order him to be publicly whipped; and for a subsequent offence the offender shall forfeit 40*l.*, which if not forthwith paid, such justice shall commit him to the house of correction or other public prison, to hard labour, for not exceeding 3 months, nor less than one, unless the forfeiture be sooner paid; and if within 7 days before expiration of the time for which such offender is committed, the forfeiture be not paid, shall order him publicly to be whipped twice or oftener, *id. s.* 1.

3. Every person who shall buy, receive, or take by way of gift, pawn, or exchange, or in any other manner, any clock or watch, or any part of a clock or watch, or any gold, silver, or any other metal or material as aforesaid, wrought or not wrought, or any precious stone intrusted with any person hired or employed as aforesaid, knowing the same to be so purloined and embezzled, shall, being convicted as in *s.* 1., for the first offence forfeit 20*l.*; and if not forthwith paid, the justice shall commit the convict to the house of correction or other public prison, to hard labour for 14 days, unless the forfeiture be sooner paid; and if within 2 days before the expiration of the said 14 days, the forfeiture be not paid, shall order him to be publicly whipped once, or oftener, as appears reasonable; and in case of a like subsequent offence, the offender, being convicted, shall forfeit 40*l.*, which, if not forthwith paid, the justice shall commit him to the house of correction or other public prison, to hard labour, for not exceeding 3 months nor less than one, unless the forfeiture be sooner paid; and if within 7 days before expiration of the time for which such offender is committed, the forfeiture is not paid, shall order him to be publicly whipped twice or oftener; which forfeitures, when recovered, after satisfaction thereout to the party injured, with such costs as are adjudged by the justice, shall be applied to the use of the poor of the parish where the person convicted resides, *id. s.* 2.

4. Every person so convicted of purloining, &c. (as in *s.* 1.) or of receiving, &c. (as in *s.* 2.) any of the goods before-mentioned, may appeal to the next general or quarter-sessions, and the execution of the judgment shall be suspended, on his entering into a recognizance at the time of conviction, with 2 sureties, in double the sum adjudged to be forfeited, on condition to prosecute such appeal with effect, and to be forthcoming to abide the judgment of the sessions; which recognizances the justice before whom conviction had, shall take; and the sessions shall finally determine the appeal, and award costs to be paid by either party; and if the judgment be affirmed, such appellant shall immediately pay the sum adjudged, with costs, or in default shall suffer the pain inflicted upon persons who neglect to pay the forfeitures, *id. s.* 3.

5. The justice of peace before whom any person shall be convicted shall cause such conviction to be drawn up thus, *id. s.* 4.

'*Middlesex*, } Be it remembered, that on the — day of — in the — year of
to wit. } H. M.'s, reign, *A. B.* was convicted before me (*or* us) — of H. M.'s justices of the peace for the said county of — or for the — riding, [*or* division] of the said county of — or for the city, liberty, or town of — in the said county of — [*as the case shall be*], of purloining, embezzling, secreting, selling, pawning, exchanging, or unlawfully disposing of, or of buying receiving, or taking to pawn, [*as the case shall happen to be,*] — [*specifying the respective goods, materials, or effects,*] the property of *C. D.* of — in the county of —. Given under my hand and seal [*or*, our hands and seals] the day and year aforesaid.'

which conviction shall not be removeable into K. B. by *certiorari*; and the convicting justice shall cause the same so drawn up, to be fairly written on parchment, and transmitted to the next general or quarter-session of the peace, for the county, city, or place wherein such conviction was had, to be filed among the records thereof; and in case of an appeal (as in *s.* 3.), the sessions on recovering the conviction so drawn up shall proceed to determine the matter of such appeal according to *s.* 3., 27 *G.* 2. *c.* 7. *s.* 4.

6. Any one justice on complaint on oath of any offence committed against this act within his jurisdiction, shall issue his warrant to apprehend and bring the accused before him, or any other like justice, who shall determine the matter of such complaint, and proceed to conviction and judgment thereon, *id. s.* 5.

COALS.

1. WHEREAS THE KEELS AT *Newcastle* WHICH OUGHT to be of 20 chalders burden, being made of 22 or 23 chalders, the custom of 2*d.* a chalder to the king upon sea-coals sold to people not free there has been taken according to the burden of 20 chalders; such keels shall be measured by H. M.'s commissioners, and marked of what burden they are, on pain of forfeiture, 9 *H.* 5. *st.* 1. *c.* 10.

2. Commissioners shall, from time to time, be appointed by H. M. for measuring and marking keels, boats, carts, and wains, used for carriage of coals in the port of *Newcastle*, and places to the said port belonging, by the bowl-tub of *Newcastle*, containing 22 gallons and a pottle *Winchester*-measure, and being 27 inches diameter upon the top from out to out, and allowing 21 bowls heap-measure to each chalder, 30 *C.* 2. *c.* 8. *s.* 2.

3. THE CONTENT of each wain shall be 7 bowls, and of each cart 3 bowls and 1 bushel heaped measure; and 3 wains and 6 carts shall be a chalder; and the coals made use of in such admeasurement shall be 1 moiety dry and the other moiety wet, as accustomed, *id. s.* 3.

4. THE MAYOR of *Newcastle* shall administer an oath to every person employed by the commissioners for the admeasuring or marking of boats and keels on the river *Tyne*, for faithful discharge of trusts; and the commissioners shall administer the like oath to every person appointed for the measuring or marking of boats, keels, wains, or carts, *id. s.* 5.

5. COMMISSIONERS shall be appointed by the king for measuring and marking all keels, pan-keels, pan-boats, and other boats, wains and carts used for carriage of coals in all places in the counties of *Northumberland* and *Durham*; which admeasurement shall be by a dead weight of lead or iron, or as seems meet to 3 of the commissioners, allowing 53 cwt. to every chalder of coals, 6 & 7 *W.* 3. *c.* 10. *s.* 2.

6. The weight of coals carried by such wains shall be 17½ cwt., by every such cart 8¾ cwt.; and 3 such wains or 6 carts shall be reckoned at 1 chalder, and no other wains shall be admeasured or marked, but such as carry coals to the staiths, *id. s.* 3.

7. Three days' notice shall be given of the time of the admeasurement, *id. s.* 4.

8. No keel or boat shall be marked but between 25*th March* and 29*th Sept.*, nor more marked to carry more than 10 chalders; and keels in the port of *Newcastle* shall be marked at the *New Quay*, and in the *Weare* at *Lambton* staiths, *id. s.* 5.

9. All keels, boats, wains or carts, that shall carry coals before admeasured, marked, and nailed, shall be forfeited, with the coals laden upon them, unless by default of commissioners; one moiety to the king, the other to him that shall sue for the same, *id. s.* 6., and 30 *C.* 2. *st.* 1. *c.* 8. *s.* 4.

10. If after marking, &c. the mark shall be removed or altered, to frustrate this act, the offender shall, on proof by one witness before one justice, forfeit 10*l.*, to be levied by distress and sale of goods, under his warrant; and for want of distress shall be committed for 3 months; one moiety to H. M., the other to the discoverer; and the said keels, boats, &c. to be measured and marked, &c. anew, *id. s.* 7., and 30 *C.* 2. *st.* 1. *c.* 8. *s.* 6., *but see* 31 *G.* 3. *c.* 36. *s.* 4. *pl.* 41.

11. TO PREVENT COMBINATION OF COAL-OWNERS, lightermen, masters of ships, and others, to advance the price of coals in prejudice of the navigation, trade, and manufactures of this kingdom, and for further encouragement of the coal trade, 9 *A. c.* 28. [MADE PERP. 1 *G.* 1. *st.* 2. *c.* 26. *s.* 1. AMD. 28 *G.* 3. *c.* 53., which has a PUBLIC *clause*, *id. s.* 3.]

12. Any number of persons above 5, united in covenants or partnerships for purchasing coals for sale, or for making regulations for carrying on the coal trade, is an unlawful combination to advance the price of coals, punishable by indictment or information in K. B., 28 *G.* 3. *c.* 53. *s.* 2.

13. All contracts between any coal-owners, lightermen, fitters, masters, or owners of ships, crimps, coal-factors, or other persons concerned in the coal-trade, or engrossing coals, or restraining any persons from freely selling, buying, loading, or unloading, navigating, or disposing of coals, are illegal and void; and if any person shall be concerned therein, or shall keep up any office or place for management thereof, as party to, or as interested in the same, or shall act therein as clerk, agent, or servant to the persons contracting, &c. he shall forfeit *viz.* every coal owner, 100*l.*, every fitter, 50*l.*, and every master or owner of a ship, clerk, agent, &c. 20*l.*, 9 *A. c.* 38. *s.* 1. [MADE PERP. 1 *G.* 1. *st.* 2. *c.* 26. *s.* 1.]

14. Every fitter, or other person vending coals, shall give a certifi-

cate to every ship-master every voyage, signed by him, containing the day and year of loading, the master's and ship's name, and quantity, and names of the collieries out of which the coals are gotten, and the price paid by the master for every sort of coals; which certificate, on arrival in the port of *London*, or other delivering port, shall be registered, and if in *London*, then at the cocket-office: if at any other port, then at the custom-house with the keeper of the cockets, with 6*d*. fee, to which register any may have recourse without fee; and the person refusing to make such certificate, or making a false one, or any master of a ship knowingly giving a false certificate to be registered, or who shall not within 48 hours after entry of his ship at the custom-house in *London*, or other delivering port, give in his certificate to be registered; or if the person who ought to register it, shall neglect it 24 hours after delivery of the certificate, or shall make a false entry thereof, or shall refuse to show the certificate and register to any person coming at the usual office-hours, he shall pay 10*l*., 9 *A. c*.28. *s*.2.

15. If any lighterman, master of a ship, crimp, coal-factor, or other person dealing in coals, or otherwise concerned in the coal trade, shall receive any salary or reward from any coal-owner, fitter, master of a ship, &c. (as in *s*.1.) or for the dispatch, delivery or disposal of coals before any other, or shall knowingly sell coals for a sort they are not, he shall forfeit 50*l*., *id. s*.3.

16. If any person guilty of those offences shall, within 3 months after the offence committed, make discovery of any coal-owner, or fitter, their officer or servant, or of any master of a ship, lighterman, crimp, coal-factor, or other person concerned in the coal trade, so as they be convicted of any of the said offences, such discovery shall be discharged of the penalties, and shall have the same benefit for his information as any other person, by virtue of this act, *id. s*.4.

17. If more than 50 ships loaden with coal shall continue either in the port of *Newcastle*, or in any other port between that and *London*, above 7 days, unless unloaden, or prevented by wind or weather, or for want of convoy, repairs, or some other unavoidable cause, every master of every ship shall forfeit 50*l*., *id. s*.5.

18. Any ship-master, whose ship is loaden with coals only, and has given bond to deliver them in some port of *G. B*., may on producing his coast-cocket, and making oath before an officer of customs of the quantity of coals (not being less than expressed in the cocket) pay the over-sea duty, and shall have a certificate of such duty paid; which being given into the custom-house of the port where such coals were laid aboard, shall discharge the coast-bond, *id. s*.6.

19. If any crimp, husband, agent, or factor for any shipmaster importing coals in *London*, shall sell to his own agents, partners, or servants, or to any other in trust for him, the coals, &c. intrusted with him to sell, he shall forfeit 50*l*., *id. s*.7.

20. Every fitter or other person loading coals on any ship in *Newcastle*, *Sunderland*, *Seaton-sluice*, or *Blythe-nook*, in any keel, cart, or wain, not gauged or marked, shall forfeit 10*l*., *id. s*.8.

21. No owner of any coal-mine in *Northumberland*, *Durham*, or town and county of *Newcastle upon Tyne*, or his overmen, staithmen, fitter, or agent, shall knowingly set on work any overman, pitman, labourer, &c. or other person, agreed with, hired, or actually employed by another coal-owner in the said coal trade in any coal-mines in the said counties, during such retainer, and his wages paid, or knowingly keep such person, on forfeiture of 5*l*. for every 6 days, *id. s*.9.

22. Any person thus retained, whose wages shall not be paid 14 days after due, may be hired by any other person, *id. s*.10.

23. The penalties in this act shall be one moiety to the crown, the other to the prosecutor, within 3 months after offence committed, to be recovered in the courts at *Westminster*, with costs by action of debt or information, with no essoin, and but one imparlance, *id. s*.11.

24. THE COAL-BUSHEL shall be round, with a plain bottom, and be 19½ from out to out, and shall contain one *Winchester* bushel and one quart of water, according to the standard described by 13 *W*.3. *c*.5. *s*.28. [*See tit.* WEIGHTS.] and all sea-coals and culm, chargeable with duties by *Winchester* measure, shall be chargeable, sold and measured, by the chalder, containing 36 such bushels heaped, under like penalties, 12 *A. st*.2. *c*.17. *s*.11.

25. The treasury shall cause a bushel to be made of brass, of the dimensions aforesaid, to be sealed and kept in the exchequer, *id. s*.12.

26. EVERY PERSON who shall wilfully and maliciously set on fire, or cause to be set on fire, any mine, pit, or delph of coal, or cannel-coal, shall on conviction be adjudged guilty of felony, and shall suffer death as in cases of felony, without clergy, 10 *G*.2. *c*.32. *s*.6. [MADE PERP. 31 *G*.2. *c*.42. *s*.6.]

27. Every person who shall unlawfully, wilfully, and maliciously divert, or convey, or cause to be diverted, &c. water into any coal-work, mine, or pit soever, or into any subterraneous cavities soever, or make any of the latter with design thereby to destroy or damage any coal-work, &c. or shall wilfully, &c. destroy or obstruct any sough or sewer (used in common for 50 years) made for draining the same, or shall attempt, continue, or aid and assist any such mischievous practice, shall pay treble damages to the party grieved, with full costs, to be sued for and recovered by action of debt, bill, plaint, or information in any court of record at *Westminster*, 13 *G*.2. *c*.21. *s*.1.

28. Nothing herein shall hinder the owner of any such sough or drain from destroying or otherwise lawfully disposing thereof, *id. s*.2.

29. FOR ADMEASURING WAGGONS AND OTHER CARRIAGES used in loading coals on board ships at the several ports of this kingdom, in the same manner as at *Newcastle* and *Sunderland*, 15 *G*.3. *c*.27.

30. H. M. by commission out of exchequer in *Eng*. or *Scot*., may appoint commissioners for admeasuring and marking all keels, boats, waggons, barrows, carts, and coups, and all other vessels or carriages soever, used in the carriage of coals, in order to be laden on board any vessel for exportation, or to be carried coastwise from any port or place of this realm, under 6 & 7 *W*.3. *c*.3., which commissioners, or 3 of them shall cause all such keels, &c. so used at every other port in this kingdom, to be admeasured, weighed, numbered, and marked, at such times and places, and by such persons as they shall direct, *viz*. all keels, &c. used as aforesaid in the carriage of coals usually sold by the chalder, shall be measured with good middling coals, by *the coal bushel*, made round, with a plain bottom 19½ from outside to outside, and to contain one *Winchester* bushel and one quart of water, according to the standard in 13 *W*.3. *c*.3., and *see* 12 *A. St*.2. *c*.17. *s*.11. allowing 36 bushels to one chalder; and all keels, &c. used as aforesaid in the carriage of coals usually sold by weight, shall be measured by the ton, containing 20 *cwt*. each *cwt*. containing 112 *lbs. avoirdupois;* and every waggon, cart, coup, or other land carriage, so admeasured, shall be numbered, marked, and nailed on the head and each side thereof; and each keel, boat, or other water carriage used in the carriage of coals usually sold by weight, shall be admeasured by a dead weight of lead or iron, at 20 *cwt. per* ton; and every keel, &c. used in the carriage of any coals, by water, whether usually sold by the chalder or by weight, so admeasured, shall be numbered, marked, and nailed on each side of the stem and stern and midship thereof, or as the commissioners shall direct, to denote what quantity of coals each carriage will carry up to the mark set thereon; and the duties upon coals shall be paid according to the quantity such keels, &c. shall contain up to the mark set thereon, 15 *G*.3. *c*.27. *s*.1.

31. The commissioners, or 3 of them, shall give 3 days' notice of the time and place of such admeasurement to the owners of keels, &c. and if, after such notice, any keel, &c. shall be employed as in *s*.1. before the same shall be measured, numbered, marked, and nailed as aforesaid, such keel, &c. with the coals laden thereon, shall be forfeited, and may be seized by an officer of customs, *id. s*.2.

32. In case after admeasuring, numbering, marking, and nailing of any keel, &c. the number or mark set thereon, or any part thereof, shall be removed or altered, such keel, &c. and the coals (if any) laden thereon, shall be forfeited, and may be seized; and the owner, and every person privy to the offence, and convicted on the evidence of one witness, before one justice, shall forfeit 10*l*.; to be levied upon his goods by distress and sale thereof, by warrant of such justice; and for want of sufficient distress, the owner and person convicted, shall, by like warrant, be committed to the common gaol for 3 months without bail, unless the penalty paid before, *id. s*.3.

33. Any officer of customs appointed to take an account of the quantity of any coals, culm or cinders, shipped on board any vessel at any port in this kingdom for exportation, or carrying coastwise to any port in *G. B*., may enter and remain upon any wharf, &c. from whence such coals, &c. are laden, or intended to be laden; and every person opposing him in the execution of his duty, shall forfeit 100*l*., *id. s*.4.

34. The penalties (after deducting costs of seizure and recovery) shall be divided in moieties to H. M. and officer of the customs who shall seize or sue; and (except where otherwise directed in this act) shall be sued for in the exchequer in *Eng*. or *Scot*, *id. s*.5.

35. The principal officer of customs, at every port where any keels, &c. shall be measured and marked, shall register in a book, the time and place of so doing, with the dimensions and name of their owners, and the quantity of coals each keel, &c. will hold and carry up to the mark set thereon; and every person appointed to measure, mark, and nail such keels, &c. or to take an account of the quantity of coals laden there from on board any vessel, shall take an oath before such principal officer for faithful discharge of his duty as may be directed by the customs, *id. s*.6.

36. Actions for any thing done in pursuance hereof shall be commenced in the exchequer only in *Eng*., or in the court of session or exchequer in *Scot*., within 4 months. In *Eng*. defendant may plead the general issue; and if plaintiff is nonsuit, or discontinues after appearance, or has judgment against him on verdict or demurrer, defendant shall have treble costs; and in *Scot*. the court of session or exchequer shall allow the defendant to plead this act on his defence, and if judgment is given against the pursuer, &c. defendant shall have full costs of suits, *id. s*.7.

37. To PREVENT KEELS, PAN-KEELS, PAN AND OTHER BOATS, and wains and carts, being used in removal or carriage of coals, after having undergone any alterations or repairs, without being first inspected, re-admeasured, marked and nailed, 31 *G.*3. *c.*36.

38. If any keel, pan-keel, or boat, pan or other boat, wain or cart, used in the carriage of coals to any place mentioned in 6&7 *W.*3. *c.*10. *s.*2. [*ante, pl.*5.], shall, after they have been duly admeasured, marked and nailed, according to that act, be repaired or altered to carry any greater or less quantity of coals than before; or if any of the nails are removed, so that the loading cannot be ascertained as usual, the same shall not be again used till inspected and re-admeasured, marked and nailed according to that act, on penalty of forfeiture thereof, with the coals laden thereon, *id. s.*1.

39. Owners of keels, &c. (as in *s.*1.) so altered, whether by accident or otherwise, or repaired, so that the true loading cannot be ascertained in the usual way, or where any fresh nails or marks are necessary to denote it, shall, if they intend to use such keels, &c. again, give notice in writing to 3 or more of the commissioners under 6&7 *W.*3. *c.*10. (of whom two shall be principal officers of customs), of their intention so to use the same; and the latter, within 24 hours after its receipt, shall give 3 days' notice of the time and place for re-admeasuring, &c. the same, *id. s.*2.

40. If any such marks or nails are removed by accident, and without intention of fraud after such keel, &c. (as in *s.*1.) is laden, then such keel, &c. may unload notwithstanding this act, *id. s.*3.

41. Every person removing, defacing or destroying the marks or nails placed on such keels, &c. (as in *s.*1.) or causing the same to be done, and convicted thereof before any justice on the oath of one witness, shall forfeit from 40*s.* to 5*l.*, or in default thereof shall be committed to the nearest house of correction for any time from 7 days to one month, *id. s.*4. [and see the penalty given, 6&7 *W.*3. *c.*10. *s.*7. [30 *C.*2. *st.*1. *c.*8. *s.*6. *pl.*10.]

42. To EXTEND THE PROVISIONS of 12 *G.*1. *c.*34. (*ss.* 2. 5.) and 22 *G.*2. *c.*27. [*s.*12. *in part*] against payment of labourers in goods or by truck, and to secure their payment in the lawful money of this realm, to labourers employed in the collieries, or in the working and getting of coal in the *U. K.*, and for extending the provisions of those acts to *Scot.* and *Ire.*, 57 *G.*3. *c.*122.

43. All the provisions of 12 *G.*1. *c.*34. [*viz. ss.* 2. 5.] to facilitate labourers in the woollen trade recovering their wages, as well as those imposing a penalty on masters paying labourers in goods, shall be extended to persons employed in collieries, and in working and getting coal in *U. K.*, and all the powers and penalties therein for those purposes contained, are extended to parties concerned or connected with coal-works, *id. s.*2.

44. The provisions of 12 *G.*1. *c.*34. and of 22 *G.*2. *c.*27. are extended to *Scot.* and *Ire.*, *id. s.*3.

COIN.

(STATUTES *repealed and expired.*)

1. For division of pence, *St. incert. temp. c.*6. 1 *vol.* 8*vo. st.* 385. 396. [*Semb.* EXP.]

2. No STERLING farthing or halfpenny shall be molten to make vessel, 9 *E.*3. *st.*2. *c.*3. [REP. 59 *G.*3. *c.*49. *s.*11.]

3. FOR REGULATING the coinage and exchange, 18 *E.*3. *st.*2. *c.*6. [*Semb.* EXP.]

4. MONEY now current shall not be impaired, 25 *E.*3. *st.*5. *c.*13. [EXP.]

5. FOR REGULATING money and exchanges, 9 *H.*5. *st.*2. *cc.*1—8. inclusive, [EXP.]

6. THE VALUE of *Scottish* money, from groats downwards, fixed at half that value *English* money, 14 *R.*2. *c.*12. [*Semb.* EXP.]

7. AGAINST BRINGING IN COIN of *Flanders, Scot.*, and other foreign coin, 2 *H.*4. *c.*6. [REC. and ENF., 17 *E.*4. *c.*1. but REP. 21 *J.*1. *c.*28. *s.*11.]

8. FOR REGULATING the coin, 4 *H.*4. *c.*10. [*Semb. obsolete.*]

9. ALIEN and denizen merchants shall bestow their money received upon other merchandize of this realm, 4 *H.*4. *c.*15. [CONF. 5 *H.*4. *c.*9. REP. 6 *H.*4. *c.*4. REC. and a similar enactment made, 17 *E.*4. *c.*1. which is MADE PERP. and amended 3 *H.*7. *c.*8., but appears virtually repealed, 59 *G.*3. *c.*49. *ss.*11, 12.]

10. AGAINST the currency of gall halfpence, *Scotch* money, and other illegal coin, 11 *H.*4. *c.*5., 13 *H.*4. *c.*6., 3 *H.*5. *st.*1. *c.*1. [EXP.]

11. FOR SUPPRESSING coin called blanks, 2 *H.*6. *c.*9. [EXP.]

12. FOR REGULATING the mint and coinage, 1 *H.*6. *c.*4. [EXP. *see printed Rot. Parl.* 2 *H.*6. *nu.*11.]

13. GOLDSMITHS shall not sell silver at above 40*s.* the lb. troy under the workmanship, except in case of coinage, &c. 2 *H.*6. *c.*13. [REP. 21 *J.*1. *c.*28. *s.*11.]

14. AGAINST IMPORTATION of foreign coin, [enforcing 9 *Ed.* 3. *st.*2. *c.*2. and 2 *H.*4. *c.*6. by penalties, &c.] *first part of* 17 *Ed.*4. *c.*1. [*semb.* EXP. and see 18 *C.*2. *c.*5. *s.*1. *infra.*]

15. 2 *H.*6. *c.*6. against exportation of gold and silver, recited, and such export, whether in corn, bullion or other manufacture, without the king's licence, &c. declared felony, 2*d*, 4*th*, 6*th*, *and* 7*th parts of* 17 *Ed.*4. *c.*1. [CON. for 20 years, and AMD. 4 *H.*7. *c.*23., CON. 1 *H.*8. *c.*13. *and* 3 *H.*8. *c.*1. REV. and CON. for 20 years by 7 *E.*6. *c.*6. ALL EXP.]

16. REGULATIONS for goldsmiths, 3*d part of* 17 *E.*4. *c.*1. [EXP.]

17. ALIEN merchants shall employ their money within this realm, and prove their so doing, 5*th part of* 17 *E.*4. *c.*1. [MADE PERP. and AMD. 3 *H.*7. *c.*8., but both seem *virtually* REP. 59 *G.*3. *c.*49. *ss.*11, 12.]

18. FOR CURRENCY of certain coins, as sovereigns, half sovereigns, rials, angels, half angels, grants, half grants, twopenny-pieces, silver-pence, halfpence, &c. 19 *H.*7. *c.*5. [*Semb.* OBSOLETE.]

19. CONCERNING coining of money, 14&15 *H.*8. *c.*12. [*Semb.* EXP.]

20. To PREVENT the inconvenience arising from melting siver coin of the realm, 13&14 *C.*2. *c.*31. [REP. 59 *G.*3. *c.*49. *s.*11.]

21. FOR ENCOURAGING OF COINAGE, 18 *C.*2. *c.*5.; a duty set on wines, brandy, spirits, vinegar, cyder or beer imported, to defray expences of assaying and coinage, 18 *C.*2. *c.*5. *ss.*6—8. [CON. 25 *C.*2. *c.*8., 1 *J.*2. *c.*7. *s.*2., 4&5 *W.*&*M. c.*24. *s.*3., 12&13 *W.*3. *c.*11. *s.*16., 4&5 *A. c.*22., 7 *A. c.*24. *s.*1., 1 *G.*1. *st.*2. *c.*43. *s.*1&2., 9 *G.*1. *c.*19. *s.*1. 2. 4 *G.*2. *c.*12. *ss.*1, 2., 9 *G.*2. *c.*23. *s.*17. (which is amended, 27 *G.*2. *c.*11. *s.*3.) 12 *G.*2. *c.*5. *s.*1., 19 *G.*2. *c.*14. *s.*1., 27 *G.*2. *c.*11. *s.*1., 1 *G.*3. *c.*16. *s.*1, 2., 8&9 *G.*3. *c.*1. MADE PERP. 9 *G.*3. *S.*2. *c.*25. but *semble* the duties originally granted by 18 *C.*2. *c.*55. *s.*6, 7, 8., and thus continued, &c. are REP. by 22 *G.*3. *c.*28. *s.*3., or if not by that act, then by 27 *G.*3. *c.*13. *s.*1., 43 *G.*3. *c.*68. *s.*1., (and see *s.*64.) 49 *G.*3. *c.*98. *s.*1. 59 *G.*3. *c.*52. *s.*1.]

22. 6&7 *W.*3. *c.*17. *s.*5., and *semble* (*s.*8.&*ss.*13—14.), and 7&8 *W.*3. *c.*19. *s.*6., and *semble ss.*7—10., (relating to the exportation of the current coin of the realm molten into bullion) [AMD. 43 *G.*3. *c.*49. (which empowers the treasury to grant licences for export of bullion) and all other acts whereby the melting of coin, or export of bullion is restrained or prohibited are REP. 59 *G.*3. *c.*49. *s.*11. *&* *s.*12.]

23. FOR TAKING OFF the obligation and encouragement of coining guineas for a certain time therein mentioned, 7&8 *W.*3. *c.*13. [REP. 8 *W.*3. *c.*1. *s.*2.]

24. FOR GRANTING to H. M. several duties on houses for making good the deficiency of the coined money, 7&8 *W.*3. *c.*18. [MADE PERP. 5&6 *A. c.*13., and part of the aggregate fund, 3 *G.*1. *c.*8. *s.*17., but REP. 20 *G.*2. *c.*3. *s.*1.]

25. To ENCOURAGE bringing plate into the mint to be coined, and for remedying the ill state of the coin of this kingdom, 7&8 *W.*3. *c.*19. *ss.*1—2. 4—5. 11—12. [*Semble* EXP. and *s.*3. REP. by 9 *G.*3. *c.*11. *s.*1.]

26. FOR FURTHER remedying the ill state of the coin of this kingdom, 8 *W.*3. *c.*2. [EXP. Hammered silver money brought to the mints before 1 *July*, 1697, to be received at 5*s.* 4*d.* per oz. *id. s.*1. Hammered silver coin for taxes, &c. at 5*s.* 8*d.* per oz.] *id. s.*2.

27. To STOP THE coinage of half-pence and farthings for one year, 9&10 *W.*3. *c.*33. [EXP.]

28. To IMPOWER treasury to issue from the monies arising from the coinage duty any sum not exceeding 300*l.* over and above 3000*l.* yearly for the use of the mint, 4&5 *A. c.*22. *semble* REP. [See acts repealing 18 *C.*2. *c.*5. and this act, *ante, pl.*21.]

29. To CONTINUE duties for encouragement of coinage of money, 4 *G.*2. *c.*12., 12 *G.*2. *c.*5., 19 *G.*2. *c.*14., 27 *G.*3. *c.*11., 1 *G.*3. *c.*16., 9 *G.*3. *c.*25. [*Semble* REP. see the acts repealing 18 *C.*2. *c.*5. and these acts, *ante, pl.*21.]

30. TREASURY SHALL defray the expences of the mints of *Eng.* and *Scot.* respectively *out of the monies arising* by 18 *C.*2. *c.*5. *s.*6 & 7., [see *ante, pl.*21.] and in case of deficiency therein, out of other public parliamentary supplies, provided they do not exceed 15,000*l.* in any one year, 1 *G.*1. *st.*2. *c.*43. *s.*2., 9 *G.*1. *c.*19. *s.*2., 4 *G.*2. *c.*12. *s.*2., 12 *G.*2. *c.*5. *s.*2. and 19 *G.*2. *c.*14. *s.*2., 27 *G.*2. *c.*11. *s.*2. and 1 *G.*3. *c.*16. *s.*2. and 27 *G.*3. *c.*13. *s.*64., *semble* REP. see 18 *C.*2. *c.*5. *ante, pl.*21. and the whole duties imposed by the 27 *G.*3. *c.*13. are REP. 43 *G.*3. *c.*8. *s.*1. *&c.*

31. To PREVENT the coining or counterfeiting any of the gold coins commonly called broad-pieces, [by making such coining, &c. before 21 *Feb.* 1733, high treason,] 6 *G.*2. *c.*26. [EXP.]

32. To ENABLE treasury to allow *out of the coinage duty* a certain sum for expences of prosecuting offenders against the coin laws above the sum yearly allowed for that service, 12 *G.*3. *c.*52. [Similar act, 16 *G.*3. *c.*46. (EXP.)]

33. FOR APPLYING a certain sum of money for calling in and re-coining the deficient gold coin of this realm, and for regulating the manner of receiving the same at the bank of *Eng.*, and of taking there an account of the deficiency thereof, and making satisfaction for the same, and for authorizing all persons to cut and deface all gold coin not allowed to be current by H. M.'s proclamation, 14 *G.*3. *c.*70. [*Semble* EXP.]

(STATUTES *in force.*)

1. IT SHALL BE cried through the realm, that no man, on grievous

forfeiture, dispend or receive money of other coin than of the king of *Eng.*, of *Ire.*, and of *Scot.*, 20 *E.* 1. *Stat de Monetâ*, *st.* 4. *c.* 1. *s.* 1.

2. None shall bring money into this country but for his expences, nor arrive in *Eng.* but at common ports; and he shall show his money to him that shall be assigned by H. M. without concealment, on pain of forfeiture of body and goods, *id. s.* 2.

3. On the same forfeiture, no man shall send money in bales or other manner whereof suspicion may be of concealment; and if any such be found, the person shall have 4*d.* of the £., and H. M. the rest, *id. s.* 3.

4. If any find money of other coin, he shall pierce the same, on pain of grievous forfeiture; and he which findeth the same false shall break the same; the pierced money shall be given to him who owneth it, and the false money broken without restoring; and the body of him in whose hands false or clipped money appeareth, shall be taken until surety found, *id. s.* 4. [*and see* 6 & 7 *W.* 3. *c.* 13., *&c. post.*]

5. He which ought to receive or pay money shall receive and pay the same by weight of 5*s.* by the tumbrel delivered by the warden of the exchange, marked with H. M.'s mark; and any man may pierce money which shall not weigh the tumbrel, and the money of other coin, *id. s.* 5.

6. The weights shall be as well marked by the warden of the exchange as the tumbrel, *id. s.* 6.

7. The viewer and warden of money shall weigh it, and if the pound of new money weigheth not 20*s.*, and if money which is much used, in the pound wants but 6*d.*, it shall be delivered to the bringer, and if it want more, shall be done as of the rest, *id. s.* 7.

8. NONE SHALL BRING POLLARDS, crockards, &c. into the realm, on forfeiture of life and goods; but all people may safely bring to the exchange all money of good silver, of whatsoever foreign coin. And strict guard shall be kept upon the coasts and at the ports, by lawful jurats, who shall arrest those that bring bad money, and send them to whom H. M. shall appoint. And the commonalty of every port shall elect two good men of the same port, for whom they will answer, who, with the bailiffs of the ports, shall arrest and search all that arrive, and shall send the bodies of such as bring false money to the chief prison of the county. And the wardens shall send the money to H. M.'s great exchange, and answer for their other goods at the exchequer. And all that bring sterlings into the realm, shall put them under the seals of the wardens of the ports, who shall send them to the next assayers; and if they be found false, the bodies of those that bring them shall be in H. M.'s will. None shall sell or send out of the realm, wool, leather, skins, lead, or tin, but for good sterling, or for silver plate assayed and marked at H. M.'s great exchange, or in exchange of good and lawful merchandize; and if any do otherwise, and be thereof attaint by the said wardens or other H. M.'s ministers, the things so sold, &c. shall be forfeited. No silver coin or plate shall be carried out of the realm without H. M.'s special leave, under the pain aforesaid. The wardens shall swear before the sheriffs, or before their chief wardens, where they are not answerable to the sheriffs, that they shall, without negligence, do what belongs to their office. If they release any for gift or for favour, or otherwise, and be thereof attaint, they shall forfeit life and all that they have. All who bring money out of the dominion of the king of *France*, shall carry it to the table at *Dover*, and receive current money of this realm; and if they be found with it elsewhere, the same shall be forfeited, 27 *E.* 1. *st.* 3. *Stat. de Falsâ Monetâ.*

9. NO MAN shall carry any sterling out of the realm, nor silver in plate, nor vessel of gold nor silver, on pain of forfeiture of money, plate, or vessel, without licence, 9 *E.* 3. *st.* 2. *c.* 1.

10. NO FALSE money shall be brought into the realm, upon forfeiture thereof, but all people may safely bring to the exchanges, bullion, silver in plate, vessel, and money of silver, 9 *E.* 3. *st.* 2. *c.* 2., 27 *E.* 3. *st.* 2. *c.* 14.

11. BLACK MONEY shall not be current in this realm, 9 *E.* 3. *st.* 2. *c.* 4.

12. EVERY MAN suing for H. M. against offenders against this statute, shall be received, and shall have the 4th penny of the sum recovered, 9 *E.* 3. (*st.* 2.) *c.* 5.

13. THE MAYOR, &c. in every port shall take an oath of the merchants and masters of ships that they commit no fraud against this statute, *id. c.* 6.

14. SEARCH shall be made, by lawful men thereto sworn, that no man [carry out of our realm gold or silver plate, or money, REP. 59 *G.* 3. *c.* 49. *ss.* 11—12.] bring into our realm any false money, or counterfeit sterling on the above pains, and that the money so forfeited shall be delivered to our exchanges by indenture, whereof one part shall remain with the searchers, and the other shall be delivered at exchequer, whereby the warden of exchanges shall be charged with what he has received, *id. c.* 9.

15. SEARCHERS shall have the 4th penny of all such seizures, and if attainted of making release, or dispensing with any, shall forfeit their goods, *id. c.* 10.

16. THE INNKEEPERS in every port shall be sworn to search their guests, as in *c.* 9., and shall have the 4th penny of all seizures by them made, and the searchers may search the inns, and inform themselves of the acts of the innkeepers, who shall, on their default, be subject to the above forfeitures, 9 *E.* 3. *S.* 2. *c.* 11.

17. MONEY SHALL be made of good sterling in *Eng.* of weight and alloy of ancient sterling, and shall be current in *Eng.* [It shall not be carried out of the realm, REP. 59 *G.* 3. *c.* 49. *s.* 11.] *Flemings* silver money, of such good sterling, shall be current in *Eng.*, 17 *E.* 3. *c.* 1. *s.* 1.

18. NONE SHALL BE so hardy as to import false money, upon pain to forfeit life and member, *id. s.* 2., 27 *E.* 3. (*st.* 2.) *c.* 14.

19. Searchers shall have the third part of all false money which they find importing [and of good money passing out of the realm, REP. 59 *G.* 3. *c.* 49. *s.* 11.]; and if negligent in making searches, their lands, &c. shall be seized into H. M.'s hands, and their bodies taken until they make fine to H. M.; and in case they assent to importing false [or exporting good, REP. 59 *G.* 3. *c.* 49. *s.* 11.] money or silver, they shall have judgment of life and member, *id. s.* 3.]

20. TO COUNTERFEIT H. M.'s money [*viz.* gold and silver coin only, 1 *East*, P. C. 159.] is treason, 25 *E.* 3. (*st.* 5.) *c.* 2.

21. TO FORGE or counterfeit gold or silver coin, current in this realm by consent of H. M. is high treason, 4 & 5 *H.* 7. *c.* 18. [*semble* in force notwithstanding, 1 *M.* (*st.* 1.) *c.* 1.] and 1 *M.* (*sess.* 2.) *c.* 6. [and see TREASON, *infra.*]

22. EVERY MAN may exchange gold and silver for each other, but none except H. M.'s exchangers shall take profit by making such exchanges, 25 *E.* 3. *st.* 5. *c.* 12. [REC. and ENF. 5 & 6 *E.* 6. *c.* 19.]

23. If any person shall exchange any coined gold, silver, or money, receiving or paying any more in value, profit, or advantage for it, than the same is declared by royal proclamation to be current for in this realm, and other H. M.'s dominions, all such coined gold, &c. so exchanged shall be forfeited, and the offenders imprisoned for a year, with fine at H. M.'s pleasure, one moiety to H. M., and the other to the party who shall seize the same, or will sue for it by bill, original action of debt, or information, in any court of record without essoin, &c. allowed, 5 & 6 *E.* 6. *c.* 19. *s.* 2. [and see 51 *G.* 3. *c.* 127. against accepting *gold coin* of the realm for more than its current value.]

24. PLATE OF gold and silver shall be received into H. M.'s mint by weight, and so shall the money be returned and not by number, 25 *E.* 3. *st.* 5. *c.* 20. [and see 18 *C.* 2. *c.* 5. *infra.*]

25. Merchants may carry within the realm silver and gold, and money of gold and silver, to our bullion and staples, taking there money of our coin; and if any will take good money of gold and silver of other coin than ours, they may do so, provided that no foreign coin be current in *Eng.*, 27 *E.* 3. *st.* 2, *c.* 14. [rest of the act is against exportation of money, and is REP. by 59 *G.* 3. *c.* 49. *s.* 11.]

26. FOR PREVENTING the [*melting of English*, and the] currency of foreign money, 17 *R.* 2. *c.* 1. [REP. as to *melting English* money by 59 *G.* 3. *c.* 49. *s.* 11.]

27. No gold or silver money of *Scot.*, nor of lands beyond sea, shall be current in *Eng.*, but shall be brought to the bullion to be changed for *English* coin, on pain of forfeiture and fine, *id. s.* 1. [*s.* 2. against sending *English* money into *Scot.* REP. 59 *G.* 3. *c.* 49. *s.* 11.]

28. IT SHALL BE treason to clip, wash, or file money of the realm. 3 *H.* 5. (*st.* 2.) *c.* 6. [REP. 1 *M.* (*S.* 1.) *c.* 1. *see* 5 *El. c.* 11. *s.* 1. REV. and AMD. 5 *El. c.* 11. ENF. 18 *El. c.* 1. *s.* 1. and see 6 & 7 *W.* 3. *c.* 17. *infra.*

29. CLIPPING, WASHING, rounding, or filing, for gain's sake, any lawful coins of this realm, or its dominions, or of the monies of any other realm, allowed by proclamation to be current here, is treason, and the offenders shall, on conviction, suffer death, and lose their goods and chattels, and profits of their lands, during their natural lives, 5 *El. c.* 11. *s.* 2. (and see recital in *s.* 1.)

30. Every person, who for gain's sake, shall, by any means soever, impair, diminish, scale, or lighten the proper coins of this realm, or its dominions, or those of any other realms, allowed by H. M.'s proclamation to be current in *Eng.*, or its dominions, at the time of the offence committed, and the offenders, their counsellors, and aiders, are guilty of treason, and on conviction shall suffer death with forfeitures, (as in 5 *El. c.* 11. *s.* 2.) 18 *El. c.* 1. *s.* 1.

31. All persons having lawful grant of the forfeiture of lands, tenements, goods, or chattels of offenders, and men attainted of high treason, within any manor, lordship, town, parish, hundred, or precinct, within *Eng.* or *Wa.*, may take, seize, and enjoy the same, where they are incurred by convictions under this act, 5 *El. c.* 11. *s.* 3.

32. No attainder, under either act, shall make corruption of blood to any heirs, or take away dower from the wives of offenders, 5 *El. c.* 11. *s.* 4., 18 *El. c.* 1. *s.* 2.

33. Every lord of parliament, or peer of the realm, indicted for any offence made treason by these acts, shall be tried by their peers, as in high treason, 5 *El. c.* 11. *s.* 5., 18 *El. c.* 1. *s.* 3.

34. WHAT JUSTICES SHALL HAVE AUTHORITY to hear and determine the offences of falsifying of money, 3 *H.* 5. (*st.* 2.) *c.* 7. [AMD. virtually, 22 *H.* 8. *c.* 9. *s.* 2.]

35. The justices assigned to take assizes, shall have power to hear and determine, as well of the counterfeiting and bringing false money into the realm, as of clipping, washing, and all other falsity thereof, [and of counterfeiting any foreign coin, suffered to be current in this realm by H. M.'s consent, 22 *H.* 8. *c.* 9. *s.* 2.] and may enquire of such matters, and thereupon make process by *capias* only against those thereof indicted, 3 *H.* 5. *S.* 2. *c.* 7.

36. Justices of peace in every shire, city, or town corporate, shall have full power in their sessions to enquire, from time to time, [of such traitors and murders, *viz. by poisoning*, REP. 1 *E.* 6. *c.* 12. *s.* 2.] of counterfeiting coin of any outward realm, suffered to go within this realm by H. M.'s assent, and may make process therein by *capias* only, 22 *H.* 8. *c.* 9. *s.* 2.

37. NONE SHALL RECEIVE GOLD in payment but by H. M.'s weight, 9 *H.* 5. (*S.* 1.) *c.* 11.

38. H. M.'s council may assign money to be coined in as many places as they will, 1 *H.* 6. *c.* 1.

39. FOR PUNISHING THE BRINGING IN OF COUNTERFEIT FOREIGN coin, being current within this realm, 1 & 2 *P.* & *M.* *c.* 11.

40. All persons, who shall knowingly bring from parts beyond the sea into this realm, or any of its dominions, any foreign counterfeit coin, being current in this realm, with intent to utter the same therein, by merchandizing or otherwise, shall, with all their counsellors and abettors in that behalf, be deemed offenders in high treason, and on conviction, shall suffer such pains of death and forfeiture of lands, goods, and chattels, as in high treason, 1 & 2 *P.* & *M.* *c.* 11. *ss.* 1, 2. [and see 4 & 5 *H.* 7. *c.* 18. &c. *ante*, *pl.* 21.]

41. Offenders shall be indicted, prosecuted, and tried by the like evidence and methods as was used at any time before 1 *E.* 6. *id. s.* 3.

42. AGAINST FORGING AND COUNTERFEITING FOREIGN COIN CURRENT within this realm, 14 *El. c.* 3.

43. Every person who shall falsely forge or counterfeit any coin of gold and silver, not being the proper coin of, nor permitted to be current within this realm, is guilty of misprision of high treason, and, on conviction, shall be imprisoned, and forfeit his land and goods, as in cases of misprision of treason for concealment of high treason, 14 *El. c.* 3. *s.* 1.

44. TO PREVENT THE BRINGING INTO THIS REALM, OR UTTERING any counterfeit foreign gold or silver coin, 37 *G.* 3. *c.* 126. (*ss.* 2. 9.) [*see s.* 1. *of* this statute, *infra*, *pl.* 95.]

45. Every person who shall make, coin, or counterfeit any kind of coin, not the proper coin of, or current within this realm, but resembling any gold or silver coin of any foreign prince, state, or country, or to pass as such, shall be deemed guilty of felony, and may be transported for not exceeding 7 years, *id. s.* 2.

46. Every person who shall bring into this realm any such false or counterfeit coin, resembling, or made with intent to resemble, any gold or silver coin of any foreign prince, state, or country, or to pass as such, is guilty of felony, and may be transported for 7 years, *id. s.* 3.

47. Every person knowingly uttering, or tendering, giving in exchange, paying, or putting off any such false or counterfeit foreign coin, &c. (as in *s.* 3.) shall, on conviction, suffer 6 months imprisonment, and find sureties for good behaviour for 6 months more from the end thereof, and on second conviction for like offence, shall suffer 2 years imprisonment, and find like sureties for 2 years from the end of such imprisonment, and on a third offence and conviction, shall be guilty of felony without benefit of clergy, *id. s.* 4.

48. If any person convicted of uttering or tendering such counterfeit foreign coin, is again guilty of the like offence in any other county, city, or place, the clerks of assize or of peace for the county, &c. where the former conviction was had, shall, at prosecutor's request, certify the same by transcript, in few words, of the tenor and effect thereof, for which a fee of 2*s.* 6*d.* only shall be paid, and which certificate shall be good evidence of the former conviction, *id. s.* 5.

49. Any person having in custody, without lawful excuse, more than five pieces of false or counterfeit foreign coin, &c. (as in *s.* 3.) shall (on conviction before a justice by oath of one witness) forfeit the same, to be cut in pieces, and destroyed by order of such justice, and shall, for every offence, forfeit from 40*s.* to 5*l.* for every such piece of false, &c. coin so found, one moiety to the informer, and the other to the poor of the parish where the offence is committed; and in default of payment, the justice may commit the offender to the common gaol or house of correction, to be kept to hard labour for 3 calendar months, or until such penalty is paid, *id. s.* 6.

50. Any justice, on complaint before him on oath of one person, that there is just cause to suspect that one or more persons have been concerned in counterfeiting such foreign coin, &c. (as in *s.* 2.) may, by warrant, cause the dwelling and premises of such suspected person, or any other suspected place, to be searched for such false and counterfeit coin, or for the tools or materials for coining the same; and any such coin, tools, or materials, so found on search in the possession of any person not having the same by some lawful authority, shall be seized and carried to a justice of the county, city, or place where seized, who shall secure the same to be produced in evidence against the offender, which coin, tools, &c. after such use made thereof, shall be destroyed by order of the court, or if no trial had, then by order of the justice, 37 *G.* 3. *c.* 126. *s.* 7.

51 No proceedings for conviction of offender against this act before a justice shall be quashed for want of form, or removed by *certiorari*, or other process into courts at *Westminster*, *id. s.* 8.

52. Actions against any person for any thing done in pursuance of this act, shall be commenced in 3 calendar months from the fact committed, and the same shall be local; and the defendant may plead the general issue, giving this act and the special matter in evidence; and if the act complained of was done in pursuance of this act, or if time of limitation is elapsed, or venue is laid in any other county or place than that where the cause of action arose, the jury shall find for defendant; and if defendant has a verdict, or if plaintiff discontinue, is nonsuit, or has judgment against him on demurrer, defendant shall have treble costs, *id. s.* 8.

53. FOR ENCOURAGING COINAGE, [*viz.* by coining, *gratis*, gold and silver bullion brought to the mint,] 18 *C.* 2. *c.* 5. *ss.* 1.—5. [AMD. 8 *W.* 3. *c.* 1. *s.* 3.]

54. Any person who shall bring any foreign coin, plate, or bullion of gold, [or silver, REP. as to *silver*, 56 *G.* 3. *c.* 68. *s.* 1.] in mass, molten or allayed, or any sort of gold manufacture into H. M's mint, to be there melted and coined into current coin, shall have the same assayed, melted, and coined with all convenient speed, without diminution or charge for the assayer, coinage, or waste therein; so that there shall be delivered out at the rate of 1*lb. troy* of current standard gold coin for each 1*lb. troy* of standard gold delivered [*and see* 56 *G.* 3. *c.* 68. *s.* 13. *infra*, *pl.* 124.] 18 *C.* 2. *c.* 5. *s.* 1. [*As to the present* proportion of silver *coin* to silver *bullion* thus delivered to be coined, *see* 56 *G.* 3. *c.* 68. *s.* 9. *infra*, *pl.* 136.

55. There shall be no preference in point of assay or coinage, but all gold and silver shall be delivered back in order of time as received, [the coinage of *gold* and *silver* to be made in distinct accounts, 8 *W.* 3. *c.* 1. *s.* 3. *pl.* 59.] and if any undue preference be made in entry of bullion or delivering out of coin by any mint-officer, the offender shall be liable by action of debt, or on the case, to pay the value of the gold and silver brought in and not delivered according to this act, with damages and costs to the parties grieved, and shall be forejudged of his office: and if such preference be unduly made by his deputy, without his privity, the latter only shall be liable, and shall be disabled of bearing office in any mint in *Eng.*, 18 *C.* 2. *c.* 5. *s.* 2.

56. It is no undue preference if the mint-officers or their deputies deliver out monies coined to any persons who demand the same on subsequent entries before others who do not demand their monies in their order, so as sufficient money be reserved for the latter, *id. s.* 3.

57. The master-worker of the mint shall, at the time of the delivery and entry of any gold or silver, give to the bringers a bill under his hand, denoting its weight, fineness, and value, with the day and order of its delivery, *id. s.* 4.

58. No seizure shall be made in the mint of any gold or silver brought in to be coined, by reason of any embargo, breach of the peace, letters of marque or reprisal, war, or other pretence, but the same shall be delivered out according to this act, *id. s.* 5.

59. The mint-officer shall set apart one or more mills or presses for coinage of gold, as appointed by 18 *C.* 2. *c.* 5. so that the course in coinage of gold and silver be kept in distinct accounts, not interfering with one another; and such coinage and delivery of gold in a distinct course according to the time of its delivery, shall not be accounted an undue preference, though there be silver remaining there uncoined, 8 *W.* 3. *c.* 1. *s.* 3.

60. TO PREVENT COUNTERFEITING AND CLIPPING THE COIN OF this kingdom, 6 & 7 *W.* 3. *c.* 17. and recital in *s.* 1. *ss.* 2—4. 7. 9—12. [AMD: 8 and 9 *W.* 3. *c.* 26. *s.* 8. EXT. to *Durham*, 14 *G.* 3. *c.* 46. *s.* 1. REP. as to *ss.* 5, 6. and *s.* 8. by 1 & 3 *G.* 4. *c.* 26. *s.* 4. *infra*, *pl.* 146.

61. Every person who shall, at one time or payment, exchange, lend, sell, or borrow or buy, receive or pay, any silver money unclipped, for more in tale, &c. or advantage, than the same were coined, and by law ought to go, shall forfeit 10*l.* for every 20*s.* so exchanged, &c., and so in proportion for any greater or less sum, to go one moiety to H. M., and the other to the informer, to be recovered with costs, by action of debt, or information, without allowance of privilege, or more than one imparlance, 6 & 7 *W.* 3. *c.* 17. *s.* 2.

62. No person shall cast ingots or bars of silver in imitation of *Spanish* bars or ingots of silver, nor stamp the same in likeness of the *Spanish* marks, on pain of forfeiture of the silver, and 500*l.*, to go one moiety to H. M. and the other to the informer, *id. s.* 3.

63. Every person who shall buy, sell, or knowingly have in custody, any clippings, or filings of the current coin, shall, for every such offence, forfeit the same, and 500*l.*, one moiety to H. M. and the other to the informer, recoverable (as in *s.* 1.), with imprisonment till paid, and shall be branded in the right cheek with an hot iron of 'R.,' *id. s.* 4. [*This*

burning *in the cheek* appears in force; for the like punishment inflicted by 10 & 11 *W.* 3. *c.* 23. *s.* 6. and repealed 5 *A. c.* 6. *s.* 1. only applied to persons convicted of *theft* or *larceny*; and 19 *G.* 3. *c.* 74. *s.* 3. only gives a power to commute burning *in the hand* to fine and whipping.]

64. Every broker, not being a trading goldsmith or refiner of silver, who shall buy or sell any bullion, or molten silver, shall suffer 6 months' imprisonment for every such offence, 6 & 7 *W.* 3. *c.* 17. *s.* 7.

65. Whoever shall apprehend any person who has counterfeited, or who, for gain, has clipped, &c. or diminished the current coin, or has brought or caused to be brought into *Eng.*, *Wa.*, or *Ber.* any clipt or counterfeit coin, and who shall prosecute to conviction, shall receive from the sheriff, without fee, 40*l.** within one month after conviction, and demand made, by tendering a certificate to the sheriff, under the hands of the judge or justices before whom the offender was convicted; and if any dispute shall arise between the persons apprehending, and those prosecuting such traitors, the judge, &c. shall, in the certificate, appoint the reward to be paid among the parties in what proportions they think fit; and if default of payment is made, the sheriff making default shall forfeit to the person to whom such money is due, double the sum he ought to have paid, to be recovered, with treble costs, by them or their executors, &c. in action of debt or information, with no essoin, and but one imparlance allowed, *id. s.* 9. [Ext. to *Durham*, 14 *G.* 3. *c.* 46. *s.* 1.]

66. All sheriffs, on producing such certificates and the receipts for the money, shall be allowed, in their accounts with H. M. all monies (other than the penalties) which they shall so disburse as above without fee, *id. s.* 10.

67. If on such accounting there is not money sufficient in his hands to reimburse him the sums so paid, he shall have them repaid by the treasury out of the crown revenue, on certificate to that effect from the clerk of the pipe, *id. s.* 11. [*but he is not obliged* to pay the money from his own funds, 3 *G.* 1. *c.* 15. *s.* 4. *tit.* Sheriff.]

68. Any person being out of prison, who is guilty of clipping, coining, counterfeiting, or diminishing the coin, and shall discover two or more like guilty persons, so that they are convicted, shall be pardoned for such previous crimes; and if he be an apprentice, shall be free of his trade, without further service, 6 & 7 *W.* 3. *c.* 18. *s.* 12.

69. Every offence under 6 & 7 *W.* 3. *c.* 17. may be determined on indictment or presentment, either in K. B. or before the justices of oyer and terminer, or of assize, or general gaol-delivery, 8 & 9 *W.* 3. *c.* 26. *s.* 8.

70. All persons may freely import into this kingdom guineas and half-guineas, 8 *W.* 3. *c.* 1. *ss.* 1, 2.†

71. For better preventing the counterfeiting the current coin of this kingdom, 8 & 9 *W.* 3. *c.* 26. [Con. 9 & 10 *W.* 3. *c.* 21. *s.* 3. 1 *A. c.* 9. *s.* 1. Made Perp. and Amd. 7 *A. c.* 25., 15 *G.* 2. *c.* 28. *s.* 1.]

72. No person (except persons employed in H. M.'s mints, for the use of the mints only, or authorized by the treasury) shall knowingly make or mend, or assist in making or mending, any puncheon, counter-puncheon, matrix, stamp, dye, pattern or mould, of steel, or other metal, or of spaud, or fine founder's earth, or sand, or other materials, in which there shall be the figure of either side, or flat of any gold or silver coin current; nor shall knowingly make or mend, or assist in the making or mending of any edger or edging-tool, not of common use in any trade, but contrived for marking of money round the edges with letters, grainings, or other marks, resembling those on money; nor any press for coinage, nor any cutting engine, for cutting round blanks by a screw out of flatted bars of gold, silver, or other metal; nor shall knowingly buy, sell, or conceal, or without authority or sufficient excuse, knowingly have in custody any such puncheon, &c., and such offenders, their aiders, and abettors, shall be guilty of high treason, 8 & 9 *W.* 3. *c.* 26. *s.* 1.

73. If any person shall, without authority, knowingly convey, or assist in conveying, out of the mint, any puncheon, or other instrument used about the coining monies there, or any useful part of such intruments, the offender, their aiders, or abettors, as also all persons knowingly receiving or concealing the same, shall be guilty of high treason, *id. s.* 2.

74. If any person (other than the persons employed or authorized, as in *s.* 1.) shall mark on the edges any current coin or any diminished or counterfeit coin, with letters or grainings like those on the edges of money coined in H. M.'s mint, such offence shall be high treason, and the offenders, their aiders, and abettors, being convicted, shall suffer death as in high treason, *id. s.* 3.

75. If any person shall colour, gild, or case over with gold or silver, or with any wash or materials producing the colour of gold or silver, any coin resembling the current coin, or any round blanks of base metal, or of coarse gold or silver, of a fit size and figure to be coined into counterfeit milled gold or silver coin of the realm, or shall gild over any silver blanks of a size and figure resembling the current gold coin, such persons, their aiders, &c. shall be guilty of high treason, 8 & 9 *W.* 3. *c.* 26. *s.* 4.

76. If any person shall wash, gild, or colour any lawful or counterfeit shilling or sixpence, or add to or alter the impression thereof with intent to make such shilling pass for a guinea, and such sixpence for an half guinea, or shall file or alter, wash or colour any halfpence or farthings, or add to their impression, with intent to make a halfpenny pass for a shilling, or a farthing for a sixpence, he, his aiders and abettors, are guilty of high treason, 15 *G.* 2. *c.* 28. *s.* 1. [Treasons under this section, do not work corruption of blood, or forfeiture of dower, *id. s.* 4. *infra*, *pl.* 89.]

77. If any puncheon (as in *s.* 1.) or other instrument for coining, &c. gold or silver monies, or any part thereof, shall be hid in any place, or found in the house or possession of any person not employed, as in *s.* 1. the discoverer shall seize the same, and carry them to some justice to be produced in evidence against any person prosecuted for such offence; and after such production, they shall, by order of court, or in presence of justice, (if there be no trial), be destroyed; and all counterfeit or diminished money produced in evidence shall be cut in pieces and delivered to the owner, 8 & 9 *W.* 3. *c.* 26. *s.* 5.

78. Every person who shall blanch copper for sale, or mix it with silver, or knowingly buy, sell, or offer to sale blanched copper alone, or mixed with silver, or any malleable composition of metals, or minerals, which shall be heavier than silver, and look, &c. like standard gold, but be manifestly worse than standard, or who shall receive or pay off any counterfeit or unlawfully diminished milled money at a lower rate than imported by its denomination, is guilty of felony, and on conviction shall suffer death, *id. s.* 6.

79. Attainder by this act shall not work corruption of blood, or forfeiture of dower; and persons accused of offences made treason, or felony by this act, shall be tried in like manner, and with like evidence, as any offenders for counterfeiting H. M.'s money, *id. s.* 7.

80. No prosecution shall take place under this act, unless commenced in 3 months after offences committed, (*id. s.* 9.) but prosecutions for making or mending any coining-tool or instrument, or for marking money round the edges with letters or grainings, may be commenced in 6 months after offence committed, 1 *A. S.* 1. *c.* 9. *s.* 2., 7 *A. c.* 25. *s.* 2.

81. To prevent the further currency of any hammered silver coin of the realm, 9 *W.* 3. *c.* 2.

82. No hammered silver coin shall be esteemed lawful or current coin in payment at any rate or value soever, either by weight or otherwise, nor shall a tender thereof be good in law, nor a refusal thereof a refusal of so much lawful coin of the kingdom, 9 *W.* 3. *c.* 2. *s.* 1. [rest of statute is Exp.]

83. For better preventing the counterfeiting, clipping, and other diminishing the coin of this kingdom, 9 & 10 *W.* 3. *c.* 21. [Conf. 59 *G.* 3. *c.* 49. *s.* 13.]

84. Every person to whom silver money is tendered, any piece of of which is diminished otherwise than by reasonable wearing, or which by the impression, colour, or weight he suspects to be counterfeit, may cut, break, or deface the same, and if it appear counterfeit, the person tendering the same shall bear the loss, but if it be of due weight and lawful money, the person who so cut, &c. it, shall take it at its rate of coinage, and any question whether the piece so cut be counterfeit or not, shall be heard and determined by the chief officer of any city or town corporate where such tender is made, or where made out of such place, by the next justice, and such chief officer, &c. may administer an oath to any person for determining such question, *id. s.* 1. and *see pl.* 99.

85. The tellers of exchequer, their deputies and clerks, and the receivers-general of every branch of revenue and taxes, shall cut, break, or deface every piece of counterfeit, or unlawfully diminished silver money tendered in payment to them to the use of H. M. or for any part of his revenue, and shall weigh all silver money by them received, and any such counterfeit, &c. coin shall not be received in exchequer, nor allowed in their accounts, *id. s.* 2.

86. For more effectually preventing the uttering or paying of false or counterfeit coin, 15 *G.* 2. *c.* 28. *ss.* 2—5. 7—9. [*See s.* 1. *ante*, *pl.* 76. and *s.* 6. *post*, *pl.* 95. Offences against this act excepted from general pardon, 20 *G.* 2. *c.* 52. *s.* 10.]

87. Every person who shall utter or tender in payment any false or counterfeit money knowing the same to be false, &c. shall, on conviction, suffer 6 month's imprisonment, and find sureties for his good behaviour for 6 months from the expiration of his imprisonment; and for second offence shall suffer 2 years' imprisonment, and find sureties for his good behaviour for 2 years more; for a third offence shall be guilty of felony without clergy, 15 *G.* 2. *c.* 28. *s.* 2.

88. Every person who shall knowingly utter, &c. (as in *s.* 2.) any false or counterfeit money to any person, and shall on the same day, or

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* This reward, and the allowance thereof in the sheriff's accounts, (*s.* 10.) are Rep. by 58 *G.* 3. *c.* 70. *s.* 1. but *ss.* 2—3. are given at length here, as enactments which must still be acted upon when the court orders a reward to be paid, see 58. *G.* 3. *c.* 70. *s.* 5.

† [Note, by proclamation 22 *Dec.* 4 *G.* 1. after stating that guineas had been coined in the mint, at 20*s.* only, they are made current at 21*s.* and so in proportion for any other gold coin.]

in 10 days then next, knowingly utter, &c. any more or other false money, to the same or any other person, or shall at the time of such uttering, &c. have about him in his custody one or more pieces of counterfeit money besides what was so uttered, shall be taken to be a common utterer of false money, and on conviction shall suffer a year's imprisonment, and find sureties for his good behaviour for 2 years more from the end thereof, and for any like subsequent offence shall be guilty of felony without clergy, 15 *G.* 2. *c.* 28. *s.* 3.

89. Persons convicted of any of the herein above-mentioned treasons [*See s.* 1. *ante, pl.* 76.] and felonies, shall suffer death as in those cases respectively, but without working corruption of blood, or loss of dower, *id. s.* 4.

90. The evidence against persons guilty of any of the treasons, [*See s.* 1. *ante, pl.* 76.] felonies and crimes aforesaid, shall be the same as now used against offenders for counterfeiting the lawful coin; but all prosecutions for felonies or treasons under this act shall be commenced in 6 months after offence committed, *id. s.* 5.

91. Whoever shall apprehend any person who has committed any of the above treasons [*See s.* 1. *ante, pl.* 76.] or felonies, or who has made or counterfeited any of the copper money aforesaid, and who shall prosecute him to conviction, shall receive (*gratis*) from the sheriff 40*l.* for every person convicted of any such treason or felony, and 10*l.* for every person convicted of counterfeiting any copper money within 1 month after conviction and demand made, *id. s.* 7. [*The rest of this* section is the same as 6 & 7 *W.* 3. *c.* 17. *ss.* 9, 10. *ante, pl.* 65—66. *and see* the note there.]

92. Whoever being out of prison shall commit any of the above offences, and shall afterwards discover two or more persons who shall after the time aforesaid have committed any of the said offences, so that they be thereof convicted, shall be pardoned, *id. s.* 8.

93. If any person be convicted of uttering, &c. any false, &c. money as aforesaid, and is afterwards guilty of the like offence in any other county or city, the clerk of the assize or of the peace for the county, &c. where such conviction was, shall, at request of prosecutor or of any other on H. M.'s behalf, certify the same by a transcript of the effect and tenor thereof, with a 2*s.* 6*d.* fee, which certificate, when produced in court, shall be sufficient proof of the former conviction, *id. s.* 9.

94. FOR PREVENTING THE COUNTERFEITING OF THE COPPER COIN of the realm, 15 *G.* 2. *c.* 28. *ss.* 6, 7. [EXT. and AMD. 11 *G.* 3. *c.* 40., 37 *G.* 3. *c.* 126. *s.* 1.]

95. Every person, and his procurers, aiders, and abettors, who shall make coin or counterfeit any brass or copper money called a halfpenny or a farthing, [or any other copper coin made current by proclamation, 37 *G.* 3. *c.* 126. *s.* 1.] shall, on conviction, suffer 2 years' imprisonment, and find sureties for good behaviour for two years more, [and shall be guilty of felony, 11 *G.* 3. *c.* 40. *s.* 1.] 15 *G.* 2. *c.* 21. *s.* 6., 37 *G.* 3. *c.* 126. *s.* 1., 11 *G.* 3. *c.* 40. *s.* 1. [*The reward for* convicting any person guilty of counterfeiting such copper money is 10*l.*, recoverable as in 15 *G.* 2. *c.* 28. *s.* 7. *ante, pl.* 91. and *note* there.]

96. Every person who shall buy, sell, take, receive, pay, or put off any counterfeit copper money not melted down or cut in pieces, at a lower rate or value than the same imports by its denomination, or was counterfeited for, is guilty of felony, 11 *G.* 3. *c.* 40. *s.* 2.

97. Any justice, on complaint made before him on oath of one credible person, that there is just cause to suspect that any one or more persons is or hath been concerned in counterfeiting the copper monies of the realm, may by warrant cause the dwelling-house, or other place belonging to such suspected person, to be searched for coining tools, and if such tools are found hid or concealed in any such place, or in the possession of any person not employed in coining in some of H. M.'s mints, or having them by some lawful authority, the discoverer may seize and carry the same to a justice, who shall secure the same, to be produced in evidence against the offender, and after such use thereof, then by order of court, or if no trial, then by order of the justice, they shall be destroyed, *id. s.* 3.

98. FOR BETTER PREVENTING THE COUNTERFEITING, CLIPPING, and other diminishing the gold coin in this kingdom, 13 *G.* 3. *c.* 71.

99. Any person to whom any gold money shall be tendered, any piece whereof is diminished, otherwise than by reasonable wearing, or which by the stamp, colour, or weight thereof, he suspects to be counterfeit, may cut or deface such piece; and if any piece so cut, &c. shall appear to be diminished (otherwise than by reasonable wear), or counterfeit, the person tendering the same shall bear the loss thereof; but if the same is of due weight and appears lawful money, the person that cut, &c. shall receive the same, at the rate of coinage, and if any question shall arise whether the piece be counterfeit or diminished as above, it shall be heard and determined by the mayor, or other chief officer of any city, or town corporate where such tender shall be made; and if made out of any city, &c. then by the next justice of peace, which mayor and justice may administer an oath to any person for determining any questions relating to such piece, *id. s.* 1.

100. The tellers at the receipt of exchequer, their deputies and clerks, shall cut, break, or deface every piece of counterfeit or unlawfully diminished gold money that shall be tendered in payment to them to the use of H. M., or in respect of any part of the revenue; and shall weigh, in whole sums or otherwise, all gold money by them received, and any piece which shall by weight or otherwise appear counterfeit or unlawfully diminished, shall not be received in the exchequer, nor allowed them in their accounts, 13 *G.* 3. *c.* 71. *s.* 2.

101. TO PROHIBIT THE IMPORTATION OF LIGHT SILVER COIN of this realm from foreign countries into *G. B.* or *Ire.*, 14 *G.* 3. *c.* 42. [CON. 16 *G.* 3. *c.* 54. *s.* 2., 38 *G.* 3. *c.* 59. *s.* 1. REF. and MADE PERP. 39 *G.* 3. *c.* 75.]

102. No silver coin of the realm, not being of mint standard of weight and fineness may be imported into *G. B.* or *Ire.* from foreign countries; and if any coin, being or purporting to be coin of this realm, exceeding 5*l.* in amount, is found by any customs officer on board any vessel, in any port, harbour, haven, or creek, or in any boat or vessel on the water within *G. B.* or *Ire.*, or in custody of any person coming directly from the waterside, or on the information of searchers, in any house or place, on search made under 13 & 14 *C.* 2. *c.* 11. *s.* 5., or any act in force in *Ire.* relative to search for uncustomed or prohibited goods there, such officer may stop and place such coin in H. M.'s nearest custom-house warehouse; and if, on examination there, it appear to the principal officer of customs to be of established mint standard in weight and fineness, it shall be delivered to the owner without fee, and no action shall lie against the officer for searching for or detaining the same, 14 *G.* 3. *c.* 42. *s.* 1.

103. FOR REGULATING AND ASCERTAINING THE WEIGHTS TO BE made use of in weighing the gold and silver coin of this kingdom, 41 *G.* 3. *c.* 92. [AMD. 15 *G.* 3. *c.* 30.]

104. The warden, [office of warden taken away, 57 *G.* 3. *c.* 67. *s.* 1.] master and *comptroller* of H. M.'s mint, with assistance of assay-master, shall make one-weight of the guinea, and one of the shilling, [*Qu.* since 56 *G.* 3. *c.* 68. *s.* 4. *pl.* 131.] according to the established mint standard; and also other weights, parts, and multiples of the guinea and shilling; which weights, together with their report on the accuracy thereof, they shall transmit to the clerk of the council in writing, to be laid before H. M. in council, and when approved of by the latter, they shall be reported the standard weights of the gold and silver coin respectively, and shall be lodged in custody of the warden, master, &c. 14 *G.* 3. *c.* 92. *s.* 1. [and see 57 *G.* 3. *c.* 67. *tit.* MINT.]

105. The officers in *s.* 1. mentioned, with like assistance, shall make exact duplicates or copies of the said standard weights, and of the parts and multiples thereof; and if any of them shall hereafter by any accident be destroyed, lost, or impaired, they may be replaced in like manner; all which duplicates shall be laid before H. M. in council, (as in *s.* 1.) and if approved, shall then be lodged by the said officers in custody of an officer to be appointed by H. M. under his sign-manual during pleasure, with a salary not exceeding 250*l. per annum*, out of the *coinage duties*, *id. s.* 2. [Coinage duties taken away, see 18 *C.* 2. *c.* 5. &c. *supra, pl.* 21., and the salary of 250*l.* is taken away after termination of the existing interest, by 57 *G.* 3. *c.* 67. *s.* 3. *tit.* MINT.]

106. The officers in *s.* 1. mentioned may, annually or oftener, by warrant under their hands, require such officer to appear before them and produce such duplicates, and shall examine them with the standard weights in their custody, *id. s.* 3.

107. All weights to be used for weighing the gold and silver coin shall, be regulated by the duplicates of the standard weights lodged in the said officer's hands, and on being found true by comparison therewith, shall in testimony thereof be marked by him with a stamp or mark provided by him, and approved by the master of the mint; and that the impression may be known, the officer shall publish a description thereof, by advertisements in the *London Gazette* 3 times before 31*st Dec.* 1774, and shall, without delay, stamp all weights for weighing gold and silver coin offered to him for that purpose at seasonable hours, and found true as above, [at 1*d.* for every 12 weights stamped, 15 *G.* 3. *c.* 30., 57 *G.* 3. *c.* 67. *s.* 3.] and no other weights but such as are just according to the weights hereby directed, and marked as above, shall be reputed to be true, or of any effect for determining the weight of the gold or silver coin, 14 *G.* 3. *c.* 92. *s.* 4., 15 *G.* 3. *c.* 30., CONF. by 57 *G.* 3. *c.* 67. *s.* 3.

108. Every person who shall counterfeit any stamp to resemble any stamp used in pursuance of this act, or who shall counterfeit the impression thereof on any weight; or who shall utter or sell any such weight with the impression of such counterfeit stamp thereon, knowing the same to be counterfeited; or who shall wilfully increase or diminish such weight after it has been stamped; or who shall make use of any such weight in weighing the gold and silver coin, knowing the same to have been encreased or diminished, shall, on conviction before two justices, forfeit not exceeding 50*l.* at discretion of the justices; one moiety to H. M., and the other to him that will inform or sue for same; and on default of payment, the justices may commit him to gaol for not exceeding three months, *id. s.* 5.

109. Nothing herein shall take away or abridge any rights granted by

letters patent, 12 *J.* 1. to the master, wardens and commonalty of the mystery of founders in *London*, and which they may lawfully claim with respect to trying and marking all manner of brass weights made or sold, or kept for sale within *London*, or 3 miles thereof, 14 *G.* 3. *c.* 92. *s.* 6.

110. The weights in *s.* 6. which are intended to be used for weighing the gold and silver coin, after having been sized and marked according to the directions of the charter, shall be carried to be ascertained and marked as in *s.* 4. by the officer therein appointed, *id. s.* 7.

111. To PREVENT THE EXPORTATION OF BASE COIN TO H.M.'s colonies in the *West Indies* and *America*, 38 *G.* 3. *c.* 67.

112. All copper coin soever, not being legal copper coin of this kingdom, and all counterfeit gold or silver coin, made to the resemblance of, or intended to resemble any gold or silver coin, either of this kingdom or of any other country, which shall, under any pretence soever, be exported or put on board any vessel or boat for exportation to the island of *Martinique*, or any H.M.'s islands or colonies in the *West Indies* or *America*, shall be forfeited, and may be seized and recovered in such courts, and by such methods, and the produce thereof applied in like manner as any forfeiture incurred by any law of customs, either in this kingdom, or any of the above colonies, *id. s.* 1.

113. Every person who shall so export, or put on board any vessel or boat, or shall have in his custody in order to such exportation, any such coin, shall, for every offence, forfeit 200*l.* and double the value of such coin; to be recovered by action or information in any court at *Westminster*, *id. s.* 2.

114. FOR PREVENTING THE COUNTERFEITING OF FOREIGN COPPER money, 43 *G.* 3. *c.* 139. *ss.* 3—9. [See rest of this statute, BILLS and NOTES, *pl.* 49—51.]

115. Every person who shall, within U.K., make, coin or counterfeit any kind of coin not the proper coin of this realm, nor ordered by royal proclamation to be deemed and taken as current money of this realm, or any part thereof, but resembling, or made with intent to resemble, any copper coin, or other coin made of any metal, or mixed metals of less value than the silver coin of such foreign prince, state or country respectively, or to pass as such, shall be taken to be guilty of a misdemeanour and breach of the peace; and on conviction shall, for the first offence, be imprisoned for not exceeding one year; and for the second, shall be transported for 7 years, *id. s.* 3.

116. No person against whom any bill of indictment is found at any assizes or sessions, for any offence against this act, shall traverse the same to any subsequent assizes, &c. but the court shall proceed to trial, unless sufficient cause is shown, and allowed by them, why the trial should be postponed, *id. s.* 4.

117. If any person is convicted of any offence against this act, and is afterwards guilty of the like in any other county, city, town or place, the clerk of assize, or of the peace, or town clerk of the county, &c. where the former conviction was had, shall, at request of the prosecutor, or any other on H.M.'s behalf, certify the same by a transcript in few words, containing the effect and tenor of such conviction; for which certificate 2*s.* 6*d.* only shall be paid, and which being produced in court, and the hand-writing of such clerk of assize, &c. thereto proved, shall be sufficient evidence of such former conviction, *id. s.* 5.

118. Every person having in his custody, without lawful excuse, any more than five pieces of false or counterfeit coin of any kind resembling, or made with intent to resemble, any such copper or other coin as aforesaid, shall, on conviction by the oath of one or more credible witnesses before a justice of peace, forfeit all such false, &c. coin, (which shall be cut in pieces by order of such justice), and shall, for every such offence, forfeit and pay not more than 40*s.* nor less than 10*s.* for every such piece of coin found in his custody: one moiety to the informer, and the other to the poor of the parish where the offence was committed; and if not forthwith paid, the justice may commit the offender to the common gaol or house of correction, to be kept to hard labour for three calendar months, or till such penalty be paid, *id. s.* 6.

119. Any justice, on complaint before him on the oath of one credible person, that there is just cause to suspect that one or more persons are or have been concerned in making any such counterfeit foreign coin, may by warrant cause houses and premises of such suspected persons to be searched for any such counterfeit coin, or for tools or materials for making the same; and if any such counterfeit coin, or any such tools, implements or materials, are found in any place so searched, or in possession of any person, without lawful authority, the discoverer shall seize and carry the same forthwith to a justice of peace of the same county or place, who shall cause them to be secured, and produced in evidence against any persons prosecuted for any of the said offences in any proper court; and after using the same for such purposes, they shall forthwith be destroyed or disposed of as the court or a justice (if no trial) shall direct, *id. s.* 7.

120. No proceedings touching the conviction of any offender against this act before any justice, shall be quashed for want of form, or removed by *certiorari* or other process into any of H.M.'s courts of record at *Westminster* or *Dublin*, *id. s.* 8.

121. Actions brought against for any thing done in pursuance of this act, shall be commenced within 3 calendar months after the fact committed, being laid in the county, city, town or place, where the cause of action shall arise; and defendant may plead the general issue, giving this act and the special matter in evidence at any trial thereupon, and that it was done by authority hereof; and if it appear to be so done, or if the action be brought after the time of limitation, or in any other county, &c. the jury shall find for defendant; and if a verdict pass for defendant, or if the plaintiff is nonsuit or discontinue, or has judgment against him on demurrer, defendant shall recover treble costs, 43 *G.* 3. *c.* 139. *s.* 9.

122. FOR MAKING MORE EFFECTUAL PROVISION FOR PREVENTING the current gold coin of the realm from being paid or accepted for a greater value than the current value of such coin, 51 *G.* 3. *c.* 127. *s.* 1. and *ss.* 4, 5. [CON. and EXT. to *Ire.*, 52 *G.* 3. *c.* 50. *s.* 1. AMD. *id. ss.* 2—4. CON. 53 *G.* 3. *c.* 5. and (during restrictions on cash payments by the bank, *viz.* till 1*st May*, 1823, *see* 59 *G.* 3. *c.* 49. *s.* 1.) by 54 *G.* 3. *c.* 52. AMD. 56 *G.* 3. *c.* 68. *ss.* 13—16. See rest of this act, BANK OF ENGLAND, *pl.* 104.]

123. No person shall receive or pay for any gold coin lawfully current within the U.K. any more [or less, 56 *G.* 3. *c.* 68. *s.* 13.] in value, benefit, profit or advantage, than the true lawful value thereof as imported by its denomination, whether such value, &c. be paid or taken in lawful money, or, if in *G. B.*, in any note or notes, bill or bills, silver token or tokens of the bank of *Eng.*, or if paid in *Ire.* in any note, bill or token of the bank of *Ire.*, or by any or all such means, wholly or partly, or by any other means soever, and offenders herein are guilty of misdemeanor, [and being duly convicted thereof shall suffer 6 months imprisonment, and find sureties for good behaviour for one year more from the end of such 6 months; if convicted a second time of the like offence, shall suffer one year's imprisonment, and find like sureties for one year more, computed from the end thereof; and on every subsequent conviction for a like offence shall be imprisoned for 2 years, 52 *G.* 3. *c.* 50. *s.* 1.] 51 *G.* 3. *c.* 127. *s.* 1. as AMD. by 52 *G.* 3. *c.* 50. *s.* 1., and see 56 *G.* 3. *c.* 68. *s.* 13. next *pl.*

124. No person shall, by any contrivance soever, receive or pay for any gold coin lawfully current within the U.K. any more *or less* in value or advantage than the true lawful value imported by its denomination, nor shall utter or receive any gold coin of this realm at any higher or lower rate or value than the same are current for by law, according to the legal rates and values set on them, and every person who shall so offend, is guilty of a misdemeanor, and shall be punished, [same punishment as in last *placitum*,] 56 *G.* 3. *c.* 68. *s.* 13.

125. If any person is convicted of receiving or paying any such gold coin contrary to 51 *G.* 3. *c.* 127., or these acts, who shall be afterwards guilty of the like offence, the clerk of assize, or of the peace for the county, city or place where such conviction had, shall, at request of the prosecutor, or other person on H.M.'s behalf, certify such conviction for 2*s.* 6*d.* fee only, which certificate, being produced in court, shall sufficiently prove the former conviction, 52 *G.* 3. *c.* 50. *s.* 2., 56 *G.* 3. *c.* 68. *s.* 14.

126. No person against whom any bill of indictment is found at any assizes or sessions of the peace for any offence against 51 *G.* 3. *c.* 127., or these acts, can traverse the same to any subsequent assizes, &c. but the court at which such indictment is found shall forthwith proceed to try the defendant, unless he show good cause for postponing his trial, 52 *G.* 3. *c.* 50. *s.* 3., 56 *G.* 3. *c.* 68. *s.* 15.

127. On trials for offences against 51 *G.* 3. *c.* 127., or this act, it shall not be necessary to prove that the money, notes, bills, tokens, securities, warrants or orders for payment of money, or any of them paid for such gold coin, are respectively lawful money of this realm, or good and valid notes, &c. or of the value they on the face of them import, or that the gold coin purchased was current coin of the realm, but the money, notes, &c. so paid shall be deemed good and valid; and such gold coin shall be deemed current gold coin, if paid or received as such, till the contrary is proved to the satisfaction of the judge or court before whom the offender is tried, 52 *G.* 3. *c.* 50. *s.* 4.

128. On trials for offences against this act, it shall not be necessary to prove that the gold coin received, paid or uttered contrary thereto, is current gold coin of realm, but it shall be deemed such till contrary proved [as in last *placitum*,] 56 *G.* 3. *c.* 68. *s.* 16.

129. Every person committing in *Scot.* any offence made a misdemeanor by this act, shall be liable to the same fine and punishment prescribed for the like offence in *Eng.*, 52 *G.* 3. *c.* 50. *s.* 10.

130. To PROVIDE A NEW SILVER COINAGE, AND TO REGULATE the currency of the gold and silver coin of this realm, 56 *G.* 3. *c.* 68.

131. The master and worker of the mint in *London* may coin, or cause to be coined, any silver bullion brought to, or delivered, or deposited there, into silver coins of a standard and fineness of 11 *oz.* 2 *dwts.* of fine silver, and 18 *dwts.* of alloy in the ℔ troy, and in weight at the rate of 66*s.* to every ℔ troy, whether coined in crowns, halfcrowns, shillings, sixpences, or pieces of lower denomination, any thing in any statute in force in *G. B.* or *Ire.*, or in any indenture with such master of the mint [*viz.* 7 & 8 *W.* 3. *c.* 1. *s.* 2., and see *pl.* 158.] to the contrary notwithstanding, *id. s.* 4.

132. Old silver coin of the realm brought to the mint within the time fixed by proclamation shall be exchanged for its full nominal value in

new silver coin, *56 G 3. c.68. s.5.* Exp. and shall be melted down and coined under provisions hereof, *id. ibid.*

133. Treasury shall appoint persons to receive the old, and exchange the same for new coin throughout the kingdom, *id. s.6.* [Exp.]

134. After expiration of the period appointed for receiving old coin of the realm at the mint, all such old silver coin, current before this act and now deficient in value according to its denomination, shall be cut, broken, or defaced by the person to whom it is tendered in payment, and the person tendering it shall bear the loss; but if it appear of the full value of its denomination, the person who shall cut, &c. the same, shall take it at the rate it was coined for, and any dispute as to its real value shall be heard by the chief officer of any city or town corporate where such tender shall be made, or if made elsewhere, by some neighbouring justice of the county or place where it was so tendered, with full power to summon witnesses to appear and give evidence, and to administer oaths for determining questions as to the value and lawful currency of such coin, *id. s.7.*

135. The treasury may issue not exceeding 500,000*l.* to meet the loss arising from the deficiencies on the recoinage of the old silver coin, [*arising as in s.5.*] and may grant sums for necessary expences of the coinage, *id. s.8.*

136. After a day to be appointed by proclamation, any person may deliver foreign or other coin, or reputed coin, plate or bullion of silver in mass, molten or alloyed, or any sort of silver manufacture at the mint, to be melted down, assayed, and coined into current silver coins, of a fineness and weight as in *s.42.*, of which 6*s. per* lb troy shall be delivered back to the party, and 4*s. per* lb returned for assaying loss and coinage, and so in proportion for any greater or less weight, making in all at the rate of 66*s.* for every lb troy of standard silver, *id. s.9.*

137. Such sums of 4*s. per* lb shall be applied to the expence of coinage, and the surplus, if any, after payment of the expences of coinage, shall be carried to the consolidated fund, *id. s.10.*

138. Gold coin is the only legal tender for payments within the U. K., except as in *s.12.* is excepted, and shall hold such weight and fineness as is prescribed by the *present* indenture with the master of the mint, [*viz. the* lb *troy of gold*, consisting of 22 *carats* (or 24 *parts*) fine, and 2 of alloy, is divided into 44½ guineas of the present value of 21*s.* *See Toml. Law Dict. tit.* Coin, citing *Folkes* on Coins,] with the master's allowance thereby given, called the '*remedy*,' which weight and fineness shall remain the standard of the gold coin of the realm, and shall be held *proportionably* in any coinage of gold coins of a new denomination, *id. s.11.* [*Thus, under this provision*, gold sovereigns were coined to pass for 20*s.* each containing $\frac{1}{4}\frac{1}{4}$ parts of a guinea; and by proclamation, *Feb.* 1821, sovereigns not weighing less than 5 *dwts.* 2$\frac{1}{2}$ *grs.*, and $\frac{1}{4}$ sovereigns not weighing less than 2 *dwts.* 13$\frac{1}{2}$ *grs.*, shall pass as current money; the former allowance for wear according to which sovereigns should weigh not less than 5 *dwts* 2$\frac{1}{4}$ *grs.*, and $\frac{1}{4}$ sovereigns not less than 2 *dwts.* 13$\frac{1}{4}$ *grs.*, being found too small for general practice.] So much of *14 G.3. c.42. s.2.* and of all other acts continuing the same, as enact that any tender in silver coin of the realm shall be legal to the amount of 25*l.*, or a tender for any greater sum, according to its value, by weight is repealed; and from the day named in proclamation, no tender of payment of money made in silver coin of the realm of any sum exceeding 40*s.* at one time, shall be reputed a tender in law within the *U. K.*, either by tale or weight thereof, or otherwise howsoever, *id. s.12.*

140. All other acts relating to the coin of this realm, or to the clipping, diminishing, or counterfeiting thereof, not expressly repealed by this act, or contrary hereto, shall continue in force and be applied to the silver coin coined in pursuance thereof, *id. s.17.*

141. Nothing herein shall affect the acceptance of bank of *Eng.* notes by revenue officers in payment of any part of the public revenue, if offered to be so paid, except fractional parts of 20*s.* only, *id. s.18.*

142. The same as to such payments in *Ire.* in silver bank of *Ire.* tokens for 30*d.*, 10*d.*, or 5*d.*, respectively issued by that bank during the cash restriction, *viz.* till *1st May*, 1823, *id. s.19.*

143. To permit the exportation of gold and silver, *59 G.3. c.49. ss.10—13.* [Rep. as to part of *s.13.* by *1 & 2 G.4. c.26. s.4.* *See rest* of this title and statute, Bank of England, *pl.* 78. 93—98, &c.]

144. The *gold* and *silver coin* of the realm may be exported and melted, and the bullion produced may be manufactured, or exported, or otherwise disposed of, and no person shall be liable to any restriction, forfeiture, penalty, or disability in respect thereof, *59 G.3. c.49. s.10.* [*for the numerous* repeals made by *ss.11. 12.*, see this title, Statutes Rep. Exp., &c.]

145. Nothing in this act shall repeal any acts in force in *G.B.* or *Ire.*, so far as they relate to preventing the clipping, washing, rounding, filing, impairing, diminishing, falsifying, scaling, or lightening of the lawful coin of the realm, or to inflicting any pain or penalty on persons guilty of such offences, or of buying, selling, or having in custody any clippings or filings of such coin, *id. s.13.* [Rest of this section is Rep., *1 & 2 G.4. c.26. s.4.* *see* next *pl.*]

146. After *7th May*, 1821. So much of *59 G.3. c.49.* (*viz* of part of *s.13.*) whereby it is provided, 'that before any person shall export any molten silver, oath shall be made before the wardens of the company of goldsmiths in *London*, or one of them by the owner thereof, and likewise by one credible witness, that the same is lawful silver, and that no part thereof was before molten clippings of the current coin, and that before any person shall ship, or cause to be put on board any vessel, any molten silver or bullion, oaths to the like effect shall be made before the court of the lord mayor and aldermen of *London*, by the owner and 2 credible witnesses:' and whereby it was enacted, 'that the provisions in *6 & 7 W.3. c.17.*' [relating to the above purposes, *viz.* that part of *s.7*, 8., unrepealed by *59 G.3. c.49. s.12.*, with *s.16.*, and rest of *s.8.*] 'and those in *7 & 8 W.3. c.19.*' *viz.* that part of *s.6.* unrepealed as above, with *ss.7—9.*] 'should continue and be in force in relation to the exportation of any molten silver or bullion soever, which before melting was clippings of the coin,' is hereby repealed, *1 & 2 G.4. c.26. s.4.*

COMMISSION AND COMMISSIONERS.

(Statutes *expired and repealed.*)

1. For relief of persons robbed of certain commissions of *R.2.*, who shall be discharged by their oaths from making certificate or return thereof in H. M.'s courts, *2 H.4. c.7.* [Exp.]

2. The chancellor shall provide remedy for discharge of commissioners distrained to return commissions of which they had no notice, *4 H.4. c.9.* [*Semb.* Exp. *See 7 H.4. c.11. post, pl.3.*]

3. For appointing commissioners to take, examine, and determine the debts due to the army and navy; and for transport service, and on an account for prizes taken during the then late war, *11 & 12 W.3. c.8.* [Con. (to *30th June*, 1704.) by *13 & 14 W.3. c.1.*, *1 A. st.2. c.20.*, and *2 & 3 A. c.20. s.60.* (*All* Exp.)]

4. For appointing commissioners to take, examine, and determine the debts due to the army transport service, and sick and wounded, *10 A. c.31.* [Con. by *12 A. c.3.*, *3 G.1. st.2. c.24.*, *id. c.35.*, *3 G.1. c.17.*, *5 G.1. c.14.*, *6 G.1. c.17.*, *7 G.1. st.1. c.30.*, *9 G.1. c.5. s.35.* (*All* Exp.)]

5. For same purpose, and for examining the demands of several foreign princes for subsidies during the late war, *5 G.3. c.14.*, *6 G.3. c.17.* [Exp.]

6. For allowing further time for holding meetings of commissioners or trustees for executing certain acts made in last session, *31 G.2. c.13.* [Exp.]

7. For appointing commissioners to enquire into the fees, emoluments, and abuses of certain public offices, *25 G.3. c.19.*, [*similar* acts, *26 G.3. c.66.*, *27 G.3. c.35.* *All* Exp.]

8. For enlarging times for first meetings of commissioners for executing certain acts of that session, *33 G.2. c.14.* [Exp.]

9. Offices to be inquired into, were the treasury, and the following offices, *viz.* of paymaster-general, customs and excise in *Eng.* and *Scot.* respectively, of taxes, stamps, and salt duties, of postmaster-general, [surveyor-general, and auditors of land revenue, surveyor-general of woods and forests, *abolished 50 G.3. c.65.*] of hackney coaches, of hawkers and pedlars,; of admiralty, of treasurer of navy, of navy, of victualling, of sick and hurt, of secretaries of state, of ordnance, and of war office, *25 G.3. c.19. s.1.* [Exp.]

10. For appointing (till *29th Dec.*, 1804, and till end of then next session) commissioners to enquire and examine into frauds or abuses practised in several naval departments, and business of prize agency, and for better conducting the business of such departments, and of prize agency in future, *43 G.3. c.16.* [Con. (till end of the next session,) Amd. by *45 G.3. c.46.* (Exp.)]

11. Departments to be regulated by commissioners, were the offices of admiralty, of navy commissioners, of navy treasurer, of commissioners of navy victualling, of commissioners of sick and wounded seamen, and sick prisoners of war, of commissioners of transports and prisoners of war, of commissioners of contribution of *6d.* a month by merchant seamen to *Greenwich Hospital*, of *Chatham* chest, of royal dock and naval yards, of inspector-general of naval works, of naval hospitals, or prison and hospital ships, and of business of prize agency, *43 G.3. c.16. s.1.* (Exp.) [or in royal hospital at *Greenwich*, *45 G.3. c.46. s.2.* (Exp.)

12. To appoint commissioners to inquire and examine into the public expenditure, and conduct of public business, in certain military departments, and to report such observations as may occur to them for correcting or preventing any abuses or irregularities, and for better conducting the business of these departments, *45 G.3. c.47.* [Amd. and Con. *45 G.3. c.70.*, *47 G.3. S.2. c.33.*, *48 G.3. c.61.*, *49 G.3. c.111.*, *51 G.3. c.19.*, and to *25th March*, 1813, by *52 G.3. c.41.* (*All* Exp.)]

13. Departments to be examined and regulated as above were the offices of ordnance, of secretary at war, of adjutant, quarter-master, and barrack-masters, general of commissariat, of *Chelsea Hospital*, of military college and asylum, of medical department, and of commissioners for public accounts under *25 G.3. c.52.*, *45 G.3. c.47. s.1.*

14. To RECTIFY A MISTAKE in the name of a commissioner appointed under 45 *G.*3. *c.*47., 45 *G.*3. *c.*70. [EXP.]

15. FOR ENLARGING times appointed for the first meetings of commissioners and other persons, for putting in execution certain acts in that session of parliament, 48 *G.*3. *c.*133. [EXP.]

16. FOR APPOINTING COMMISSIONERS to inquire into forms of process in the court of session in *Scot.*, and to report in what cases trial by jury could be usefully established, &c., 48 *G.*3. *c.*151. *s.*22. [Further time for enquiry given till 1 *Jan.* 1810, 49 *G.*3. *c.*119. BOTH. EXP.]

17. To RECTIFY mistakes in names of commissioners appointed by 48 *G.*3. *c.*102., to carry into execution 48 *G.*3. *c.*2., for granting a duty on pensions and offices in *Eng.*, 38 *G.*3. *c.*5., for aid to H. M. by land tax, and 49 *G.*3. *c.*1., for duties on pensions and offices in *Eng.*, and for indemnifying persons who have acted as commissioners for executing the said acts, 49 *G.*3. *c.*55. [EXP.]

18. To EXTEND powers of the commissioners under 45 *G.*3. *c.*47. to public works executed by office of works and others, 51 *G.*3. *c.*19. CONT. to 25 *March*, 1813, with powers of 45 *G.*3. *c.*47., as far as relates to the object of 51 *G.*3. *c.*19., 52 *G.*3. *c.*41. [*All* EXP.]

(STATUTES *in force.*)

1. COMMISSIONS of inquiry shall be made to some of the justices of K. B. or C. P., or of assize, or of the peace, with others of the most worthy of the county, as well for H. M.'s profit as the commons, except in the office of escheator, in any thing that concerns that office, 42 *E.*3. *c.*4., [*and see* 13 *E.*1. *West. Sec. c.*29.]

2. FOR RELIEVING commissioners in certain cases, 7 *H.*4. *c.*11.

3. "Whereas commissioners are assigned by commission, some to hear and determine, some to inquire and certify, and otherwise, whereby they are grievously distrained by exchequer process, and lose great issues thereon, from their ignorance of such commissions, which have never reached them:" The barons of exchequer may receive oath of such commissioners to that effect, in case of commissions of oyer and terminer, and of inquiry and certifying only; and they, with the justices of both benches, may receive, by *dedimus potestatem*, such oaths in the country; and such justices shall, from time to time, certify the barons in exchequer thereof, who shall thereupon discharge the commissioners and their heirs, executors, or land-tenants, *id. ibid.*

COMMON. (*See* INCLOSURE.)

(STATUTE *expired.*)

FOR EXTENDING 13 *G.*3. *c.*81. (till 29 *Sept.* 1801,) and for encouraging the cultivation of potatoes in open and common field lands, 41 *G.*3. *U.K. c.*20. [EXP.]

(STATUTES *in force.*)

1. IN WHAT CASES lords may approve against their tenants, 20 *H.*3. *Stat. Merton, c.*4. [CONF. and AMD. 13 *E.*1. *West. Sec. c.*46., *and* 3 & 4 *E.*6. *c.*3. *s.*3.

2. Whenever feoffees of tenements within manors bring an assize of *novel disseisin* for their common of pasture, and it is knowledged before the justices that they have as much pasture as suffices to their tenements, and have free ingress and egress therefrom to the pasture, then let them be contented therewith; and they of whom they have complained shall go quit of as much as they have made their profit of these lands, wastes, woods, and pastures: and if they allege that they have not sufficient pasture, egress or regress, as appertains to their hold, let the truth be inquired by assize; and if it be found by the latter, that the same deforcers have disturbed them of their egress or regress, or that they have no sufficient pasture, then shall they recover their seisin by the view of inquest, so that by their discretion and oath the plaintiffs shall have sufficient pasture, egress and regress, as above; and the disseisors shall be amerced and yield damages as before this act. And if it be found by the assize that the plaintiffs have sufficient pasture, egress and regress, let the other (*viz.* the *lords*) make their profit of the residue and go quit, 20 *H.*3. *St. Mert. c.*4. [*Treble* damages now given on all judgments for plaintiffs under these acts, 3 & 4 *E.*6. *c.*3. *s.*4. *infra, pl.* 5.]

3. THE STATUTE of *Merton*, provided between the *lord* and his *tenant*, shall hold between lords of waste, woods, and pastures, and *neighbours*: saving sufficient pasture to their tenants and neighbours, so that the lords may make improvements of the residue and the same, for such as claim pasture as appurtenant to their tenements: but if any claim common of pasture by special feoffment, or grant for a certain number of beasts, or otherwise than of common right, (whereas covenant does abrogate law) he shall have such recovery as he ought, by form of the grant made to him. No man shall be aggrieved by assize of *novel disseisin* of common of pasture, by occasion of a windmill, sheepcote, dairy, enlargement of a court necessary, or curtelage. And where it happens that some one, having a right to approve to himself, hath made a ditch or hedge, and some by night, or when they hope not to be known, do abate the same, and it cannot be known by verdict of the assize, or jury, who did overthrow the same, and men of the towns near will not indict such as be guilty, the next adjoining townships shall be distrained to levy and make up the ditch or hedge at their proper costs, and to yield damages, 13 *E.*1. *West. Sec. c.*46. *s.*1. [EXT. *to trees* destroyed, 1 *G.*1. *S.*2. *c.*48., 6 *G.*1. *c.*16., *infra*, TREES.]

4. Where any person usurps common during the time that heirs are within age, or that a woman is covert, or while the pasture is in the hands of tenants in dower, by the curtesy, or otherwise for term of life or years, or in fee-tail, and has long time used the pasture, then (though many hold opinion that such pastures should be said to belong to the freehold, and that the possessor ought to have action by a writ of *novel disseisin* if he be deforced thereof), it shall henceforth be holden that such as have entered within the time [*viz.* 50 years, 32 *H.*8. *c.*2. *s.*2.] that a writ of *mort d'ancestor* runneth, if they had no common before, shall not have recovery by writ of *novel disseisin*, if they be deforced, *id. ibid.*

5. ALL PERSONS WHO SHALL BRING ASSIZE UNDER 20 *H.*3. *St. Mert. c.*4. *or* 13 *E.*1. *West. Sec. c.*46., and have judgment to recover, shall have treble damages, 3 & 4 *E.*6. *c.*3. *s.*4.

6. Where there *have been* built on commons, houses with ground under 3 acres inclosed, and in some places there is inclosed a garden, orchard, or pond, not exceeding 2 acres, out of such wastes, the said acts shall not extend to the same, *id. s.*5.

7. If there be above 3 acres inclosed, then the house and 3 acres shall remain as at present, and the overplus may be laid open by the owner of the wastes, *id. s.*6.

8. FOR BETTER CULTIVATION, IMPROVEMENT, AND REGULATION of the common arable fields, wastes, and commons of pastures in this kingdom, 13 *G.*3. *c.*81. [EXT. to cultivation of potatoes on common lands till 29 *Sept.* 1801, 41 *G.*3. *U. K. c.*21. *s.*1., which is now EXP., but the former act seems in force.]

9. In every parish or place in this kingdom, where there are open or common field lands, all the arable lands lying in the said fields shall be ordered, fenced, cultivated, and improved, in such manner, by the occupiers thereof, and shall be kept, ordered, and continued, in such course of husbandry, and be cultivated under such rules, as three-fourths in number and value of the occupiers in each parish, cultivating and taking the crops, and having the consent of the owners in manner after mentioned, and likewise the consent of the rector, impropriator, or tithe owner, or the lessee of either of them, first had in writing, shall, at a meeting (in pursuance of notice in writing, under the hands of one third of such occupiers, to be affixed on one of the principal doors of the parish church, chapel, or place, where meetings have been usually held for such parish 21 days, at least, before such meeting, specifying the time and place of meeting), by writing under their hands appoint; and which notice any of such occupiers are authorised to give, 13 *G.*3. *c.*81. *s.*1.

10. The rules so agreed upon, shall not be in force for longer than 6 years, or 2 rounds, according to the ancient course of each parish or place, *id. s.*2.

11. At every such meeting, the majority in number and value of the occupiers (then present) of such field lands, in each parish, may elect one or more persons as field-master or field-reeve, to superintend the ordering, fencing, cultivating, and improving, of such fields, and to see that the same are kept, ordered, and continued, in such a course of husbandry, as shall be appointed; and such field-master or field-reeve, shall continue in office until *May* 21. following, or within 3 days after, and no longer, unless he shall be re-elected, *id. s.*3.

12. All expences necessary for carrying such plan of ordering, fencing, cultivating, or improving, into execution, and which shall, at any meeting to be held after 6 days' notice, given in manner before directed, by the major part in number and value of the occupiers then present, be deemed common expences, and, for the general benefit of the occupiers, shall be paid proportionably by all of them, according to the value of the lands each person shall have in such field lands; and for the raising the same assessments upon all occupiers, shall be made and collected by such persons, and allowed in such manner, as such majority of occupiers at such meeting shall direct; and the money thereby raised shall be employed according to the directions of such majority towards the better cultivation of the said common field lands; and the assessments shall, by warrant under the hand and seal of one justice, be levied by distress and sale of the goods of every person assessed and not paying, within 10 days after demand, rendering the overplus (if any) to the owner, after deducting the costs of making such distress and sale, *id. s.*4.

13. The occupiers of common field lands, in any parish or place where any rules shall have been agreed upon for the fencing, cultivat-

ing, or improving of such lands, in pursuance of this act, are to assemble every year, on *May* 21. or within 3 days after, in pursuance of 6 days notice to be given of the time and place of meeting by one-third of the occupiers as aforesaid, then, and there to elect the field-master or field-reeve, for the year ensuing; and such person who shall, by the major part of the occupiers present, be chosen field-master or field-reeve, shall continue in office for one whole year, unless he shall die, or be removed, by the power herein after given, 13 *G.* 3. *c.* 81. *s.* 5.

14. If any field-master or field-reeve, so chosen, shall, within the year in which he shall be chosen, refuse, or neglect to attend the business, or shall die, or remove to an inconvenient distance, or become bankrupt, or have execution against his body or goods, or by sickness or otherwise be incapable of executing his office; then the occupiers of the lands (after 6 days' notice given as aforesaid) are to elect another field-master or field-reeve for the remainder of that year, in the place of the former, *id. s.* 6.

15. Three-fourths in number and value of the occupiers of common field lands, present at any meeting to be held in pursuance of 14 days' notice, previous to the usual time of opening such field lands, given as aforesaid, may postpone the opening, for such reasonable time as at such meeting shall be thought necessary by such majority, and may determine how long such common fields shall continue open, and settle the number of cattle each occupier shall turn on such common fields, in due proportion to the stint or established usage, *id. s.* 7.

16. Nothing in this act contained shall exclude any cottager, or other person having right of common, and having no land in any of the said common fields, from enjoying his right of common, as he might have enjoyed the same before this act, unless such cottager, or other person, shall, at any meeting to be held by the occupiers, consent in writing, to a composition for such right, by an annual payment, or other annual advantage or compensation, or to a limitation thereof; in which case, such consent and agreement shall be conclusive upon every person so agreeing, his heirs and assigns, tenants and occupiers, until such time as the rules for the fencing, cultivating, and improving of the said common field lands, existing at the time of consent, shall expire, *id. s.* 8.

17. If the occupiers shall, at times when the said fields have been usually enjoyed in common, agree not to dispasture the same in common, and shall allot what shall be deemed, by a majority of such cottagers, who shall not have agreed to compound for or limit their right of common, a sufficient common for such cottagers, &c. to be enjoyed exclusively by them; then such cottagers, &c. shall not exercise or enjoy their right of common, over such part of the said common field lands, as are not used in common by the occupiers, but only over such parts thereof as shall for such time be allotted them, *id. s.* 9.

18. Nothing herein shall exclude any person seised or possessed of a separate sheep-walk, or pasture of cattle, in the common field lands, from enjoying such right as he might have enjoyed the same before this act, unless such person shall consent in writing at any meeting of occupiers to a composition for the same, or a limitation thereof; in which case, such consent shall be conclusive upon every person so agreeing; and upon every other person coming to the possession of such sheep-walk, or pasture for cattle, by descent, or otherwise, until such time as the rules for the cultivation of the said lands shall expire, *id. s.* 10.

19. Any person having land in any common fields adjoining to any balks, slades, or meers, being waste, with the consent of the lords or ladies of the manors wherein such balks, slades, or meers do lie, and likewise of the persons who may have a separate sheep walk in the said fields, and with the consent of three-fourths in number and value of the occupiers of such common field-lands, to be signified at any meeting held as aforesaid, may plough up any of the said balks, slades, or meers, and convert the same into tillage, *id. s.* 11.

20. Provided no balk or meer, heretofore used as a public or private road, by any person, to or from his house or lands, be so ploughed up, *id. s.* 12.

21. All persons, who shall have licence to plough up any balk, slade, or meer, shall, before he begin to plough up the same, lay down, in an husband-like manner, under the direction of the field-master, in a more convenient part of the said field, as much of his own land as shall be equal in value to the land he shall have licence to plough; and such land so laid down shall be common land, and so continue until the regulations for cultivating such lands shall expire, *id. s.* 13.

22. The persons ploughing any such balk, &c. shall, by proper bound-stones, distinguish the lands ploughed, and the lands laid down in lieu thereof, so that the property and right may be clearly ascertained, *id. s.* 14.

23. Lords of manors with the consent of three-fourths of the persons having right of common upon the wastes and commons within their manor, at a meeting to be held after 14 days' notice, to be given as before directed by the lord or his agent, may demise, for not exceeding years, any part of such wastes, &c. not exceeding a 12th thereof, for the most improved yearly rent that can, by public auction, be go for the same; and the clear rents reserved to the lords, &c. by any lease granted as aforesaid, shall be by them, and the major part of their tenants, applied in the draining, fencing, or otherwise improving of the residue of such wastes, &c. 13 *G.* 3. *c.* 81. *s.* 15.

24. In every manor where there are stinted commons, in lieu of demising part thereof, assessments upon the lords of such manor, and the owners or occupiers of such commons, or their agents, shall, at their option, be made and collected by such person, and allowed in such manner as the lords, and the major part in number and value of the owners or occupiers, present at a meeting to be held within the manor, in pursuance of 14 days' notice to be given by the lord or his agent as aforesaid, of the time and place of meeting, shall direct; and the money thereby raised shall be employed according to the orders of the said lords, and such majority of the owners or occupiers, as aforesaid, in the improvement of such commons; and the said assessments shall, by warrant under the hand and seal of one justice, be levied by distress and sale of the goods of every person assessed and not paying within 10 days after being demanded, rendering the overplus (if any) to the owner, the charges of distress and sale being first deducted, *id. s.* 16.

25. The major part in number and value of the owners and occupiers of stinted common pastures present at a meeting to be held after 6 days' notice given, as before directed, may, with the consent of the lord, or his steward, postpone the opening of the said common pastures for not exceeding 21 days, *id. s.* 17.

26. Two-thirds in number and value of the commoners, at a meeting to be holden after 14 days' notice given as before directed, may, with the consent of the lord, or his steward or agent fix the time when such common pasture shall be broke or depastured, and when the same shall be shut up and unstocked; such orders to continue in force for one year, and no longer, *id. s.* 18.

27. Provided a portion of such common pastures shall be set apart for the use of such commoners exclusively as shall not consent to such regulation, and the portion so set apart shall be adjudged by a majority of such commoners, not consenting, an equivalent for their rights of common, *id. s.* 19.

28. The major part in number and value of persons having right of common in common pastures, at any meeting to be held in pursuance of notice in writing, under the hand of a major part of such owners and occupiers, or persons having right of common therein, affixed on the principal door of the parish-church where such pasture lie, or of the nearest church where such lands shall lie in an extra-parochial place, 10 days previous to such meeting, specifying the time and place, and intent of such meeting, by writing under their hands, may alter the manner of depasturing such common pastures, so far as instead of horses, cows, and other cattle, to allow the same to be fed and depastured with sheep, at the option of each person having right of common; and to limit the number of sheep each person shall feed thereon, in proportion to their stints or rights, *id. s.* 20.

29. No ram shall be turned upon, or suffered to remain upon, any wastes or common fields, between 25 *Aug.* and 25 *Nov.* in every year, *id. s.* 21.

30. The husbands, guardians, trustees, committees, or known agent or receiver of any owner of wastes, commons, and common field lands, and of any person having a right or interest therein, being under coverture, minors, lunatics, or beyond the seas, and also all tenants in tail, tenants by the courtesy, or tenants for life, may enter into and sign any agreement in pursuance of this act, *id. s.* 22.

31. No rector or tithe-owner, in right of his rectory, vicarage, or curacy, or the lessee of either, who shall agree for or let his tithes of the common field lands, shall receive any fine, forfeit, or compensation whatever, other than by equal half-yearly or yearly payments, *id. s.* 23.

32. Every agreement entered into in pursuance of this act shall be valid, notwithstanding want of legal title in the owners, or in the husbands, guardians, trustees, committees, agents, or receivers, or persons acting as such, or tenants in tail, tenants by the courtesy, or tenants for life only, any settlement or will to the contrary notwithstanding, *id. s.* 24.

33. No consent of any occupier to any first agreement for ordering, fencing, cultivating, and improving any common fields, made in pursuance hereof, shall be good, unless such occupier shall, at the time of entering into such agreement, produce a written authority for that purpose, under the hand of the owner or proprietor, guardian or trustee; or, if such owner is not a minor, but is in parts beyond the seas, of his known agent, *id. s.* 25.

34. If any owner or occupier of any common field lands, for the better cultivation whereof any rules shall have been agreed on, in pursuance hereof, shall not conform to or shall wilfully deviate therefrom, in any respect, then every owner, &c. damnified by a breach of the regulations, may bring an action in any courts of record, at *Westminster*, against the offender, who, if a verdict be given for plaintiff, or on judg-

ment by default, shall pay all damages, recovered with double costs, 13 *G.*3. *c.*8. *s.*26.

35. Nothing herein shall prevent any person from inclosing his own land for his own benefit, he having power so to do, *id. s.*27.

36. Saving to H. M., his heirs and successors, and to all lords of manors, and persons, bodies politic or corporate, (other than persons subject to regulations of this act when carried into execution), all such estate, interest, and rights, as they had in and over such common fields, &c. before the act, *id. s.*28.

37. FOR PREVENTING THE DEPASTURING OF FORESTS, COMMONS, and open fields, with sheep or lambs infected with the scab or mange, in *Eng.* 38 *G.* 3. *c.*65. [*Not to extend to Scot. s.*13. PUBLIC *clause, s.*14.

38. Every person who shall turn out, keep, or depasture in or upon any forest, chase, wood, moor, marsh, heath, common, waste land, open field, or other uninclosed lands, any sheep or lambs infected with the scab or mange, or shall wilfully turn out, &c. in or upon any such forest, &c. any sheep or lambs that had been so infected 6 calendar months previous thereto, shall, on conviction by oath of one witness, or confession before a justice for the county or place, forfeit not less than 20*s.* nor more than 10*l.* with costs, to be ascertained by the convicting justice, and so, *toties quoties*, as often as such sheep or lambs are so turned out, *id. s.*1.

39. The owners of sheep or lambs, of the age of 3 months, turned out into any forest, &c. (as in *s.*1.) shall mark such sheep or lambs with the initial letters of their Christian and surnames, or with such marks as such sheep or lambs have been usually marked with for 3 preceding years, such letters or marks being 3 inches in length; and in case of neglect, shall forfeit 2*s.* for each sheep or lamb not so marked, and so, *toties quoties*, as often as they shall be so turned out, *id. s.*2.

40. Any person having sheep or lambs actually depasturing, or entitled to depasture in any forest, &c. and who shall believe that any sheep or lambs are depasturing upon the same contrary to this act, may apply to a justice for the county or place, who, upon complaint on oath made before him, shall issue his warrant under his hand and seal, directed to the keeper of such forest or chase, or his deputy, or the petty constable, bailiff, headborough, or tithingman of any parish, hamlet, or township, within or near such forest, &c. (as in *s.*1.) or unto any other person willing to be inserted therein, and command him to drive all such sheep and lambs to the next pound, or other convenient place, to be examined by the person so applying, or his servant; and the party to whom such warrant is directed, 6 hours' notice being first given, by such complainant to the owners of such sheep or lambs, or their servants, or left at their usual place of abode, if they be known, or reside within the parish, &c. where the sheep or lambs are found, describing the place where such sheep, &c. are; and if, after such examination, it is proved that such sheep, &c. were not depasturing contrary to this act, such sheep shall be driven back to the place whence they were driven, and such justice shall award costs and damages to the owner, to be paid by the complainant, and to be recovered in like manner as penalties under (*s.*7.) of this act may, *id. s.*3.

41. If on such examination it appears that such sheep or lambs have been turned out so infected as in *s.*1., then such justice shall direct the same to be impounded, and marked with the letter S., five inches long on each side, to be made with pitch or tar, or other adhesive material, and shall make a slit, not exceeding 1 inch long in the left ear of each such sheep and lamb; and the same, when so marked, shall be delivered on demand to the owner thereof, and the costs of taking, driving, impounding and marking the same, as ascertained by such justice, shall be paid by such owner, together with the penalties hereby imposed; such costs to be recovered in like manner as penalties under *s.*7. of this act may be, and any such mark shall be deemed evidence of the fact that such sheep, &c. were so turned out contrary hereto, *id. s.*4.

42. If any person within 6 calendar months after such sheep or lambs were so marked as in *s.*4. shall cut out or alter the mark made in the ear, or if the owner shall not renew the mark directed to be made on the side of such sheep, &c. when obliterated, they shall forfeit, on conviction, from 2*s.* to 20*s.* for each sheep or lamb, and the convicting justice shall cause such marks to be renewed, and the sheep and lambs detained till the same is done, *id. s.*5.

43. If such sheep or lambs so detained, are not demanded and taken away, within 5 days after they have been so marked, such justice, by warrant under hand and seal, may direct the same to be sold, and the money, after costs and charges deducted, paid to the overseer of the poor of the parish, &c. where such sheep, &c. are so detained; and if the money is not claimod within one year, the same shall be applied in aid of the poor's-rate for such parish, &c., *id. s.*6.

44. All penalties hereby imposed shall be levied by distress and sale of goods, by warrant under the hand and seal of some justice for the county, &c. rendering overplus to the owner, after costs of distress, &c. deducted; such warrant to be granted, on conviction of the offender by confession or on oath of one witness, and such penalties shall go in moieties to the informer and the poor of the parish where the offence was committed, 38 *G.*3. *c.*65. *s.*7.

45. Where any conviction is had for any offence against this act, or against any order of sessions, or any adjudication for the marking of sheep or lambs, the same respectively shall be in the form or to the effect following, *viz.*

FORM OF CONVICTION.

'—— } Be it remembered, that on this — day of — in the year of the
to wit. } reign of — *A. B.* is convicted before one of H. M.'s justices of peace for the — of — by virtue of an act of parliament made in the 38th year of the reign of king *George* the Third, entitled [*here set forth the title of this act, and specify the offence, and the time and place when and where the same was committed,*] and I [*or* we] the said — do adjudge him [her or them to forfeit and pay for the same the sum of —. Given under my hand and seal [*or* our hands and seals] the day and year aforesaid.'

FORM OF ADJUDICATION.

'—— } Upon the report upon the oath [*or* oaths] of — the — day of —
to wit, } in the year of our Lord — made unto — of H. M.'s justices of peace for the — of — respecting certain sheep [*and* lambs] detained [*or* impounded] in a — in the parish of — in the said county, by virtue of a warrant under our hands and seals, [*or* my hand and seal] — do hereby adjudge that such sheep [*and* lambs] belonging to A. B. [*or* the owner or owners thereof being unknown] appearing to me [*or* us] to be infected with the scab or mange, [*or* having within the space of — months immediately previous to the date thereof been infected with the scab or mange] be marked forthwith according to the directions of an act made in the 38th year of the reign of king *George* the Third, entitled [*here set forth the title of this act*]. Given under our hands and seals [*or* my hand and seal] the day and year aforesaid, *id. s.*8.

46. All persons aggrieved by any thing done under this act, may appeal to the quarter sessions for the county or place where the matter of appeal arose, next after the expiration of 4 calendar months from the time when it arose, and the justices there shall finally determine same in a summary way, and award costs as they think proper, *id. s.*9.

47. Where any distress is made for sums to be levied under this act, the distress shall not be deemed unlawful, nor the party a trespasser, for any want of form in the summons or other proceedings relating thereto; nor shall the party distraining be deemed a trespasser *ab initio* for any irregularity afterwards done by him, but the party thereby aggrieved may recover satisfaction for the damage, in an action on the case; but no plaintiff in such action shall recover, if tender of sufficient amends had been made to him or his attorney, on behalf of the defendant before action brought; and if no such tender made, the defendant by leave of the court, after action brought and before issue joined, may pay such money into court, as he deems fit, whereupon such proceedings shall be made as is usual in such cases, *id. s.*10.

48. No action for any thing done under this act shall be commenced unless 10 days' notice in writing, signed by the plaintiff's attorney, specifying the cause of action, has been given to the party grieved, or after 6 calendar months after the fact committed; and such action shall be laid in the county where the cause arose, and the defendant therein may, at his election, plead specially or the general issue, and give this act and the special matter in evidence, and that same was done in pursuance thereof; and if it so appears, or if the action is brought before notice given, or after the time limited, or is laid in the wrong county, jury shall find for the defendant; and on such verdict, or if the plaintiff is nonsuited, or discontinues after appearance, or has judgment against him on demurrer, the defendant shall have treble costs, *id. s.*11.

49. No order, verdict, judgment, or other proceedings touching such matters, shall be quashed, or vacated for want of form only, or be recoverable by *certiorari* or otherwise, *id. s.*12.

CONSPIRACY.

(STATUTES *repealed.*)

TO PREVENT unlawful combinations of workmen, 39 *G.* 3. *c.*81. [REP. 39 & 40 *G.*3. *c.*106. *s.*1.]

(STATUTES *in force.*)

1. IN REGARD to conspirators, false informers, and evil procurers of dozens, assizes, inquests, and juries, H. M. ordains remedy for the plaintiffs by writ of chancery, and willeth that his justices of either bench, and those assigned to take assizes, shall, in every plaint made unto these, award inquests thereon without writ or delay, and shall do right to the plaintiffs, 28 *E.* 1. *c.*10.

2. WHOEVER will complain of conspirators, inventors, and maintainers of false quarrels, and their abettors and supporters having part therein, and brokers of debates, shall come to the chief justices, and shall have a writ under their seals to attach them, *viz.*

'Rex vic'. salutem, præcipimus tibi, quod si *A.* de *G.* fecerit te securum

de clamore suo prosequendo, tunc pone per vadium et salvos plegios *G.* de *C.* quod sit coram nobis in octabis Sancti Johannis Baptistæ, ubicunque tunc fuerimus in Anglia ad respondendum prædicto *A.*, de placito conspirationis et transgressionis secundum ordinationem nostram nuper inde provisam, sicut idem *A.* rationabiliter monstrare poterit, quod ei inde respondere debeat, et habeas ibi nomina plegiorum, et hoc breve.'

which offenders, if convicted, shall be imprisoned till satisfaction be made to the party grieved, and also pay grievous fine to H. M., *Stat. incert. temp. No. VIII.* 8vo *Stat.* i. 399.

3. CONSPIRATORS be they that bind themselves by oath, covenant, or other alliance, that every of them shall aid the other, maliciously to indict, or falsely to acquit people, or to move and maintain pleas, and such as cause infants to appeal men of felony, whereby they are imprisoned, and such as retain men in the county with liveries or fees to maintain their malicious enterprises, and drown the truth; and this extendeth as well to the takers as givers; and stewards and bailiffs of great lords, which by their office undertake to maintain quarrels, pleas, and debates, that concern other parties, 33 *E. st.* 1. *definitio de conspiratoribus.* [*See* rest of this statute, CHAMPERTY, &c.]

4. AGAINST FALSE appeals or indictments [in co. *Lancaster* only, 7 *H.* 5. *c.* 1.] generally, 9 *H.* 5. (*st.* 1.) *c.* 1. [MADE PERP., 18 *H.* 6. *c.* 12.]

5. "Whereas many persons have caused others to be indicted and appealed of treasons and felonies, pretending that they were committed in a certain place, where of truth no such place is to be found in the county;" Every justice having power to hear and determine such treasons and felonies by oath of 12 men, each of whom has 100*s.* freehold *per ann.* in the county, before the *exigent* be awarded, without allegation of the party, as well in his absence as his presence, shall inquire of office, whether any such place be in the county or not, and if it be found that there is no such place, such appeals and indictments shall be void; the appellees and indictees may also have writs of conspiracy against them, and recover their damages, [and if *exigent* is awarded before such inquisition of office, it is void, 7 *H.* 5. *c.* 1.] 9 *H.* 5. *st.* 1. *c.* 1. as REC. in 18 *H.* 6. *c.* 12.

6. TOUCHING VICTUALLERS AND HANDICRAFTSMEN, 2 & 3 *E.* 6. *c.* 15.

7. If any butchers, brewers, bakers, poulterers, cooks, oysternongers, or fruiterers, shall conspire, covenant, or make oath, that they will not sell their victuals but at certain prices; or if any artificers, workmen, or labourers, shall conspire, &c. that they will not work but at a certain rate or price, or shall not enterprise to finish that which another has begun, or shall do but a certain work in a day, or shall not work but at certain hours and times, each offender shall, on conviction by witness, confession, or otherwise, forfeit for the first offence 10*l.* to H. M., if the same is paid within 6 days, and if not, shall be imprisoned 21 days with bread and water for their sustenance, and for the second offence shall forfeit 20*l.* to H. M., or, in default payment as above, shall be pillored, and for the third offence shall forfeit 40*l.*, or on default payment as above, shall [be pillored, *pillory* seems *abolished* in this case, *see* 56 *G.* 3. *c.* 138. *s.* 1. and] lose one of his ears, and be deemed infamous, and not to be credited on oath in any matters of judgment, 2 & 3 *E.* 6. *c.* 15. *s.* 1.

8. If any such conspiracy, &c. (as in *s.* 1.) is made by any company of victuallers above-mentioned by consent of the majority thereof, then besides the punishment aforesaid, their corporation shall be dissolved, *id. s.* 2.

9. All justices of assize and of peace, mayors, bailiffs, and stewards of leets, at their sessions and leets, may determine offences against this act, and punish the offenders as above, *id. s.* 3.

10. TO PREVENT UNLAWFUL COMBINATIONS OF WORKMEN, 39 & 40 *G.* 3. *c.* 106. [AMD. 41 *G.* 3. (U.K.) *c.* 38.]

11. All contracts, covenants, and agreements soever in writing or not, at any time heretofore (*viz.* 29*th July*, 1800,) entered into between any journeymen manufacturers, or other persons within this kingdom, for obtaining an advance of wages, lessening or altering hours of labour, or decreasing the quantity of work, &c. (except contracts between any master and his journeyman,) or for preventing any person from employing whomsoever he shall think proper to employ in his manufacture or business, or for controlling or affecting any person carrying on the same in the management thereof, are declared illegal, 39 & 40 *G.* 3. *c.* 106. *s.* 1.

12. No journeyman, workman, or other person, shall be concerned in making or entering into such contract, covenant, or agreement, in writing or not, as is hereinbefore declared to be illegal; and any person on conviction of any such offence within 3 calendar months, on his own confession, or the oath or oaths of one or more credible witnesses before any two justices of the county, city, or place, where the offence was committed, shall, at their discretion, be committed to gaol for not more than 3 calendar months, or to some house of correction within the same jurisdiction, to be kept to hard labour for not exceeding 2 calendar months, *id. s.* 2.

13. Either of such justices may administer the oaths mentioned in *s.* 1., or in any other cases where oaths are to be taken under this act, 39 & 40 *G.* 3. *c.* 106. *s.* 2.

14. Every journeyman, workman, or other person, who shall enter into any combination to obtain an advance of wages, or to lessen or alter the hours or duration of working, or to decrease the quantity of work, or for any other purpose contrary to this act, or who shall by giving money, or by persuasion, solicitation, or intimidation, or any other means, wilfully endeavour to prevent any unhired or unemployed journeyman, &c. (as above) or other person wanting employment in any manufacture, trade, or business, from hiring himself to any manufacturer, or tradesman, or person conducting any manufacture, &c. or who shall, for the purpose of obtaining an advance of wages, or for other purpose against this act, wilfully decoy, persuade, solicit, intimidate, influence, or prevail, or attempt to prevail on any journeyman, &c. or other person, to quit his work or employment, or who shall wilfully, &c. hinder any manufacturer, &c. (as above) from employing in his manufacture, &c. such journeyman, &c. as he shall think proper; or who, being hired or employed, shall, without just cause, refuse to work with any other journeyman or workman employed to work therein, and who shall be convicted of any of the said offences on his own confession, or the oath of one or more credible witnesses before 2 justices for the county, city, or place, within 3 calendar months after the offence committed, shall, by order of such justices, be committed to the common gaol for not exceeding 3 calendar months, or to the house of correction, to be kept to hard labour for not exceeding two like months, *id. s.* 3.

15. Every person soever, who shall attend any meeting held for the purpose of making any contract, covenant, or agreement, by this act declared illegal, or of entering into, or carrying on any combination for any such illegal purpose, or who shall summons, give notice to, persuade, solicit, or by intimidation or other means endeavour to induce any journeyman, workman, or other person employed in any manufacture, &c. (as in *s.* 3.) to attend any such meeting, or who shall ask or receive any sum of money from any such journeyman, &c. for the said purposes, or who shall persuade, or by intimidation or other means endeavour to induce any such journeyman, &c. to enter into any such combination, or who shall pay any money, or enter into any subscription towards the support of any such illegal meeting or combination, shall, on like conviction, suffer punishment as in *s.* 2., *id. s.* 4.

16. No person soever shall wilfully pay or give any sum of money as a contribution for paying expences incurred by any person acting contrary to this act, ["*or*," this word appears essential to the sense, but is not in the record,] by payment of money or other means support or contribute to support any journeyman, workman, or other person, in order to induce him to refuse to work or be employed in any manufacture, &c. on penalty of not exceeding 10*l.* from such offender, and 5*l.* from the journeyman, &c. collecting or receiving any money or valuable for any of the above purposes, one moiety to H. M., and the other in equal shares to the informer and poor of the parish; and every such offence may be heard, and conviction made on the oath of one or more credible witnesses, by 2 justices for the county, city, or place, where the offence was committed; and if the penalty is not forthwith paid, they shall issue a warrant to levy the same by distress and sale of the offender's goods, with costs thereof, and if no sufficient distress can be had, shall commit the offender, as in *s.* 2., *id. s.* 5.

17. Every person liable to be sued under this act for contributing money for any of the above purposes, (*viz.* in *s.* 5.) shall be obliged to answer on oath to any information preferred against him in any court of equity by the attorney-general on behalf of H. M., or at relation of any informer, for discovering the sums so paid, and shall not refuse to answer by reason of any penalty to which he may be liable by his discovery, *see s.* 8., and the court may make such decree therein as seems to them just, *id. s.* 7.

18. On payment into such court of all the money paid to any such person for any of the above purposes, and remaining in his hands at the time of the information filed, and on making full discovery of all securities in which the rest has been invested, he shall be acquitted of all penalties incurred by him, and of all actions respecting the same by any persons soever, nor shall any person be liable to any penalty or prosecution soever, in respect of any sum which he shall discover to have been paid or received by any answer made, as in *s.* 7., *id. s.* 8.

19. Every offender against this act may equally, with all other persons, be compelled to give evidence as a witness on behalf of H. M., or of the prosecutor or informer on any information exhibited under this act, against any other person not being such witness; and every person having given such evidence, is indemnified against any information for any offence committed by him in the matter, wherein he shall have given evidence, *id. s.* 9.

20. On information on oath before any one or more justices, of any offence against this act, committed within their jurisdiction, he or they shall summon the offender to appear before any 2 or more justices at a certain time or place; and if he do not appear, then (due service of

such summons by personal service, or leaving the same at his abode, 24 hours at least before time fixed for appearance being proved,) they shall issue their warrant for his apprehension, which they may also issue on like information, and without such previous summons; and on the offender's appearance, or on his being brought before them, or on proof on oath of his absconding, so that such warrant cannot be executed, they shall proceed to determine every such complaint, and on confession or proof by one or more credible witnesses on oath, shall convict or acquit the accused, 39 & 40 *G.*3. *c.*106. *s.*10.

21. Such justice or justices before whom such information is made shall, at the request in writing of any of the parties, summons any witness to appear and give evidence at the time and place appointed for hearing such complaint, and specified in such summons; and on default of his appearance without offering reasonable excuse, or if on appearance he refuses to be examined and give evidence touching the matter of complaint, the justices shall then (proof of service being made as in *s.*10.) by warrant under their hands, commit such witness to some prison in their jurisdiction till he submits to give evidence as above, *id. s.*11.

22. The justices shall cause all convictions and orders for commitment to be drawn up as in the schedules annexed to 41 *G.*3. (U. K.) *c.*38. [*See* APPENDIX,] *id. s.*12. as AMD. by 41 *G.*3. (U. K.) *c.*38. *s.*1.

23. And shall cause such conviction to be fairly written on parchment, and transmitted to the next general or quarter sessions of the peace for the county, city, or place where such conviction was had, to be filed among the records of such sessions; and if any person shall appeal (as in *s.*23.) from the judgment of such justices to that of the sessions, the latter on receiving such conviction shall proceed to determine the appeal according to this act, *id. s.*13.

24. Justices of peace shall continue to use and execute all powers and authorities given them by any statutes in force touching combinations of workmen, or for settling disputes between masters and their workmen, or as to their wages, time of working, and quantity of work to be done, or touching any matter also provided for by this act, any thing herein contained to the contrary notwithstanding, *id. s.*14.

25. This act shall not authorize any person carrying on any manufacture, trade, or business, to employ therein any workman contrary to any statute now in force for directing the manner of carrying on the same, or the work of the persons employed therein, without the previous consent in writing of one justice for the county, city, or place, expressing the cause of granting the same; which licence one justice may grant whenever the qualified workmen usually employed, shall, by refusing to work for any cause soever, or by their misconduct when employed, impede the ordinary course of any such manufacture, &c. or endeavour to injure any person carrying on the same, *id. s.*15.

26. No justice of peace, being also a master in the particular manufacture or business concerning which any offence is charged to have been committed, shall act as such justice under this act, *id. s.*16. [*See* 1 *J.*1. *c.*6. *s.*9., now REP.]

27. All contracts, whether in writing or not, made between any masters or other persons for reducing the wages of workmen, or for adding to or altering the usual hours of working, or for increasing the quantity of work, are void, and all masters being thereof convicted by the oath of one or more witnesses before 2 justices within 3 calendar months, shall forfeit 20*l.*, one moiety to H. M. and the other in equal shares to the informer and poor of the parish; and in case payment is not forthwith made, the justices shall cause same to be levied by distress and sale of offender's goods with the costs thereof, and in default of sufficient distress, shall commit him to gaol or house of correction for not more than 3 nor less than 2 calendar months, *id. s.*17.

28. In all cases arising in *Eng.*, where the masters and workmen cannot agree respecting the price to be paid for work actually done in any manufacture, or for any injury done by the workmen to the work, or respecting any delay on their part in finishing, or for not finishing the same in a proper manner, or according to any contract, and in all cases of dispute touching any contract for work or wages between masters and workmen in any trade or manufacture, both parties, or either of them, may appoint an arbitrator to determine such matters by writing, subscribed in the presence of and attested by 1 witness, as in *sched.*2. (APPENDIX,) and deliver it personally to the other party, or leave the same at his usual abode, and to require him to name an arbitrator in like manner within 2 days after such reference is so demanded; and such arbitrator so appointed, after accepting the arbitration, shall summon before them and examine the parties and their witnesses on oath, [*See form, sched.* 2. APPENDIX], and forthwith proceed to hear their complaint, and their award shall be final; but if they shall not agree as to the matter in dispute, and shall not sign their award in 3 days after the submission thereto is signed by the parties, either of the latter may require them to go before a justice for the county, &c. division or place, where such dispute shall happen, and shall be referred, and state to him the points in difference between them, which he shall determine by an examination of the parties and their witnesses on oath, if he think fit, which determination shall be signed within 3 days after expiration of the time allowed the arbitrators to make and sign their award, and shall be final; and if either of the parties or their witnesses, being duly summoned, shall not attend the arbitrators, any 1 or more such justices on proof on oath of service of the summons (as in *s.*11.) and of non-attendance in pursuance thereof, (unless reasonable excuse for the same be made to satisfaction of the justice, &c.) may issue warrant to apprehend such person; and if, on being brought before him, he refuse to be examined or to give evidence before such arbitrators, he shall be by such justice committed to the house of correction till he submit to be examined before the arbitrators, or till the time of making the award by the arbitrators shall be expired. [*This appears* to encourage contumacy on the part of an unwilling witness.] 39 & 40 *G.*3. *c.*106. *s.*18.

29. But if the parties who have signed any submission to arbitration shall be desirous to extend the time limited for making the award or umpirage, they may extend the same accordingly by indorsement on the back of such submission, to be signed by both in the presence of one witness, *id. s.*19.

30. The submission and award may be drawn up and written at the foot of such submission on unstamped paper to the effect set forth in *sched.*2. [APPENDIX], *id. s.*20.

31. Two parts of the submission to arbitration shall be engrossed, one for each party, *id. s.*21.

32. Where an arbitration is demanded, and the submission signed, and arbitrator therein named by either party, and the other shall refuse to sign the submission and appoint his arbitrator within the time before limited, the latter party, or if more than one, each of the parties, so refusing, on conviction before 2 or more justices, shall forfeit 10*l.*, one moiety to H. M. and the other to the poor of the parish; and in default of payment thereof forthwith, such justices shall by warrant cause the same to be levied by distress and sale, with costs thereof, and if no sufficient distress can be had, shall commit the party to the common gaol or house of correction for not more than 3, nor less than 2 calendar months, and if either party refuses to perform his part of such award or umpirage, and is convicted thereof before 2 or more such justices, they shall commit him to such gaol, &c. (as above), till he fully perform the same; but nothing herein shall extend to make any person guilty of any offence in not attending at more than 1 arbitration at the same time, or more than 2 in 1 day, and any non-resident master may authorize an agent to sign such submissions, and attend arbitrators or justices, *id. s.*22.

33. Every person convicted of any offence punishable by this act, and aggrieved by the judgment of the convicting justice or justices, may appeal from such conviction to the next general or quarter sessions for the county, division, or place where such offence was committed, and the execution of every judgment so appealed from shall be suspended, in case he enter into recognizance before such justices, himself in 10*l.* penalty, with two sufficient sureties in 5*l.* each on condition to prosecute such appeal with effect, and to be forthcoming to abide the judgment of the sessions, and to pay the costs by them awarded, and the sessions shall hear and determine the appeal, and award just costs, which decision shall be final; and if, on hearing the appeal, the judgment of the justice or justices is affirmed, the appellant shall pay the penalty mentioned in the conviction, with costs, and in default of payment thereof, or if the conviction contain a judgment of imprisonment, shall immediately be committed by the court to the common gaol or house of correction according to and for the time mentioned in such conviction, and also until the costs awarded by such court be paid, *id. s.*23.

34. Every action brought against any person for any thing done in pursuance of this act, or for any cause, &c. herein contained, shall be commenced within 3 calendar months, and laid in the proper county; defendant may plead the general issue, and give the special matter in evidence, and if a verdict pass for defendant, or if plaintiff is nonsuit, or discontinues, or if judgment is given against him on demurrer or otherwise, defendant shall have full costs, *id. s.*25.

COOPER.

(STATUTE *expired.*)

1. CONCERNING coopers, 35 *H.*8. *c.*8. EXP.

(STATUTES *in force.*)

1. NO BREWERS of beer or ale shall make their barrels, kilderkins, or firkins within them; and how much such barrels, &c. shall contain, 23 *H.*8. *c.*4. [AMD. and REP. *as to s.*3. *by s.*3. *of* 8 *El. c.*9. *and s.*1, 2.]

2. No brewer for sale shall occupy himself or another to his use, the craft of coopers, nor make any barrels or other vessels to put his beer and ale to sale in; but same shall be made by coopers, and marked

as herein directed, upon pain to forfeit for each vessel 3*s.* 4*d.*, 23 *H.* 8. *c.* 4. *s.* 1.

3. Coopers making such vessels for beer or ale to be put to sale, shall make the same of seasonable wood and mark them, and the contents of such vessels shall be for

each	Barrel	for *Beer*	36 gal.	for *Ale*	32 gal.
	Kilderkin		18		16
	Firkin		9		8

of H.M.'s standard gallon, good measure; and all coopers who shall make any such vessels for beer or ale of a greater or less quantity shall mark the contents of the same thereon, *id. s.* 2.

4. Brewers for sale shall not sell beer or ale in any other barrels or vessels, other than such as shall be marked and made by coopers, and which shall contain the quantity in *s.* 2., set forth, *id. s.* 4.; one half of the penalties hereby imposed shall go to H.M., and the other to the party suing by action of debt or information, in any court wherein no essoin, &c. shall be admitted, *id. s.* 5.

5. The wardens of coopers in *London*, taking an officer of the mayor, shall search and gauge all barrels and other vessels for beer, ale, or soap, for sale within *London*, and 2 miles thereof, and see that the same are marked and bear their true contents, and mark them with St. *Anthony's* cross, and shall have a fee of 1 farthing for each vessel so searched, gauged, or marked, and may retain such vessels till such fee is paid; and if they find any of such vessels defective, not bearing their true contents, they may seize the same, and amend or destroy it, *id. s.* 7.

6. The owner shall forfeit 1*s.* for every vessel not being of their full content, to be recovered and applied as in *s.* 5., *id. s.* 8.

7. In all other towns, cities, or boroughs, where no such wardens be, the mayor, sheriff, or head officer thereof may search, gauge, and view all such like vessels therein made, in like manner as the wardens in *London* may, *id. s.* 9.

8. Every beer-brewer may keep in his house 1 or 2 coopers (and an ale-brewer 1 cooper, *s.* 12.) to hoop and amend his barrels, &c. *id. s.* 10.

9. Every person who shall minish any barrel by taking out the head thereof, or taking out any staff [*Qu.* stave] thereof, shall forfeit 3*s.* 4*d.*, to go in moieties to H.M. and the party suing, as in *s.* 5.; and such vessel shall be burnt, and such offender shall be further punished in discretion of the person afore whom such offence is presented, *id. s.* 11.

10. Every cooper who shall make any ale-vessel, shall make the same according to the assize specified in the *compositio mensurarum*, *viz.* according to the size in *s.* 2., under a penalty of 3*s.* 4*d.* for each vessel made contrary hereto, such forfeiture to go in moieties, one half to H.M. and the other to the party suing by action of debt, &c. wherein no essoin, &c. allowed, *id. s.* 13.

11. Coopers shall mark their vessels with their own marks, under pain of 3*s.* 4*d.*, to be recovered as in *s.* 13.; and no persons in searching for the true gauging of any such vessels, shall put the ale thereout, *id. s.* 14. [*See rest* of this section, BEER *and* ALE, *pl.* 8.]

12. The prices of barrels, and other vessels to be sold, for ale, beer, or soap to be uttered therein, shall be rated by the head officer of every city and town corporate, where made or sold, 8 *El. c.* 9. *s.* 4.

13. Where such vessels shall be made or sold out of such city or town, the prices thereof shall be rated by justices at the *Easter* quarter sessions yearly in their discretions, *id. s.* 5.

14. Every cooper not selling at such prices, after proclamation thereof made, shall forfeit 3*s.* 4*d.* for each vessel, one moiety to H.M. and the other to the informer suing by action of debt, in any court of record, where no essoin, &c. allowed, *id. s.* 6.

COPYHOLD.

1. FOR CONFIRMATION of decrees made in exchequer chamber and duchy court, concerning customary or copyhold lands and tenements, 7 *J.* 1. *c.* 21.

2. All lands, tenements, and hereditaments soever, mentioned in any decrees to be made in the said courts, at any time within 3 years next ensuing the 1*st* day of the present session of parliament, (9*th Feb.* 1609.) concerning H.M.'s manors, shall be good and perfect copyhold lands, &c. *id. s.* 1.; and those decrees shall be confirmed by the authority of this present parliament, *id. s.* 2.

3. TO ENABLE LORDS OF MANORS MORE EASILY TO RECOVER their fines and to exempt infants and *femes-covert* from forfeitures of their copyhold estates in particular cases, 9 *G.* 1. *c.* 29.

4. Where any person under the age of 21 years, or *feme-covert*, shall be entitled by descent, or surrender to the use of a last will, [*or* by will, *semble* since 55 *G.* 3. *c.* 192. *s.* 1. *pl.* 16.] to be admitted tenants of any copyhold lands, tenements, or hereditaments, such infant or *feme-covert*, in their proper persons, or such *feme-covert* by her attorney, or such infant by his guardian, or in case he have no guardian, then by his attorney (for which purpose they are empowered, by writing under hand and seal, to appoint attornies) shall appear at 1 of the 3 next courts which shall be kept for such manor, whereof such tenements shall be parcel, and shall there tender themselves to be admitted tenants; and in default of such appearance and of acceptance of such admittance, the lord or his steward, after 3 courts holden and proclamations made, may nominate at any subsequent court, any fit person to be guardian or attorney for such infant or *feme-covert*, for that purpose only; and by such guardian or attorney may admit such infant or *feme-covert*, and impose such fine as might have been imposed, if such infant had been of full age, or such *feme-covert* unmarried, 9 *G.* 1. *c.* 29. *s.* 1.

5. The fine set thereon may be demanded by the bailiff of the lord, by a note in writing signed by the lord or his steward, to be left with such infant or *feme-covert*, or with the guardian of such infant, or husband of such *feme-covert*, or with the tenant of the tenements to which they were admitted; and if the fine be not paid to the lord or his steward, within 3 months after demand, the lord may enter upon such copyhold estate, and hold the same, and receive the rents (but without liberty to fell any timber) till by such rents he be paid the fine with costs, though such infant or *feme-covert* happen to die before such costs and fine be raised; of all which rents received, the lord shall yearly on demand render an account, and pay the surplus to such person as shall be entitled to such copyhold estate, *id. s.* 2.

6. As soon as such fine and costs are satisfied, or if after such seizure and entry they are tendered, then such infant or *feme-covert*, or other person entitled, may enter and take possession; and if the lord, after the fine and costs satisfied, or tendered, shall refuse to deliver possession, he shall be liable to make satisfaction for all damages and costs, *id. s.* 3.

7. Where any infant or *feme-covert* is admitted to any copyhold tenements, if the guardian of such infant, or husband of such *feme-covert*, shall pay the lord the fine and the costs, then the guardian or the husband, their executors or administrators, may enter into and hold the said copyhold tenements, and receive the rents, till they be satisfied all the money they shall disburse on the account aforesaid, notwithstanding the death of such infant or *feme-covert*, *id. s.* 4.

8. No infant or *feme-covert* shall forfeit any copyhold for neglect or refusal to come to any court, and be admitted; or for the omission or refusal to pay any fine imposed on their admittance, *id. s.* 5.

9. If the fine imposed in any of these cases before mentioned shall not be warranted by the custom of the manor, such infant or *feme-covert* shall be at liberty to controvert the legality of such fine, as they might have done if this act had not been made, *id. s.* 6.

10. IF ANY STEWARD or other officer of any copyhold court shall demand or receive any fee for any surrender, admittance, grant, or lease, or any other copy of any court roll, without at the same time demanding and receiving the stamp-duty, and delivering such surrender or admittance, grant, or lease, or copy, to the person entitled thereto, he shall forfeit 10*l.*, 5 *G.* 3. *c.* 46. *s.* 7.

11. THE INTENTION of the above clause, and the time meant thereby for delivering the copy of such surrender, &c. is as soon as the same could be prepared and made out, after receiving the fee and stamp-duty thereon, and not immediately upon receiving the same, 6 *G.* 3. *c.* 49. *s.* 3.

12. Such steward or other officer of any copyhold court shall be obliged to deliver the copy of such surrender, &c. to the person entitled thereto, or to some person authorized to receive the same, or to the bailiff of the manor, for the use of such person, within 1 year from the holding such court, and shall not incur the said forfeiture till after 1 year from the day of holding the same, *id. s.* 4.

13. CONCERNING COMMON RECOVERIES SUFFERED IN COPYHOLD OR customary courts by attorney, 47 *G.* 3. *S.* 2. *c.* 8.

14. All persons not being under coverture, and every *feme-covert* (the latter being solely and secretly examined by the lord, lady, steward or his deputy of the manor, whereof the copyhold, of which a common recovery is proposed to be suffered, shall be holden), may appoint any person or persons to be their attorney or attorneys, for surrendering copyhold or customary tenements, common recoveries whereof are proposed to be suffered to the use of any person to make a tenant to the plaint; and also may appoint any other person to appear as vouchee, and to enter into the usual warranty, and to do all other necessary acts for perfecting such common recoveries respectively, and to direct the demandants therein to surrender the tenements recovered, when such recovery is perfected, to the uses declared in the instrument by which such attorney or attorneys are appointed; and the surrenders and common recoveries had, acknowledged, and suffered by attorneys as above, shall have the like effect, but no other, as they would have had, had the party appeared personally in court for those purposes, 47 *G.* 3. *S.* 2. *c.* 8. *s.* 1.

15. TO REMOVE CERTAIN DIFFICULTIES IN THE DISPOSITION OF copyhold estates by will, 55 *G.* 3. *c.* 192.

16. Where by the custom of any manor in *Eng.* or *Irc.* any copyhold tenant thereof may by will dispose of, or appoint, his copyhold tenement, the same having been surrendered to such uses as shall be by such

will declared, every disposition or charge of any such copyholds, or of any right or title to the same, made by any such will by any person who shall die after passing this act, *viz.* (12 *July*, 1815,) shall be as effectual, *although no surrender is made to the use of such will*, as it would have been, had such surrender been so made, *id. s.* 1.

17. No person entitled, or claiming to be entitled, to copyhold lands, tenements, or hereditaments, in consequence of any testamentary dispositions, shall be entitled to be admitted thereto under this act, except on payment of all such stamp-duties, fees, and sums of money, as would have been lawfully payable in respect of the surrender thereof to the use of such will, or in respect of presenting, or in respect of the presenting, registering or enrolling such surrender, had the lands, &c. been surrendered to the use of the will of the person so disposing thereof; all which stamp-duties, fees, &c. shall be paid in addition to the stamp-duties, fees, &c. payable on admission to the same, and the stamp-duties shall be affixed to the copy of admission, *id. s.* 2. [and see the duty, *55 G.* 3. *c.* 184. *tit.* STAMPS, *Sched. Part I. tit.* COPYHOLD ADMITTANCE.]

18. Nothing herein shall render ineffectual any devise or disposition of any copyhold lands, tenements, or hereditaments, or of any right, title, or interest, in or to the same, which would be valid had this act not been made, or to render effectual any devise, &c. of any copyhold lands, &c. or of any right, &c. to or in the same, which would be ineffectual if a surrender had been made to the use of the will of the person attempting to dispose thereof by will, *id. s.* 3.

CORN.

1. TO PREVENT obstructions to the free passage of grain within this kingdom, *36 G.* 3. *c.* 9.

2. Every person who shall wilfully and maliciously beat, wound, or use other violence to any person, with intent to deter or hinder him from buying corn or grain in any market or other place within this kingdom, or shall unlawfully stop, or seize any wheat, flour, meal, malt, or other grain, in or on the way to or from any city, market town, or place therein, or shall wilfully and maliciously break, cut, or destroy any waggon, cart, or other carriage wherein any such wheat, &c. shall be loaded, or the harness of any horse drawing or carrying the same, or shall unlawfully take off from any such carriage, or drive away, kill, or wound any such horse, or unlawfully beat or wound the driver of any such waggon, &c. or horse so loaded, with intent to stop such wheat, &c. or shall, by cutting the sacks or otherwise, scatter or throw abroad any such wheat, &c. or shall take or carry away, destroy, spoil, or damage the same, or any part thereof, and being thereof lawfully convicted before any 2 or more justices of the county, city, town, or place corporate, wherein such offence shall be committed, or before the justices in open sessions, who are hereby empowered summarily and finally to hear and determine the same, shall be sent to the common gaol or house of correction, there to be kept to hard labour for not exceeding 3 months, or less than one month, *id. s.* 1.

3. Every person so convicted, who shall commit any such offence a 2d time, and every person who, with intent to hinder any corn, meal, flour, malt, or grain, from being lawfully removed from any place soever, shall wilfully and maliciously pull or throw down, or otherwise destroy any storehouse, granary, or other place in which corn, &c. shall be then kept, or shall unlawfully enter any such storehouse, granary, or other place, and take away any corn, &c. therefrom, or throw abroad, or spoil the same, or any part thereof, or shall unlawfully enter on board any ship, barges, boat, or vessel, and wilfully, &c. take and carry away, cast, or throw out therefrom, or otherwise spoil or damage any corn, &c. therein, shall be adjudged guilty of felony, and transported for 7 years, and on return from transportation, before expiration of 7 years, shall suffer death as a felon without clergy; but no attainder for any offence made felony by this act, shall work corruption of blood, loss of dower, or disinherison, *id. s.* 2.

4. The inhabitants of every hundred in *Eng.* wherein any such offence shall be committed, shall make full satisfaction to every person, their executors and administrators for damage sustained by injury done to their property by any offender against this act; and every person so sustaining damages, shall sue for and recover the same (if not exceeding 100*l.*) against the hundred, to be levied as in *27 El. c.* 13. and *8 G.* 2. *c.* 16. provided, *id. s.* 3.

5. No person shall recover damages under this act, unless he give notice thereof by himself or servants, within 2 days after such offence committed, to one of the constables of the hundred, or to the constable, borsholder, headborough, or tithing-man, of the town, parish, village, hamlet, or tithing, in or near which such fact is committed, and shall, within 10 days after such notice, give in his examination on oath, or that of his servants being present at the time of the fact committed, or having the care of such property to which the injury is done, before any justice of the county or division, whether he or they know the offenders, or any of them; if it is confessed that all or any of them are so known, the person confessing shall be bound by recognizance to prosecute the offender under this act, or other laws of this realm, *36 G.* 3. *c.* 9. *s.* 4.

6. Where any offender is apprehended, and lawfully convicted of any offence against this act, within 12 months after it is committed, no hundred or franchise therein shall be liable to make any satisfaction to the party injured for his damages; and no person sustaining any damage, by reason of any offence against this act, shall be hereby enabled to sue any hundred where such offence is committed, till after expiration of one year, nor unless he commence his action within 2 years next, after the offence committed, *id. s.* 5.

7. Nothing herein shall abridge any provision already made by law for suppression, or punishment of any offence herein described; but no person punished under this act shall be punished for the same offence under any other statute, *id. s.* 6.

CORONER.

(STATUTE *repealed.*)

1. [Recital of *3 H.* 7. *c.* 1. *s.* 3. (*infra, pl.* 15.) and that, since that statute, coroners have used not to enquire on view of a body slain by misadventure, except they have fee, which is contrary to common law and to *3 H.* 7. *c.* 1.] No fee shall be paid to a coroner for doing his office on view of any body slain, &c. or dead by misadventure, *1 H.* 8. *c.* 7. [*semb.* REP. *25 G.* 2. *c.* 29.]

(STATUTES *in force.*)

1. WHAT SORT of men shall be coroners, *3 E.* 1. *c.* 10. [AMD. *28 E.* 3. *c.* 6. REP. *as to* that part which enacts that no fees shall be taken by coroners, *25 G.* 2. *c.* 29.]

2. Sufficient men of the most wise and discreet knights, [most meet and lawful people, *28 E.* 3. *c.* 6.] found in each county, who best know, and will and can attend on such offices, and who shall lawfully attach and present pleas of the crown, shall be chosen, [in full counties by the commons thereof, *id. ibid.*] to be coroners; and the sheriffs shall have counter rolls, with the coroners of inquests' attachments, and other things of their office, [saving all franchises of H. M., and others who ought to appoint such coroners, *id. ibid.*] *3 E.* 1. *c.* 10. *28 E.* 3. *c.* 6.

3. DE OFFICIO CORONATORIS, *4 E.* 1. *st.* 2.

4. The things to be inquired of by the coroner, if he be certified by H. M.'s bailiffs, or other good men of the county, are these,—First, he shall go to the places where any be slain, or suddenly dead, or wounded, or where houses are broken, or treasure said to be found, and shall command those of the 4, or 5 or 6 next townships, to appear before him at a certain place; and when they are come thither, the coroner, on their oath, shall inquire, *viz.* if they know where the person was slain, whether in field, house, bed, tavern, or company, and who were culpable of the act or force, and who were present, either men or women, of what age soever they be, if they can speak, or have discretion; and those found culpable by the inquest, in any of the above manners, shall be taken and delivered to the sheriff, and committed to gaol; and such as be found, and be not culpable, shall be attached till the coming of the justices, and their names written in the coroner's rolls. If any man be slain, and found in the fields or woods, it must first be inquired whether he were slain in that place or not: and if he were brought and laid there, the steps of those persons, or of any horse or cart, who brought him thither, shall be followed as much as can be. It shall be enquired also, if the deceased is known, or is a stranger, and where he lay the night before; and if any be found culpable of the murder, the coroners shall go into his house and make inquisition of his lands and goods, and shall value the same which shall thereupon be delivered to the whole township, which shall be answerable before the justices for all; and likewise of his freehold, how much it is worth yearly above the service due to the lords of the fee, and the land shall remain in H. M.'s hands till the lords of the fee have made fine for the same; and immediately on these things being inquired, the bodies shall be buried, *4 E.* 1. *st.* 2. *s.* 1.

5. In like manner it shall be inquired of those drowned, or suddenly dead, and on view of the bodies it may be seen whether they were so drowned, or slain, or strangled, by the sign of a cord tied straight about their necks, or by marks on any of their limbs, or hurts on the bodies so found, and on which proceeding shall be had as above; and if they were not slain, then the coroner ought to attach the finders, and all others in company, *id. s.* 2.

6. Coroners also ought to inquire of treasure trove, who were the finders, and who is suspected thereof, and that may be well perceived where one liveth as he was wont to do, or haunting taverns, and hath done so of long time, whereupon he may be attached for this suspicion by 46 or more pledges, *id. ibid.*

7. If any be appealed of rape, he must be attached if the appeal be fresh, and they can see apparent sign of truth, by effusion of blood, or open cry made, and such shall be attached by 4 or 6 pledges; but if it

be without cry, or manifest sign, two pledges shall be sufficient, 4 *E.* 1. *S.* 2. *s.* 2.

8. On appeal of wounds and such like, especially if mortal, the parties appealed shall be taken immediately, and kept till it be known perfectly whether he that is hurt shall recover or not, and if he die, the accused shall be kept; but if he recover health, he shall be attached by 4 or 6 pledges, as the wound is great or small; if for a maim, then by 4 pledges: but if for a small wound, without maim, 2 pledges shall suffice: also of wounds, it should be viewed what is their length, breadth, and depth, with what weapons, and in what part of the body inflicted, and if many be culpable, and there be many wounds, who gave each wound; all which things must be inrolled *in the coroner's roll*, [and see 1 & 2 *P. & M. c.* 13. *s.* 5., *pl.* 19.] *id. ibid.*

9. Those appealed of the act done [*viz.* principals] shall be taken, and those appealed of the force [*viz.* accessaries] shall be attached and surely kept in ward until those appealed of the act be attainted or delivered, *id. ibid.*

10. Concerning horses, boats, carts, &c. whereby any are slain, that properly are called deodands [or *fines*], they shall be valued and delivered to the townships, as above, *id. ibid.*

11. Concerning wreck of the sea [*see* 3 *Ed.* 1. *c.* 4. WRECK, *infra*,] wheresoever found, if any lay hands on it, he shall be attached by sufficient pledges, and the price shall be valued and delivered to the townships, *id. ibid.*

12. If any be suspected of the death of any man being in danger of life, he shall be convicted as above, and, in like manner, huy shall be levied for all murders, burglaries, and for men slain, or in peril to be slain, as is elsewhere used in *Eng.*, and all shall follow the huy and steps, if it can be done, and he who doth not, and is thereon convict, shall be attached to be before the justices of the gaol, &c., *id. ibid.*

13. THE JURISDICTION OF CORONERS WITHIN THE VERGE, 28 *Ed.* 1. *c.* 3.

14. In cases of the death of men, whereof the coroner's office is to make view and inquest, it shall be commanded to the coroner of the country [*du pais*] that he, with the coroner of H.M.'s house, shall do his duty, and inrol the same, and what cannot be determined before the steward of H.M.'s house for that the felons cannot be attached, or for other cause, shall remain as at common law, so that the exigents, outlawries, and presentments in eyre, shall be made thereupon by the coroner of the county, as well as of other felonies done out of the verge; and they shall not omit, by reason hereof, to make attachments freshly on the felonies done, *id. s.* 2.

15. RESPECTING THE DUTY OF CORONERS, 3 *H.* 7. *c.* 1. *ss.* 3—5. [These sections are considered a separate act in printed *Rot. Parl. nu.* 21. That part of the statute which relates to appeals is REP. 59 *G.* 1. *c.* 46. *s.* 1.; and see the rest of the statute HOMICIDE.]

16. Every coroner shall do his office according to this statute, *viz.* the coroner upon view of a body dead, shall inquire of the slayers thereof, their abetters and consenters, and who were present, and shall inrol and certify what is so found; and after the felony found, the coroners shall deliver their inquisitions before the justices of the next gaol delivery in the shire, who shall proceed against such murderers, if they be in the gaol, or else shall put the inquisitions into K.B., *id. s.* 3.

17. [Recital that at common law coroners had nothing for doing their office, which has often occasioned remissness therein], a coroner shall have for his fee on every inquest, on view of the body slain, 13*s.* 4*d.*, of the goods and chattels of the murderer, if he has any goods, and if not, then he shall have for his said fee of such amerciaments as shall fortune any township to be amerced for escape of such murderer, *id. s.* 4. [Re-enacted 25 *G.* 2. *c.* 29. *s.* 3., *infra*, *pl.* 23.]

18. If any coroner is remiss, and does not make inquest on view of the body dead, and does not certify (as in *s.* 3.), he shall forfeit 100*l.* to H.M., *id. s.* 5.

19. EVERY CORONER, ON INQUISITION FOUND, whereby any person shall be indicted for murder or manslaughter, or as accessary before the murder, &c. committed, shall put in writing the effect of the evidence, and as well 2 justices, 1 being of the quorum [see *s.* 4. BAIL, *pl.* 10.] as the coroner shall have authority to bind all such by recognizance as declare any thing material to prove the murder, manslaughter, offences, or felonies, or to be accessary to the same as above, to appear at the next gaol delivery to give evidence against the party indicted, and shall certify as well the evidence as the bonds, together with the indictment; and if any justice or coroner shall offend contrary hereto, the justices of gaol delivery, on proof thereof by examination, shall set a fine on the justices and coroner, 1 & 2 *P. & M. c.* 13. *s.* 5.

20. FOR GIVING PROPER REWARD TO CORONERS FOR DUE EXECUTION of their office, and for removing them, on lawful conviction, for certain misdemeanors, 25 *G.* 2. *c.* 29.

21. For every inquisition not taken on the view of a body dying in prison, and duly taken within *Eng.* by any coroner in any township or place assessed to county-rates under 12 *G.* 2. *c.* 29., the sum of 20*s.*, and for every mile he shall travel from the place of his abode, to take such inquisition, 9*d.* over and above the said 20*s.*, shall be paid to him out of the monies arising from the above rates by order of the justices in general or quarter sessions for the county or liberty where such inquisition is taken, for which order no fee shall be paid to the clerk of the peace or other officer, 25 *G.* 2. *c.* 29. *s.* 1.

22. For every inquisition taken by any county-coroner on view of a body dying in any prison within *Eng.* so much money, not exceeding 20*s*, shall be paid to him as the justices in general or quarter sessions for the county or division wherein such prison is situate, shall allow by their order out of the county-rates; for which order no fee shall be paid, *id. s.* 2.

23. Besides the 20*s.* mentioned in *s.* 1. a coroner, who holds an inquest on view of a body slain, shall have also the fee of 13*s.* 4*d.* of the goods of the murderer, payable by 3 *H.* 7. *c.* 1. [*supra*, *pl.* 17.], or out of the amerciaments imposed on the township of the slayer, *id. s.* 3.

24. No coroner, to whom any benefit is given by this act, shall take for his office doing, in case of the death of any person, any fee other than the 13*s.* 4*d.* limited by 3 *H.* 7. *c.* 1. and other than the 20*s.* by this act, on pain of being deemed guilty of extortion, *id. s.* 4.

25. No coroner of the king's household, and of the verge of his palaces, nor of admiralty, nor of the county palatine of *Durham*, nor of the city of *London* and borough of *Southwark*, nor of any franchises belonging to the said city, nor of any other city, borough, town, liberty or franchise not assessed to county rates under 12 *G.* 2. *c.* 29. or within which such rates have not usually been assessed, shall be entitled to fee under this act, but may receive the fees and salaries to which they were entitled before this act, or which are given them by the person appointing them, *id. s.* 5.

26. If any coroner, not annually appointed, or whose office is not annexed to any other office, be convicted of extortion, or wilful neglect of duty, or other misdemeanor in office, the court before whom he is convicted may adjudge that he be removed from his office; and therefore, if such coroner has been elected by the freeholders of any county, a writ shall issue for his amoval, and for electing another in his stead in the usual form of law; and if he has been appointed by the lord of any liberty, or in any other manner than by election of the freeholders as above, the lord of such liberty or person entitled to such nomination shall, on notice of such judgment of amoval, nominate another coroner in his stead, *id. s.* 6.

27. TO REGULATE THE ELECTION OF CORONERS FOR COUNTIES, 58 *G.* 3. *c.* 95.

28. On every election of a coroner, or coroners of any county in *Eng.* and *Wa.*, the sheriff shall hold his county court for such election at the most usual place of elections of coroners within such county for 40 years last past, and shall there proceed to election at the next county court, unless the same fall out to be held within 6 days after receipt of the writ *de coronatore eligendo*, or on the same day, and then shall adjourn the court to some convenient day, not exceeding 14 days, giving 10 days' notice of the time and place of election; and if the election is not determined on the view with consent of the freeholders there present, and if a poll is demanded, then the sheriff, or, in his absence, the under sheriff, with his deputies, shall forthwith there proceed to take the same in some public place, commencing on the day when demanded, and proceeding therein from day to day (except *Sunday*) till finished, but not for more than 10 days at most (except *Sunday*), keeping the same open 7 hours each day between 9 *a.m.* and 5 *p.m.*, and such sheriff, &c. shall appoint a convenient number of clerks for taking the poll in his presence, who, before they begin to take the poll, shall, by such sheriff, &c. be sworn, truly and indifferently to take the same, and to set down the names of each freeholder, and the place of his abode and freehold, and the name of the occupier thereof, and for whom he shall poll, and to poll no freeholder who is not sworn, if so required by any candidate; and such clerk shall take the poll in presence of such sheriff, &c., and the sheriff, &c. shall appoint for each candidate a person nominated to him by the latter to be inspector of the poll clerks, and every freeholder before polling shall, if required by any candidate, take the following oath, to be administered by the sheriff, his undersheriff, or such sworn poll clerk, *viz.*

'You swear [*or, being a quaker*, solemnly affirm] that you are a freeholder of the county of —, and have a freehold estate consisting of —, lying at — within the said county, and that such freehold estate has not been granted to you fraudulently, on purpose to qualify you to give your vote at this election, and that the place of your abode is at — [*specifying street or place*], that you are 21 years old as you believe, and that you have not been before polled at this election.'

and every freeholder, or other person taking such oath or affirmation, who shall thereby commit wilful perjury, and be convicted thereof, and every person who shall suborn any freeholder to take such oath, &c. whereby he shall commit such perjury, shall be liable, for their respective offences, to the penalties of 5 *El. c.* 9. and 2 *G.* 2. *c.* 25., 58 *G.* 3. *c.* 95. *s.* 1.

29. No trustees or mortgagees shall be allowed any vote at such elections by reason of any trust estate or mortgage, unless they are in

actual possession or receipt of the rents and profits of the estate, but the mortgagor and *cestuique* trust in possession, may vote for the same notwithstanding such mortgage or trust; and all conveyances soever, in order to multiply voices or split the interest in any houses or lands among several persons to enable them to vote at elections for a county coroner, are void, 58 *G.*3. *c.*95. *s.*2.

30. All the reasonable expences incurred by such sheriff, &c. (as in *s.*1.) in providing poll books, booths and clerks (the latter to be paid not more than *1l.*1*s. per* day) for making the poll at any such election, shall be paid by the candidates in equal proportions, *id. s.*3.

CORPORATION.

(STATUTES *repealed and expired.*)

1. FOR WELL GOVERNING and regulating of corporations, 13 *C.*2. *st.*2. *c.*1. [*ss.*2, 3. 8, 9. 11—14, 15. EXP.] and *s.*4—7. 10. REP. 5 *G.*1. *c.*6. *s.*2. (which repeals so much of this act as requires the taking the oath or declaration therein mentioned, and neither of them shall be required for the future), [but see *s.* 12, 13. 16. *pl.* 9. 11, 12., still in force.]

2. TO PREVENT disputes which may arise by officers and members of corporations having neglected to sign the association and take the oaths in due time, 11 & 12 *W.*3. *c.*17. [EXP.]

3. TO INDEMNIFY members of cities, corporations and boroughs who have neglected to take oaths and stamp admissions, &c. and for allowing them further time for those purposes, 28 *G.*2. *c.*3. EXP.

(STATUTES *in force.*)

1. AGAINST MAKING private and unlawful statutes by corporations, 19 *H.*7. *c.*7.

2. No masters, wardens, and fellowships of crafts or mysteries, nor rulers of guilds or fraternities, shall make or execute any acts or ordinances by them made in diminution of the prerogative of H. M. or other, or against the common profit of the people, unless examined and approved by the chancellor, treasurer, or chief justices of either bench, or three of them, or before both judges of assize in their circuit in that shire where such acts are made on pain of forfeiture of 40*l.* for every offence, *id. s.*1.

3. No order shall be made by such corporations to restrain any persons from suing to H. M., or in his courts, or to punish them for so doing, on penalty of 40*l.* for every offence, *id. s.*2.

4. FOR LEASES OF HOSPITALS, COLLEGES, AND OTHER corporations, to be good and effectual with consent of the majority, 33 *H.*8. *c.*27.

5. Every order and statute made or to be made by any founder of any hospital, college, deanery, or other corporation whereby the grant or election of the governor thereof, with the assent of the majority of those of such hospital, &c. who have a voice of assent to the same, should be hindered or let by any one or more, being the minority of such corporation contrary to common law shall be void, and no persons of such corporations shall henceforth be compelled to take any oath for the observing of any such order, &c. on pain that the party giving such oath shall forfeit 5*l.*, to go one moiety to H. M., and the other to the party that will sue for it by action of debt, or information in any court of record wherein no essoin, &c. or dilatory plea shall be allowed, *id. ibid.*

6. TOUCHING COMMISSIONS OF THE PEACE AND GAOL DELIVERY, in towns corporate, not being counties of themselves, 2 & 3 *P.* & *M. c.*18. [and recital in *s.*1.]

7. All commissions to be granted to any city or town corporate not being a county of itself, for the keeping of its peace and delivery of its goals, shall be good in law notwithstanding after-dated commissions are granted to any commissioners for like purposes in the shire, *id. s.*2.

8. FOR WELL GOVERNING CORPORATIONS 13 *C.*2. *S.*2. *c.*1. *ss.*12—13. 16. [Virtually AMD. 5 *G.*1. *c.*6. *s.*3.]

9. No person shall be placed or chosen in any office of mayor, alderman, recorder, bailiff, town-clerk, common council-man, or other office of magistracy, place, trust, or employment concerning the government of any city, corporation, borough, cinque port, and their members, or other port town, who shall not within 1 year next after such choice, take the sacrament of the Lord's supper, according to the rites of the church of *Eng.*, and every such person shall likewise take the oaths of allegiance and supremacy at the time when the oath for due execution of the office is administered in default of which every such choice is void, 13 *C.*2. *S.*2. *c.*1. *s.*12.

10. No person placed or elected into any office or member of any corporation that were required by 13 *C.*2. *st.*2. *c.*1. *s.*12. to take the sacrament within 1 year next before their election, shall be removed by the corporation, or otherwise prosecuted for such omission; nor shall any disability or penalty be incurred thereby unless such person be so removed, or such prosecution commenced within 6 months after such person's election into his office; and in case of a prosecution it shall be carried on without wilful delay, 3 *G.*1. *c.*6. *s.*3.

11. Every person placed in any corporation by virtue of this act, shall, on his admission, take the oaths usually taken by its members, 13 *C.*2. *S.*2. *c.*1. *s.*13.

12. This act shall not extend to or prejudice any person having reversion of any offices in *London*, by virtue of any grant or nomination of the mayor and aldermen, made, &c. to him before the late wars for aid in respect of such grant, &c. only, *id. s.*16.

13. FOR PREVENTING THE INCONVENIENCES ARISING FOR WANT OF elections of mayors or other chief magistrates of boroughs or corporations being made on the days appointed by charter or usage for that purpose, and directing in what manner they shall be afterwards made, 11 *G.*1. *c.*4.

14. If in any city, borough, or town corporate, in *Eng.*, *Wa.*, and *Ber.*, no election shall be made of the mayor, bailiff, or chief officer, on the day, or within the time, appointed by charter or usage, or if such election being made, shall afterwards become void, the corporation shall not be dissolved; but where no election shall be made, the members of such city &c. who having a right to vote, or be present, or do any necessary act at such election, shall assemble in the town-hall or usual place of meeting, on the day next after the expiration of the time within which such election ought to have been made, unless such day be *Sunday*, and then on *Monday* following, between 10 *a.m.* and 2 *p.m.*, and proceed to the election of a mayor, &c. and do every act necessary to completing such election; and if upon such day of meeting hereby appointed, the mayor or other officer, who ought to have held the court, shall be absent, then such other person, having a right to vote, being the nearest then present, shall hold the court, and have the same power as belongs to the mayor, &c., *id. s.*1.

15. If in any city, &c. no election be made of the mayor, &c. on the day, or within the time appointed by charter or usage, and no election is made pursuant to *s.*1.; or if such election being made shall afterwards become void; the court of K. B., on motion, may award a *mandamus*, requiring the members of such city, &c. having a right to vote, to assemble themselves on a day and time prefixed in such writ, and to proceed to election, or to signify to the court good cause to the contrary; and thereupon to cause such proceedings to be made as in other cases of *mandamus* for election of officers of corporations; and of the day and time appointed by the writ, public notice in writing shall be affixed in the market-place, or some other public place, 6 days before the day appointed; and such officer shall preside in the assembly as ought to have presided at the election of such mayor, &c. in case the election had been made on the day herein prescribed, *id. s.*2.

16. In boroughs and towns corporate, where the mayor or other chief officer is to be nominated or sworn at a court-leet or some other court, and it happens that no due nomination or swearing of him is made, the court of K. B., on motion, may award a *mandamus*, requiring the lord, or his steward, or other officer, to hold such court-leet or other court at such time as shall be judged proper by K. B., or to signify to the court good cause to the contrary, and thereupon to cause such proceedings to be made as in other cases of *mandamus* for holding of any court and of the time appointed by such writ for holding such court; public notice in writing shall be affixed in the market or some other public place, 6 days before the day appointed; and where a nomination of persons in order to the election of any mayor, &c. is to be made at such court-leet or other court, then after which nomination made, all other acts necessary to such election shall be done at such assembly, as if such election had been made as in *s.*1., *id. s.*3.

17. The mayor or other chief officer, elected pursuant to this act, shall take the oaths required at the time of his admission, before the officer presiding at such election; and shall have the same powers as any mayor, &c. of the same city, &c. elected on the day fixed by charter or usage, *id. s.*4.

18. No such election shall be valid, unless as great a number of persons having right to be present and vote therein, shall be present and concur, as would have been necessary in case the same had been made within the time appointed by charter or usage, saving only that the presence of the mayor or other chief officer shall not be necessary, *id. s.*5.

19. If any mayor, bailiff, or other chief officer of any city, &c. shall voluntarily absent himself from, or knowingly and designedly hinder the election of any mayor, &c. within the time appointed by charter or usage, being lawfully convicted, he shall suffer imprisonment 6 months, and be disabled to hold any office belonging to the same corporation, *id. s.*6.

20. Nothing herein shall invalidate any charter accepted by any city, &c. nor make good the election of any officer or member against whom judgment of *ouster* shall have been given upon any information in nature of a *quo warranto*, or whose election shall have been avoided on any writ of *mandamus*, on or before the last day of *Michaelmas* term, 1724, *id. s.*8.

21. Where any writ of *mandamus* shall issue out of K.B. in any of the above cases, the persons to whom the same is directed shall make their return the first writ, 11 *G.*1. *c.*4. *s.*9.

22. FOR REGULATING THE PROCEEDINGS OF CERTAIN PUBLIC companies and corporations, carrying on trade, or dealings with joint stocks, in respect to the declaring of dividends, and for further regulating the qualifications of members for voting in their respective general courts, 7 *G.*3. *c.*48. (PUBLIC *clause*, *s.*4.)

23. No member of any public company or corporation, instituted by act of parliament and royal charter, for carrying on any trade with joint stocks, shall be qualified, or admitted to vote in any general court of such company, in respect of any stock transferred to him, until he has been possessed thereof 6 calendar months, unless it has been acquired by bequest, marriage, succession to intestate's estates, the customs of *London*, or by any deed of settlement after death of any person, entitled for life to the dividends thereof, 7 *G.*3. *c.*48, *s.*1. [*See as to* collusive transfers of *East India* stock to qualify votes, 13 *G.*3. *c.*63. *s.*3.]

24. The several oaths and affirmations, at present, by statute or charter required to be taken by the members intitled to vote, as in *s.*1., at or before giving their votes, shall be altered, to comprise the further qualification by this act required, in respect of the continuance of possession of such stock, and shall be taken accordingly, *id. s.*2.

25. No declaration of a dividend shall be made by any general court of any such company, other than one of the half-yearly or quarterly general courts, at the distance of 5 calendar months, at least, from the last preceding declaration of a dividend, nor shall more than one half-yearly dividend be declared by one general court; and no question, on any proposition for increasing the dividend, shall be decided otherwise than by ballot taken at 3 entire days at least from the adjournment or breaking up of the general court where it is proposed, *id. s.*3.

26. FOR GIVING RELIEF IN PROCEEDINGS ON WRITS OF *mandamus* for admission of freemen into corporations, and for other purposes, 12 *G.*3. *c.*21. [Virtually AMD. as to *s.*2. by 32 *G.*3. *c.*58. *s.*4.]

27. Where any person shall be entitled to be admitted a citizen, burgess, or freeman of any city, town corporate, borough, cinque port, or place, and shall apply for that purpose to the mayor or other officer, therein having authority to admit citizens, &c., and shall give notice, specifying the nature of his claim, to such mayor, &c., that if he shall not so admit such person a citizen, &c. within one month from the time of such notice, the court of K. B. will be applied to for a *mandamus* to compel such admission; and if such mayor, &c. shall, after such notice, refuse to admit such person, and a *mandamus* shall afterwards issue to compel such admission, and in obedience thereto, such person is admitted, then he shall (unless the court see cause to the contrary) receive from the said mayor, &c. all the costs of the rule for enforcing the same, which if not obeyed, shall be enforced in like manner as other rules of the court, *id. s.*1.

28. The mayor, bailiff, town-clerk, or other officer of any city, &c. (as in *s.*1.) having custody of, or power over the records of the same, shall on demand of any two freemen or burgesses, permit them and their agent or agents, at any time between 9 *a. m.* and 3 *p. m.* to inspect the entries of admission of freemen, burgesses, or other inferior corporations, and to take copies and extracts therefrom, paying 2*s.* 6*d.* for each inspection, and 4*d.* for every copy or extract not exceeding 72 words, and so in proportion; and if such mayor, &c. refuse the inspection of such entries, or to give copies, &c. as above directed, he shall for every such refusal forfeit 100*l.* to any person who shall sue, to be recovered with full costs by action of debt, in any court of record at *Westminster*, commenced within one year, and it is sufficient that plaintiff should alledge in his declaration, that the defendant is indebted to the plaintiff in 100*l.* for money had and received to his use, *id. s.*2.

29. The mayor, &c. or other officer of any corporation, having the custody of or power over the records of the same, shall on demand of any officer or member of the same, and on payment of 1*s.* permit such person on any day, except *Christmas-day*, *Good-friday* and *Sunday*, between 9 A. M. and 3 P. M., to inspect the books and papers wherein the entries of the admissions or swearing in of the freemen, &c. and other corporation officers are made, and to have copies of such entries on paying 6*d.* for every 100 words for writing the same, and if such mayor, &c. shall refuse such inspection or the having such copies, he shall for every offence, forfeit 100*l.* with costs, to the party who shall sue, within one year after the offence, by action of debt, or information in any court of record at *Westminster*, without essoin, &c. or more than one imparlance allowed, 32 *G.*3. *c.*58. *s.*4. [*The enactments* in the two last placita appear concurrent, though the object of the statutes of which they form a part is different. *See* rest of 32 *G.*3. *c.*58. *tit.* QUO WARRANTO.]

CORRUPTION OF BLOOD.

1. TO TAKE AWAY CORRUPTION OF BLOOD, except in certain cases, 54 *G.*3. *c.*145.

2. No attainder for felony, which shall take place after [27*th July*, 1814.,] except in the cases of high or petit treason, or murder, or of abetting, procuring, or counselling the same, shall extend to disinheriting of any heir, or to the prejudice of the right or title of any person other than that of the offender, during his natural life only; and every person, to whom the right or interest of any lands, tenements, or hereditaments, after offender's death should have appertained, if no such attainder had been, may enter thereon, *id. s.*1.

COSTS AND DAMAGES.

1. AGAINST WHOM DAMAGES AND COSTS shall be recovered in pleas of land, 6 *E.*1. (*st. Glo.*) *c.*1. [EXPLANATIONES 1 *Stat.* 8*vo ed.* 136.]

2. In assize of *novel disseisin*, if the disseisees aliene the lands, and have not whereof damages may be levied, they to whose hands such tenements come shall be charged with such damages, so that every one answer for his own time. Also the disseisee shall recover damages in a writ of entry upon *novel disseisin*, against him that is found tenant after the disseisor. Also, damages shall be awarded, where a man recovers by assize of *mort d'ancestor*, as in assize of *novel disseisin*, and likewise on writs *cosinage*, *aicl*, and *besaicl*, 6 *E.*1. *c.*1. *s.*1.

3. The demandant may recover against the tenant the costs of his writ purchased with the damages aforesaid. And every person shall render damages where land is recovered against him, upon his own intrusion or act, *id. s.*2.

4. A CITIZEN OF LONDON shall recover in an assize damages with the land, 6 *E.*1. *c.*14. [EXPLANATIONES 1 *Stat.* 8*vo. ed.* 136.]

5. Disseisees being citizens of *London* shall have their damages by recognizance of the same assize whereby they recovered their land, and the disseisors shall be amerced before two barons of exchequer, which shall resort to the city once a year, so to do, at their rising after *Candlemas*, and amerciaments by summons of exchequer shall be levied to H. M.'s use, and delivered at the exchequer, 6 *E.*1. *c.*14.

6. As to the first article, they who have entry only by disseisin shall be charged with damages which shall run from the time of the statute published; in the samewise, in writs of entry upon disseisin. Of damages in all writs of *mort d'ancestor*, *cosinage*, *aicl*, *besaicl*, of intrusion, or by one's own act by any writ, damages, shall run, after writ purchased, albeit their ancestors died seised, EXPL. *stat. Glo.* 6 *E.*1. 8*vo. ed. p.* 136.

7. THE DEFENDANT SHALL RECOVER COSTS against the plaintiff, if the plaintiff be nonsuited, or if the verdict pass against him, 23 *H.*8. *c.*15. [AMD. as to penal actions, 24 *H.*8. *c.*8. 4 *J.*1. *c.*3. (and *s.*1.)]

8. If any person sue in any court any action, bill, or plaint of trespass, on 5 *R.*2. *stat.* 1. *c.*8. for wrongful entry in lands, or any action, &c. on any debt, or covenant on especialty made to the plaintiffs, or upon any contract supposed to be made between the plaintiffs and any persons, or any action, &c. of detinue of goods, where the plaintiffs shall suppose that the property belongeth to them, or any action, &c. of account in which plaintiffs suppose the defendants to be their bailiffs or receivers of their manor, mesne, money, or goods, or any action, &c. upon the case, or upon any statute for any offence, or wrong personal immediately supposed to be done to the plaintiffs, and the plaintiffs after appearance of the defendants be nonsuited, or any verdict happen to pass against them, the defendants shall have judgment to recover costs against such plaintiffs, to be taxed by discretion of judges of the court where such action, &c. shall be; and every defendant in such action, &c. shall have such process and execution for recovery of his costs, as the plaintiffs might have had against the defendant, in case judgment had been given for the plaintiffs, 23 *H.*8. *c.*15. *s.*1.

9. Provided that every such poor person being plaintiff, which at commencement of their actions be admitted by the judge to have their process and counsel of charity, shall not be compelled to pay costs by this statute, but shall suffer other punishment, by discretion of the judge, *id. s.*2.

10. WHEN THE DEFENDANT SHALL NOT RECOVER ANY COSTS, 24 *H.*8. *c.*8. albeit that plaintiffs be nonsuited in any action, &c. to be sued to the use of H. M., or that it happens that verdict pass against any such plaintiff in such actions, the defendant shall not recover any costs against plaintiffs, 24 *H.*8. *c.*8.

11. If any person shall sue in any court, any action, bill, or plaint of trespass, *ejectione firmæ*, or any other action whatsoever, wherein the plaintiff or demandant might have costs (if judgment be given for him), and such plaintiffs or demandants, after appearance of the defendant, be nonsuited, or verdict pass against them, then the defendants shall have judgment to recover costs against them, to be assessed and taxed as in 23 *H.*8. *c.*15. mentioned, 4 *J.*1. *c.*3. *s.*2.

12. FOR PREVENTING THE RECOVERY OF ANY GREATER COSTS than damages in certain actions therein mentioned, when the damages awarded shall be under 40*s.* [*this title is framed; but see* as to wilful trespass, 8 & 9 *W.*3. *c.*11. *s.*4. *post*, *pl.*22.] 43 *El. c.*6. *s.*2. [CON. 3 *C.*1. *c.*4. *s.*22. *and indefinitely*, 16 *C.*1. *c.*4. EXT. to actions for slander, 21 *J.*1. *c.*16.]

s. 6. AMD. 22 & 23 *C.* 2. *c.* 9. *s.* 136. EXT. *to the counties palatine*, 11 & 12 *W.* 3. *c.* 9. *s.* 1.]

13. If on any actions personal brought in the courts at *Westminster*, not being for any title or interest of lands, nor concerning the freehold or inheritance of any lands, nor for any battery, it appears to the judge and [*Qu.* is] so signified, or set down by the justices before whom tried, that the debt or damages, to be recovered therein, shall not amount to 40*s.*, or more, then such judge before whom such action is pursued, shall not award to the plaintiff any greater costs than damages, but less at discretion, 43 *El. c.* 6. *s.* 2.

14. In all actions of trespass, assault, and battery, and other personal actions, wherein the judge, at the trial, shall not find and certify, under his hand on the record, that an assault and battery was proved, or that the freehold or title of the land, mentioned in the declaration, was chiefly in question, the plaintiff if the jury shall find the damages to be under 40*s.* shall not recover more costs than damages, 22 & 32 *C.* 2. *c.* 9. *s.* 136.

15. If any more costs are awarded in any such action, the judgment shall be void, and the defendant acquitted of the same, and may have his action against plaintiff for such vexatious suit, and recover his damages and costs in any court, at *Westminster*, *id. ibid.*

16. In all actions on the case for slanderous words sued in the courts of record, at *Westminster*, or any other courts, if the jury upon the trial of the said actions, or the jury enquiring of the damages, do assess the damages under 40*s.*, then the plaintiff shall recover only so much costs as damages, 21 *J.* 1. *c.* 16. *s.* 6.

17. The 22 & 23 *C.* 2. *c.* 9. *s.* 136., and all other provisions for prevention of frivolous and vexatious suits, commenced in the courts of *Westminster*, shall extend to all such suits to be commenced in the courts of great sessions for *Wa.*, and for county palatine of *Chester*, court of C. P. of county palatine of *Lancaster*, and court of pleas for the county palatine of *Durham*, 11 & 12 *W.* 3. *c.* 9. *s.* 1.

18. FOR BETTER PREVENTING FRIVOLOUS AND VEXATIOUS suits, 8 & 9 *W.* 3. *c.* 11. (*ss.* 1—5.) See rest of this act, ACTION, *pl.* 15—19.

19. Where several persons shall be made defendants to any action, or plaint of trespass, assault, false imprisonment, or *ejectione firmæ*, and any one or more shall be acquitted by verdict, every person so acquitted, shall recover costs, as if the verdict had been given against plaintiff and acquitted all the defendants, unless the judge trying the cause shall, after the trial, in open court, certify on the record, under his hand, that there was reasonable cause for making such person defendant., *id. s.* 1.

20 If any person shall commence in any court of record, any action, &c., wherein, on any demurrer, either by the plaintiff or the defendant, demandant, or tenant, judgment shall be given against such plaintiff or demandant; or, if at any time after judgment given for the defendant, in such action, &c., the plaintiff or demandant shall sue out any writ of error to annul such judgment, and such judgment shall be afterwards affirmed, or such writ of error discontinued, or the plaintiff nonsuited, therein the defendant or tenant shall have judgment to recover his costs against such plaintiff or demandant, and have execution for the same, by *ca. sa.*, *fi. fa.*, and *elegit*, *id. s.* 2.

21. In all actions of waste, and of debt, on statute for not setting forth tithes, wherein the single value, or damage found by the jury, shall not exceed 20 nobles, and in all suits on any writ of *sci. fa.*, and on prohibitions, the plaintiff obtaining judgment, or any award of execution after plea or demurrer, shall recover his costs; and if the plaintiff is nonsuited, or suffers a discontinuance, or a verdict pass against him, the defendant shall recover his costs, and have execution for the same, as in *s.* 2., *id. s.* 3.

22. In all actions of trespass, in any court at *Westminster*, wherein, at the trial, it shall appear, and be certified by the judge, under his hand, on the record, that the trespass, on which the defendant is found guilty, was wilful and malicious, the plaintiff shall not only recover his damages, but his full costs also, *id. s.* 4. [*See* 22 & 23 *C.* 2. *c.* 9. *s.* 136. *ante*, *pl.* 14-15.]

23. Nothing herein shall affect the laws, as to executors or administrators, in cases where they are not at present liable to costs, *id. s.* 5.

24. IN ALL actions brought in *Eng.* and *Ire.*, upon any judgment recovered in any court in *Eng.* or *Ire.*, the plaintiff shall not recover costs, unless the court shall otherwise order, 43 *G.* 3. *c.* 46. *s.* 4., [*and see*, *as to* costs, where the plaintiff shall not recover the amount of the sum, for which he cause any arrest to be made, 43 *G.* 3. *c.* 46. *s.* 3., ARREST, *pl.* 37.]

COTTAGES.

(STATUTE *repealed.*)

1. AGAINST erecting cottages, without laying four acres of ground to them, &c., 31 *El. c.* 7. [REP. 15 *G.* 3. *c.* 32, and see 3 & 4 *Ed.* 6. *c.* 3. *ss.* 5—6., *ante*, COMMON, *pl.* 6. and 7.]

COTTON MANUFACTURES.

(STATUTE *repealed.*)

1. FOR SETTLING DISPUTES that may arise between masters and workmen, engaged in the cotton manufacture in *Eng.*, 39 & 40 *G.* 3. *c.* 90., (PUBLIC *clause*, *id. s.* 12.) [REP. as to settling such disputes by arbitration, and the power of the arbitrators to administer oaths, by 44 *G.* 3. *c.* 87 .*s.* 1., which in *effect*, repeals the whole act, except *ss.* 7—11. which see *infra.*]

(STATUTES *in force.*)

1. FOR LENGTH, breadth, and weight, of cottons, frizes, and rugs, 8 *El. c.* 12. *s.* 2., and *ss.* 6—9.

2. NO PERSON SHALL put to sale within the county of *Lancaster*, or convey out of that county, any cloths, cottons, frizes, or rugs, made therein, to be sold, before the owner or maker shall fix to every such cloth, &c. one seal of lead, having the mark of the clothier engraved on one side, and the length of such cloth, being wet, on the other side; on pain of forfeiture of such cloths, &c.; the one moiety to H. M., and the other to such as will seize or sue for the same, 8 *El. c.* 12. *s.* 2.

3. Every of the said cottons, being sufficiently milled or thickened, clean scoured, well wrought, and fully dried, shall weigh 11 pounds, and contain in length 20 goads at least, and in breadth at most three quarters, or within one nail of three quarters of a yard at least. And every of the said frizes or rugs being thicked and fully dried, shall weigh 43 pounds, in length, betwixt 35 and 37 yards, in breadth at most three quarters of the yard, or within one nail of three quarters at the least, and not to be strained upon the tenters above one nail in breadth. And if any of the said cottons, frizes, or rugs, be of greater length, every goad or yard exceeding the said length, shall weigh after such rate, on pain of forfeiture for every goad or yard, not weighing after such rate of 12*d.*, *id. s.* 6.

4. If any such cottons, &c. are of less weight, then all persons offering any such cotton, frize, or rug, to sale, shall forfeit for every pound lacking under three pounds, 12*d.*; and for every pound lacking above three pounds, 5*s.*; the one half to H. M., and the other half to the party suing, *id. s.* 7.

5. Every clause in any other acts before made, concerning, sealing, and making, of the said cottons, frizes, and rugs, shall be repealed, *id. s.* 8.

6. This act shall not be prejudicial unto any liberty of any borough, or town corporate, within the county of *Lancaster*, *id. s.* 9.

7. NO PERSON shall incur any penalty for want of length, breadth, or weight, of *Welsh* cottons, under 15*d.* the yard, or 2*s.* the goad, if not mixt with hair or other deceitful stuff; nor for any others above that price, except so mixt, or shrinking above half a yard in 12, or weighing less than 14 ounces the yard, or holding not full three quarters of a yard broad, 1 *J.* 1. *c.* 25. *s.* 28., 21 *J.* 1. *c.* 28. *s.* 5., 3 *C.* 1. *c.* 4. *s.* 26.

8. NO PENALTY shall be incurred for want of seal to such cottons, and they shall not be searched, or tried in the water by any other than the buyer, under 5*l.* penalty; one moiety to H. M., and the other to the party grieved, recoverable by action of debt, bill, plaint, or information, without essoin, &c., 3 *J.* 1. *c.* 17.

9. FOR SETTLING DISPUTES BETWEEN MASTERS AND WORKMEN in the cotton manufacture in *Eng.*, 44 *G.* 3. *c.* 87. [PUBLIC *clause*, *id. s.* 20. *This act* in effect repeals 39 & 40 *G.* 3. *c.* 90., except part of *s.* 1. and *ss.* 7—11., which are placed *infra:* and see acts of a similar nature, 43 *G.* 3. *c.* 151. for *Scot.*: and 53 *G.* 3. *c.* 75. for *Ire.*]

10. So much of 39 & 40 *G.* 3. *c.* 90. as relates to settling such disputes by arbitration, repealed, 24 *G.* 3. *c.* 87. *s.* 1.

11. In all cases in *Eng.* where the masters and workmen cannot agree respecting the prices to be paid for work done, or to be done, in the cotton manufacture, whether the dispute shall arise respecting the reduction or advance of wages, or any damage done by workmen to the work, or respecting any delay on their part in finishing the same, or the not finishing it in a workmanlike manner, or as to the proper compensation to the workmen for new implements to be purchased for working any new pattern, or respecting the length of all pieces of cotton goods, or the wages for making the same of any extraordinary length, or respecting the manufacture of cravats, shawls, polycat, romall, and other handkerchiefs, and the number to be contained in one piece thereof, and the wages to be paid in respect thereof: and *in all cases of difference* between the masters and workmen in such manufacture, out of or touching the same, which cannot be otherwise mutually settled between them [39 & 40 *G.* 3. *c.* 90. *s.* 1. as AMD. by 44 *G.* 3. *c.* 87. *s.* 2.] where both parties shall come before, or by writing under their hands agree to abide by the determination of any justice or magistrate of the county, city, or place where the parties reside, the latter may hear, and finally determine the same in a summary way; but if they shall not so come or agree, such justice, &c., on com-

plaint before him, and proof by examination of the complainant, that application has been made to the party complained of, or his agent (if such dispute has arisen with the latter) to settle the same, and that it has not been settled on such complaint made, or where the dispute relates to a bad warp, if such cause of complaint shall not be done away within 48 hours after such application, *shall* summon before him such person or agent, on some day not exceeding 3 days, exclusive of *Sunday*, *before* [semble *after*] making such complaint, giving notice to the complainant of the time and place of the attendance of the party complained of, or his agent; and if at such time and place the person so summoned does not appear, or send some person on his behalf to settle such dispute, or appearing, shall not do away such cause of complaint, then such justice, at request of either party, shall nominate arbitrators or referees for settling the matters in dispute, and shall propose not less than 4, nor more than 6 persons (one-half master manufacturers, or their agents or foremen, and the other half weavers in such manufacture, residing near), out of which master manufacturers, &c. the master or his agent, shall choose one, and out of which weavers so proposed the weaver or his agent shall choose another, who shall have full power to hear and finally determine such dispute; and the justice shall appoint a day and place of meeting according to this act, notice whereof shall be given to the arbitrators, and to any party to the dispute who has not attended the meeting before such justice, which appointment shall be thus certified by such justice, *viz.*

'I, *A.B.*, one of the justices of the peace acting for —, do hereby certify that *C. D.* and *E. F.* are duly nominated referees to settle the matters in difference between *G. H.* of — master manufacturer, [*or* agent of —, *as the case may be*] and *I. K.*, of —, weaver, pursuant to an act passed in the 44th year of the reign of his *present Majesty* [*now say*, late M. *K. G.* the 3d], and that the said referees are hereby directed to meet at — on — the — day of — at — of the clock. *A. B.*'

and such arbitrators shall hear and examine the parties and their witnesses, and determine such dispute within 2 days after nomination, exclusive of *Sunday*, and their determination shall be final, 44 *G.* 3. *c.* 87. *s.* 2.

12. If any such complainant shall not attend in person, or by agent, at the time and place appointed, (as in *s.* 2.) for naming such arbitration, he shall not be entitled to the benefit of this act; and if the person complained of shall not attend personally, or by agent, the justice shall nominate an arbitrator for him, out of the persons named, *id. s.* 3.

13. Where any of the proposed arbitrators shall not accept such arbitration, or act thereon, the justice shall proceed to name another or other persons, of the above description, in his or their place, out of whom the parties shall respectively name the arbitrators; and in case of such 2d nomination, the arbitrators shall meet in 24 hours after application for the same, and at the 1st named place of meeting, *id. s.* 4.

14. Where the arbitrators cannot agree, they shall forthwith go before the justice by whom they were appointed, or in case of his absence or indisposition, before the nearest justice; and if either of them neglect so to go before such justice, the latter, after summoning them to attend him, may determine the matter in dispute on the statement of either arbitrator who appears, *id. s.* 5.

15. Where a 2d arbitrator is appointed, as in *s.* 4., and shall not attend, the other may proceed by himself, and his award shall be final as to all matters in dispute submitted to both of them, *id. s.* 6.

16. All complaints by the weaver as to bad materials shall be made within 3 weeks after receiving the same, and all those arising from any other cause, within 3 days after the cause of complaint shall arise; and no manufacturer, who by his clerk or foreman, has received into his possession any cotton cloth [semble *without objection*], shall afterwards make complaint on account thereof, *id. s.* 7.

17. Complaints respecting bad warps or utensils by workmen, shall be settled near the place of working, and in all other cases near the places where the work has been given out, *id. s.* 8. [and see *s.* 2. *pl.* 11.]

18. The party neglecting to fulfil the award for 48 hours after it is made and reduced into writing, as in the schedule, shall forfeit 10*l.* *recoverable as in* 39 & 40 *G.* 3. *c.* 90. *s.* 5. [*viz.* in a summary way, before 1 or more justices of the county, city, division or place, where the offence is committed, and conviction may be had on the oaths of 1 or more witnesses, and the penalty, if not forthwith paid, may be levied by distress and sale, with costs thereof, under warrant of such justice; and if no sufficient distress can be had, such justice, &c. shall, by warrant, commit the offender to gaol or house of correction for not more than 3, nor less than 2, calendar months,] *id. s.* 9.

19. With every piece of work given out to a workman to be done, there shall, if required by the latter, be delivered a note or ticket, signed by the person delivering out the same, or his agents, stating the quantity of materials delivered out, the nature of the work, and the price for executing the same in a workmanlike manner, which ticket, in case of dispute shall be evidence of all things therein mentioned, *id. s.* 10.

20. A duplicate of every such ticket shall be kept by the master, or agent, delivering same, and is evidence if the workman do not produce the original ticket delivered with the work, 44 *G.* 3. *c.* 87. *s.* 11.

21. Every master, or agent, not giving a ticket as herein prescribed, when required so to do, shall forfeit not more than 40*s.*, nor less than 20*s.*, to the party suing, recoverable as by 39 & 40 *G.* 3. *c.* 90. *s.* 5. [see above, *pl.* 18.], without appeal against such conviction, *id. s.* 12.

22. Where any work is delivered to any workman by the agent or servant of any master, to be delivered to such agent when finished; and also where 2 or more persons carry on such manufacture as partners, the like proceedings may be had against such agent, servant, or partner, and shall be as effectual as if had against the principal, or all the partners; and all the said persons shall respectively obey the award made thereon, and all orders made by the justices as to the matters in dispute, and shall be subject to like penalties for refusing to abide by or perform the same, as if the proceedings had been against the principal or all the partners, *id. s.* 13.

23. Where any proceedings may be had against a master under either act, or where they have been commenced and the master shall become bankrupt, or any assignment of his estate or effects shall have been made under such bankruptcy, or otherwise by deed, or in law, the assignee shall be liable, as such, to proceedings under this act, and shall abide by the award or order of justices made therein, provided that all sums to be paid in pursuance thereof shall be recoverable only out of the estate of such master, and not out of their own, *id. s.* 14.

24. Where any *feme-covert*, or infant, has cause of complaint under either act, against any master, his agent, or assignees as aforesaid, such complaint may be lodged, and further proceedings thereupon had, by the husband of such *feme*, and by the father, or, if he be dead, by the mother, or, if both dead, by any kindred of the infant, or by the surety in his indenture, if he is an apprentice, *id. s.* 15.

25. All costs, time, and expences attending applications to justices under this act, and of the arbitration pursuant thereon, shall be settled by the arbitrators; or where the dispute is settled by a justice, then by such justice; and where the arbitrators cannot agree as to the costs, &c. to be allowed, they shall be settled by the justice by whom the arbitrators were named, and in his absence, by the nearest justice, *id. s.* 16.

26. The following, and no higher fees, shall be taken for any proceeding under this act, and a table of fees, signed by the clerk to such justices, shall be hung up in every place where any sessions of the peace shall be held:

[*To the clerk of the justice or justices.*	*s.*	*d.*
For every summons - - - -	0	6
——— oath or affirmation - -	0	6
For drawing and entering the order - -	0	6
For every warrant - - - -	1	0
——— conviction - - - -	1	0

To the constable or other peace officer	*s.*	*d.*
For service of summons or order - -	0	6
— executing warrant of distress, and sale of goods	1	6
— custody of goods distrained, *per diem* -	0	4
— every mile travelled - - -	0	4] *id. s.* 17.

27. No proceedings under this act shall be quashed for want of form, *id. s.* 18.

28. The schedule hereto annexed shall be used instead of that in 39 & 40 *G.* 3. *c.* 90., and all provisions of that act, contrary hereto, are repealed, *id. s.* 19.

[The following sections of 39 & 40 *G.* 3. *c.* 90. *seem* to be still in force, as not falling within the repeal in 44 *G.* 3. *c.* 87. *s.* 1. or *s.* 19., and 39 &c. *c.* 90. *s.* 7. *seems* recognized in force by 44 *G.* 3. *c* 87. *s.* 12., and in the table of fees, *id. s.* 17.; *sed. Qu.* for the determination of the arbitrator is *final*, *id. s.* 1. and *s.* 6.]

29. Every person convicted before any 1 or more justices, of any offence against *this* act, may appeal to the next general or quarter sessions for the county, division, city or place, wherein such conviction was made, on giving immediate notice of appeal, and finding 2 sufficient sureties in 5*l.* each, and entering into his own recognizance before such convicting justice, in 10*l.*, to appear and prosecute with effect; and the sessions shall finally determine the matter of such appeal, and make order and award costs therein at their discretion, and such order shall be final, and not recoverable by *certiorari*, 39 & 40 *G.* 3. *c.* 90. *s.* 7.

30. No action shall be brought against any arbitrator, justice, constable, officer, or person soever, for any thing soever done in execution of *this act* [*Qu.* if this applies to 44 *G.* 3. *c.* 87.], unless brought within 6 calendar months after the thing done, *id. s.* 8.

31. In such actions defendant may plead the general issue, and give *this act* [*Qu.* 44 *G.* 3. *c.* 87. *also.*] and the special matter in evidence; and if the plaintiff is nonsuited, discontinues, or forbears further prosecution, or if judgment is given for defendant, the latter shall have full costs, *id. s.* 9.

32. No justice, being also a master cotton-manufacturer, shall act as justice under this act, *id. s.* 10.

33. Nothing herein shall alter any of the provisions contained in 1 *A. st.* 2. *c.* 18., 13 *G.* 2. *c.* 8., 22 *G.* 2. *c.* 27., 17 *G.* 3. *c.* 56., or in any other act which afford punishments or remedies by the masters against the workmen in the said manufacture, except such remedy relates to wages, 39 & 40 *G.* 3. *c.* 90. *s.* 11.

COUNTIES PALATINE.

I. *Generally.*
II. *The County palatine and City of Chester.*
III. *Durham.*
IV. *Lancaster.*

I. Counties Palatine. (*Generally.*)

1. For inrolment of indentures of bargain and sale in H. M.'s courts of record at *Lancaster*, *Chester*, and *Durham*, 5 *El. c.* 26. [and recital of 27 *H.* 8. *c.* 16. in *ss.* 1—2.]

2. All inrolments of such writings indented (as mentioned in 27 *H.* 8. *c.* 16.) of any bargain and sale to be made of any manors, lands, tenements or hereditaments, in the counties of *Lancaster*, *Chester*, and bishopric of *Durham*, being inrolled within 6 months after date in the court of chancery, or before the justices of assizes at *Lancaster*, concerning any manors, lands, tenements, or hereditaments in that county; or in the exchequer, or before the justices of assizes at *Chester*, concerning any manors, lands, &c. in that county; or in the chancery, or before the justices of assizes at *Durham*, for any manors, lands, &c. in that bishopric, shall be as good, in law, as if made and inrolled in any of the courts at *Westminster*, *id. s.* 3.

3. Nothing herein extends to any manors, lands, &c. (as in *s.* 3.) within any city, borough, or town corporate in any of those counties wherein the mayors, recorders, or other officers have authority, and have lawfully used to inrol any evidences or deeds within their limits, *id. s.* 4.

4. For more frequent return of writs in the counties palatine of *Chester* and *Lancaster*, 22 *G.* 2. *c.* 46. (*s.* 35.) [See rest of this title and statute under various titles: it has been termed the *hodge-podge act.*]

5. All writs of *capias*, and other mesne process, to answer relating to any action to be brought in the courts of session for the county of *Chester*, and court of C. P. for the county of *Lancaster*, that bear *teste* in the preceding session or sessions of assizes respectively, shall be made returnable before H. M.'s justices of such session at *Chester*, or sessions of assizes for the county of *Lancaster*, on the first *Wednesday* of any month in each of the two vacations annually, betwixt such session or sessions of assizes, or at the first day of the next session or sessions of assizes respectively, at the election of plaintiff or his attorney. And on all such writs or process, which shall issue out of such courts, returnable in the vacations as aforesaid, and whereon the defendant shall be arrested or served with a copy, he shall appear and file special bail, or enter a common appearance, as the case requires, on the day of such return, or within eight days after; and in case of neglect in bailable actions, the sheriff or other officer shall, at request and costs of plaintiff or his attorney, assign to such plaintiff the bail-bond, by indorsement and attestation under his hand in presence of two witnesses; and plaintiff, after such assignment, may bring an action on such bail-bond in his own name; and such courts may by rule give such relief to plaintiffs and defendants in the original action, and to the bail so sued upon the bail-bond as is agreeable to justice; and in case of service of the copy of writs or process returnable in vacation time, and if defendant so served therewith shall not appear at return of such process, or within eight days after, the plaintiff on affidavit filed with the prothonotary of such courts respectively, or his deputy, of the personal service of such process, may enter a common appearance for the defendant, and proceed thereon as if such defendant had appeared. And all writs returnable in such courts respectively on such return days as aforesaid, shall (in case the plaintiff declare according to practice of such courts respectively) be proceeded upon as if the same had been made returnable at the preceding session or sessions of assizes for such county palatine respectively, *id. ibid.*

6. For regulating proceedings in the court of great sessions in the county palatine of *Chester*, in the C. P. at *Lancaster*, and in the court of pleas at *Durham*, 33 *G.* 3. *c.* 68. *s.* 1. [See rest of this title, section, and statute, Wales.]

7. Where final judgment is obtained in any of the said courts, any court of record at *Westminster*, on affidavit made before a judge or commissioner in such court, and filed therein, of such judgment being obtained, and diligent search and enquiry having been made after the person, or his effects, and of execution having issued against either, and that the person or effects are not to be found within the jurisdiction of such court, may cause a transcript of the record of the judgment to be removed into such court at *Westminster*, and may issue writs of execution thereupon to the sheriff of any county or place against the person or effects, as upon judgments obtained in the courts at *Westminster*; and the sheriff shall detain the person against whom such execution shall be issued till 40*s.* be paid to him, or shall levy that sum out of the effects, according to the nature of the execution, for the extraordinary costs in such court, subsequent to the said judgment, and of the execution in the court at *Westminster*, over and above the money for which it shall be issued, 33 *G.* 3. *c.* 68. *s.* 1.

II. Counties Palatine. (*Chester and City.*)

1. The county of *Chester* made a principality, 21 *R.* 2. *c.* 9.

2. The county of *Chester* shall be the principality of *Chester*, and holden as such, with all franchises thereof had and used as when it was the county of *Chester*. And moreover the castle of *Lyons*, with the seignory of *Bromfield* and *Yale* thereto belonging: the castle of *Chirke*, with the seignory of *Chirkesland*, and the castle of *Oswaldstreet*, with the town, hundred, and 11 townships belonging thereto: the castle of *Isabel*, and its seignory: that of *Dallilay*, with the appurtenants in *Shropshire*; and the reversion of the seignory of *Cleve*, with all the appurtenants, shall be annexed to such principality, and shall not be severed therefrom: and no gift shall be made thereof, or of such castles, but to H. M.'s eldest son, who shall be prince there if he please to make him, *id. ibid.*

3. For regulating process into the county of *Chester*, and outlawry, and forfeiture thereon, in case of offences committed in other shires by inhabitants of that county, 1 *H.* 4. *c.* 18. [Conf. 9 *H.* 5. *st.* 1. *c.* 2.]

4. If any person of the county of *Chester*, dwelling therein, shall commit murder or felony out of that county, process shall be made against him by common law, till the *exigent* in the counties where such murder or felony was done; and if he fly into the county of *Chester*, and is outlawed or put in *exigent* for the same, the outlawry, &c. shall be certified to the officers of the county of *Chester*, who shall take such felon, and his lands and chattels within that county shall be seized as forfeit into the hands of the prince or lord of the county, and H. M. shall have year, day, and waste; and the other lands and goods of such felon out of the county shall be forfeit to H. M., and the other lords having franchise thereof as forfeit; and if any person of the county resident therein, shall commit any battery or other trespass out of that county, process shall be made against him by common law, till *exigent* into the counties where such battery or trespass was done; and if he flee from thence into the county of *Chester*, and is outlawed for the same, the outlawry shall be certified to the officers of that county, who shall take him; and his goods within and out of that county shall be forfeit as above, *id. ibid.*

5. Concerning shire days in the county palatine of *Chester*, 32 *H.* 8. *c.* 43. [Amd. 33 *H.* 8. *c.* 13. *ss.* 1, 2.]

6. The administration of justice, and all other things in that county used to be had on shire-days, shall be executed by justices of such county at twice in the year only, *viz.* at the sessions next after *Michaelmas* and *Easter*, in like manner as is now used in Co. *Lancaster*, and from henceforth the old order of holding shire-days [*viz.* 8 in 1 year and 9 in another, *see the preamble*,] shall cease, 32 *H.* 8. *c.* 43.

7. The sheriff of *Cheshire* shall keep his shire-court in the shire-hall of such county every month, for determination of plaints and actions under 40*s.* and for proclamations, and calling of *exigends*, and other necessary causes, as is used in other shires of *Eng.*, and 2 head-coroners for the body of the shire shall be elected by virtue of the writ *de coronatore eligendo*, to be awarded out of exchequer of *Chester*, and shall be bound to sit with such sheriff at the said courts, to give judgments upon outlawries, and do other things appertaining thereto, 33 *H.* 8. *c.* 13. *s.* 1.

8. The 2 sessions [mentioned in 32 *H.* 8. *c.* 43.] to be holden within the said county, shall be had before the said justices of such county, or his deputy, as well before *Easter* and *Michaelmas* as at any other time, according as most commonly used in other shires, so always as open proclamation be made thereof by 15 days before the first day of keeping such sessions, *id. s.* 2.

9. No writ of course without special warrant from H. M. containing any protection, shall be granted out of exchequer in *Chester*, 34 & 35 *H.* 8. *c.* 13. *s.* 2.

10. For the city of Chester touching the taking of recognizances of statute merchant or *Acton Burnel*, 2 & 3 *E.* 6. *c.* 31.

11. Every recognizance of statutes merchant and *Acton Burnel*, taken, knowledged, enrolled, had and sealed with the seal appointed to the city of *Chester*, before the mayor thereof, in like manner as mayors and other officers therein have accustomed to take, enroll, and seal, shall be as good in law as if the taking of such recognizance fully agreed with the words of the statute of *Acton Burnel* and the statute merchant. And on certificates of such mayors, like process and execution shall be awarded out of chancery and C. P. to all sheriffs or other officers in *Eng.* or *Wa.*, as is used elsewhere, for any recognizance taken upon the statutes aforesaid, *id. ibid.*

12. For levying fines with proclamation in the county palatine of *Chester*, 2 & 3 *E.* 6. *c.* 28. in the county *of the city* of *Chester*, 43 *El. c.* 15.

13. Fines levied or knowledged before the high justice of H. M. of

his county palatine of *Chester*, or before the deputy or lieutenant-justice there, of any lands, tenements, or hereditaments, within such county, which shall be read and proclaimed three days in open sessions, in presence of either such justice, at the same sessions where engrossed, and also proclaimed in the presence of either at the two next general sessions, at 3 days in either of such 2 sessions, as is used in C. P. at *Westminster*, shall be of like force as fines with proclamations before the justices of C.P., *2&3 E.6. c.28.*

14. All persons upon any original writ, or writ of covenant, whereupon fines are usually levied, to be purchased out of the court of exchequer of *Chester*, returnable before the mayor of the city in the portmoot court, may levy fines of any lands, &c. within the county of the city of *Chester*, before such mayor in such portmoot court, in the usual manner as before the high justice of *Chester*; which mayor may receive and record such fines; and all fines so levied, and which shall be openly read and proclaimed before him in such portmoot court, once at the same court-day that the fine shall be engrossed, and once at every of the nine next court-days of portmoot, shall be of like force as fines duly levied with proclamations of lands within such county before such high justice, *43 El. c.15. ss.1—3.*

15. Upon all such original writs for levying fines within the city of *Chester*, the mayor may award writs, or precepts of *dedimus potestatem*, to two or more persons, authorizing them to take the acknowledgment of persons willing to levy such fines, but who cannot by reasonable impediment come before the mayor to make it in person; and all such fines, as upon such acknowledgment made and certified into the court of portmoot, shall be engrossed, recorded, and proclaimed, in the usual way, shall be of like force as fines personally acknowledged before the mayor, *id. ss.4—5.*

16. Fines levied by virtue of this act, may be reversed on writs of error before the high justice of the county palatine of *Chester*, as other judgments given by the mayor in the portmoot court may be, *id. s.6.*

17. THE ANNUAL MEETING OF THE CITIZENS FOR THE ELECTION of the mayor, sheriffs, treasurers, coroners, and leave-lookers of the city of *Chester*, shall not hereafter be holden on *Friday* next after the feast of St. *Dennis*; but same and all annual meetings for that purpose, shall be holden in the usual manner on the *Friday* next after the 20th day of *October* in every year, notwithstanding the calendar act *24 G.2. c.23. s.1.*, *26 G.3. c.34. s.4.*

18. FOR TAKING AND SWEARING AFFIDAVITS FOR USE in the court of session of the county palatine of *Chester*, and for taking special bail in actions depending therein, *27 G.3. c.43.*

19. The justices of that court shall, by commission under county seal, impower persons to take affidavits before them in any cause or proceeding pending therein, as justices of K. B., and C. P., the lord treasurer, and chancellor, and barons of exchequer, use to do; these commissions shall be made out by the prothonotary of the said court of session, or his deputy *ex officio*, as officers of the court on judges' fiat, who shall make entry of commissioners' names and dates of their commissions at the following fees; *2s.* for fiat or warrant. *4s.* for making out commission besides the king's duty, and value of the parchment, and *4s.* for sealing same, and the prothonotary of the said court or his acting deputy may, *ex officio* and without commission, take all such affidavits, which shall be filed in his office, and may be read in court as other affidavits now are, and persons forswearing themselves therein are equally punishable as if they had been taken in open court, and such commissioner or prothonotary may take *1s.* only for swearing each affidavit, but shall not take any within a mile of *Chester* castle during the time of the session, *id. s.1.*

20. The justices of such court, or either of them, may, by commission under seal of the county palatine, empower such persons in the county, other than attorneys or solicitors, to take recognizances of bails in suits pending in such court, by the usual recognizance or bail-piece of special bails, which prothonotary shall make out the commission on a justice's fiat; and all recognizances and bail-pieces so taken, together with affidavit of their due taking, sworn before such commissioner by some credible person present, shall, within 10 days, be transmitted to such prothonotary, to be filed on record, on payment of *5s. 4d.*, and shall be as valid as if taken in open court; and the following fees shall be paid to such commissioners of bail, *viz.* *2s.* for fiat or warrant; *7s. 6d.* for making out commission, besides king's duty and parchment; *4s.* for the seal; *5s.* for bail-piece, and *1s.* for swearing affidavit of due taking thereof, *id. s.2.*

21. The said justices shall make such rules for justifying and making absolute such bails as to them seems meet, so that the bail need not appear in court to justify, but the same may be determined by affidavits before any of the said commissioners, or before the prothonotary, or his deputy *ex officio*, as officer of the court, touching the value of the respective estates, and other qualifications of such bail, and *1s.* fee shall be taken for swearing such affidavit; but nothing herein shall prevent the prothonotary or deputy from taking *ex officio* recognizances of bails, as he and they have done, or by law might do, if this act had not been made, *27 G.3. c.43. s.3.*

22. Persons personating bail before the persons empowered under this act to take special bail, whereby the persons personated may be liable to payment of money for debt or damages recovered in the action wherein they are personated, are felons, and shall suffer death, and incur other penalties, as in *4 W. & M. c.4. id. s.4.*

III. COUNTIES PALATINE, (*Durham.*)

1. TOUCHING FINES TO BE LEVIED IN THE COUNTY PALATINE of *Durham*, *5 El. c.27.*

2. All fines levied before the justices of the county palatine of *Durham*, authorized for that purpose, of tenements within the county, which shall be read and proclaimed two days in the sessions, in presence of the justices of assize at *Durham*, or one of them, at the same sessions at which they are ingrossed, and at two general sessions next after, shall be of like force as fines levied with proclamations before the justices of C. P. at *Westminster*, *id. ibid.*

3. FOR WRITS OF PROCLAMATIONS AND EXIGENTS TO BE current within the county palatine of *Durham*, *31 El. c.9. (s.1.)*

4. Whensoever any writ of *exigent* shall be awarded at suit of H.M. or any other person in K. B. and C. P. against any person dwelling within the bishopric, the justices before whom such writ shall be sued may award one writ of proclamation, according to *6 H.8. c.4.*, directed to the bishop of *Durham*, and, during vacation of the bishopric, to the chancellor of the county palatine, and not to the sheriff of any other shire adjoining; which writ of proclamation shall have the same teste and return as the *exigent*; and such bishop or chancellor shall, by mandate to the sheriff, cause proclamation to be made according to the tenor of the writs, and shall make true returns thereof in such court, and before such justices as the tenor of such writ requires, and all outlawries pronounced on *exigents* awarded against persons dwelling in *Durham*, without such proclamation awarded to the bishop as above, shall be void, *id. s.2.*

5. Every bishop of *Durham*, and, in vacation, the chancellor of the county palatine, shall have in the courts of K. B. and C. P. one sufficient deputy at least, to receive such writs of proclamation as shall be directed to every such bishop or chancellor for whom the said deputy shall be appointed, in like manner and on like pains as by law the sheriffs of other shires in *Eng.* are bound to have in those courts; and all such writs of proclamation shall be delivered unto every such deputy of record in those courts, and like fee [*viz. 6d.*] paid for making and enrolling the same of record, as in *6 H.8. c.4. s.4. id. s.3.*

6. If any such writ of proclamation is delivered to the bishop or chancellor in vacation, or to their deputies, as in *s.2.* and *3.*, who shall not make true return thereof, such bishop and chancellor shall forfeit *5l.*; one half to H. M. and the other half to the person suing for same in an action of debt on this act, in any of H. M.'s courts of record, without essoin, &c. allowed, *id. s.4.*

7. This act shall not extend to any of the franchises or privileges of the bishop of *Durham*, touching his see, or to any officers of the bishopric, otherwise than by the true meaning of this act declared, *id. s.5.*

8. If any person dwelling within the bishopric or county palatine shall be outlawed as above, all writs of special *capias utlagatum*, single *cap. utl.*, *non molestandum*, and other process, shall be directed to the bishop, and, in vacation of the see, to the chancellor there, who shall make like process, sealed with their seal of office, to be directed to the sheriff, *id. s.6.*

9. On any writ of proclamation under this act, and the mandate thereupon made to the sheriff, and the execution thereof, one fee only shall be taken by the bishop, chancellor, and sheriff, *id. s.7.*

10. FOR REGULATING THE TAKING AND SWEARING AFFIDAVITS used in any court of the county palatine of *Durham*, *4 G.3. c.21.*

11. The chancellor of the county palatine of *Durham*, or any two or more justices of the court of pleas in their session of pleas, may, by commission under the seal of the respective courts, impower persons to take and swear affidavits in any cause or concerning any proceedings pending in either court, as masters extraordinary in chancery use to do, with *2s.* fee for each affidavit in chancery, and *1s.* in court of pleas; which affidavits shall be filed in the respective offices, and read in evidence, and perjury therein shall be punished as if they were made in open court; which several commissions shall be made out by the cursitor of the county palatine, on a fiat from the said chancellor for taking affidavits in the court of chancery of *Durham*, and on a fiat from any two justices of pleas, in their session of pleas for the said county, for taking affidavits in that court; and the said cursitor shall cause an entry to be made, in a book kept for that purpose, of the names of the persons to whom such commissions are granted, and when issued; and the following fees shall be paid for each commission, *viz.* *2s.* for the fiat or warrant; *4s.* for the commission, be-

sides H. M.'s duty, and value of the parchment; and 4*s.* for sealing the same; and every commissioner or person empowered shall take for swearing every affidavit in chancery, 2*s.*, and in the court of pleas, 1*s.* 4 *G.*3. *c.*21. *s.*1. *s.*1.

12. Such officers of the courts of chancery and of pleas in *Durham*, as have heretofore taken affidavits may continue so to do, *id. s.*2.

13. To ENABLE THE TREASURY TO PAY, OUT OF THE CROWN revenue, rewards for apprehending highwaymen, and other offenders, in the county palatine of *Durham*, 14 *G.*3. *c.*46. [PUBLIC clause, *id. s.*6. *and see note to next placitum.*]

14. Every person who shall apprehend and prosecute to conviction, in the county palatine of *Durham*, any person guilty of any offence mentioned in 4 *W.&M. c.*8. *s.*2. [*see* ROBBERY,] 6&7 *W.*3. *c.*17. *s.*9. [*see* COIN,] 5&6 *A. c.*31. *s.*1. [*see* FELONY,] 3 *G.*1. *c.*15. *s.*4. [*see* SHERIFF,] (for paying rewards on convictions of highwaymen, clippers, coiners, or housebreakers, in *Eng.* and *Wa.*) within the county palatine of *Durham*, shall have from the sheriff of that county, within one month from such conviction, the reward payable to such person in other counties of *Eng.* and *Wa.*, on tendering to the sheriff a certificate of such conviction, under the hand or hands of the judges or justices before whom he is convicted, (which the latter are to grant, certifying the conviction, and in what parish the offence was convicted, and also that the offender was apprehended by the person claiming such reward,) *id. s.*1. [*This section* seems in force, notwithstanding the abolition by 58 *G.*3. *c.*70. *s.*1. of the rewards given by the recited acts; for since that act, (*s.*5.) where *the court* orders a reward to be paid, the old regulations are still adhered to; and though the rewards given by 14 *G.*3. *c.*46. are not expressly recited in 58 *G.*3. *c.*70. *s.*1. as intended to be repealed by that act, yet *semble* that they are virtually comprehended in the repeal, as the former act only extends to the county palatine of *Durham*, the rewards recited in and abolished by the latter act; *sed quære.*]

15. In case of any dispute between the persons who shall have apprehended such offenders, touching their right to such rewards, the judges or justices certifying shall, in their certificate, appoint the same to be paid among the parties in such proportions as seems just, *id. s.*2.

16. If such sheriff dies or is removed before the expiration of 1 month after such conviction and demand of reward made, the next sheriff shall pay it within 1 month after such certificate brought and demand made as aforesaid, or on default shall forfeit to the claimant double the sum he ought to have paid, to be recovered in any court of record at *Westminster*, by action of debt or information, without essoin, &c. and but one imparlance allowed, together with treble costs, *id. s.*3.

17. The sheriff, having paid such rewards, shall immediately apply for repayment thereof to the treasury, who on inspecting a due certificate of the conviction of the offender, together with the receipts of the parties entitled to the same, shall forthwith repay out of the crown revenue, without fee, all such monies, other than penalties and costs (as in *s.*3.) *id. s.*4. [But sheriffs are not obliged to advance such rewards from their own funds, 3 *G.*1. *c.*15. *s.*4. *tit.* SHERIFF.]

IV. COUNTIES PALATINE. (*Lancaster*, and *duchy* of *Lancaster.*)

(STATUTES *repealed.*)

1. CONCERNING forfeitures on outlawries in the county of *Lancaster*, 9 *H.*5. *st.*1. *c.*2. [CONF. 18 *H.*6. *c.*13., AMD., 20 *H.*6. *c.*2. MADE PERP. 31 *H.*6. *c.*6. 20 *H.*6. *c.*2. is recited, 33 *H.*6. *c.*1. *s.*1. and REP., *id. s.*2., as is also 9 *H.*5. *st.*1. *c.*2. *comm. semb.* and see the title of that statute, *next placitum.*]

(STATUTES *in force.*)

1. FOR REPEALING *former acts*, [*See* last *placitum*], concerning forfeitures on outlawries in the county of *Lancaster*, and for regulating the qualifications of jurors on indictments of persons in or belonging to that county, 33 *H.*6. *c.*2.

2. [Recital of 31 *H.*6. *c.*6. and 20 *H.*6. *c.*2. (*s.*1.) which are repealed, *s.*2.] Every indictment taken before any of H. M.'s justices within the county palatine of *Lancaster*, or before any sheriff in his tourn therein, whereby any person is supposed to be, or to have been inhabiting or conversant out of that county, and within any other county in *Eng.*, shall be taken by the verdict of 12 men, every of them, or some other person to their use, having lands and tenements within that county of 100*s.* yearly value; and no process shall be made out of such indictment before it be duly inquired and examined before H. M.'s justices within that county, whether the indictors, [*viz.* the jurors], and every of them at the time of the indictment taken, had lands within that county to 100*s.* yearly value above all charges, and if it be found that they had not, the indictment shall be void, *id. s.*3.

3. Every indictment to be taken out of the county of *Lancaster* before any justice or sheriff in his tourn, whereby any person is supposed to have been inhabiting or conversant within the county of *Lancaster*, shall be taken by verdict of 12 men, and no process shall be made out of any such indictments before due inquiry before the justices having power to award the same, whether the indictors [jurors] and every of them at the time of such indictment taken, (or some other person to their use) had lands to the yearly value of 100*s.* above charges within the same county where the indictment is taken, and if it be found that they or any of them had not, and that none other to their use had lands, &c. of that value, the indictment, as to any such persons supposed to have been conversant within the county of *Lancaster*, shall be void, 33 *H.*6. *c.*2. *s.*4.

4. FOR FINES TAKEN IN THE COUNTY PALATINE OF *Lancaster*, before the justices of *Lancaster*, to be of like force as fines taken before the justices of C. P., 37 *H.*8. *c.*19. and recital in *s.*1.

5. All fines of lands hereafter levied or knowledged before H. M.'s justices of the county palatine of *Lancaster*, commonly called justices of assize at *Lancaster*, or before one of them, of any lands, tenements, or hereditaments in such county, which shall be openly read and proclaimed 3 several days in open sessions in presence of such justices, or of one of them at the same session that the same is ingrossed, and at the two next general sessions for such county before such justices, or one of them, at three several days in either of such 2 sessions after the form usual in C. P. at *Westminster*, shall be of like force as fines levied with proclamations before justices of C. P. *id. s.*2.

6. FOR WRITS UPON PROCLAMATIONS AND *exigents* to be current within the county palatine of *Lancaster*, 5&6 *E.*6. *c.*26. *and recital in s.*1.

7. When any writ of *exigent* is awarded at suit of H. M. or of any plaintiff in any action in K. B., or C. P., against any person dwelling within the county palatine of *Lancaster*, then, on awarding of such *exigent*, the justices before whom it is sued shall have power to award the writ of proclamation, according to 6 *H.*8. *c.*4. *tit.* OUTLAWRY, to be directed to the sheriff of the county palatine of *Lancaster*, where the defendant is dwelling, and not to the sheriff of any other county adjoining; which writ of proclamation shall have the same *teste* and return as the *exigent*, *id. s.*2.

8. Every sheriff of that county to whom such writ of proclamation shall be directed, shall make proclamations of the said writs according to their tenor, and make true returns of the same in such court, and before such justices as the court requires; and all outlawries on any *exigent* awarded against any person dwelling in such county palatine, and no writ of proclamation awarded to the sheriff, or not returned, shall be void, *id. s.*3.

9. Such sheriff shall have one deputy at least in K. B. and C. P., to receive such writs of proclamations directed to such sheriff in like manner, and upon like pains as other sheriffs are bound to have, and such writs of proclamations shall be delivered to such deputies of record in such courts, and like fees shall be paid for making and inrolling the same of record, as is limited in 6 *H.*8. *c.*4. *pl.*7., *id. s.*4.

10. Every such sheriff who does not make true return of writs of proclamation delivered to him or his deputy, shall forfeit 5*l.*, the one-half to H. M. and the other half to the party suing for the same by action of debt in any of H. M.'s courts of record, without essoin, &c. allowed, *id. s.*5.

11. This act shall not prejudice the franchises or officers of such county palatine, otherwise than by the true meaning hereof, *id. s.*6.

12. If any person dwelling within such county shall be outlawed in any such action, then all writs of special, or single *capias utlagatum*, *non molestandum*, and all other process against the party outlawed, may be directed to the chancellor of the duchy of *Lancaster*, who shall make like process thereon, directed to the sheriff of the said county as heretofore used, *id. s.*7.

13. FOR ENLARGING THE DUCHY OF LANCASTER, 2&3 *P.&M. c.*20. and recital in *s.*1.

14. All honours, castles, lordships, manors, lands, tenements, and hereditaments within *Eng.* which, since 28*th Jan.* 1 *E.*6., were parcel of the duchy of *Lancaster*, or which were united to such duchy by authority of parliament, letters patent, or otherwise, and which since 28*th Jan.* have been granted, sold, or otherwise severed from such duchy, and which have returned again to the hands of their M.s, shall be annexed for ever to such duchy, and shall be in the letting, order, survey, and governance of the chancellor, council, and officers of the duchy, as others of the ancient possessions thereof, *id. s.*2.

15. All the said honours, &c. hereby united to such duchy, and all grants and leases thereof, shall pass under such of the seals of the duchy, and with like livery of seisin, &c. as other the ancient possessions of the duchy, *id. s.*3.

16. H. M. may, by letters patent under the great seal of *Eng.*, unite and annex any other their honours and lands, &c. unto such duchy, *id. s.*4. which annexation shall be as good as if done by statute, *id. s.*5.

17. All such honours and lands, &c. lying within such county palatine, and so united to the duchy shall, from the teste of the letters pa-

tent, be under governance, &c. of such duchy, as any other possession thereof within such county have used to be, 2&3 *P.&M. c.*20. *s.*6.

18. All other honours and lands, &c. lying out of such county, and so united to such duchy, shall, in like manner, be under governance of the duchy, as other possessions of such duchy lying out of such county have used to be; saving to all persons all their rights in any of the premises before this act made, *id. s.*7.

19. This act shall not give any liberty to H.M. to unite to such duchy any lands, tenements, or hereditaments, being parcel of the principality of *Wa.*, duchy of *Cornwall*, or earldom of *Chester*, or any honours, lands, &c. within the counties of *Chester* and *Flint*, or to unite any lands thereto exceeding 2000*l.* yearly value, *id. s.*8.

20. The rents, suits, and services of any of such manors and lands belonging to the duchy or county palatine of *Lancaster*, shall be paid in the court of the duchy-chamber at *Westminster*, or to receivers-general, and other ministers of that court as heretofore, and all leases hereafter to be made of any manors, lands, &c. belonging to said duchy, shall be made under the seal thereof, as heretofore used, *id. s.*9., [this section is not on the roll, *see Stat.* 4 *vol.* 8*vo ed.* 87.]

21. TO EMPOWER THE CHANCELLOR OF THE DUCHY to grant commissions for taking affidavits within the duchy liberty, 16&17 *C.*2. *c.*9.

22. THE CHANCELLOR OF THE DUCHY and county palatine of *Lancaster* may, by commission, empower persons within such county and duchy liberties, to take affidavits in any cause, &c. depending in the court of duchy-chamber, which shall be filed in office of clerk of the court, and used as other affidavits, [*id. s.*1.], and the commissioners' fee for taking such affidavit is 12*d.*, *id. s.*2,

23. FOR TAKING AND SWEARING AFFIDAVITS to be used in any of the courts of the county palatine of *Lancaster*, 17 *G.*2. *c.*7.

24. The chancellor of the duchy and county palatine, or his vice-chancellor shall, by one or more commissions under the county-seal, empower what and as many persons as are thought fit, to take and swear all such affidavits, which any person shall be desirous to make before any of the persons so empowered concerning any cause pending, or in any-wise concerning any of the proceedings to be in the chancery and courts of session in the said county, as masters-extraordinary in chancery use to do, which affidavits shall be filed in the offices of the said courts, and shall be read and used therein, and shall be of the same force as other affidavits taken therein now are; and every person forswearing himself in such affidavit, shall incur the same penalties as if the same were made in open court, *id. s.*1.

25. The above commissions shall be made out by the cursitors of the county palatine, on a fiat or warrant from the said chancellor or vice-chancellor, and the cursitors shall cause entries to be made in a book of the names of the persons to whom and the times when such commissions are issued, with these fees only:

	s.	*d.*
Fiat or warrant	2	0
Making out commission (besides king's duty, *see* 55 *G.*3. *c.*184. *schedule* (and value of parchment)	4	0
Sealing the same	4	0
Swearing affidavit before commissioner	1	0
	id. ibid.	

26. Such officers of the said courts as have heretofore taken affidavits, shall continue to do so, *id. s.*2.

27. FOR TAKING SPECIAL BAIL IN ACTIONS depending in the C.P. of the county palatine of *Lancaster*, 34 *G.*3. *c.*46.

28. The chancellor of the duchy and county palatine of *Lancaster*, or his vice-chancellor respectively, shall, by one or more commissions under seal of the county palatine, from time to time, as occasion shall require, empower such and so many persons other than common attornies or solicitors, as either of them shall think necessary in such county, to take and receive every such recognizance of bail, as any person shall be desirous to make before any person so empowered in any action depending in that court, in such manner and form, and by such recognizance or bail-piece, as special bails usually are, or by law ought to be taken, which commissions shall be made out by the prothonotary of that court, on a fiat or warrant from the said chancellor or vice-chancellor; which recognizance or bail-piece so taken, together with an affidavit on oath of the due taking thereof, made by some credible person then present, or if by a quaker, then by affirmation, administered by the commissioner of bail, shall, within 10 days after taking such bail, be transmitted to the office of the prothonotary of the county, there to be filed of record, on payment of 11*s.* 8*d.*, which bail-piece so taken and transmitted shall be of full force, and the following fees, and no more, shall be paid for each commission, and taking the acknowledgment of bail, and affidavits or affirmations respecting the same, *s.*1. *viz.*

	s.	*d.*
Fiat or warrant	3	0
Making out the commission (besides king's duty and parchment, *see* 55 *G.*3. *c.*184. *schedule*)	8	6
Seal	5	0
Taking the acknowledgment or bail-piece	6	0
Taking the affidavit or affirmation of the due taking thereof	1	0

29. H.M.'s justices of such court shall make such rules and orders for justifying such bails and making them absolute, as to them seems meet, so that it may not be necessary for the cognisors of such bails to appear in court to justify themselves, but the same may be determined by affidavit or affirmation of quakers, duly taken before any commissioner to be appointed as above, or before the prothonotary, or his officiating deputy *ex officio*, as officers of that court, and without commission for that purpose, touching the value of the respective estates, and other necessary qualifications of such cognisors; for taking which affidavit or affirmation, 1*s.* fee shall be taken, 34 *G.*3. *c.*46. *s.*2.

30. Nothing herein shall prevent the prothonotary of the court, or his officiating deputy from taking *ex officio* recognizances of bails in actions commenced therein, as before this act, *id. s.*3.

31. Every person making affidavit or affirmation of the due taking of any recognizance of bail, or for justification of any bail, or otherwise in relation thereto, in any action pending in such court, and falsely swearing or affirming therein, shall incur the same penalties as if such affidavit, &c. had been taken in open court in any court at *Westminster*, *id. s.*4.

32. Every person who shall, before any person by this act empowered to take special bails, personate any other person, whereby the latter may be liable to the payment of any sums of money for debt or damages to be recovered in the same action wherein such persons are personated, as if they had really acknowledged the same, shall, on conviction, be deemed a felon within 4 *W.&M. c.*4., *id. s.*5.

33. TO PREVENT REMOVAL OF SUITS from the inferior courts in the county palatine of *Lancaster* into the court of C.P. of that county, 34 *G.*3. *c.*58.

34. No execution shall be stayed by writ of false judgment or *supersedeas* thereon, to be sued for reversing any judgment given in any inferior court within the county palatine of *Lancaster*, where the debt and damages are under 10*l.*, unless the person in whose name such writ is brought, with 2 sufficient sureties, approved by the inferior court, before such stay made or *supersedeas* awarded, is bound unto the party from whom such judgment is given by recognizance in the same court, in double the sum adjudged, to prosecute such writ with effect, and also to pay (if the judgment is affirmed or writ not proceeded in,) all and singular the debt, damages, and costs adjudged, and all costs and damages to be awarded for such delay of execution, *id. s.*1.

35. No cause where the cause of action does not amount to 10*l.* or upwards, shall be removeable from any inferior court into C.P. at *Lancaster* by writ of *pone, accedas ad curiam, certiorari, &c.* unless the defendant, who is desirous of removing it, shall enter into like recognizance for paying the debt or damages and costs, if judgment be against him, *id. s.*2.

36. FOR BETTER REGULATING THE PRACTICE, and for preventing delays in the proceedings of the court of common pleas at *Lancaster*, 39&40 *G.*3. *c.*105. [PUBLIC *clause*, *s.*6.]

37. Any plaintiff or defendant in personal actions, or in trespass and ejectment depending in such court, may declare on, plead, and give in evidence any cause of action, or matter, or thing soever, which has happened prior to the day of actual signing and issuing of the writ of *capias ad respondendum*, or other first actual process in such personal suit, or prior to the day of the actual service of the declaration in trespass or ejectment, notwithstanding such cause of action, &c. may not have accrued prior to the teste and return of the original writ, or prior to the assizes or time whereof such declaration is filed; and no advantage shall be taken by reason of any such cause of action, &c. having accrued or being stated to have accrued subsequent to the teste and return of such original writs, or subsequent to the assizes, or time whereof the declaration is filed, by or on *oyer* of the original writ, plea in abatement, demurrer to pleadings, or evidence, bill of exceptions, writ of error, or other process soever, *id. s.*1.

38. Any writ of inquiry, *scire facias*, and any judicial or other process hereafter to be issued out of such court, in any action pending therein, (except process returnable on the 1*st Wednesday* in a month,) may be issued returnable either on the present return days, or on return days in *Easter* and *Michaelmas* terms respectively, as in C.P. at *Westminster*, and may be proceeded in as if returnable at the preceding session of assizes of such county palatine, *id. s.*2.

39. No final judgment shall be entered, or execution issued, in 10 days next after the return of any such writ of inquiry or *scire facias* under this act, exclusive of the day of return, and of entering such final judgment, or issuing forth execution, *id. s.*3.

40. The parties may move in arrest of judgment, or bring writ of error as before this act, *id. s.*4.

COUNTY RATES.

1. FOR THE MORE EASY ASSESSING AND COLLECTING OF COUNTY RATES, 12 *G.*2. *c.*29. [*Powers thereof* EXT. to justices for franchises,

having commissions of the peace within themselves, 13 *G.* 2. *c.* 18. *s.* 7., Amd. 55 *G.* 3. *c.* 51. (which is Rep. as to *s.* 15., by 57 *G.* 3. *c.* 94. *s.* 3.) further Amd. 56 *G.* 3. *c.* 49. (which is Rep. as to *s.* 5. by 57 *G.* 3. *c.* 94. *s.* 1. and further Amd. 57 *G.* 3. *c.* 94., 1 & 2 *G.* 4. *c.* 85. (see as to *Middlesex*, 37 *G.* 3. *c.* 65., and as to *Kent*, 47 *G.* 3. *S.* 2. *c.* xxxiv.)]

2. The justices of peace in *Eng.*, within their respective jurisdictions at their general or quarter sessions, shall make one general rate for such sum as they think sufficient to answer the purposes of 21 *H.* 8. *c.* 5., and 1 *A. st.* 1. *c.* 18., (relating *to bridges*) 11 & 12 *W.* 3. *c.* 19. 10 *A. c.* 14., and 6 *G.* 1. *c.* 19., (relating to *gaols*,) 7 *J.* 1. *c.* 4., (relating to *prisons* and *vagrants*,) 43 *El. c.* 2., (relating to *K. B.* and *Marshalsea prisons*,) 14 *El. c.* 5., 19 *C.* 2. *c.* 4., (relating to *poor prisoners* and *vagrants*,) and 12 *A. st.* 2. *c.* 23., (relating to *vagrants*,) instead of several and distinct rates thereby directed, which shall be assessed in every town, parish, or place, in such proportions as any of the rates heretofore made under such acts, have been usually assessed; and the respective sums so assessed shall be collected by the high constables of the respective hundreds and divisions as herein directed, 12 *G.* 2. *c.* 29. *s.* 1.

3. The churchwardens and overseers of the poor of every parish and place shall, out of the money collected for the relief of the poor of such parish, &c. pay to the high constables of the respective hundreds or divisions the sums so rated upon such parish, &c. within 30 days after demand in writing, to be given to such churchwardens or overseers, or left at their dwelling-houses, or affixed on the church doors of such parish, &c. to which such officer belongs, by such high constables; which demand the high constables shall make at such times as justices by order in sessions direct; the receipts of such high constables shall be a discharge to such churchwardens and overseers, or other person paying same, and shall be allowed in their accounts by the justices before whom such accounts passed; and in case such churchwardens, &c. neglect to pay such sums so assessed, such high constables shall levy same by distress and sale of goods of such churchwardens, &c. by warrant under hands and seals of 2 justices residing in or near such parishes, &c. rendering overplus to owner after charges of distress, &c. deducted, *id. s.* 2.

4. In case no rate is made for relief of the poor in any parish, township, or place; the justices in their general or quarter sessions, shall direct the money assessed on such parish, &c. for the purposes of this act, to be rated and levied on such parish, &c. by any petty constables or other peace-officer belonging to the same, as money for the relief of poor is by law to be rated or levied; which sum so levied shall be paid by such peace-officer, to the high constable for the hundred or division; and shall be demanded of, paid by, or levied on such peace-officer, as any rates are before directed to be levied on the churchwardens and overseers of the poor, and if such peace-officer pay such sum before the same be so by him rated and levied, he may afterwards rate and levy the same, or may be allowed such sum out of any constable's or other rates made on such parish, &c. which justices in their sessions shall order, *id. s.* 3.

5. The justices of peace for the respective ridings, divisions or counties of *York*, *Derby*, *Durham*, *Lancaster*, *Chester*, *Westmorland*, *Cumberland*, and *Northumberland*, at their general or quarter sessions, may order money directed to be assessed on any town, parish or place, for the purposes of this act, to be paid by and levied on the petty constable of such town, &c. within such counties, as the same is to be levied where no rate is made for the relief of the poor, *id. s.* 4.

6. This act shall not make any persons or places liable to pay to any rate made under this act, to which such person or place was not liable to contribute before; but justices at general or quarter sessions may order what proportion of any rate to be made by this act, shall be assessed on and paid by several persons and places, who are liable to pay only to one or more of, and not to all the rates hereby intended to be thrown into one general rate, *id. s.* 5. [*See* 13 *G.* 2. *c.* 18. *s.* 7. *post*, *pl.* 27.]

7. The high constables shall at or before the next general or quarter sessions, after they have received such money, pay same into hands of such person (resident in any such county or place where such rates are made) whom the justices shall at such sessions appoint to be treasurer, such treasurer first giving sufficient security to be approved of by the justices, to be accountable for the several sums paid to him in pursuance of this act, and to pay such sums as shall be ordered to be paid by the justices in such sessions, and for due execution of the trusts reposed in them; and all such money as shall be paid into their hands in pursuance of this act, shall be deemed to be public stock; and such treasurer shall pay so much of the money in his hands, to such persons as such sessions shall direct for the purposes of such acts, and for any other purposes to which the public stock of any county, city, division, or liberty, is applicable by law, *id. s.* 6.

8. Such treasurer shall keep books of entries of the several sums received and paid by him; and deliver in accounts upon oath, if required, of all money received and paid by him, distinguishing the particular uses to which such money has been applied, to the justices at every general or quarter session; and lay before them the proper vouchers for same, 12 *G.* 2. *c.* 29. *s.* 7.

9. The high constables shall demand and levy such rates in manner before directed, and shall account for same before the general or quarter sessions, if required, in like manner as such treasurer; and in case such high constables neglect so to demand, levy or account, such sessions may commit them to common gaol, until they have caused such rates to be levied, and have rendered a true account; and in case it appear by such account that any money is remaining in their hands which they have received of the churchwardens and overseers, or other persons, which ought to have been paid to the respective treasurers within the time hereby (*s.* 6.) limited, or of the respective treasurers in order to be applied to the purposes aforesaid, and if they neglect to pay same over into hands of the treasurers or otherwise, if required by order of such sessions, the justices at such sessions may commit such high constables to the common gaol until they shall have made payment of the money due on such account; and all the accounts and vouchers of such treasurers and high constables shall, after being passed by the justices, be deposited with clerk of the peace of each county, or the town-clerk, high-bailiff, or chief officer of any city, town corporate, or liberty, to be kept among the records of such county, &c. to be inspected by any of the justices without fee, *id. s.* 8.

10. The receipts of such treasurers shall be sufficient discharges to all high constables; and the discharges of such justices, made by their orders at the general or quarter sessions to such treasurers, shall be sufficient discharges in any court of law or equity, *id. s.* 9.

11. No new rate shall be made until it appear to the justices at such sessions, by the accounts of the treasurers or otherwise, that three-fourths of the money collected by the preceding rate have been expended for the purposes aforesaid, *id. s.* 10.

12. The justices at their general or quarter sessions may continue such treasurers in office so long as they see convenient, and remove them at their pleasure, and appoint any other person in their place; [and may allow every of them insisting on the same any sum of money for their care and pains, not exceeding 20*l.* by the year, which they may direct the payment of, out of the monies arising by the respective rates, Rep. next *pl.*] *id. s.* 11.

13. So much of 12 *G.* 2. *c.* 29. *s.* 11. as limits the allowance to county treasurers to 20*l.* shall be Rep., and the major part of justices at general or quarter sessions may allow the county treasurer such reasonable sum as they think fit, and direct the same to be paid out of the county rates, provided no such augmentation shall be made unless applied for by such treasurer or the justices previously at some such sessions, [*so in the act*,] and unless notice of intention so to do is inserted in some newspaper circulated in such county for 3 successive weeks, 1 month preceding time fixed for considering same, 55 *G.* 3. *c.* 51. *s.* 17.

14. In case churchwardens and overseers of any parish or place believe such parish, &c. is over-rated, they may appeal to justices at next general or quarter sessions against such part of rate only as may affect parishes, &c. in which they serve; which justices may finally determine the same; provided, upon such appeal, such rate be not quashed in regard to any other parishes, &c. 12 *G.* 2. *c.* 29. *s.* 12.

15. No part of the money to be collected in pursuance of this act shall be applied to the repair of any bridges, [*but see, as* to bridges 43 *G.* 3. *c.* 59. *s.* 2. and 52 *G.* 3. *c.* 110. *s.* 5. Bridges, *pl.* 31. 48.] prisons or houses of correction, until presentments be made by grand juries at the assize, great sessions, general gaol-delivery, or general or quarter sessions of the peace, of want of reparation, *id. s.* 13.

16. When any public bridges, ramparts, banks or cops, or other works are to be repaired at the expence of any city, division, liberty or town-corporate, the justices at the general or quarter sessions, after presentment [*see*, as to presentment for bridges, 52 *G.* 3. *c.* 110., 55 *G.* 3. *c.* 143. Bridges, *pl.* 49.] made thereof for want of repair, may contract with any person for repairing such bridges, &c. and other works which are to be repaired by assessment on the respective counties, &c. for any term not exceeding 7 years, at a certain annual sum, such contractor giving sufficient security for due performance thereof to the clerk of peace, or town-clerk, high bailiff or chief officer of any city, &c. and such justices at sessions shall give public notice [*such notice* not necessary as to bridges, 55 *G.* 3. *c.* 143. *s.* 5. *id. ibid.*] of their intention of contracting with any person for repairing such bridges and other works; such contracts shall be made at the most reasonable prices, and when agreed to, shall, with all orders relating thereto, be entered in a book to be kept by such clerk of the peace, or town-clerk, high bailiff or chief officer, amongst the records of such county, city, &c. to be inspected by any such justices, and by any person employed by any contributor to the purposes of this act, without fee, *id. s.* 1. &c.

17. There shall be but one rate assessed by the justices for *Middlesex* in the said county, city and liberty of *Westminster*, for the purposes of this act, and the repair of the *New Prison* in *Middlesex*, *id. s.* 15.

18. The justices for the city of *Westminster*, at their general or quarter-

sessions, shall appoint a master of the house of correction within such city, who shall have such sum yearly as hath been accustomed towards the maintenance of the prisoners in his custody who shall be sick and unable to work (not exceeding 50*l. per ann.*), and direct the repairs and management thereof, and the treasurer of the money arising by the rates on the county of *Middlesex* and city of *Westminster* shall obey all orders which shall be made by them in such sessions for the payment of any sum allotted to such master of the house of correction, and the repairs thereof, which orders shall be a good discharge to such treasurer, 12 *G.*2. *c.*29. *s.*16.

19. Justices at such sessions shall oblige, by their order, the respective high constables and petty constables, or any persons empowered to levy or receive any money for the purposes aforesaid, and who have any money in their hands, to account with them at their sessions in such manner as high constables are directed to account by this act; and in case they refuse to account or pay over money remaining in their hands, when required by such order, such justices shall have like remedy against them as they have against the high constables by *s.*8. *pl.*9. for not accounting for or paying over money remaining in their hands; and may direct the payment of the respective sums remaining due to the treasurers, which shall be deemed to be part of the stock of such counties or places, and enquire what sums are due for the purposes aforesaid, and then order the payment of such sums as shall appear owing, *id. s.*17.

20. No action shall be commenced against any person employed in collecting any money in pursuance of such acts, or this act, on any rates quashed on *certiorari* brought in any court of record at *Westminster*, or otherwise, for any money collected on any such rates before such *certiorari* was brought and allowed; but the several sums paid on such rate more than ought to have been paid, shall be repaid or allowed to the persons who paid the same in the next rates, as if the same had been paid on such new rates, *id. s.*18.

21. All persons so employed shall account for and pay over money by them received, in the same manner, and under like penalties for neglect as are inflicted by this act (*s.*17.) on any person neglecting to account for, or pay over any money remaining in his hands which he has received in pursuance hereof, *id. s.*19.

22. The justices of *Middlesex*, at their general sessions, shall have the same powers to put this act in execution, as are hereby given at their general quarter sessions, *id. s.*20.

23. No writ of *certiorari* to remove any rates made in pursuance of this act, or any orders or proceedings of the general or quarter sessions touching such rates shall be granted, but upon a motion to be made in the first week of the next term, after the time allowed by *s.*12. of this act, for appealing from such rates and orders is expired, and on making it appear, on affidavit, or otherwise, that the merits of the question on such appeal or orders will, by such removal, come properly in the judgment of such court; no such writ of *certiorari* shall be allowed until sufficient security be given to the respective treasurers in 100*l.* to prosecute it with effect, and to pay costs in case such rates or orders be confirmed; nor shall any such rates, orders or proceedings, be quashed for want of form only; and all charges attending such removal shall be defrayed out of that or any subsequent rate, *id. s.*21.

24. So much of 14 *El. c.*5. as relates to taxing parishes for the relief of prisoners, and of 43 *El. c.*2. as relates to raising money for the *K.B.* and *Marshalsea* prisons, hospital and alms-houses, and of 19 *C.*2. *c.*4. as relates to rating parishes for setting prisoners on to work shall be Rep., *id. s.*22.

25. The annual sums to be paid to the *K.B.* and *Marshalsea* prisons under this act, shall be as by 11 *G.*2. *c.*20. directed, and the money necessary for the purposes of 14 *El. c.*5. and 19 *C.*2. *c.*4. shall be paid out of the money arising under this act, *id. s.*23.

26. General issue treble costs, *id. s.*24. [See the *sect.* at length, 55 *G.*3. *c.*51. *s.*23. *post.*]

27. Where any liberties or franchises have commissions of the peace within themselves, and are not subject to the jurisdiction of commissions for counties within which such liberties, &c. lie, and did not before the passing of 12 *G.*2. *c.*29. contribute to the county rates, the justices for such liberties, &c. may exercise all the powers given by 12 *G.*2. *c.*29., and such liberties, &c. shall be subject thereto in like manner as counties at large, 13 *G.*2. *c.*18. *s.*7. [*See* 55 *G.*3. *c.*51. *s.*24. *post.*]

28. The justices of the *English* counties assembled at quarter sessions, or any adjournment thereof, may direct an equal county rate to be made for all purposes to which the county stock is or shall be liable, according to the directions hereinafter mentioned, and may assess and tax every parish, township, or other place whatever, parochial or extra-parochial, equally, according to a certain pound rate (to be fixed and publicly declared by such justices) of the full annual value of the messuages, lands, &c. rateable to the relief of the poor therein; provided this act shall not give jurisdiction to any justices for counties over any places situate within liberties or franchises having a separate jurisdiction, which before the passing of this act were subject to rates in the nature of county rates, imposed and assessed by justices for such liberties, &c. or which were exempt from county rates, either in whole or in part, nor to alter any proportion of county rates payable by any such liberty, &c. as established between the county and such liberty; provided such exemption or proportion are derived from grant, charter, or any special local act of parliament; nor shall compel any such liberty, &c. paying to some one or more of the rates specified in preamble of 12 *G.*2. *c.*29. to pay to any other rate there mentioned to which it was not liable before that act, nor shall repeal or alter the provisions of any acts now in force which have fixed the times and places of holding any general or annual general sessions, or adjournment thereof, for assessing county rates, or for raising, levying or collecting the same; but such provisions so fixing such times and places, and of then and there exclusively transacting matters therein mentioned respecting county rates, shall be in full force; and all matters that by this act may be done at quarter sessions, or any adjournment thereof, shall be done exclusively at such general or annual general sessions, or some adjournments thereof, and at no other time or place than that so fixed by any such act, 55 *G.*3. *c.*51. *s.*1.

29. All messuages, lands, tenements, and hereditaments, situate in any extra-parochial or other place, whether rated to the poor or not, although the same may not be deemed rateable to the poor within such extra-parochial places or other places where no poor-rate is made, shall be subject to be assessed and rated by the order of the justices of peace in the same manner as other messuages, &c. are in parishes or places where a poor-rate is made; and such justices, in all cases where necessary, may appoint persons within such extra-parochial or other places, as directed by 55 *G.*3. *c.*51., (*s.*8.) for the assessing and rating such places, and collecting and paying over such assessments and rates under that act, 56 *G.*3. *c.*49. *s.*1.

30. The justices of peace, in and for any county, riding, or division, shall, in all cases of extra-parochial and other places, not assessable to the relief of the poor, where they deem it necessary, appoint proper persons, as by 56 *G.*3. *c.*49. *s.*1. directed, whether such persons do or do not reside in such places, to assess all such messuages, lands, &c. as are situated within such places, 1 & 2 *G.*4. *c.*85. *s.*2.

31. Such justices, at quarter-sessions or any adjournment thereof, may, as often as they deem it expedient, issue precepts signed by their chairman, or clerk of peace, under the authority of such court, to the high and petty constables, church-wardens, overseers of poor, assessors and collectors of public rates and taxes, of the several parishes, townships, and places, whether parochial or not, or to such and so many of them as they deem fit, requiring them to make returns in writing to the justices of their respective divisions in petty sessions assembled, (which returns shall be verified on oath at time of delivery, before 2 justices,) of the total amount of the full annual value of the several estates and rateable property within the parish, &c. to which they belong, charged or assessed to the poor-rate at the time of making return, or liable so to be, or charged or assessed on any other rate or assessment whether public or parochial, but without regard to the actual sums assessed on the property therein, save in places where assessed to the full annual value, 55 *G.*3. *c.*51. *s.*2.

32. Such justices at such sessions may also make orders for the justices within the limit of their commissions to meet from time to time within the several divisions for which they act, and fix therein the time of such first meeting, and they may adjourn until the purposes of this act are completed; and any 2 of them, at such meeting, shall receive the returns of such constables, &c. (as in *s.*2.) causing same to be verified on oath, and examine them on oath touching any matters contained in such returns, and shall report their proceedings to the next or any subsequent quarter-sessions, as they have directed, *id. s.*3.

33. In case any constable, churchwarden, &c. (as in *s.*2.) shall neglect to make such return to such precept, without sufficient excuse to be allowed by such justices at general or quarter-sessions, he shall forfeit not exceeding 20*l.* as adjudged by such justices to be levied on his goods, *id. s.*4.

34. In case of default by not making due return of any thing required by such precept (as in *s.*2. *pl.*31.), such justices in petty sessions, or 2 of them, shall issue their precepts to any officer in *s.*2. described, who has made such default, to make such returns in writing on a day and place therein-named; and in case of neglect to make return to the precept issued by such two justices, without sufficient excuse, to be allowed by such 2 justices, such officer shall forfeit any sum not exceeding 20*l.* as adjudged by such 2 justices, to be levied on his goods, *id. s.*5.

35. If any church-warden, overseer, assessor, or collector, shall neglect to make such returns, or if notwithstanding the incurring of any such penalties on account of such neglect, a return of any parish, &c. shall not be made within the time [in *s.*2. *pl.*31.] limited, then such justices, either at the next or some subsequent general or quarter, or at some petty sessions or adjournment thereof, as case may be, may ascertain the annual value of the property chargeable to the county rate within each parish, &c. of which no return has been made, by issu-

ing fresh precepts, or by other means they deem proper; and such justices so assembled at such general or quarter-sessions, or any adjournment thereof, acting in their own discretion or on the report of any 2 justices acting for any division of such county, shall order such compensation to be made to the persons ascertaining such value and in making such returns as to such justices shall appear reasonable, and such compensation and other expenses thereby incurred shall be charged by such justices on the parish, &c. of which the churchwarden, &c. shall have so neglected to make such return, in addition to the proportion of the county rate to be paid by such parish, &c. and which may be levied and collected as the county rate may be, and be paid therewith, due distinction being made between the sum charged for expences, and the sum assessed for the county rate, *55 G. 3. c. 51. s. 6.*

36. In all cases and places where there are no churchwardens or overseers, or no rates made for the relief of the poor, or where the justices of any county or division thereof so assembled for recovering such returns (as in *s.* 2.) shall think that such returns do not afford a fair account of the annual value of the property rateable, they may summon before them 1 or more substantial inhabitants of such places, or any other person to give evidence as to the fair annual value of such rateable property, and may examine them on oath as to the same, *id. s.* 7.

37. Where there is no poor-rate, or overseer, or churchwarden, or other officer to execute this act residing within the jurisdiction of the justices requiring such returns, and in which there is property liable to the poor-rate but not rated thereto, such justices of the county so assembled, or justices resident in and acting for any division of the county in which such places are situate, or at any petty sessions or adjournment thereof holden by them within such division, may appoint 1 or more proper persons to act as overseers, or such other officer (as in *s.* 2. *pl.* 31.) who shall act within such places to execute this act, and shall have like powers and be liable to like regulations and penalties as if they had been overseers or other officers, *id. s.* 8.

38. The justices, or 2 of them, assembled in general or quarter-sessions, and justices of the several divisions acting under the order of such justices so assembled, may when necessary, cause any books of assessment of any rates or taxes, parliamentary or parochial, which now or hereafter may be laid on property rateable to the county rate, and the valuation by which such assessments were made, in the hands of any constable, church-warden, &c. to be brought before them, and take extracts therefrom, or may order such extracts to be taken by the party in whose hands same are, without being brought before them, and may call such constables, church-wardens, &c. before them, to give evidence respecting the same, making reasonable compensation to the persons so employed; and every person having custody of any such books neglecting to attend such justices therewith, or refusing to permit extracts to be taken from them, or to give information or evidence on oath as such justices shall require, shall forfeit not exceeding 10*l.*; and such justices in like cases may cause copies of the total amount assessed in each parish, &c. in respects of any aids or taxes payable to H. M., and the total amount of the valuation of the property on which such assessments were made in any year then elapsed, to be made by the clerk of the commissioners [*Qu. of land tax.*] in each district within the jurisdiction of such justices, such compensation being made to such clerks as such justices deem reasonable; and clerks refusing to make out such copies on receipt of the order of such justices, shall forfeit 20*l.*, *id. s.* 9.

39. Churchwardens and overseers, chief constables, and other persons, required to make such returns, may, in cases of doubt, with such other person as they may select, by warrant under the hands and seals of 2 justices at general or quarter-sessions assembled, enter upon and view all lands or other property rateable to the county rate, in order to ascertain the annual value at which the same ought to be charged, provided no such entry shall be made unless 14 days' notice of intention to make same shall be given under the hands and seals of the justices authorizing the same to the churchwardens or overseers, or to the persons appointed to act in default of them, and to the person whose lands are to be entered on, *id. s.* 10.

40. When justices in general or quarter-sessions have ordered any county rate to be made, which they may do as often as is necessary, and the justices in petty sessions shall have ascertained the fair annual value of all rateable property within their respective divisions, they shall from time to time certify under their hands the true amount thereof to the next general or quarter-sessions, in order that at such or any subsequent sessions, or any adjournment thereof, the justices may proceed to make an equal rate on all such rateable property, or correct any inequalities which on appeal shall be shewn to their satisfaction to exist in any rate, *id. s.* 11.

41. When the justices, at any general or quarter sessions, or any adjournment thereof, shall make a rate, they may order warrants to be issued, in the usual way, to the several high constables, ordering them to issue their warrants to the overseers of the poor within their respective districts, to levy, collect, and pay to such high constables within a time limited in a warrant to be issued from such sessions, all such rates, which each high constable shall pay, at the time in such warrant specified, to the county-treasurer, to be applied in the manner the county-stock is legally applicable; and if any such overseer, or other person appointed to act as such, (under *s.* 8. of this act), shall neglect to pay the same within the time so limited to the high constable of his division, any justice for the county, on complaint made by such high constable, *may*, by warrant under his hand and seal, levy the same by distress, and sale of the offender's goods; and such overseer, or other such person, shall and may levy by an equal rate on all property rateable to the relief of the poor within such parish, &c. such sums as are necessary, in order to raise the money assessed on such parishes, &c. or to re-imburse such overseers or person such sums as they have paid on account of the same; such rate to be paid by the occupier, for the time being, of such rateable property, *55 G. 3. c. 51. s. 12.*

42. In case of any appeal, actions, &c. at law, respecting any thing done in pursuance of this or any other act relating to county rates, the expences shall be paid by the respective parishes, townships, places, and persons, or such of them, and in such proportions as the court where same is tried shall award, *57 G. 3. c. 94. s. 4.*

43. The justices at general or quarter sessions, or any adjournment thereof, may order the money directed to be assessed for a county rate on any parish, &c. or place, whether parochial or otherwise, where a county rate cannot conveniently be paid out of a poor rate, which does not apply separately to such parish, &c., to be paid and levied on the churchwardens, overseers, or petty constables, for any such parish, &c. in such manner as the same is (in *s.* 8.) directed to be paid and levied in cases where no poor rate is made, *55 G. 3. c. 51. s. 13.*

44. In all cases where there are no high constables, the justices for the county where such places are situate, may issue their warrants for collecting the county rate to one or more of the constables of such parishes, townships, or places, who shall collect and pay the same, in like manner as such high constable may under *56 G. 3. c. 49.* and be subject to the like penalties, in case of neglect as such high constables are, *57 G. 3. c. 94. s. 5.*

45. If the churchwardens, overseers of the poor, or other inhabitants of the place, where there is no churchwarden, or overseer, or other person appointed to act as such, shall deem themselves aggrieved by any rate made under this or any other act on any account, they may appeal to any general or quarter sessions against such part of the rule only as affects the parishes, &c. that are unequally rated, over-rated, under-rated, or omitted from the rate; and such sessions may finally determine the same, and either affirm such part of the rate as is appealed against, or correct the inequalities, &c. proved to exist, in such manner as they deem reasonable; but on such appeal no such rate shall be quashed in regard to any other parish, &c. unless such sessions shall deem it necessary to make an entire new rate, and proceed therein, as under this act, *s. 1. pl. 28., 55 G. 3. c. 51. s. 14.*

46. The rates made on any parish, township, or place, (whether extra-parochial or otherwise,) under any act for assessing, collecting, and levying of county rates, shall be paid, levied, and recovered, notwithstanding any appeal to the quarter sessions against such rates, and shall continue to be raised, &c. till the decision of the justices is made on such appeal; but if, on hearing such appeal, such sessions shall order the rate or assessment to be set aside or decreased, and it appears to such court that any parish, &c. hath paid money in consequence of such rates, which ought not to have been paid, then such court may order such proportion of such money so paid by any person, parish, &c. subsequent to notice of appeal, to be repaid out of the general rate of the county, in which the appeal arose; provided that 14 days' notice in writing shall be given by such parties intending to appeal against any rate, to the party against whose rate the appeal is to be made, the clerk of peace for county and the hundred constable, of the intention to try such appeal at next quarter sessions, *57 G. 3. c. 94. s. 2.*

47. In case of any appeals, actions, suits, or proceedings at law, for any thing done under this or any other acts relating to county rates, the expences thereof shall be borne and paid by such parishes, &c. and persons, or such of them, and in such proportions as such justices on any appeal in their sessions or as such courts, wherein such actions, &c. are instituted, shall award, and shall not be paid out of county rate, *id. s. 15.* but see next *pl.*

48. So much of *said recited act* as directs expences of appeals, &c. for any thing done under such act, to be paid by respective parishes, &c. and not out of county rate, is REP. *57 G. 3. c. 94. s. 3* [NOTE. "*said recited act*" refers to *56 G. 3. c. 49.* but there is no enactment of the kind in that act, and it seems to apply to *55 G. 3. c. 51. s. 15.* only, *see s. 4. pl. 42.*]

49. Such sessions may order such allowance to be made to such churchwardens, overseers, collectors, &c. and other persons employed under this act, not herein before provided for, out of such county rates as they deem proper, *55 G. 3. c. 51. s. 16.*

50. In case of any appeal, actions, &c. at law for any thing done in

pursuance of this or any act, relating to county rate, the expences shall be paid by such respective parishes, &c. or such of them, and in such proportion as the sessions, or court wherein depending, shall award and order, *57 G. 3. c. 94. s. 4.*

51. The treasurers of counties or divisions of counties shall, once in each year, publish in a newspaper, circulated in the county or division for which they act, an abstract of an account of their receipts and expenditures under their several heads, for the year preceding, signed by the justices of peace, who credit the same, under penalty of *50l.* for each omission of such publication, *55 G. 3. c. 51. s. 18.*

52. Such justices may demand, and take, when they deem fit, good security, to be approved of by the general or quarter sessions, from high constable employed in collecting and levying such rates; and if such high constable shall neglect on being so called upon to give the same, such sessions may direct the churchwardens and overseers of the poor, and other persons appointed to assess, collect, and levy such rates, to pay it to the county treasurer, and his receipt shall be a discharge for same, *id. s. 19.*

53. All the powers, clauses, &c. of *12 G. 2. c 19.* and also of *13 G. 2. c. 18.* [*viz. s. 7.* save the parts hereby altered and repealed], shall be good for assessing, levying, collecting, and enforcing payment of rates made under this act, and for executing the same, *id. s. 20.*

54. Justices of peace may proceed in the assessing, &c. and enforcing payment of the county rate, either under this act, or any other particular acts, affecting their respective counties as they deem fit, in all cases in which the provisions of this act are not inconsistent with the provisions of such particular acts, *id. s. 21.*

55. All penalties inflicted by this act, if not immediately paid, shall be levied by distress and sale of the offender's goods, by warrant under hand and seal of one justice for the county, not only in the county where offence done, but in any other county, city, or place, such warrant being first properly indorsed by a magistrate for the place where goods are found, returning the overplus after charges of distress, &c. deducted, and if no sufficient distress can be found, then such justices may commit the offender to the common gaol of the county without bail for not exceeding 3 calendar months, unless the forfeitures and charges are sooner paid, and such forfeitures shall be paid to the treasurer of the county, or any division thereof in which incurred, to be applied in aid of the county-rates, and no person shall be deemed an incompetent witness for the purposes of this act, or in any appeal, or other proceeding instituted by virtue hereof, by reason of his liability to pay towards the poor or county-rates within such county, *id. s. 22.*

56. No actions for any thing done in pursuance hereof shall be brought within 3 [calendar, *55 G. 3. c. 51. s. 23.*] months after the fact committed, and shall be laid in county where the cause arose, and the defendant may at his election plead this act specially or the general issue, and give this act and the special matter in evidence, and that the same was done under this act, and if it shall so appear, or if such action is brought after the time so limited, or laid in the wrong county, then the party shall find for the defendants, and in all cases where a verdict is found for defendant in such action, or the plaintiff discontinues after appearance, or is nonsuited, or has judgment against him on demurrer, the defendant shall have treble costs with usual remedy to recover the same, *12 G. 2. c. 29. s. 24., 55 G. 3. c. 51. s. 23.*

57. Where any ridings or divisions have separate commissioners of the peace, or where any cities, &c. within *Eng.* have such commissioners within themselves, and are not subject to such commissioners for counties at large, and did not pay rates made for counties at large before this act was passed, the justices of such separate commissions shall exercise the powers hereby given, and such separate commissions are hereby declared subject thereto, *55 G. 3. c. 51. s. 24.*

58. The justices for counties, ridings, divisions, and parts of counties, and other places having separate jurisdiction in *Eng.* at general or quarter sessions, or at any adjournment thereof shall, when questions concerning any boundary between any counties, ridings, &c. or other such places having separate jurisdiction arise, appoint 2 justices of each county, riding, &c. or place between which such boundary is to be ascertained for the purpose of fixing the same, and the clerks of peace, town-clerks, and other proper officer of the sessions at which such justices are appointed, shall give notice to each other, and to such justices of such appointment; and the justices so appointed shall as soon as may be after appointment meet and proceed to ascertain such boundary, upon such evidence as they deem necessary, either by examination of witnesses on oath, or of any maps, plans, surveys, or other records, or in such other manner as they think requisite, and such justices or any persons authorized under the hands of 3 of them, may enter on any land or premises to examine the same, and make all measurement, maps or plans thereof, and such parties may summon any witnesses, and impose any penalty not exceeding 10*l.* upon any witness that shall neglect to attend on such summons without reasonable excuse, to be recovered as other forfeitures under *55 G. 3. c. 51.* (*s. 22. pl. 55.*) may be, and shall ascertain such boundary, and cause the same so fixed to be laid down on 2 maps or plans to be signed by them, which shall be deposited with the clerk of the peace, town-clerk, or other proper officer of counties, &c. and places between which such boundary shall be so fixed, and which shall be kept with the records of the sessions, and be evidence of such boundaries, and such boundaries so fixed shall be deemed the boundaries of such counties, &c. for which they are ascertained for all the purposes of this act, and of *55 G. 3. c. 51., 56 G. 3. c. 49. s. 2.*

59. If any of the four justices so appointed, or to be appointed as in *s. 2.* shall before execution of the powers hereby vested in them die, decline to act, or become incapable of acting, such justices as in *s. 2.* at general or quarter sessions, or any adjournment thereof, from which such justice so dying, declining to act, &c. was appointed, shall appoint another in his stead, and so from time to time as it becomes necessary, who shall have like power as the justice in whose place he is appointed had, and like notice shall be given to the clerks of peace, &c. as in *s. 2., id. s. 3.*

60. If the justices so appointed, (as in *s. 2.*) shall disagree touching the boundary between any county, &c. so referred to them under this act, or *55 G. 3. c. 51.* and there shall be an equality of votes, then the major part of such justices shall forthwith appoint under their hands some person to act as a referee, who shall within 21 days from receipt of such appointment fix a time and place to meet such justices, and there to ascertain such boundary about which such disagreement arose, in the same manner as before expressed (*s. 2.*), and the determination of such justices and referee shall be final; and after the same is so fixed, they shall cause such boundaries to be laid down on two maps or plans, and signed by such justices and referees, and the same shall be so reported and considered as such evidence, and the boundaries so fixed be deemed such boundaries as is in *s. 2.* expressed, *id. s. 4.*

61. This act shall not determine any question of boundary for any purpose except that of assessing and collecting such rates, according to *35 G. 3. c. 51.* and this act, *id. s. 6.*

62. All the powers, provisions, &c. contained in *55 G. 3. c. 51.* shall be applied to this act, *id. s. 7.*

63. All the powers, provisions, and penalties, in *12 G. 2. c. 29. 13 G. 2. c. 18. s. 7. 55 G. 3. c. 57., 56 G. 3. c. 49.*, and *57 G. 3. c. 94.*, shall extend to all cases and places of parishes, hamlets, and places, extending into two or more counties or divisions, having separate commissioners of the peace, part of such parishes, &c. being in one and part in another of such counties, &c., and the messuages, lands, &c. within which are assessable to the poor therein, and to the county-rate of the respective counties, &c. in which such messuages, &c. are; where there are no separate churchwardens or overseers of the poor, or where no distinct rate is made for the poor, of any such division of any parish, &c., extending into two or more counties, &c. as fully as if here re-enacted; and all constables, churchwardens, and overseers of any such parishes, &c. so extending, shall be subject to the precepts, warrants, orders, and directions of the justices for the respective divisions of such parishes, &c. so far as they relate to making returns required by such acts, and the assessing, &c. of the county-rate, for such divisions of such parishes, &c. or otherwise in execution of the said acts, and of any other acts relating thereto, within such parts of such parishes as are situated within the jurisdiction of the justices issuing such precepts, &c., and shall be subject to the same penalties for neglect or disobedience of such precepts, &c. as such constables, &c. or other officers would have been, had they resided within the jurisdiction of the justices issuing such precepts, &c.; but no justices shall act beyond their jurisdictions, *1 & 2 G. 4. c. 85. s. 1.*

64. The goods of any person made liable by the said acts to pay any rates thereby authorised for any county, &c., city, borough, town corporate, or place, and refusing to pay, may be levied by distress, not only in the place for which the assessment was made, but, in any other place within the same county or precinct, and if no distress within such county, &c. on oath made thereof, before some justice of any other county or precinct (which oath shall be certified under the hand of such justice on such warraut) such goods may be levied in such other county, &c. and all persons aggrieved by such distress, may appeal to the next general or quarter sessions for the county or precinct where such assessment was made, and the justices there shall finally determine the same, *id. s. 3.*

65. In all cases where any forfeiture or other money under the said acts, may, by warrant of any justice be levied by distress and sale of any goods, if no distress can be fouud within the jurisdiction of the justice granting such warrant, on oath thereof, by one witness, before any justice of any other county, &c. (which oath he shall certify on such warrant) such forfeiture, or money, or so much thereof as remains unpaid, may be levied by the persons to whom such warrant was originally directed, by distress and sale of the goods of such person in such other county, &c., and the money thereby arising shall be applied accordingly; and if no distress, such offender shall be proceeded against according to law. *id. s. 4.*

66. No justice who shall endorse any certificate, or authorise the ex-

ecution of any such warrant, shall be accountable for any irregularity done in the obtaining or granting the same, 1 & 2 *G.* 4. *c.* 85. *s.* 5.

COURTS (OF AUGMENTATIONS).

(STATUTES *repealed and expired.*)

1. FOR ESTABLISHING the court of augmentations, 27 *H.* 8. *c.* 27. [REP. by that king's letters patent, *see* 7 *E.* 6. *c.* 2. *s.* 2.]

2. FOR ESTABLISHING by authority of parliament that court as re-erected by letters patent of *H.* 8. (*s.* 3.) after its dissolution as in the last *placitum*, 7 *E.* 6. *c.* 2. [REP. virtually, 1 *El. c.* 4. *s.* 24.]

3. FOR UNITING, DISSOLVING, or new-erecting of courts, [*viz.* of first-fruits and tenths of the augmentation of king's revenue, and for annexing them to the exchequer,] 1 *M. S.* 2. *c.* 10. [EXP. *See* the act recited, 1 *El. c.* 4. *s.* 15.]

4. THE STATUTES for erections of the courts of augmentations and of first-fruits and tenths, are expressly excepted from the revivals of statutes effected by 1 *El. c.* 4. *s.* 24., and are therefore virtually repealed.

COURTS (CHANCERY).

(STATUTES *expired.*)

1. TO INDEMNIFY the masters in chancery upon their discovering what consideration they had paid for their offices, 11 *G.* 1. *c.* 2. [EXP.]

(STATUTES *in force.*)

1. THE OATHS of the clerks of chancery, and of those of course, 18 *E.* 3. (*stat.* 5.)

'Ye shall swear that well and lawfully ye shall serve our lord the king, and his people, in the office of clerk of the chancery, to which ye be attitled: and ye shall not assent nor procure the king's disherison, nor perpetual damage to your power; nor shall you do nor procure to be done, any fraud to any man's wrong, nor thing that toucheth the keeping of the seal; and ye shall lawfully give counsel the things that touch the king, when ye shall be thereto required; and the counsel which you know touching him ye shall conceal. And if you know the king's disherison, or perpetual damage or fraud to be done upon the things which touch the keeping of the seal, ye shall put your lawful power to repress and amend it: and if ye cannot do it, then ye shall certify the chancellor or other, which may do the same to be amended to your intent. [*And for the clerks of course shall be added*] And ye shall not bring, nor to your knowledge suffer to be brought, any writs which ye may make out of the court not sealed, thereof to do execution: nor shall record any attorney by writs nor without writs without special licence, if ye have not lawfully examined the party and the attorney in proper person, or at the least him that shall make attorney in proper person; nor shall ye deliver any writ which shall be of commandment to the examinors, nor to the seal, before that the same writ be sent to you by the commander, which thereof hath power, unless it be to the chancellor, or to one of the masters, which commandeth you to make the writs. And all the writs that ye shall make, ye shall deliver to the examinors by your own hand, or by one companion which is sworn to the king, if ye yourself be out of the court because of sickness or other cause necessary, so that ye cannot do it. And no writ written of another man's hand shall be delivered to the examinors, under your name, as yours, nor no name shall ye put under your writs, but your own, as God you help, &c.' *id. ibid.*

2. WHOSOEVER IS GRIEVED, contrary to any of the articles [therein] above written, or others contained in divers statutes, and cometh into chancery, or any for him, and thereof makes his plaint, shall have remedy there by force of the said articles and statutes without pursuing elsewhere, 36 *E.* 5. *c.* 9.

3. UPON UNTRUE SUGGESTIONS before the council, or in chancery, damages may be awarded, 17 *R.* 2. *c.* 6. [AMD. 15 *H.* 6. *c.* 4 *A.* 4. *c.* 16. *s.* 22. and all jurisdiction of H. M. or the privy council over men's estates is taken away, 16 *C.* 1. *c.* 10. *s.* 5.]

4. When the suggestions on which writs are grounded are found untrue, the chancellor may award damages to the person who is so unduly troubled, 17 *R.* 2. *c.* 6.

5. NO WRIT OF SUBPŒNA SHALL BE GRANTED until surety be found to satisfy the party grieved for his damages and expences, if the bill cannot be verified, 15 *H.* 6. *c.* 4.

6. No subpœna or other process for appearance shall issue out of any court of equity till after the bill is filed with the proper officer in the respective courts of equity, except in cases of bills for injunctions to stay wastes, or stay suits at law commenced, and a certificate thereof brought to the subpœna office, or to him who usually makes out subpœnas or other process in the several courts of equity, under the hand of the six-clerk or other clerk or officer who usually files bills in equity, for which certificate he shall receive no fee, 4 & 5 *A.* *c.* 16. *s.* 22.

7. The six-clerks in chancery may marry and hold their offices, 14 & 15 *H.* 8. *c.* 8. *s.* 1.

8. The power of the master of the rolls in the giving and disposition of the offices of six-clerks, shall not be altered by this act, and they shall attend him as usual, *id. s.* 2.

9. THE AUTHORITY, JURISDICTION, PRECEDENCE, and advantages of the lord keeper of the great seal of *Eng.*, are the same with those of the lord chancellor, 5 *El. c.* 18. and *see* next *pl.*

10. FOR ENABLING LORDS COMMISSIONERS for the great seal to execute the office of lord chancellor, or lord keeper, 1 *W. & M. S.* 1. *c.* 21. (and recital in *s.* 1.)

11. All authority, jurisdiction, emoluments and advantages of the lord chancellor, or lord keeper of the great seal, may be exercised and had by lords commissioners, who shall have precedence next after the peers of the realm and speaker of the house of commons; but if one of them is a peer, he shall take place according to his peerage, *id. s.* 2.

12. One commissioner may, in the absence of the rest, hear motions and give orders as to the interlocutory proceedings in a cause, but shall not make decrees, or put the great seal to any thing soever, unless two commissioners are present, *id. s.* 3.

13. THE DUTY AND FEES OF MASTERS IN CHANCERY, 13 *C.* 2. *st.* 1. [*The above title* is framed to shew the object of this statute, which is taken from the appendix to the 23d vol. of *Pickering's* edition, and will not be found in *Ruffhead's* edition.]

14. One public office shall be kept near the rolls, in which the masters, or one of them, shall constantly attend for administering oaths, caption of deeds, and recognizances, and dispatch of all matters incident to their office, (references upon accounts and insufficient answers only excepted,) from 7 *a. m.* till 12 at noon, and from 2 *p. m.* to 6 at night; and the said masters may take the following fees, *viz. for* every oath taken in the office, 12*d.*; *for* every bill of costs taxed for plaintiff's not putting in his bill, or not proceeding to reply, or for not appearing, 2*s.* 6*d.*; *for* the acknowledgment of every deed to be enrolled, 2*s.*; *for* the caption of every recognizance, 2*s.*; *for* every exemplification examined by 2 masters, to each master who shall examine, for each skin 2*s.*; *for* every report or certificate, in pursuance of any order, upon hearing, 20*s.*; *for* every other certificate or report of any order made on petition or motion, 10*s.*; and any master who receives any reward otherwise, or for any matter, shall, after conviction, be disabled from execution of the offices, and forfeit to the party grieved so much as he shall take contrary to this act, and 100*l.*; one moiety to H. M. and the other to the party grieved; tables of which fees shall be set up in the office and chapel of the rolls, *id. ibid.*

15. FOR BETTER SECURING THE MONIES AND EFFECTS of the suitors of the court of chancery, [*viz.* by appointment of accountant general,] 12 *G.* 1. *c.* 32. *ss.* 1—9. [AMD. 12 *G.* 1. *c.* 33. *s.* 20. 12 *G.* 2. *c.* 24. *s.* 3. 54 *G.* 3. *c.* 14. and sec *s.* 10. of this statute, *tit.* FORGERY.]

"Recital, that whereas the lords commissioners did, on 26*th May*, 1725, make an order for the masters to deliver into the bank the money and effects under their care, and that the lord chancellor did, by order dated 4*th Nov.* following, direct the said order of 26*th May* to be observed, with the additions in the order of 4*th Nov.* contained, which among other things contains as follows;" [*The parts hereof in force follow at length, as confirmed by* 12 *G.* 1. *c.* 32. *s.* 2.]

Jovis quarto die Novembris, 1725.

"*Ordo curiæ.* Whereas the right honourable the late lords commissioners, &c. did on 26*th May* last, order and direct, among other things, that when any money or tallies, orders or bonds, at or after the hearing of any cause, shall be taken under the care of this court, the master shall direct the payment of such money, &c. into the bank; and the monies so paid, and the orders, tallies and bonds so delivered, shall be entered in the master's accounts kept with the bank; but the masters shall have no power to issue any money entered in their said accounts, or to direct the securities to be delivered out. And when any money shall be paid, &c. into the bank, pursuant to the directions aforesaid, the party paying such money, &c. shall take a certificate from one of the cashiers of the bank, of their being placed to the proper master's account; and shall carry the said certificate to such master, who shall thereupon make his report of the payment of such money, &c. into the bank, and file the same at the report office; and the clerk of the said office shall enter the same in the master's book, cause-wise. And when any money shall be directed to be laid out on government securities, the species of the securities shall be mentioned in the order; and in case any of them shall consist of *East-India* bonds, *South-Sea* bonds, or exchequer tallies and orders, the same shall be delivered in at the bank; and if any such securities shall consist of stock in any of the companies, such stock is to be transferred to such master, who shall make a declaration of trust in the companies books, and shall take a certificate thereof from the proper officer, and enter the same in his book at the bank, that the bank may receive the dividends thereupon, and shall also make a report of all such securities; which certificate and report shall be filed at the report-office; and the clerk of the report-office is to enter the dates, sums, and numbers of the bonds, tallies and orders, and quantities of stock in such report mentioned, in the proper master's books kept there. And when any securities deposited at the bank shall be directed to be delivered out, the register shall certify to the master what security is to be delivered out, and the name of the cause; which certificate the clerk in court or solicitor shall deliver to the master, who shall countersign the same; and such certificate shall be a proper authority for the bank to deliver over such security, and enter the delivery of such securities in the master's accounts, causewise;

and it is the duty of the master to supervise such entry, and to certify the same into the report-office to be filed. Bonds, tallies, and orders, shall be taken in and delivered out on *Wednesdays* and *Fridays*, between ten in the forenoon and one in the afternoon, and the master shall receive from the suitor the usual fees for the report and filing the same, and shall answer the fee for filing to the report-office. And when any stock shall be ordered to be transferred by any of the masters to the suitors, the register shall certify to the master what stock he is to transfer, and to whom; which certificate the clerk in court, *&c.* shall carry to the master, who shall within one week, or at the next opening of the books, attend in person, and deliver such certificate to the officer of such company, and transfer such stock, or give sufficient authority so to do. And such certificate shall be an authority to the companies, to permit the master, *&c.* to transfer such stocks, of which transfer the master is to make his report, and procure the same to be filed in the report-office; for the making and filing of which the master shall receive the usual fees, and answer the fee for filing to the report-office; and the transfer of such stock shall be certified by the master to the bank, that such stock may be discharged out of the account of the master there. And when any money belonging to the suitors received by the bank shall be directed to be paid, the clerk in court or solicitor shall carry the order to the master, who shall make a certificate thereof, which certificate such clerk or solicitor shall file in the report-office; and the master shall by note draw on the bank for such money, which note shall be carried to the report-office, and an entry made thereof in the master's book there, and *intratur* shall be written thereon, and signed by the register; which note so entered and signed shall be sufficient authority to the bank to pay such money, as likewise to write off the same from such master's account; but when any money shall be directed to be paid to any suitor out of money to be received by the bank, for interest or maintenance, the master shall by note, without any certificate, draw on the bank; and such note being signed by the master, and entered in the report-office, and countersigned by the register shall be a proper authority. And every master shall on the first day of every term give an account to the secretary of the lord chancellor, of all monies and securities or stocks, that they have issued or transferred in the respective causes since their last account, together with the dates of such orders, and the masters shall compare such account with their books kept at the report-office and at the bank. And no person shall take any fee for doing any thing in pursuance of this order, other than the masters and the clerk of the report-office; and the masters shall only take the same fee for a certificate, as they have been intitled to for a report, and the clerk of the report-office shall only take the same fee for filing the certificate or report, as the clerk of the report-office has been intitled unto for filing the same. And whereas the said order is for the benefit of the suitors; it is ordered by the right honourable the lord high chancellor, that the said order of *26th May* last, wherein it is not herein varied, shall be firmly observed, with the additions following. And it is hereby ordered, that the bank is to receive the interest and dividends on all stocks, bonds, tallies, orders, annuities, and other securities, whereof any of the masters shall be possessed in trust for the suitors; and each master shall impower one of the cashiers of the bank to receive the same; and such interests and dividends shall be entered in the respective master's accounts at the bank; and at the end of every term, but oftener if there be occasion, the bank shall certify cause-wise to each master the sums so received, to the end each master may make like entries in the books kept by themselves, and likewise deliver a copy thereof to the clerk of the report-office, who is to cause the same to be entered causewise in the master's books at the report-office; and as to all mortgages, the particular trusts shall be inserted in the body of the mortgage-deed; and all interest and principal on such mortgages shall by the party be paid into the bank. And all monies, tallies, orders, bonds, securities, and effects, directed to be brought before, or delivered in, or paid to, any master, shall not be brought before, or paid to such master; but when any security, sum of money, or other effects are ready to be delivered or paid in, in obedience to such order, the master shall, on application of the party, certify the date of such order, and the sum of money, tallies, orders, bonds, deposites, securities, and other effects then to be paid or delivered in, and the name of the cause, to the account of which the same is to be placed; and upon the party's delivering such certificate, and payment of such money, or delivering of such tallies or other effects into the bank, the same shall be entered in the respective master's accounts. When the master is by note to draw on the bank for money, such note shall be limited to be paid within a month after date; and if it be not paid within such time, the note shall be void; and when such note is carried to the report-office, there shall also be carried with it the order whereby such payment was directed to be made, and an entry shall be made in the master's book at the office, not only of the note, but also a *memorandum* that it was drawn by virtue of such order, and thereupon an *intratur* is to be made, &c. When the masters certify to the report-office any entry of the delivering out securities, the clerk of the report-office shall make entries according to such certificate in the respective master's books kept in that office, of the delivering out such securities. The bank is to receive the interest and dividends of all stocks, bonds, tallies, orders, annuities, and other securities, whereof the usher shall be possessed in trust for any of the suitors, the usher authorizing one of the cashiers of the bank to receive the same; and such entries are to be made thereof, and such rules to be observed, as herein and in the said recited order are set down for the masters; and as to mortgages, which the usher either singly or jointly may have in trust for the suitors, the same rules shall be observed by the usher, as in the like cases are prescribed to the masters. All monies, tallies, orders, bonds, securities, and other effects, directed to be brought into court, or to be taken under the care of the usher, shall not be brought before or paid to the usher, but shall be paid or delivered into the bank, under the regulations, as the masters are required to do; and the usher shall on his part, in all things relating hereunto, act in like manner as the masters are in such cases obliged to do. If any money or effects of the suitors shall by the usher be invested in any securities, the same methods shall be observed by the usher and others in relation thereto, as are in like cases prescribed to the masters. When any stock or annuities in the name of the usher shall be transferred, or any deposites, interests, or dividends, or other thing contained in the said usher's account, shall be paid or delivered out of the bank, the same method shall be observed, as the masters are appointed to do; and in general the same rules, which are prescribed to be observed by the masters, shall be in like cases *mutatis mutandis* observed by the usher. When any money or effects belonging to the suitors, paid into the bank on account of the usher, shall be directed to be paid out, and the usher is to make a certificate thereof to be filed in the report-office, the usher shall have 2*s.* for signing such certificate; and for every draught that he shall make on the bank, he shall receive 2*d.* in the pound of all money contained in such draught, draughts for interest or maintenance excepted. And it is further ordered, that in all orders to be hereafter made, relating to the monies or effects of the suitors, the several directions of this order shall be followed, although the same should not be particularly expressed in any such future order.

17. The court of chancery may vary the regulations in the said orders or in *ss.* 2—4. contained, and may make such further regulations in the premises as to them shall seem meet, 12 *G.* 1. *c.* 32. *s.* 6.

18. One officer called THE ACCOUNTANT-GENERAL OF THE COURT OF CHANCERY shall be appointed by the high court of chancery to do all such things *relating to the delivery* of the suitors' money and effects into the bank of *Eng.*, and taking them out and keeping the accounts thereof, as in the above recited orders is ordered to be done by the masters and usher of the said court, and shall hold his office at pleasure of the court; an account shall be kept in his name with the bank on behalf of the suitors, according to the directions of the said orders, with respect to the masters, and the same shall be observed by the suitors, the bank, and the accountant-general, except where the court shall otherwise determine, *id. s.* 3.

19. The accountant-general shall, as to the regulations prescribed in the said orders, stand in the place of the masters with no other fee from the suitors than what is allowed to the masters by the said order of *26th May*, *id. s.* 4.

20. All mortgages, tallies, orders, stocks, annuities, and other transferable securities to be taken by direction of chancery for benefit of any suitors thereof, in the name of any officer of the court, shall be taken in the name of the accountant-general, and in all such assignments the particular trust shall be specified, subject in other respects by the rules appointed by the orders in *s.* 1. appointed to be observed to the masters, usher, and others, *id. s.* 5.

21. After the death or removal of any accountant-general, all mortgages, &c. (as in *s.* 4.) vested in him in trust for the suitor, shall vest in his successor, subject to the same trusts without assignment or transfer, and all monies and effects of the suitors for which he shall have credit in his account with the bank, shall be carried to the account of his successor, *id. s.* 7.

22. THE PROPERTY VESTED IN THE ACCOUNTANT-GENERAL of the high court of chancery as such, shall on his death, removal, or resignation *ipso facto*, vest from time to time in his successor, and may be proceeded, &c. upon in his name, 54 *G.* 3. *c.* 14. *s.* 1. [And see *last pl.*]

23. All acts done by any accountant-general, under any order or decree of chancery, touching the property vested in him as such are valid: and so though such acts are done in obedience to orders made touching property, the interest in which, at the time of the acts done, might have remained in any former accountant-general, who had resigned or been removed, or in his heirs, executors, or administrators, if deceased, *id. s.* 3.

24. The accountant-general shall not meddle with the actual receipt of any of the suitors' money or effects, but shall only keep the account with the bank; and while observing the rules hereby or hereafter prescribed by the court, shall not be answerable for any money or effects *not actually* received by him; and the bank shall be answerable for all such money and effects of the suitors by them actually received, 12 *G.* 1. *c.* 32. *s.* 8.

25. ALL THE MONEY DEPOSITED IN THE BANK on account of the suitors of the court of chancery, and by order of court, shall be one common and general cash, and shall be promiscuously issued as the court shall direct, for answering the demands of any of the suitors, 12 *G.* 1. *c.* 33. *s.* 20.

26. NO FEES SHALL BE TAKEN IN THE ACCOUNTANT-GENERAL'S office for any thing directed to be done therein by 12 *G.* 1. *c.* 32. and if any person belonging to the said office presumes to take any fee, he shall be considered guilty of extortion, and liable to be prosecuted for the same by indictment or information; or on complaint in the court of chancery, shall be punished as for a contempt, 12 *G.* 2. *c.* 24. *s.* 3.

27. To PUT AN END TO CERTAIN DISPUTES touching orders and decrees made in the court of chancery, 3 *G.* 2. *c.* 30.

28. All orders and decrees made by the master of the rolls (except such as, according to the course of that court, ought only to be made by the lord chancellor, lord keeper, or lords commissioners of the great seal,) shall be deemed valid orders and decrees of the court of chancery, subject to reversal or alteration by the lord chancellor, so as no such orders or decrees be inrolled till signed by the lord chancellor, *id. s.* 1. [See vice chancellor's appointment, 53 *G.* 3. *c.* 24., *infra*, *pl.* 75, &c.]

29. FOR MAKING PROCESS IN COURTS OF EQUITY EFFECTUAL against persons who abscond, and cannot be served therewith, or who refuse to appear, 5 *G.* 2. *c.* 25.

30. If in any suit in equity the defendant against whom the *subpœna* or other process issues, shall not enter his appearance thereon, as, according to the rules of the court it ought to have been entered, if process had been duly served, and affidavit is made to the satisfaction of the court, that the defendant is beyond the seas, or that on inquiry at his usual place of abode, he could not be found so as to be served with such process, and that there is just ground to believe that he is gone out of the realm, or absconds to avoid being served with process, the court may make an order directing such defendant to appear at a certain day named; a copy of which order shall in 14 days be inserted in the *London Gazette*, and published on some Lord's day immediately after divine service in the parish church of the parish in which the defendant resided within 30 days next before absenting himself; and a copy of every such order made in the court of chancery, exchequer, or duchy chamber of *Lancaster* at *Westminster* shall be posted in some public place at the Royal Exchange in *London*, or if made in any of the courts of equity of the counties palatine of *Chester*, *Lancaster*, and *Durham*, or of great sessions in *Wales*, a copy shall be posted in some public place in some market-town within the jurisdiction of the court, and nearest to defendant's usual abode, (that being also within jurisdiction of the court); and if defendant do not appear within the time limited by the order, or further time appointed by the court, then, on proof made of such publication of the order as aforesaid, the court being satisfied of the truth thereof, may order plaintiff's bill to be taken *pro confesso*, and make such decree thereon as is just, and may issue process to compel its performance, either by sequestration of the whole or a part of the defendant's real and personal estate, or by causing possession thereof to be delivered to plaintiff; and may also order the plaintiff to be paid his demands out of the estate sequestered according to the decree, on his giving security in a sum fixed by the court to abide such order touching the restitution of such estate as they shall make on the defendant's appearance to defend such suit, and on paying the costs ordered by the court; but if plaintiff refuses to give such security, the court shall order the effects sequestered to remain under the direction of the court, either by appointing a receiver, or otherwise, until defendant's appearance to defend the suit, and paying costs to plaintiff, or until further order of the court, *id. s.* 1.

31. Where any defendant is brought up by *habeas corpus*, or other process of court of equity, and refuses to enter his appearance according to the rules of the court, or to appoint a clerk in court, or attorney thereof to act on his behalf, the court may appoint such clerk, &c. to enter any appearance for such defendant, and proceedings may be had thereon as if he had actually appeared, *id. s.* 2.

32. If any person against whom a decree is made on his refusal to enter his appearance, or appoint clerk in court or attorney, is in custody or forthcoming, so that he may be served with a copy of the decree, he shall be so served before process is taken out to compel the performance thereof, *id. s.* 3.

33. Where any decree is made in pursuance of this act against any person out of the realm, or absconding at the time such decree is pronounced, and such person, 7 years after, returns, or becomes publicly visible, he shall likewise be served with a copy of the decree within a reasonable time after his return or public appearance shall be known to plaintiff; but if such defendant die before his return or public appearance, or dies in custody within the 7 years, before his being served with a copy of such decree, then his heir (if he have any real estate sequestered, or whereof possession has been delivered to plaintiff,) or the guardian, committee, or husband of such heir, or if his personal property be sequestered or possession thereof is delivered to plaintiff, his executor or administrator, may be served with a copy of such decree, within a reasonable time after it shall be known to the plaintiff that defendant is dead, and who is his heir, executor, or administrator, or where they may be served, *id. s.* 4.

34. If any person so served shall not within 6 months appear, and petition for a re-hearing of the cause, such decree shall stand absolutely confirmed against the person so served, his heirs, executors, and administrators, and all persons claiming under him by any act subsequent to the commencement of such suit, *id. s.* 5.

35. If any person served with a copy of such decree, shall within 6 months after such service, or if any person not so served shall in 7 years after making such decree, appear in court and petition to be heard respecting the matter thereof, and pay down or give security for payment of reasonable costs, the petitioner, and his heirs, executors, and administrators, and all claimants under him or them by any act done before the commencement of the suit, may be admitted to answer the bill, and issue may be joined, witnesses on both sides examined, and such other proceedings had thereon as if the party had originally appeared, 5 *G.* 2. *c.* 25. *s.* 6.

36. But if any person against whom such decree shall be made, or his heirs, executors, or administrators, shall not within 7 years after making such decree, appear and petition for its re-hearing, and pay down or give security for payment of reasonable costs, such decree shall stand absolutely confirmed against the person against whom it shall be made; and against all claiming under them by any act done subsequent to the commencement of suit, *id. s.* 7.

37. This act shall not make good any proceeding against any person beyond the seas, unless it appear to the satisfaction of the court by affidavit, before making such decree, that such person had been in *Eng.* within 2 years next before the subpœna issued, *id. s.* 8.

38. This act shall not make good any proceeding against any person in any court of equity having limited jurisdiction, unless it appear to such court by affidavit before making such decree, that such person had resided within the jurisdiction of such court within one year next before the subpœna issued, *id. s.* 9.

39. To IMPOWER THE COURT OF CHANCERY TO LAY OUT, on proper securities, a sum not exceeding 35,000*l.* out of the suitors' general cash in the bank of *Eng.* for ease of such suitors, by applying the interest thereof to answer the charges of the office of accountant-general, 12 *G.* 2. *c.* 24. *ss.* 1—2. 4. *see s.* 3. *pl.* 26. [5000*l.* more, 4 *G.* 3. *c.* 32. *s.* 1., 20,000*l.* more, 9 *G.* 3. *c.* 19. *s.* 1. which amend this act: and salaries of clerks of the accountant-general increased out of the dividends on the suitors' common and general cash, 32 *G.* 3. *c.* 42., 46 *G.* 3. *c.* 129. *s.* 1. as well as more clerks appointed 46 *G.* 3. *c.* 129., *infra*, *pl.* 59.]

40. The above sums of 35,000*l.*, 5000*l.*, and 20,000*l.* of such cash in the bank may be placed out on government or parliamentary securities, which may be changed for like securities by the court at pleasure, and the interest thereof applied as in *s.* 2. of these acts, 12 *G.* 2. *c.* 24. *s.* 1., 4 *G.* 3. *c.* 32. *s.* 1., 9 *G.* 3. *c.* 19. *s.* 1.

41. The interest and annual profits on all these sums shall be received by the bank, and credited to an account there raised of interest arising from money placed out in pursuance hereof, and out of which interest first on the sum of 35,000*l.*, mentioned in 12 *G.* 2. *c.* 24., shall be paid quarterly by the bank by order of the court the annual sum of 1020*l.* viz. 650*l.* to the accountant-general; 250*l.* to his first clerk; 120*l.* to his 2d. clerk; (*id. s.* 2.) and out of the interest on the 5000*l.* mentioned in 4 *G.* 3. *c.* 32. *s.* 1., 120*l.* *per ann.* to his 3*d.* clerk, (*id. s.* 2.) and out of the interest on the 20,000*l.* mentioned in 9 *G.* 3. *c.* 19. *s.* 1., 250*l.* *per ann.* to the accountant-general; to his 1st clerk 50*l.*, to his 2d 40*l.*, and to his 4th clerk 120*l.* (*id. s.* 2.) all such salaries to be free of taxes, and in lieu of all fees of office, payable by the suitors to such office, 12 *G.* 2. *c.* 24. *s.* 2., 4 *G.* 3. *c.* 32. *s.* 2., 9 *G.* 3. *c.* 19. *s.* 2.

42. If at any time the whole or any part of the above sums is wanted to answer any of the demands of the suitors, the court may direct the same to be called in, or the securities on which it is placed to be disposed of, in order that the suitors may at all times be paid their respective demands out of the common and general cash belonging to them, 12 *G.* 2. *c.* 24. *s.* 4., 4 *G.* 3. *c.* 32. *s.* 3., 9 *G.* 3. *c.* 19. *s.* 3., and *see pl.* 25.

43. The surplus interest arising from the securities purchased under 12 *G.* 2. *c.* 24., 4 *G.* 3. *c.* 32., 9 *G.* 3. *c.* 19., together with the interest produced from the securities to be purchased with such surplus interest shall, from time to time, by order of chancery, be placed out on government securities, and the interest shall be received by the bank of *Eng.*, and placed to the credit of *an account* to be raised in the books kept at the bank for the suitors of the court "of securities purchased with the surplus money placed to the account of interest arising from monies placed out in pursuance of 12 *G.* 2. *c.* 24.," 9 *G.* 3. *c.* 19. *s.* 4. [See that part of this section which relates to surplus interest arising under 5 *G.* 3. *c.* 28., *infra*, *pl.* 54.]

44. FOR MAKING GOOD A DEFICIENCY IN THE REVENUE of the office of clerk of the hanaper, and for preventing any future deficiency therein, to answer the public services provided for out of the same, and for augmenting the income of the office of Master of the Rolls, 23 *G.* 2. *c.* 25.

44. (*a*) "*Recital* that the office of clerk of the hanaper is an ancient office in chancery; and that through a deficiency in its yearly income, a debt of 10,590*l.* was incurred for fees and allowances due and payable thereout," it is enacted that the sum of 13,698*l.* remaining as surplus unapplied of the fund created by 12 *G.* 1. *c.* 32. *ss.* 1—4., and 9 *G.* 2. *c.* 32. *ss.* 1—3. [Stamp duties EXP.] shall be applied to pay off the above arrear, (*s.* 1.) [*ss.* 2—3. are expired, and relate to the payment of the above arrears.]

45. Out of the stamp duties on writs imposed by this act, [*now* repealed by 55 *G.*3. *c.*184. *s.*1.] there shall be paid to the clerk of the hanaper-office, or his deputy, a yearly sum not exceeding 3000*l.* by equal half-yearly payments on 25*th March*, and 29*th Sept.* in every year, (for issuing which no fee shall be taken,) and the receipt of such clerk, or his deputy, shall be a sufficient discharge for the same, 23 *G.*2. *c.*25. *s.*4.

46. The residue of the 13,698*l.* mentioned in *s.* 1. remaining surplus cash after payment of the debt there also mentioned, shall be placed out at interest on government securities, under direction of the court of chancery, in the name and with the privity of the accountant-general, and placed to the account of the clerk of the hanaper in chancery, to whom the dividends shall be paid in aid of the duties in *s.* 4. mentioned, to make good the annual sum of 3000*l.* granted to H. M. thereout, and a like receipt for the same shall suffice, *id. s.*5.

47. Such yearly sum of 3000*l.* to be paid to the clerk of the hanaper, and the yearly dividends arising from the surplus cash of the 13,698*l.* in the bank of *Eng.* after paying the debt in *s.*1. shall be applied and accounted for as part of the income of that office for the usual purposes thereof, and also for payment of the yearly sum of 1200*l.* to the master of the rolls by equal half-yearly payments on 25 *March* and 29 *Sept.* annually, *id. s.*6.

48. Where the yearly income of the clerk of the hanaper exceeds what is sufficient to pay such 1200*l. per ann.* to the master of the rolls, and also the fees, salaries, and allowances payable thereout, he shall account for such overplus, which, on certificate thereof [from a commissioner of public accounts, see 25 *G.*3. *c.* 52. *s.* 8., ACCOUNTS, PUBLIC, *pl.*9. and *pl* 104.] which he shall make and transmit to the treasury, shall be carried over to his next year's account, and he shall be charged therewith; and only so much of the said yearly sum of 3000*l.* shall be paid to the said clerk of the hanaper towards the next subsequent payment, as with such over plus, ascertained by such certificate, will answer the said yearly sum of 1200*l.* to the master of the rolls, and the several fees, &c. payable thereout, *id. s.*7.

49. If the yearly income of this office falls short of these objects, the treasury may direct any sum, not exceeding she whole sum, saved in former years by applying surpluses to the succeeding year's account, (as in *s.* 7.) to be issued [from *the like stamp duties* REP. *see s.* 4.] and paid to such clerk of the hanaper in aid of such deficiency, as ascertained by a certificate [from a *commissioner of the public accounts* since 25 *G.*3. *c.*52. directed to the treasury as in last *placitum*] and receipts as in *s.*5. shall be sufficient, *id. s.* 8.

50. In case the above duties and interest of the said surplus cash in the bank (*s.* 1.) shall in any one year produce less, and in another more than 3000*l.* the treasury may order such deficiencies to be made good out of such surpluses, so as the whole money issued to the clerk of the hanaper do not, in one year with another, exceed the yearly sum of 3000*l.* *id. s.* 9.

51. The surplus remaining after payment of the several yearly and other sums by this act directed to be issued and paid, shall be disposed of by parliament to the public use, *id. s.* 10.

52. TO PROVIDE FOR MASTERS IN CHANCERY, [*Framed to shew* the general object of these provisions,] 5 *G.*3. *c.*28. [AMD. 9 *G.*3. *c.* 19. *s.*4., 46 *G.*3. *c.*128. *s.*1.]

53. The court of chancery impowered to order the placing out occasionally on government or parliamentary securities 80,000*l.* out of the general cash in the bank belonging to the suitors of the court, the securities being changeable by order of court for other like securities, the interest to be received and accounted for by the bank, and 200*l. per ann.* free of taxes, to be paid thereout half-yearly to each of the 11 masters in ordinary of the court: any overplus belonging to the general cash of the suitors, and the whole 80,000*l.* to be called in by the court if wanted to pay the latter, 5 *G.*3. *c.*28. *ss.*1—3.

54. The surplus interest arising from the securities purchased in pursuance of 5 *G.*3. *c.*28., together with the interest produced from the securities to be purchased with such surplus interest, may, by order of chancery, be placed out from time to time on government securities, and the interest thereof shall be received by the bank of *Eng.*, and placed to the credit of '*an account*' to be raised in the books of the bank '*of securities purchased with surplus money, placed to the account of interest arising from monies placed out in pursuance of* 5 *G.*3. *c.*28., 9 *G.*3. *c.*19. *s.*4. [*See rest of this* section relating to the application of surplus interest arising under 12 *G.*2. *c.*24., 4 *G.*3. *c.*32., 9 *G.*3. *c.*19. *ante, pl.*43.]

55. OUT OF THE DIVIDENDS of the securities carried to the '*account of monies placed out for the benefit and better security of the suitors of chancery*' by 32 *G.*3. *c.*42. *pl.*58. the bank shall pay 400*l. per ann.*, by half-yearly payments, to each of the 11 masters in chancery, free from parliamentary taxes, in addition to the 200*l. per ann.* given by 5 *G.*3. *c.*28., 46 *G.*3. *c.*128. *s.*1.

56. The lord chancellor, lord keeper, or lords commissioners, having custody of great seal, may order an annuity of 1500*l.* out of this fund to be paid to any of the masters of 20 years standing, or who is disabled by permanent infirmity from discharging his duty on resigning his office, 46 *G.*3. *c.*128. *s.*2.

57. The surplus annual produce arising from the money placed out, on securities pursuant to 12 *G.*2. *c.*24., 4 *G.*3. *c.*32., 5 *G.*3. *c.*28. 9 *G.*3. *c.*19., 14 *G.*3. *c.*43., 32 *G.*3. *c.*42., 46 *G.*3. *cc.*128—129. and the interest arising from the securities purchased by such surplus interest beyond what is sufficient to answer the purposes of the recited acts shall be placed out for the benefit of the suitors as in 32 *G.*3. *c.*42. to the credit of the account therein raised, and intituled '*an account of securities purchased* with surplus interest arising from securities, carried to '*an account of monies placed out for the benefit and better security of the court of chancery*, [*see pl.*60.] being applicable to answer the demands of the suitors, should it become necessary to call in any of their money so placed out, 46 *G.*3. *c.*128. *s.*4. [and all securities purchased pursuant to the above acts may be changed by order of the court of chancery, *id. s.*5., and the whole, or any part thereof, may be called in to answer the demands of the suitors, *id. s.*6.]

58. TO EMPOWER THE COURT OF CHANCERY TO LAY OUT A FURTHER SUM OF THE SUITORS' MONEY ON PROPER SECURITIES, and for applying the interest towards discharging the expence of the office of accountant-general, and for building offices for masters in chancery, a public office for the suitors, offices for secretaries of bankrupts and lunatics, and repositories for securing the title deeds of the suitors, and the records, &c. of the commissioners of bankrupts and lunatics, 32 *G.*3. *c.*42. [AMD. 46 *G.*3. *c.*129.]

59. TO PROVIDE ADDITIONAL SALARIES TO THE PRESENT CLERKS IN THE ACCOUNTANT-GENERAL'S OFFICE OF CHANCERY, and to provide additional clerks for such office with salaries, and to make other payments in respect of the said office, 46 *G.*3. *c.*129.

60. 300,000*l.* of the suitors' unemployed cash shall be placed out from time to time by order of chancery on government or parliamentary securities, and shall be carried to '*an account of monies placed out for the benefit and better security of the suitors of the high court of chancery*,' or application of dividends as hereinafter mentioned, 32 *G.*3. *c.*42. *s.*1.

61. The interest and dividends of such securities shall be received by the bank, and carried to '*an account to be raised of interest arising from monies placed out for the benefit and better security of suitors in chancery*,' *id. s.*2.

62. Out of which shall be paid the yearly sums of 100*l.* as an additional salary to the accountant-general's 1*st* clerk, of 140*l.* as an additional salary to his 2*d* clerk, and of 80*l.* and 30*l.* as additional salaries to his 3*d* and 4*th* clerks, of 120*l*, each to his 5*th* and 6*th* clerks, and of 100*l.* to his 7*th* clerk, payable as now used, and free of taxes, *id. s.*3.

63. Out of the dividends arising (as in *pl.*60.), and out of the dividends carried to the account, intituled '*account of securities purchased with surplus interest arising from securities carried to the account of monies placed out for benefit and security of the suitors of chancery*,' the accountant-general's clerks shall be paid quarterly, these additional yearly salaries free of taxes; *viz.* 100*l.* to the 1*st.*, 100*l.* to the 2*d.*, 200*l.* to the 3*d.*, 250*l.* to the 4*th.*, 180*l.* to the 5*th.*, 180*l.* to the 6*th.*, 200*l.* to the 7*th* clerk of the accountant-general, as well as the following from time to time to 4 additional clerks for the time being: *viz.* to the 8*th* clerk 180*l.*, 9*th* 180*l.*, 10*th* 180*l.*, 11*th* 180*l.*, and 200*l. per ann.* shall be paid quarterly to the accountant general to provide furniture, books, coals, and other necessary articles for his office, and for paying persons to take care of the same, 46 *G.*3. *c.*129. *s.*1.

64. 30,000*l.* arising from the same dividends in *s.*1. of this act mentioned, may be laid out in buying ground for the offices and repositories above directed to be built, and other sums may be granted, either yearly or in gross, for keeping them in repair, with the offices of the registrar and accountant-general, and for insuring them from fire, 32 *G.*3. *c.*42. *s.*3.

65. Offices for masters in chancery, secretaries of bankrupts and lunatics, and for the repositories above mentioned, and a public office shall be built and ground, buildings, &c. purchased for the purpose, and kept in repair and insured by sums of money granted from time to time by order of court for that purpose, *id. ss.*4, 5.

66. If the offices or chambers so to be built, are built *out* of the liberty of the rolls, wherein the masters in ordinary in chancery are now rated to the land-tax, the latter shall only pay land-tax within the rolls liberty, and not elsewhere, which land-tax may be raised as if the new offices, &c. hereby built were situate within the local jurisdiction of the persons authorized to enforce payment of land-tax in that liberty, *id. s.*6.

67. As soon as the 21,295*l.* 13*s.* 2*d.* in 17 *G.*3. *c.*59. is replaced, all the securities purchased pursuant to 12 *G.*2. *c.*24., 4 *G.*3. *c.*32., 5 *G.*3. *c.*28., 9 *G.*3. *c.*19., 14 *G.*3. *c.*43., 15 *G.*3. *c.*22., 15 *G.*3. *c.*56., 17 *G.*3. *c.*59. or any of them, or this act, shall be transferred to the '*account of monies placed out for benefit*, &c. *of suitors of chancery*," (*ante, s.*1. *pl.*60.) and shall make an AGGREGATE FUND, from which the present salaries of accountant general, and his 4 clerks under 12 *G.*2. *c.*24. *ss.*1, 2. *pl.*40—41. of the

masters in chancery under *5 G.3. c.28.*, and the additional salaries to the accountant general's *5th*, *6th* and *7th* clerks by this act (*s.3.*) directed shall be paid, *32 G.3. c.42. s.9.*

68. All the surplus interest arising from the securities purchased pursuant to the acts in *s.9.* recited, and this act; and from the securities purchased with such surplus interest, shall from time to time be placed out on government or parliamentary securities, and placed to the credit of '*account of securities purchased with the surplus interest arising from the securities carried to an* 'account of monies placed out for the benefit, *&c.* [*see pl.60.*] *of the suitors of chancery,* and such fund shall be applicable to answer the demands of the suitors if found necessary to be called in, *32 G.3. c.42. s.10., 46 G.3. c.129. s.2.* [similar enactment, *46 G.3. c.128. s.4.*]

69. Securities purchased pursuant to the recited acts, or these acts, may be changed by order of chancery, *32 G.3. c.42. s.11., 46 G.3. c.129. s.3.*

70. All the money placed out in pursuance of the recited acts, or of these acts, may be called in by the court, if necessary for payment of suitors' demands out of their common and general cash, [*see pl.25.*] *32 G.3. c.42. s.12., 46 G.3. c.129. s.4.*

71. FOR BETTER ADMINISTRATION OF JUSTICE WITHIN THE U.K. [*viz.* in the courts of equity of *Eng.* and *Ire.*], *41 G.3. U.K. c.90. ss.5—6* [see rest of this title, and *ss.1—4.* of this statute DEBT to and from the KING, *ss.7—8. pl.38—40.* COURTS (Exchequer) *pl.72.* and *s.9.*, STATUTES.]

72. Where, in any suit between party and party, or in any proceeding by petition, in cases of minors, bankrupts, idiots, or lunatics, any decree shall be pronounced, or order made for payment of, or accounting for money by the court of chancery in *Eng.* the lord chancellor, keeper, or commissioners for great seal of *Eng.*. shall, on application made, cause a copy of such order or decree to be certified to the *Irish* chancery under the great seal of *Eng.*, and the lord chancellor, &c., having custody of the *Irish* great seal, shall cause it to be enrolled in the *Irish* chancery, and that court shall issue process of attachment against the person of the party against whom such order or decree is made, to enforce obedience to the same; and shall from time to time make orders on petition, for payment of the money levied under such process, into the bank of *Ire.*, with privity of accountant-general, for the benefit of the party having obtained the decree; which bank shall hold such monies, subject to the orders of the *Irish* chancery, and not liable to poundage for the usher when paid out by order of that court, *id. s.5.* [and same provisions *vice versâ* where the decree is in the chancery of *Ire.*, *id. s.6.*]

73. TO REMOVE DOUBTS TOUCHING APPOINTMENTS to certain offices in the court of chancery, made during the vacancy of the office of register and keeper of the register, and registers in that court, *45 G.3. c.75.*

74. The chancellor may appoint persons to be sub-registrars and filers of the reports, and certificates of decrees, &c. or to be entering-clerks, or to other places otherwise in the patronage of the registrar during the vacancy of that office, *id. s.1.*

75. TO FACILITATE THE ADMINISTRATION OF JUSTICE, *53 G.3. c.24.*

76. H.M. empowered to appoint a fit person, being a barrister at law of 15 years' standing at least, to be an additional judge assistant to the lord chancellor, lord keeper, or lords commissioners, for custody of the great seal for the time being, and to be called *Vice Chancellor of Eng.*, and to hold his office during good behaviour, *id. s.1.*

77. The vice-chancellor may hear and determine all causes in the chancery of *Eng.*, either as a court of law or equity, or incident to a ministerial office thereof, or submitted to jurisdiction of the chancellor, &c., as in *s.1.*; by act of parliament, as the chancellor, &c. shall from time to time direct; and all his decrees thereon shall be valid subject to reversal or alteration by the chancellor, &c., and shall not be enrolled till signed by the latter, *id. s.2.* [and see *ante*, *3 G.2. c.30. s.1. pl.27.*]

78. The vice-chancellor cannot alter any decree of the chancellor, &c., or of the master of the rolls, *53 G.3. c.24. s.2.*

79. He shall sit for the chancellor, &c. (as in *s.1.*) whenever required, and shall, at such other times as the latter shall direct, sit in a separate court, whether the latter or the master of the rolls are sitting or not (*id. s.3.*), and has precedence next to the master of the rolls, *id. s.4.*

80. H.M. may appoint him a secretary, train-bearer, and usher, and the officers appointed to attend the chancellor shall attend him when sitting for him, and otherwise, as the latter shall direct, *id s.5.*; and H.M. shall remove him on address of both houses, *id. s.6.*

81. He shall swear faithfully to execute the office to the best of his skill and power, before the chancellor, or master of the rolls, *id. s.7.* [the form of oath is annexed to this section.]

82. A sum of money belonging to the suitors in chancery, not exceeding 60,000*l.*, lying unemployed at the bank, may be placed out on government or parliamentary securities, for payment from the dividends thereof of a net salary of 5000*l. per ann.* to the vice-chancellor, a net salary of 200*l.* to his secretary, 100*l.* to his train-bearer, and 80*l.* to his usher, payable quarterly, free of all deductions, on 10 *Jan.*, 10 *Apr.*, 10 *Jul.*, and 15 *Oct.*, and on the same days, together with a proportionable part of any quarterly payment due from the last quarter day preceding their removal from office, *53 G.3. c.24. s.8.*

83. The chancellor, &c may, by order of court, change such sureties for other like securities, *id. s.9.*; and if the money in *s.1.* should be wanted, to answer the demands of the suitors of the court, it may be called in and applied to that purpose, *id. s.10.*

84. The costs of all proceedings under this act shall be paid by the bank out of the above dividends, *id. s.11.*

85. The chancellor, &c. (as in *s.1.*) shall pay to the bank quarterly the annual sum of 2500*l.* out of the fees of the great seal, to be carried to the account of the interest and dividends hereinbefore mentioned, and to be applicable to all the purposes thereof, *id. s.12.*

86. The vice-chancellor and his officers shall receive no fees for business done, but the chancellor (as in *s.1.*) or his officers, shall receive the same as if the business had been done by them, *53 G.3. c.24. s.13.*

COURTS (COMMON PLEAS).

1. COMMON PLEAS SHALL NOT FOLLOW OUR COURT, but shall be holden in some place certain, *9 H.3. M.C. c.11.*

2. THE JUSTICES OF C.P. before removal of that court, shall have warning that they may adjourn the parties for such time that they shall not lose their process, *2 E.3. c.11.*

COURTS (CONSCIENCE).

1. ALL STATUTES FOR ERECTING COURTS OF REQUESTS or conscience, for recovery of small debts in cities, towns corporate, and other places in this kingdom, shall be deemed public, and shall be judicially noticed as such, without specially pleading the same, *27 G.2. c.16. s.2.*

2. FOR REDUCING THE TIME FOR THE IMPRISONMENT of debtors committed to prison on prosecutions in courts of conscience, for abolishing fees paid by those debtors to gaolers, or others, on account of such imprisonment, *25 G.3. c.45.* [PUBLIC *clause*, *id. s.8.* AMD. *26 G.3. c.38.*, which is the same act, except in those words of *25 G.3. c.45.*, which confine it to *London*, *Middlesex*, and *Southwark*, and also except *s.2.* of *26 G.3. c.38.* and *s.8.* of *25 G.3. c.45.*]

3. No debtor or defendant, committed to gaol by order of any court for the recovery of small debts, where the debt does not exceed 20*s.*, shall be kept in custody, on any pretence soever, more than 20 days from his commitment; and where the original debt does not amount to or exceed 40*s.*, more than 40 days; and all gaolers shall discharge such persons accordingly, *25 G.3. c.45. s.1., 26 G.3. c.38. s.1.*

4. In case upon summons of any person for debt before such court, information of any fraudulent concealment of money or goods is given, such court shall hear evidence thereon; and in case it is proved to their satisfaction, on oath of 2 witnesses, which, if falsely taken, shall subject them to the penalties of perjury, that such debtor has money or goods fraudulently concealed, the court, &c. may then enlarge the imprisonment for debts under 20*s.* to not exceeding 30 days; and for debts under 40*s.* to not exceeding 60 days, which ground of further detention shall be specified in the commitment; and the depositions of witnesses shall be entered in a book, to be kept by the clerk of the court, *26 G.3. c.38. s.2.*

5. At expiration of times of imprisonment, such person shall immediately be discharged, without paying any fees to the gaoler; and every gaoler demanding or receiving any fees, upon discharge of such person, or keeping him prisoner after the times limited, shall forfeit *5l.*, *25 G.3. c.45. s.2., 26 G.3. c.38. s.3.*

6. Two justices of the county or place where the offence is committed, may determine offences against this act, and shall, on information or complaint summon the accused, and also the witnesses on either side, and examine into the matter of fact; and on proof thereof, by confession, or oath of one witness, shall give judgment for the penalty, and issue their warrant for levying such *5l.* on the offender's goods, and shall cause sale to be made thereof, in case they are not redeemed in 4 days, rendering to the party the overplus; and where goods cannot be found to answer the penalty, may commit such offender to prison for 2 months, unless the same be sooner paid, *25 G.3. c.45. s.3., 26 G.3. c.38. s.4.*

7. All forfeitures under this act (the charges of recovery being deducted) shall be divided, and one moiety paid to the overseer, for support and maintenance of the poor of the parish where the offence is committed, and the other to the person who shall sue, *25 G.3. c.45. s.4., 26 G.3. c.38. s.5.*

8. But no person shall be committed under these acts unless complaint or information shall be made or exhibited within 2 calendar months after offence committed, *25 G.3. c.45. s.5., 26 G.3.c.38. s.6.*

9. Such court shall not issue any process against the body of any person, where the party entitled to judgment shall at same time have

obtained any warrant against the goods of same person, 25 *G.*3. *c.*45. *s.*6., 26 *G.*3. *c.*38. *s.*7.

10. No person shall be capable of acting as a commissioner in execution of any acts constituting such courts, unless he is a householder within the county or place for which he shall act, and is possessed of a real estate of the annual value of 20*l.*, or of a personal estate of 500*l.* value, and if any person not so qualified shall act as commissioner under such acts, he shall forfeit 20*l.* to any person suing, to be recovered with full costs by action of debt, or on the case, wherein no essoin, &c. or more than 1 imparlance shall be allowed, and persons so prosecuted shall prove that they are qualified, or otherwise shall pay the penalty upon proof given of their having acted as such commissioner, provided such action be commenced within 6 calendar months, and laid within county or place where the offence committed, 25 *G.*3. *c.*45. *s.*7., 26 *G.*3. *c.*38. *s.*8.

COURTS, (OF CONSTABLE & MARSHAL OF ENGLAND *or* OF CHIVALRY).

1. NO SUIT WHICH OUGHT TO BE DISCUSSED at common law, shall be drawn before the constable and marshal of *Eng.*, but their court and the common law courts shall have their respective jurisdictions, 8 *R.*2. *c.*5.

2. THE CONSTABLE HATH COGNIZANCE OF CONTRACTS touching deeds of arms and of war out of the realm, which cannot be discussed at common law, the plaintiff shall fully declare his matter in his petition before it be sent for any man to answer thereto; and every person who complains that any plea is commenced before the constable and marshal, which might be tried at common law, shall have a writ of privy-seal directed to the constable and marshal, to cease in that plea till it be discussed by H. M.'s council, whether the matter should pertain to that court, or be tried at common law, 13 *R.*2. *S.*1. *c.*2.

COURTS (COUNTY).

1. AT WHAT TIME SHALL BE KEPT A COUNTY COURT, sheriffs turn, and a leet, 9 *H.* 3 *M.C. c.*35. [AMD. as to turns, 31 *Ed.*3. *c.*15. CONF. as to county courts, 2&3 *Ed.*6. *c.*25. *s.*2.]

2. No county court shall be held but from month to month, [2&3 *Ed.*6. *c.*25. *s.*2. S.P.] and where a greater term has been used, it shall be greater, nor shall any sheriff or his bailiff, make his turn through the hundred but twice a-year, in the accustomed place, *viz.* once after *Easter*, and once after *Michaelmas*, [31 *Ed.*3. *c.*15. S.P., or lose their turn for that time, *id.ibid.*,] and the view of frank-pledge shall then be made, so that every man have his franchises, and so that the king's peace may be kept, and the tithing kept intire, and the sheriff do not seek pretences, but be content with his usual fees, 9 *H.*3. *M.C. c.*35.

3. ARCHBISHOPS, BISHOPS, EARLS, BARONS, MEN OF RELIGION, OR WOMEN, shall not need to come to the sheriffs turn, unless their presence be specially required for some cause; and if any have tenements in divers hundreds, they shall not need to come to the turn, but in the bailiwicks where they dwell, 52&54 *H.*3. *c.*10.

4. No sheriff shall suffer any barretor or maintainer of quarrels in the shires, nor stewards, and those who are not attornies of their lords, to make suit; nor to pronounce the judgments, unless requested of all the suitors; and if any do it, the king will grievously punish the sheriff and him, 3 *Ed.*1. *c.*33. *West.*1. No maintainers of quarrels shall be suffered in the county court, 3 *Ed.*1. *West.*2. *c.*33.

5. TO PREVENT MALICIOUS IMPRISONMENT by sheriffs, 13 *Ed.*1. *West.*2. *c.*13.

6. The sheriffs in their turns and elsewhere, when they have to enquire of malefactors, by precept of H.M., or of their office, shall make their inquests by lawful men, at least twelve, who shall set their seals to their inquisitions; and the sheriffs shall take and imprison those whom by such inquisitions they shall find guilty, as they have used to do: and if they shall imprison others, such persons imprisoned shall have their action by writ of imprisonment against the sheriff, as against any other person: and so it shall be observed of every bailiff of franchise 13 *Ed.*1. *c.*13.

7. Indictments in sheriff's turn shall be by deed indented, 1 *Ed.*3. *st.*2. *c.*17.

8. Sheriffs and bailiffs of franchises, and all others who take indictments in their turns or elsewhere, shall take such indictments by roll indented, whereof one part shall abide with the indictors, and the other with him that takes inquest, so that the indictment is not embezzled, so that one of the inquest may shew one part of the indenture to the justice, when he shall come to make deliverance, 1 *Ed.*3. *c.*17.

COURTS (ECCLESIASTICAL).

1. WHERE PEOPLE OF HOLY CHURCH suing in the spiritual court for tythes, and other things of right pertaining to such court, and the judges of holy church, and other persons, be maliciously for this cause indicted and oppressed, and forced by obligations to desist, against the liberties of holy church, all such obligations made by duress shall be of no force; and as to those who by malice procure such indictments after the indictees be acquitted, such procurers shall incur the penalty of *West.*2. of those who procure false indictments, and the justices before whom such indictees are acquitted, may enquire of such procurers and punish them, 1 *R.*2. *c.*13.

2. WHEREVER THE COPY OF ANY LIBEL in a suit in the spiritual court is grantable by law, it shall be granted and delivered to the party without difficulty, 2 *H.*5. *st.*1. *c.*3.

3. THE CLERGY CALLED TO CONVOCATION by H. M.'s writ, and their servants shall enjoy such liberty in coming, tarrying, and returning as the peers and commons of the realm called to parliament ought to enjoy, 8 *H.*6. *c.*1.

4. THAT NO PERSON SHALL BE CITED out of the diocese where they dwell, except in certain cases, 23 *H.*8. *c.*9. (and recital in *s.*1.)

5. No person shall be cited to answer before any judge spiritual out of the diocese, or peculiar jurisdiction where he dwells, except for spiritual offence, or cause done or neglected to be done, contrary to right, by the bishop ordinary, or other person having spiritual jurisdiction, or being a spiritual judge, or by other person within the diocese or other jurisdiction, to which he shall be cited, or otherwise lawfully called to appear and answer, *id. s.*2.

6. And except it be on matter of appeal, or for other lawful cause, wherein any party shall find himself grieved by the bishop, ordinary, or spiritual judge of the diocese, after the matter there first commenced; or in case the bishop, &c. will not convent the party to be sued before him, or if he is party to the suit, or in case he make request to the archbishop or superior ordinary to take the matter before him, and that only where the civil or canon law affirms execution of such request to be lawful; on pain of forfeiture to the person cited of double damages and costs, to be recovered against such ordinary, &c. by action of debt or information, and on forfeiture for every person so cited of 10*l.*, one-half to H. M., and the other to any person suing for same, *id. s.*3.

7. Every archbishop may cite any persons inhabiting within his province for causes of heresy, if the immediate ordinary consent, or do not his duty, *id. s.*4.

8. This act shall not extend to the prerogative of the archbishop of *Canterbury*, of calling persons out of the diocese for probate of testaments, *id. s.*5.

9. No archbishop or ordinary shall demand any more money for sale of any citation, except 3*d.*, under the penalties in *s.*3., *id. s.*6.

10. This act shall not prejudice the archbishop of *York* concerning probate of testaments within his province, *id. s.*7.

11. APPEALS IN SUCH CASES AS HAVE BEEN USED TO BE pursued to the see of *Rome*, shall not from henceforth be had or used but within this realm, 24 *H.*8. *c.*12, and *s.*1. [REP. 1&2 *P.&M. c.*8. *but* REV. 1 *El. c.*1. *See as to* suing to foreign courts, PRÆMUNIRE.]

12. All causes testamentary, causes of matrimony, and divorces, rights, tithes, oblations, and obventions, the knowledge whereof appertains to the spiritual jurisdiction of this realm, to be commenced within this realm, or any of H. M.'s dominions, whether they concern H. M. or other subjects or resiants, shall be adjudged and determined within H. M.'s jurisdiction in such courts spiritual and temporal as the nature of the causes may require, without respect to any custom to the contrary, any foreign inhibitions, appeals, sentences, excommunications, restraints, judgments, or other process from the see of *Rome*, or any other foreign potentate, or from or out of this realm, or any of H. M.'s dominions to such see or potentate to the let thereof notwithstanding; and H. M. and all other such subjects and resiants, notwithstanding any excommunication, or other censures or process are fulminated within this realm or elsewhere, for any such causes in contempt of this act, may have the benefit of such processes, sentences, judgments, and determinations done in any such courts spiritual or temporal within H. M.'s dominions, and those only, 24 *H.* 8. *c.* 12. *s.*2.

13. All spiritual prelates, pastors, ministers, and curates within H. M.'s dominions may minister the sacrament, divine service, and other things unto all subjects thereof as Catholic and Christian men ought to do, any former citations, inhibitions, &c. from the see of *Rome*, or other foreign potentate notwithstanding, and all such spiritual persons, who by reason of such censures, inhibitions, &c. refuse to minister such sacraments, &c. shall be imprisoned for the year, and make fine at H. M.'s pleasure, *id. s.*3.

14. Every person within H. M.'s dominions, who for any such cause shall attempt, move, or procure to the see of *Rome*, or any other foreign court, any foreign process, citations, inhibitions, &c. or shall execute the same, or do any act to the let of any process, sentence, judgment, &c. to be had in any court within H. M.'s dominions for any such cause, contrary hereto, shall, together with his abettors, &c. on

conviction incur the penalties provided by the statute of *Præmunire*, (16 *R.*2. *c.*5.) 24 *H.*8. *c.*12. *s.*4.

15. In cases where H. M.'s subjects have heretofore used to pursue any appeal to the see of *Rome*, and in cases of appeal for the causes aforesaid, they may have their appeals within this realm, as follows, (*viz.*), first from the archdeacon or his official, if the matter be there begun, to the bishop diocesan of the see, *id. s.*5.

16. And if it be commenced before the bishop diocesan or his commissary, from them within 15 days following the judgment or sentence thereof given, to the archbishop of *Canterbury* or *York*, within whose province it is, and so to other archbishops within H. M.'s dominions to be there definitively adjudged without any other appellation, &c. *id. s.*6.

17. And if the matter for any such causes is commenced before the archdeacon of any archbishop, or his commissary, then the party may appeal within such 15 days as in *s.*6. to the court of arches of the same archbishop, and from such court within 15 days after sentence there given, to such archbishop, to be definitively determined without further appeal, *id. s.*7.

18. All matters for any such causes commenced before any such archbishop, shall be definitively determined before him without any other appeal, or other foreign process, otherwise than as is hereby limited, saving the prerogative of the archbishop and church of *Canterbury*, in all such cases of appeals to him to be sued within this realm, as he has been accustomed, *id. s.*8.

19. In case of any such causes depending in any such courts which may concern H. M., the party grieved may appeal from any of such courts of this realm where the matter in contention touching H. M. is, to the spiritual prelates of the Upper House assembled by H.M.'s writ in the convocation being or next ensuing within the province where the matter is begun, so that such appeal is taken within 15 days after sentence, &c. given, and whatsoever is done by such prelates concerning H. M. in such appeals shall be final, and never after come in question, *id. s.*9.

20. If any person pursue any appeal contrary to this act, or refuse to obey all things therein contained, touching such appeals, and other foreign processes sued out of this realm, they and their abettors, &c. shall incur the penalties provided in the statute of *præmunire*, (16 *R.*2. *c.*5.) with the like process against such offenders, as in such act appeareth, *id. s.*10.

21. FOR THE SUBMISSION OF THE CLERGY to H. M., 25 *H.*8. *c.*19. [CON. as to *ss.*1, 2, and *s.*7. by 27 *H.*8. *c.*15., 35 *H.*8. *c.*16., REP. 1 & 2 *P.* & *M.* *c.*8., REV. 1 *El.* *c.*1. *s.*10., a similar act, 3 & 4 *E.*6. *c.*11. EXP.]

22. The clergy shall not claim or put in use any constitutions or canons, or enact or execute any such ordinances in their convocations without H.M.'s assent, on pain of fine and imprisonment, 25 *H.*8. *c.*19. *s.*1.

23. H.M. may assign 32 persons to examine the canon laws, *id. s.*2. [*sed Qu.* REP. by 1 & 2 *P.* & *M.* *c.*8., or EXP. with the similar enactments in 35 *H.*8. *c.*16., 3 & 4 *E.*6. *c.*11., and *Qu.* if REV. by 1 *El.* *c.*1. *s.*10..] no canons shall be made or put in execution within this realm by authority of convocation, which shall be repugnant to H. M.'s prerogative, or the customs or laws of the realm, 25 *H.*8. *c.*19. *s.*2.

24. No appeals shall be made out of H. M.'s dominions, to the bishop or see of *Rome*, in any causes beginning in any courts within H. M. dominions, but all appeals, what cause soever they concern, shall be made as is limited for appeal in case of matrimony, tithes, &c. by 24 *H.*8. *c.*12. *pl.* 12., *id. s.*3.

25. APPEALS MAY BE HEARD FROM THE ARCHBISHOP'S court to that of chancery, in which case a commission under the great seal shall be directed to persons named by H. M. to hear and determine the same (now called the *Court of Delegates*), and their sentence is definitive, and no further appeals shall be had, *id. s.*4.

26. Every person, his counsellors, aiders, and abettors, who shall sue any appeals to the bishop or see of *Rome*, or procure or execute any process therefrom to derogation of this act, shall incur the penalties of a *præmunire* in 16 *R.*2. *c.*5., *id. s.*5.

27. Appeals from places exempt, which before this act were made to *Rome*, may now be taken immediately to H. M. into the court of chancery and there definitely determined by authority of H.M.'s commission as in *ss.*1, 2., *id. s.*6.

28. DOCTORS OF CIVIL LAW MADE CHANCELLOR, VICAR-GENERAL, commissary official, scribe or register by H. M.. or by any bishop, archdeacon, or other having authority under him, may exercise ecclesiastical jurisdiction whether lay, married or unmarried, 37 *H.*8. *c.*17. *s.*4. [*see recitals in ss.*1—3. REP. 1 & 2 *P.* & *M.* *c.*8. *s.*22. REV. 1 *El.* *c.*1. *s.*12.]

29. FOR PREVENTING FRIVOLOUS AND VEXATIOUS SUITS in ecclesiastical courts, 27 *G.*3. *c.*44.

30. Suits in such courts in *Eng.*, *Wa.*, or *Ber.* for defamatory words, shall be commenced within 6 months from the time when they were uttered, *id. s.*1.

31. Like suits for fornication or incontinence, or for striking or brawling in any church or church-yard, shall be commenced in 8 months after offence, but shall not be commenced or carried on for fornication after the intermarriage of the offenders, 27 *G.*3. *c.*44. *s.*2.

32. FOR BETTER REGULATING ECCLESIASTICAL COURTS IN ENG. and *Ire.*; 53 *G.*3. *c.*127. *ss.*1—3. *Eng.*, 54 *G.*3. *c.*68. *ss.*1—3. *Ire.* [*See rest* of these titles and statutes, TITHES, *infra.*]

33. Excommunication in all cases [except in definitive sentences, or interlocutory decrees, having force of definitive sentences, and pronounced as spiritual censures for offences of ecclesiastical cognizance, *s.*2. of both acts,] shall be discontinued in *Eng.* and *Ire.*; and instead thereof the judge who issued the citation, or who made the decree which have been disobeyed, or before whom the contempt is committed, shall pronounce such person contumacious, and signify the same in 10 days to H. M. in chancery by *significavit*, [*See* the forms thereof in *sch.* A. in both acts, APPENDIX]. The officers of chancery shall then issue a *contumace capiendo* [*sch.* B. of both acts] directed to the persons to whom writs *de excommunicato capiendo* have been heretofore directed, which shall be returnable in like manner and subject to all the regulations of law, applying to the writ *de excommunicato capiendo* [particularly the provisions of 5 *El.* *c.*23. in *Eng.*]; and all sheriffs, gaolers, and other officers shall execute the same by taking and detaining the body of the person named in the writ, on whose appearance, obedience, or submission (as the case may be) the ecclesiastical court shall pronounce him absolved, and make order [as in *sch.* C. of both acts] for discharging him from custody, and such sheriff shall so discharge him on his paying the costs of such custody and contempt, 53 *G.*3. *c.*127. *ss.*1, 2. *Eng.*, and 54 *G.*3. *c.*68. *ss.*1—2. *Ire.*

34. No person excommunicated (as in *s.*2.) shall incur any civil penalty except 6 months imprisonment or less, as directed by the court pronouncing such excommunication, in which case such sentence and term of imprisonment shall be certified into chancery, and thereupon the writ of *excommunicato capiendo* shall issue, and the usual proceeding shall be had, and the party shall be imprisoned for the term so directed or till his absolution, *ss.*3. of both acts.

COURTS (EXCHEQUER).

1. A STATUTE FOR THE EXCHEQUER, 51 *H.*3. (*st.*5.)

2. All bailiffs, sheriffs, and other ministers shall of their receipts of issues of escheats and of their bailiwicks be answerable in exchequer, and there make account to the treasurer and barons; and all sheriffs, farmers, bailiffs of franchises, and other who ought to come to the profer in exchequer on the morrow of *St. Michael* and the morrow of the feast of *Easter* to pay the rents, and issues belonging to H.M. shall come at the above terms: and if any make default their bodies shall remain till they have paid or made agreement; and they shall be amerced after custom of exchequer, and the sheriffs and bailiffs at the same terms shall pay the money received by them of the summons of exchequer, and other H. M.'s debts, and shall be ready to make account of the things aforesaid, *id. s.*1.

3. All bailiffs of franchises who ought to levy H. M.'s debts, and to answer to the sheriffs according to the estreats of the summons of exchequer, shall come and answer sufficiently, and on default their bodies shall remain in ward of the sheriffs, who shall enter the franchises, and cause the debts to be levied by their own bailiffs as in time past, *id. s.*2.

4. The justices at *Chester* and bailiffs thereof, or one of them, shall came at the *profer* of *St. Michael* every year, and bring as much as they owe to H. M., and the same at the *utas* of *Easter*; and the justices of *Chester* shall have day to account from year to year in *Quindena Paschæ*, and the bailiffs thereof the day after the close of *Easter*, and all sheriffs, except those of *Westmorland*, *Lancaster*, *Worcester*, *Rutland*, or *Cornwall*, shall keep all escheats which are not within H. M.'s fees within their shires, and of the issues thereof shall answer in the exchequer at the above terms, and at their terms shall do the offices of such other things as H. M.'s escheators have used to do once or twice in the year to as little grievance of the people as possible, and shall seize the escheats which fall to H. M. in fee, and shall certify H. M. of them without delay, *id. s.*3.

5. H. M. shall assign 3 able persons, who shall go throughout the realm, to survey and extend the escheats from year to year, and the sheriffs, by their counsel, shall improve and let to farm such as they think most for H. M.'s advantage, *id. s.*4. and *s.*5.

6. And such 3 persons shall keep H. M.'s demesnes and improve them, and shall be answerable for the issues, and may let small manors and demesnes, and the farmers shall answer their rents to the principal approvers, and they to exchequer the morrow after ascension, *id. s.*5.

7. The sheriff of *Cumberland* shall be escheator for *Westmorland* and *Lancashire*: of *Nottingham* for *Rutland*; of *Gloucester* for *Worcester*; of *Devonshire* for *Cornwall*, and shall keep the escheats and answers to H. M. for the issues thereof as in their own shires; sheriffs when they account for their counties shall account for such escheats,

and so shall the justices and bailiffs of *Chester* each for his bailiwick, 51 *H.* 3. *st.* 5. *s.* 5.

8. The principal collectors of the custom of wools at the two terms before mentioned shall pay all money received of that custom, and shall make account of all parcels received in any of the ports, so that they shall answer for every ship where it was charged, and how much it carried, and of every loading in the ship whereof custom is due, and for the whole receipt, *id. s.* 6.

9. The warden of the wardrobe shall account yearly at the feast of *St. Margaret*; and the treasurer and the barons shall be charged by their oath that they shall not attend to hear the pleas of other men while they have to do with H. M.'s business, if it be not matter that concerneth H. M.'s own debt; and where a sheriff or bailiff hath begun his account none other shall be received to account till he has clearly accounted and his money is received, *id. s.* 7.

10. And the constable, marshal, chamberlain, and others of fee in exchequer, shall present unto H. M. such as they shall put in their places to do their offices which must be of good fame and sufficient, for whose acts themselves will answer; and H. M. commands the treasurer and barons of exchequer, upon their allegiance and by their oaths to him, that they shall not admit deputies other than those that be received, and that the exchequer be not charged with more persons than necessary, and that none of them who are there sworn to H. M. shall put in his room any other except he be sworn, nor that without the licence of the treasurer; and if any do so he shall be removed from his office and none other received without H. M.'s licence; and if any put in without treasurer's licence do trespass he shall be punished as well as he who put him in, and if both are insufficient their superior shall be punished whether he be officer of fee or other, and the treasurer shall put no other in his room till he has licence from H. M.; and if he that keepeth the room of another by licence of the treasurer doth any thing he ought not, he shall be punished according to the trespass if he have whereof, and if he have not, he that put him in office shall be charged, and if the latter is not sufficient his superior shall be charged whether he is of fee or otherwise, *id. s.* 8.

11. All they of the wool staple shall make oath, that if any of them perceive that another doth commit any offence or other thing dishonest in any office in this court, they shall certify it to the treasurer or barons, who shall amend it, or to H. M. if necessary; and about the feast of *St. Margaret*, before the exchequer be closed, they shall cause a search to be made, whether any sheriff or bailiff that ought to have accounted that year, have not done so, and thereof make a remembrance in a roll; and if it be a sheriff, his account shall be first heard after *Michaelmas*, before any other be received, and if he be a bailiff he shall be summoned or distrained to come at a certain day to account, so that no account shall be suffered to sleep; and all surveyors of H. M.'s works shall be chosen by the oath of wise men, and shall be of such as can attend best, and are sufficient to answer H. M. and be sworn to bear true witness; and if the treasurer or barons have any suspicion of false allowances for works or other things, the truth shall be enquired, and he that is attainted shall answer to H. M. as much as the allowance amounts to, and shall be imprisoned 1 year and 40 days, and punished at H. M.'s pleasure, and the surveyors shall be punished for their consent; so he, that on his account conceals things whereof he ought to have charged himself, shall be punished in like manner, *id. s.* 9.

12. The justices, commissioners, and others shall deliver into exchequer at *Michaelmas* annually the estreats of fines and amerciaments made and taxed before them, and of all things whereof estreats are usually delivered there, and they of the exchequer shall make estreats of the summons through all shires, except those of pleas in eyre, which shall be delivered immediately after the eyre made, *id. s.* 10.

13. A NEW STATUTE OF THE EXCHEQUER, otherwise called the statute of *Rutland*, (*Rothlan*, *Rudhlan*, or *Rhyddlan*, co. *Flint*, *North Wales*,) 10 *E.* 1.

14. The bodies of the shires shall not be written in every roll, but in a yearly roll by themselves; and every thing shall be yearly read upon the sheriff's account in every county. The remanents of the same shires shall be written by later dates in the annual rolls, and the sheriffs charged therewith. And of allowances view shall be made in the exchequer, and the treasurer and barons shall certify the chancellor of the allowances so to be made, and the writs of allowances shall be made according to the same certificate; moreover shall be written in the annual rolls the farms of sheriffs, the profits of counties, the farms of serjeants and asserts, the farms of cities, boroughs, towns, and other farms, whereof answer is made yearly in the exchequer, and in them also shall be written all stalled and gross debts, whereof is hope that somewhat shall be paid, and all debts that seem to be clear; when it is come to account, or to the title of new obligations, nothing shall be written in the annual roll but those debts whereof there is hope of payment, and whereof the sheriff is answerable, and debts that seem clear in the originals, 10 *E.* 1. (*st. Rutl.*) *s.* 1.

15. Of dead farms and debts desperate one roll shall be made, and shall be read every year upon the accounts of sheriffs; and the debts whereof the sheriff is answerable shall be written in the annual roll, and there shall be acquitted, 10 *E.* 1. *st. Rutl. s.* 2.

16. It shall be proclaimed in every county, that all they that have tallies [*receipts* since 23 *G.* 3. *c.* 82.] of the exchequer for the debts of themselves or their ancestors, paid usually there, and not yet allowed, which shall come out still in the summons of the exchequer, that such tallies be delivered to the sheriffs, to be allowed at the exchequer at their accounts; and the sheriffs shall make to them their writings, witnessing the receipt of those tallies, deputing two knights thereunto, between whom and the sheriffs, indentures shall be made of such receipts, with the seals of them both, *id. s.* 3.

17. The knights deputed shall send the parts of their indentures at the term appointed unto the exchequer, that by view of them the tallies so received by the sheriffs may be allowed upon their accounts, *id. s.* 5.

18. It shall be proclaimed, that except those that have such tallies do offer them to the sheriffs and knights to be executed, they shall be distrained for the whole debt, *id. s.* 6.

19. The debts which yet come into the summons of the exchequer, whereof the debtors do prefer tallies against divers sheriffs, shall be acquitted, *id. s.* 7.

20. Certain persons shall be sent into every shire, with power to enquire of such debts, and to call afore them the sheriffs, their heirs and assigns, and the tenants of their lands that have received the debts, and to proceed to taking of inquests, whether the parties (against whom the tallies were shewed) do come or not, so that the sheriff return that he hath summoned them; and the truth being discussed, the inquisitors shall make rolls of all that shall be convict and confessed before them, and the enrolment being made, the tallies of the same shall be broken; and the sheriffs shall have in their custody the transcripts of the rolls under the seals of the inquisitors, and shall surcease in making distresses for the debts contained in the same, until they shall have otherwise in command; and the inquisitors shall send unto the exchequer the foresaid rolls under their seals, *id. s.* 8.

21. The chamberlains shall not make to the sheriffs or their bailiffs tallies *dividendi*, unless they first receive of them particulars containing the sums of the debts and the names of them that paid them, into which particulars he would have such dividends parted, which being so received under their seals, it shall not be lawful to number them into other particulars, *id. s.* 9.

22. All debts, whereunto the sheriffs return that the debtors have nothing, shall be estreated in rolls, and the rolls delivered unto faithful men, which shall make inquiry after such form as shall be provided by the treasurer and barons, *id. s.* 10.

23. No plea shall be holden in the exchequer, unless it specially concern the king and his ministers aforesaid, *id. s.* 11.

24. No common pleas shall be holden in the exchequer contrary to to the great charter, 28 *E.* 1. *c.* 4. *Art. sup. chart.* [*Qu.* see *pl.* 28. 53.]

25. THE BARONS OF EXCHEQUER SHALL DO RIGHT TO ALL PERSONS, and shall deliver the people reasonably and without undue delay of their business before them, 20 *E.* 3. *c.* 2.

26. [BECAUSE MANY PEOPLE ACQUITTED BY JUDGMENT IN THE exchequer in one place, be grieved in other offices therein,] the clerk of the remembrance shall be titled to sit above the clerk of the pipe, to see the discharges made in the pipe and to imbreviate the same in the remembrance, and to cause process thereupon to cease; and the summons of the pipe shall be withdrawn, according as the parties be discharged; and in whomsoever any default be willingly found, the treasurer by H. M.'s command shall punish the same, 37 *E.* 3. *c.* 4.

27. WHENEVER ANY DEBTS BE PAID AND THE TALLIES THEREOF made, rejoined, and allowed in the exchequer, that debt shall never run more in demand; and if after allowance made there, any clerk of exchequer make process to levy the same, which is proved, he shall lose his office, and be imprisoned till he hath made satisfaction to the party, if any will sue, by discretion of the treasurer and barons, 1 *R.* 2. *c.* 5.

28. THE BARONS OF EXCHEQUER SHALL HAVE POWER TO HEAR every answer of every demand made in exchequer; so that every person there impeached shall by himself, or any other person, be received to plead, sue, and have his reasonable discharge, without tarrying or suing any writ, 5 *R.* 1. *st.* 1. *c.* 10.

29. THE COVENANTS OF ALL PERSONS RETAINED TO SERVE THE king and countermands of their retainer, shall be enrolled in exchequer, and they shall receive payment by certificate of exchequer without privy seal sued out, 5 *R.* 2. (*st.* 1.) *c.* 11.

30. THE ACCOUNTS IN THE EXCHEQUER SHALL BE MORE shortly heard, made, and engrossed, than they were wont; saving that the parcels of the same accounts be made as plainly as they were wont by ordinance to be made by the barons of the exchequer, 5 *R.* 2. *st.* 1. *c.* 12.

31. TWO CLERKS SHALL BE ASSIGNED TO MAKE PARCELS OF THE accounts in the exchequer to them who demand it, and shall be sworn

to do no falsity in their office, and shall take for their labour of them whom they serve, reasonably, according to the ordinance of the barons, 5*R*.2. *st*.1. *c*.13.

31. (*a*) THE ACCOUNTS OF *NICHIL* IN THE EXCHEQUER shall be altogether put away; or if any such ought there to abide, the accountants immediately after their oath made shall be examined by the barons, if they ought to answer H. M. of any thing in that behalf; and if it be found by their oath that they ought not, they shall be discharged to yield other account before any auditor; H.M.'s right saved, 5*R*.2.*st*.1.*c*.14.

32. THE CLERK OF THE PIPE AND THE REMEMBRANCERS SHALL be sworn, that from term to term they shall see all the writs of great seal or privy seal, which shall be sent to the exchequer the same term, for the final discharge of any person of any demand due in the exchequer, and that every of them to whom it pertaineth shall do due execution of the said commandment; and the said two remembrancers shall be sworn, that every term they shall make a schedule of all the persons discharged in their offices by judgments or in other manner in the same term, of any demands in exchequer, containing the manner of the discharges, and deliver the schedule to the clerk of the pipe the same term, that he may thereof discharge the parties in the great roll; he shall be sworn, that he from term to term shall require the same schedules, and discharge the parties as above; and shall cause to be certified in writing to the remembrancers of all such discharges made in his office, so that a man discharged in one place be discharged in all, 5*R*.2. *st*.1. *c*.15.

33. "THOUGH MANY TIMES PERSONS HAVE HAD LIVERY of their lands out of H. M.'s hands by judgment in K. B. or elsewhere, and have after procured the tenor of the records to be sent by *mittimus* into the exchequer, to discharge them of the accounts for the same tenements; nevertheless the officers would not discharge them before the records and processes were newly entered in the exchequer, and thereupon new judgment again given." After such record, or the tenor of the same, shall come into exchequer, the remembrancer, in whose office such accounts are demanded, shall cause the suit to cease by words to be entered upon the indorsement of the writ, touching the tenor of the record of the judgment, without making new process, 5*R*.2. *st*.1. *c*.16.

34. NOTHING SHALL BE GIVEN FOR MAKING A COMMISSION in the exchequer, for the fee of the clerk, above 2*s*., nor for the record of a *nisi prius* with the writ, but 2*s*. only, 5*R*.2. *st*.1. *c*.17.

35. NO RECOGNIZANCE OR BOND OF THE DOUBLE shall be taken in exchequer (for H. M.'s debts or farms,) provided H.M. have sufficient surety for his duty, 13*R*.2. *st*.1. *c*.14.

36. FOR THE CONTINUANCE AND OBSERVATION OF CERTAIN ORDERS for the exchequer, first established by virtue of a privy seal, from 2*El*., 1*J*.1. *c*.26., and recital in *s*.1.

37. All issues lost, which by intent of that Q.'s privy seal, and the orders hereunto annexed, ought to be discharged, shall be discharged, 1*J*.1. *c*.26. *s*.2.

38. If the lord treasurer's remembrancer, or his clerks, shall award any process, exact any pleading, take any fees, or demean themselves contrary to the said orders, the offender, or in case he be unable, the lord treasurer's remembrancer shall forfeit 20*l*., the one moiety to H. M., and the other to the party grieved, to be sued for by action of debt, &c., or information, within two years of the offence committed, in any court at *Westminster*, without essoin, &c., *id*. *s*.3.

" Orders by the right honourable Sir *William Cecil*, of the honourable order of the garter, knight, baron of *Burleigh*, lord treasurer of *Eng*., Sir *Walter Mildmay*, knight, chancellor, and vice-treasurer of the exchequer, Sir *Edward Saunders*, knight, lord chief baron of the said court, and other the barons of the same; calling unto them *Gilbert Gerrard*, esq., her majesty's attorney general, and *Thomas Bromley*, esq., her highness' solicitor general, and made 15 *Junii, anno Dom*. 1573.

" 1. No process *ad faciend. fidelitatem*, nor any writ of *scire facias, capias*, or distress, from the fines estreated out of the common pleas, shall go out of the treasurer's remembrancer's office, upon any supposal; upon pain by former statutes limited, and by the orders of the said court, but upon just ground; and the same shall be vouched in the processes, according to the book, term, year, roll, and record thereof, that it may be certainly found. And if by any known record remaining in that office, it may appear the same tenure have been traversed, then the processes to be discharged by the traverse without pleading. 3. Where the first tenant in any such writ from the said original, or such inrollment is returned by the sheriff *mort* or *nihil habet*, then shall go out according to the ancient course of the court a *distring. tenent.* against the tenants of the same lands to the sheriff to do their service due to H. M., and to shew their entry into the same, who returning the name of the tenant of the lands in the writ, there shall go process every term against the new tenants to do their service, and also to shew their entry, and they to lose issues thereupon, until they come in and make their fine for respect of fealty, or do their fealty according to the course of exchequer. 6. Where any writ of reversion shall be made upon any record for lands, wherein the prince is in reversion, if it appear by sufficient matter of record within the court, that the grant or record whereupon the writ of reversion is made is determined, the party upon shewing forth of such record shall be discharged without pleading. 8. The issues lost by H. M.'s subjects, which H. M. hath appointed by privy seal to be discharged, be as followeth, *viz*. All issues lost upon any that are returned tenants of lands which they have not, shall be now discharged, though they have other lands within the shire. All issues lost upon any heir within age shall be discharged. All issues lost upon lands in H. M.'s hands, by extent or otherwise, shall be discharged. All issues lost upon the farmers and tenants of any lands for life, years, or at will, shall be discharged. All issues lost by sundry other vexations, as well by untrue returns and misreturns of sheriffs and under-sheriffs, may be discharged, moderated, or otherwise ordered, as the court shall think meet. All issues lost by any person returned in any jury in the exchequer, or in any attaint or jury in K. B. or C. P., at *Westminster*, or in any jury before the justices of assize, which at the time of their appearance appointed were beyond sea, in H. M.'s service, or by special licence in writing, or were in prison, or in ordinary of H. M.'s chamber or houshold, and bound to personal attendance there, shall be discharged. The treasurer's remembrancer shall pay every subject's charges, as by exchequer shall be set, that shall be vexed by any writ upon a supposal, and not upon just ground vouched, as before declared."

39. If it is thought fit, for the knowledge and preservation of the tenures appertaining to the crown, and so ordered in court, that process should issue against any, the treasurer's remembrancer may send out process without incurring the penalties of this act; in which case, on no such tenure appearing, the party shall be dismissed without pleading or paying any fees, 1*J*.1. *c*.26. *s*.4.

40. FOR THE BETTER OBSERVATION OF THE COURSE ANCIENTLY USED in the receipt of exchequer, 8 & 9*W*.3. *c*.28.

41. When any money shall be brought into the receipt of the exchequer, the teller, as soon as the officers belonging to the talley-court shall attend, shall receive the same, weighing it; and making entry thereof, shall throw down bills written upon parchment and signed, [into the talley-court,] whereby a talley may be duly levied according to the nature of the payment; [*tallies* abolished, and *receipts* given, 23*G*.3. *c*.82. *s*.2.,] and such teller, his clerk, or substitute, shall not for such money give a note importing a *depositum* or other private note or security, to prevent the due charging thereof in the exchequer, on pain to forfeit his office, and be disabled to serve H. M. in any office, and forfeit double damages to H. M. or party, and costs; and every clerk of such tellers who shall offend against this act, by giving any private note, &c., whereby the due charging the same shall be hindered, shall forfeit double the sum for which such note was given; one moiety to H. M., the other to the informer, and also be removed from the receipt, 8 & 9*W*.3. *c*.28. *s*.1.

42. No teller shall charge himself by bill with the receipt of any monies in the exchequer, but when the officers of the talley-court are there present; nor shall he throw down into the said court any bill, purporting the receiving of any money, unless he have actually received the same; except where tallies are levied by warrant of treasury, or of treasurer of exchequer, or where the person for whom any talley shall be levied, shall on the same day give a discharge according to the course of exchequer, on some order or debenture for the money; on pain of incurring the like forfeiture of office and disability as before-mentioned, and forfeiting double the sum so unduly charged; one moiety to H. M., and the other to the informer, and for clerks or substitutes, the like penalty as aforesaid, *id*. *s*.2.

43. No teller, his clerk, or substitute, after the bills thrown down into the talley-court, shall lend, pay, or depart with, such money out of his office, without an order or debenture for the same, made forth by the auditor, and recorded by the clerk of the pells, and taking a receipt to discharge H. M. according to antient course, under the like penalties as for unduly charging any money before actually received, *id*. *s*.3.

44. The chamberlains, or *deputy chamberlains*, [taken away 23*G*.3. *c*.82. *s*.1.,] and such other officers, clerks, and deputies as belong to the talley-court, shall daily, except *Sundays* and holydays, constantly attend at least from 8 to 1, from *Lady-day* to *Michaelmas*, and from 9 to 1, from *Michaelmas* to *Lady-day* yearly, unless they be sick, or have leave from the treasury, or under-treasurer of exchequer, in which case the room shall be sufficiently supplied, as accustomed, on pain to answer to H. M. or party that shall suffer by reason of such absence, double damages and full costs. And the auditors of the receipt, writer of tallies, clerk of the pells, the four tellers, and other officers of the receipt, shall, by themselves or their deputies, attend in their places, under like penalties of double damages and full costs, *id*. *s*.4.

45. The first clerk in the office of the auditor of the receipt, the clerk of the pells, and of the four tellers, shall be sworn, for due performance of all matters to be performed by them in their offices, the oath to be administered by the commissioners of the treasury, or under-treasurer of the exchequer, or by the barons, or any of them, *id*. *s*.5.

46. None of the monies in the receipt of exchequer, shall be thence issued, but in pursuance of some grant under the great or privy seal, or pursuant to some statute, *id*. *s*.6.

47. Tables shall be set up at the door of the auditor of the receipt, shewing how far the officers there have proceeded in repayment of loans on the credit of revenues, and how far the monies paid in by the receivers extend to discharge principal and interest on the taxes, &c., *id*. *s*.7.

48. The auditor of the receipt shall (for his lawful fees) enter all letters patent, and privy seals for issuing H. M.'s treasure, and shall draw orders or make the debentures for issuing thereof, as required by the treasury or treasurer of the exchequer, and shall keep entries thereof, and weekly take the tellers' accounts, and make certificate to the treasury of all receipts, issues and remains of the H. M. money there; and shall half-yearly, at *Easter* and *Michaelmas*, transmit to the treasury the declaration of the receipts, issues and remains at exchequer, as antiently accustomed. And the clerk of the pells shall (for his lawful fees) inrol all letters patent and privy seals for issuing H. M.'s treasure, and enter all receipts and issues at the exchequer, and take the tellers' weekly accounts, and certify to the treasury weekly the receipts, issues and remains of H. M.'s money there, and examine the imprest certificates and imprest rolls, and transmit to the treasury half-yearly declarations of the receipts, issues and remains within the half-year, and shall in all matters observe the antient method; which officers, their deputies and clerks, shall be answerable for their demeanors as well to H. M. as to any person who may suffer by any neglect. [Powers of imprest auditors vested in commissioners of public accounts, 25*G.*3. *c.*53. *s.*8.] 8&9 *W.*3. *c.*28. *s.*8.

49. All penalties by this act shall be recovered in any of H. M.'s courts of record, *id. s.*9.

50. This act shall not lessen the lawful power which the treasury ought to have in their places, (*id. s.*10.,) or alter any method of receipts or payments by bills of credit in exchequer, allowed by parliament, *id. s.*11.

51. All the money in the receipt shall be kept in chests under three locks and keys, the tellers to keep one, the clerk of the pells one, and the eldest of the two deputy chamberlains the other. And no orders, &c. shall be paid the same day they are sent up from the auditor's office to the clerk of the pells; except for the navy, ordnance, forces, or for monies registered. And the clerk of the pells and deputy chamberlains shall every morning, except *Sundays* and holy-days; cause the chests to be opened in their presence, and so much money to be taken out and left with the tellers, as will satisfy the orders ready to be satisfied, and the rest to be locked up again; and every day see all the money which was received that day (except what shall be paid away) to be first weighed in the bags, a ticket of the contents put into each bag, and so secured in the chests. And in case monies in the chests be directed to be issued for the navy, ordnance, &c. so that the payment must not be deferred, the clerk of the pells and deputy chamberlains shall go up to the tellers' offices and see the chests opened for that money, and the public service dispatched and the chests secured again; and when the clerk of the pells cannot attend, his eldest clerk shall keep his keys of the chests; if the deputy chamberlain cannot attend, his keys shall be kept by his fellow; and no money shall be taken out of the chests but in presence of the teller, the clerk of the pells and deputy chamberlain, or in case of sickness or absence of their clerks, as afore-mentioned, *id. s.*12.

52. The auditor of the receipt, or his chief clerk, shall at least once in 28 days, visit every teller's cash, and by numbering the bags, opening some of them, and (if he thinks fit) by weighing or telling the money, see that the tellers have the remains wherewith he charges them; and at least once in 3 months shall examine the teller's vouchers for the payments which he allows them in his weekly certificate, *id. s.*13.

53. To REGULATE THE FEES IN TRIALS AT *nisi prius* ON RECORDS from the exchequer, 23 *G.*2. *c.*26. *s.*10.

54. No officer of assize and *nisi prius* or other person, shall demand or take any greater or other fees, on records, issuing out of the office of pleas of the court of exchequer, at *Westminster*, between party and party, than are taken on the like records, issuing out of K. B. and C. P., *id. ibid.*

55. FOR MORE EASY DISCHARGE OF RECOGNIZANCES ESTREATED into exchequer, 4 *G.*3. *c.*10.

56. The barons may, on affidavit and petition of persons imprisoned, or liable to imprisonment, on forfeiture of any recognizances, [for non-appearance as witnesses, not prosecuting indictments, &c.], discharge them by order, without *quictus* sued out for that purpose, (for which order, *il.* 1*s.* only shall be taken); but no discharge shall be given on such petitions where any debt is due to the crown, other than by the recognizances so prayed to be discharged, nor in any cases of contraband trade, or assaulting officers of customs or excise in the execution of their duty, or their lawful assistants therein, *id. s.*1.

57. FOR ESTABLISHING CERTAIN REGULATIONS IN THE RECEIPT of H. M.'s exchequer, 23 *G.*3. *c.*82. [AMD. 56 *G. c.*46. *s.*5.]

58. The offices of the chamberlains, tally-cutter, and usher of exchequer, shall, after expiration of existing interests be abolished, 23 *G.*3. *c.*82. *s.*1., and the tally-cutters present fees carried to the fee-fund hereinafter reserved, *id. s.*7.

59. Indented cheque-receipts shall then be substituted for the tallies of receipt now in use, and shall be made out by the officer of the auditor attending in the tally-court, signed by him, and by the officer of the clerk of the pells: and on passing any account, the receipt shall be produced with the account, examined with counterfoil of cheque in the auditor's office: and the account shall be compared with the entry in that office, and in that of the three clerks of pells, their officers checking the same; and the auditor of exchequer shall have the custody of one of the keys of the tellers' chests, the stand and weights, measures, and pieces of gold and silver, 23 *G.*3. *c.*82. *s.*2.

60. On expiration of the office of usher of exchequer (*as in s.*1.) the presiding officer in each respective office of exchequer, shall supply his office with the necessary articles heretofore provided by the usher, being allowed an annual sum for same by treasury, *id. s.*3.

61. The office of second clerk to each of the 4 tellers of exchequer shall be also abolished, and the proportion of fees of such office, made part of the monies reserved for the purposes of this act, *id. s.*4.

62. All fees or gratuities to the auditor, clerk of the pells, tellers, chamberlains, and other officers of exchequer, hereinafter mentioned, shall cease, on pain of forfeiture of their offices; and in lieu therof shall be paid, to the auditor, 4000*l. per ann.*; to his chief-clerk, 1000*l. per ann.*; to clerk of pells, 3000*l. per ann.*; to his first-clerk, 800*l. per ann.*; to his first-clerk, as receiver of the money arising from fees directed by this act to be received, 200*l. per ann.*; to each of four tellers, 2700*l. per ann.*; to each of their first clerks, 1000*l. per ann.*; with power to appoint clerks and officers, &c. with salaries, payable out of such fees so directed, *id. s.*5.

63. The salaries of the tellers and chamberlains of exchequer shall be paid out of the fee-fund aforesaid, *id. s.*6.

64. Taxes to which the aforesaid officers were then subject shall be paid out of such fee-fund, *id. s.*8.

65. All the present fees, &c. shall be paid by the first clerk to the clerk of pells, or the senior clerk in pell-office, on his giving security, approved by treasury, to account for the same, who shall first pay thereout the sums payable by this act, (*see s.*5.), [and from any surplus thereof, there shall be applied to the civil list revenues, 18,000*l. per ann.* by equal quarterly payments, and the remainder shall go to the consolidated fund, 56 *G.*3. *c.*46. *s.*5.]; and if the fee-fund prove insufficient to pay the salaries charged thereon, they shall be paid out of unapplied sums belonging to either of those funds, 23 *G.*3. *c.*82. *s.*9., as amended by 56 *G.*3. *c.*46. *s.*5.

66. The houses of officers named in *s.*1. are vested in crown, *id. s.*10.

67. No office in the receipt of exchequer shall be granted, either in possession or reversion, in any other manner than subject to this act, *id. s.*11.

68. To ASCERTAIN THE FEES TO BE TAKEN BY THE OFFICERS of the receipt of exchequer, on the issues of money made for payment of certain pensions [*see* 22 *G.*3. *c.*82. *s.*19., and *s.*34. *tit.* KING], at receipt of exchequer, 26 *G. c.*99., [PUBLIC *clause*, *id. s.*4.]

69. The treasury may pay out of the savings accruing from the salaries and fees of the offices supplied under 22 *G.*3. *c.*82.; or from fees payable on any payments within civil list revenues, which by that act remain for their disposal; or out of any other civil list revenues which they think fit, all such sums to the auditor, clerk of the pells, or any, or either of the 4 tellers, or officers, and clerks of the receipt of exchequer, on any sum issued for payment of pensions, transferred from the treasury and office of paymaster of pensions to H. M.'s receipt of exchequer, as the officers thereof would have been entitled to receive as legal fees, on issues of like sums, under the head of '*Secret* or *Special Service*', or to the paymaster of pensions, *id. s.*1.

70. The auditor, clerk of pells, any of the 4 tellers, or of the officers and clerks of the receipt of exchequer, may demand and take on all pensions granted since passing 22 *G.*3. *c.*82., the fees of 2½ *per cent.* only, which are by that act charged on the pensions, *id. s.*2.

71. On the death or removal of the auditor, or any of the 4 tellers, the proportion of fees belonging to the officer so removed shall be applied to the uses directed by 23 *G. c.*82., *id. s.*3.

72. FOR BETTER ADMINISTRATION OF JUSTICE IN THE *U. K.* [*viz.* in the courts of equity of *Eng.* and *Ire.*] 41 *G.*3. U. K. *c.*90. *ss.*7, 8. [See rest of this title, and *ss.*5, 6. of this statute, COURTS (Chancery). *ante*, *pl.*72. *ss.*1—4. DEBT to and from H. M. *pl.*38—40., and *s.*9. STATUTES.]

73. In all suits between party and party, where any decree shall be pronounced or order made for judgment, or accounting for money by the barons of exchequer in *Eng.*, the lord chief baron, or any baron of that court shall on application cause a copy of such order or decree to be certified to the *Irish* courts of exchequer, under seal of the *Eng.* exchequer; and the *Irish* barons shall cause the same to be enrolled, and shall issue process of attachment against the person against whom such order or decree is made, to enforce obedience to the same; and shall from time to time make orders, on petition, for payment of money levied under such process, into the bank of *Ire.* in the name of the deputy remembrancer of exchequer, in trust for the party having obtained such order or decree; which bank shall hold such monies, subject to order of the court, but not chargeable with poundage, when paid out by such order, 41 *G.*3. U. K. *c.*90. *s.*7. [Same provisions, *vice versâ*, where the decree is in the *Irish* exchequer, *id. s.*8.

74. To FACILITATE THE HEARING AND DETERMINING OF SUITS in equity, in the court of exchequer at *Westminster*, 57 *G.*3. *c.*18.

75. The chief baron shall have power to hear and determine all causes and matters pending in the exchequer, as a court of equity; and if prevented by sickness or other unavoidable cause, H. M. may, by warrant revocable at pleasure, appoint appoint any other baron of the coif to hear the same, *id. s.* 1.

76. Such chief baron or baron, so appointed, shall sit at the times they shall respectively appoint whether the other barons sitting or not; all his decrees, orders, and acts shall be deemed decrees, &c. of the court of exchequer, only subject to alteration by appeal to lords, *id. s.*2.

77. Such chief baron or baron, so appointed, may, on petition of party concerned, rehear any cause or matter before decided by either of them respectively, and make just order therein, *id. s.*3.

78. To REGULATE CERTAIN OFFICES IN EXCHEQUER in *Eng.* 57 *G.*3. *c.*60.

79. The offices of king's remembrancer, clerk of the pleas, clerk and comptroller of the pipe, marshal, foreign apposer, surveyor, and receiver-general of green wax, lord treasurer's remembrancer, clerk of foreign estreats, clerk of nichells, comptroller of the first fruits in exchequer; and in the alienation office, the office of three commissioners, the receiver-general, two entering clerks, master in chancery, and solicitor of exchequer, after existing interests are terminated, shall be discharged in person, and not by deputy, and as they become vacant the treasury shall regulate the duties, emoluments, and establishments thereof, and the number of proper persons necessary to execute duties, with their salaries, *id. s.*1.

80. The fees at present charged in such offices shall continue, and shall be applicable to the payment of the salaries granted under this act, in the office where the fees are received, and any balance thereof shall be paid into exchequer to the consolidated fund, *id. s.*2.

81. FOR BETTER SECURING MONIES AND EFFECTS paid into exchequer at *Westminster*, on account of the suitors of the court, and for appointment of an accountant-general, and two masters thereof, and for other purposes, 1 *G.*4. *c.*35. [This act is fully *indexed*, *tit.* EXCHEQUER, but its provisions do not appear so much of a public nature as to require their insertion at length in this place.]

COURTS (FIRST FRUITS AND TENTHS).

1. FOR ERECTING A COURT OF RECORD, called the Court of the First Fruits and Tenths, for levying those granted to H. M. by 26 *H.*8. *c.*3. 32 *H.*8. *c.*45. [ABOLISHED by letters patent, 23 *Jan.* 1553. 1 *M.* issued pursuant to 1 *M. st.* 2. *c.*10.; and annexed to the exchequer, see 1 *El. c.*4. *s.*15. also REP. 1 *El. c.*4. *s.*24. being excepted from the revival in that section.]

COURTS (INFERIOR).

1. FOR AVOIDING VEXATIOUS DELAYS, occasioned by removing actions and suits from inferior courts, 21 *J.*1. *c.*23. [AMD. 12 *G.*1. *c.*29. *s.*3.]

2. No *habeas corpus*, *certiorari*, or other process, (other than writs of error or attaint,) to be sued forth out of the courts at *Westminster*, great sessions of *Wa.*, or any other court, to stay or remove any cause pending in any court of record, having jurisdiction to hold plea therein, shall be received or allowed, except such writs be delivered to the steward, judge, or officer before issue or demurrer joined, so as they be not joined in 6 weeks next after the arrest or appearance, 21 *J.*1. *c.*23. *s.*2.

3. Any such action once removed or staid by *procedendo* shall never afterwards be removed or staid before judgment, by any writs soever, *id. s.*3.

4. If in any cause not concerning freehold, or inheritance, or title to lands, lease, or rent, it appear or is laid in the declaration that the debt, damages, or things demanded do not amount to 5*l.*, such cause shall not be stayed nor removed into any other courts, by any writs other than writs of error or attaint, (*id. s.*4.) and so though there are other actions against the same defendant, where the plaintiff's demands exceed 5*l.*, 12 *G.*1. *c.*29. *s.*3.

5. Where writs are sued forth contrary to the meaning of this act, the judges to whom they are directed may disallow the same, and proceed as if none such had been granted, 21 *J.*1. *c.*23. *s.*5.

6. This act shall only extend to such courts of record as in *s.*1. and for so long only as an utter barrister of 3 years standing, who is steward, town-clerk, judge, or recorder of such court, or assistant to such judge thereof, as is not a barrister of such standing, is there present and not of counsel in any cause pending therein, *id. s.*6.

7. Nothing herein shall extend to causes wherein any foreign plea is pleaded which could not be determined within the jurisdiction of such inferior courts, *id. s.*7.

8. To PREVENT FRIVOLOUS AND VEXATIOUS ACTIONS OF ASSAULT and battery, and for slanderous words in courts, 58 *G.*3. *c.*30.

9. In all actions of trespass for assault and battery commenced in any court having, or which by writ of *justices* may have jurisdiction to hold pleas in actions to amount of 40*s.*, (other than H. M.'s court at *Westminster*, the courts of great sessions for the principality of *Wales*, or county palatine of *Chester*, the court of C.P. for that of *Lancaster*, or of pleas for that of *Durham*,) if the jury on trial of the issue in such action, or the jury who enquire of the damages, do assess them under 40*s.*, the plaintiff shall recover only as much costs as damages without further increase thereof, 58 *G.*3. *c.*30. *s.*1.

10. In all actions of trespass for assault and battery, or for slanderous words sued in any court soever, not having jurisdiction to hold plea to the amount of 40*s.*, if the jury assess the damages under 30*s.*, the plaintiff shall recover only as much costs as damages without further increase thereof, *id. s.*2.

COURTS (KING'S BENCH).

1. FOR GIVING FURTHER FACILITIES TO THE PROCEEDINGS IN courts of K.B., 1 *G.*4. *c.*55. *ss.*3—4. [*See ss.*1—2. and other provisions, NISI PRIUS, (Sittings in *London* and *Westminster*), *s.*4. also in OATHS. *ss.*5—6. JUDGES.]

2. ALL PERSONS DIRECTED TO BE BROUGHT BEFORE K.B. by 32 *G.*2. *c.*28. (the Lords' act), or any other law for relief of insolvent debtors, may hereafter be brought before some single judge of K.B. sitting under 57 *G.*3. *c.*11. [BAIL, *pl.* 22—23.], and all orders made by, and proceedings had before him shall be good to all purposes as if made and had in K.B., *id. s.*3.

3. All oaths directed by 13 *C.*2. (*S.*2.) *c.*1. [the corporation oaths, but now REP. 5 *G.*1. *c.*6. *s.*2. *see* CORPORATION,] *and* 25 *C.*2. *c.*2. *ss.*1,2. (against popish recusants), or by any other statutes now in being, to be taken by persons admitted to offices of trust and profit, and by all barristers and attornies, may, after passing this act, be administered and taken, and the declaration in the latter act mentioned may be made and subscribed before such single judge sitting, as in *s.*3. described, and the proper officer shall, at seasonable times, attend before the latter to administer such oaths and register such subscription, *id s.*4.

4. FOR FURTHER FACILITATING THE DISPATCH OF BUSINESS IN the court of K.B., 1 & 2 *G.*4. *c.*16.

5. Any 3 or more judges of K.B. are *required*, unless prevented by illness, public business, or other reasonable cause, to meet at Serjeants' Inn Hall, or at some convenient place in *Westminster*, according to their discretion, on [*Tuesday* fortnight, or some subsequent day before *Easter* term 1821, EXP.] some day by them appointed before every *Easter* term, if the time of the circuits permit, and also on 20*th Oct.* and 10*th Jan.* for ever hereafter, unless either of those days is on a *Sunday*, and then on the following day, and to sit on those several days, and so on from day to day (except *Sundays*) till the commencement of the next term, for dispatch of all matters which now or at the end of any term preceding the said respective days hereafter may be pending in the crown or plea side of K.B., and to hear, decide and pronounce rules, orders and judgments on on all such matters, the same to be drawn up and entered of record, either as of the term last past before pronouncing thereof, or as of the term next ensuing, as the court shall direct, which meetings shall be called '*The Sittings before Term*,' *id. s.*1.

6. All enlarged rules to shew cause, pronounced or drawn up by or by direction of K.B. for shewing cause in any term next after any such sittings, shall be deemed rules to shew cause, as well at such sittings as in the term next following, and may be heard and decided at such sittings; but nothing herein shall alter the return of any mesne or judicial writ, or require return thereof, or appearance thereto, before the day therein mentioned, *id. s.*2.

7. If at any time it appears to the judges of K.B. that the matters pending therein as in *s.*1. do not for public convenience require the judges to meet or sit on all or any of the days and times in *s* 1. directed, they may omit such sittings altogether, or commence them at a later day than those in *s.*1., or, having commenced, may adjourn or discontinue the same wholly or in part for that time as public convenience appears to them to require or permit, *id. s.*3.

(CROWN OFFICE).

1. FOR REGULATING PROCEEDINGS IN THE CROWN OFFICE OF THE court of K.B. at *Westminster*, 4 & 5 *W.* & *M.* c.22. *ss.*1—3. *see s.*4. OUTLAWRY. [MADE PERP. 7 & 8 *W.*3. *c.*36. *s.*4.]

2. No corporation, lord of manor, or other having grants by charter, or other good conveyances, enrolled and allowed by the K.B. shall be compelled to plead the same to any inquisition returned by any coroner; and corporations, &c. having such charter or grants from the crown for felons, goods, deodands and other forfeitures, shall bring into the office of the clerk of the crown, and enroll only so much thereof as sets forth the grants of such felons, goods, &c. paying 20*s.* fee only; after which enrolment such grant need not be pleaded to any inquisition, 4 & 5 *W.* & *M. c.*22. *s.*1.

3. Every clerk of the crown issuing process against any such corporation, &c. grantees, (as in *s.*1.) after such enrolment, shall forfeit 5*l.*,

recoverable by bill, plaint or information, without essoin, &c. and with but one imparlance, 4 & 5 *W. & M. c.* 22. *s.* 2.

4. The clerk of the crown shall not incur any penalty for issuing process against any persons who shall not on every purchase of the title of such felons' goods and deodands, enrol and plead the same purchase in K. B., nor against any devisee of the like estate who shall not likewise enrol or plead such devise, nor against any heir who shall not enroll his right by descent, and until after such pleas have been allowed by the court, nor where by coroner's inquest the goods of any felon or deodands are not found in the hands of such purchaser, devisee or heir, or of any one in trust for them, *id. s.* 3.

COURTS LEET AND BARON.

1. NONE THAT IS INFEOFFED BY DEED shall be distrained to do suit to the court of his lord without being specially bound thereto by deed, these only except whose ancestors have used to do such suit before the first voyage of *H.* 3. into *Britanny*, *A. D.* 1230; likewise none that is infoofled without deed from the time of the conquest, or any other ancient feoffment, shall be distrained to do such suits, unless his ancestors used to do it before the said voyage; and they that are infeoffed by deed to do a certain service, as for service of so many shillings by year, to be acquitted of all service, shall not be bound to such suits contrary to the form of their feoffment; and if any inheritance whereof but one suit is due descend unto many heirs, whoso hath the eldest part shall do suit for himself and his fellows, and the other coheirs shall be contributaries; and if many feoffees be seised of an inheritance, whereof but one suit is due, the lord shall have but that one suit; and if those feoffees have no warrant or *mesne* (2 *Inst.* 120.) which ought to acquit them, then all the feoffees, according to their portion, shall be contributaries for doing the suit; and if the lords distrain the tenants for such suits contrary to this act at the complaint of the tenants, the lords shall be attached to appear in the king's court at a short day to make answer thereto, and shall have but one essoin therein, if they be within the realm; and the distresses shall be delivered to the plaintiff until the plea be determined; and if the lords which took distresses come not at the day, the sheriff shall be commanded to cause them to come at another day; at which day, if they come not, he shall be commanded to distrain them by all their goods, so that he shall answer to the king of the issues of the inheritance, and that he have their bodies before the justices at a certain day; so if they come not at that day, the plaintiff shall go without day, and his distresses shall remain delivered until the lords have recovered the suit by award of the king's court; and in the mean time such distresses shall cease, saving to the lords their right to recover those suits when they will sue; and when the lords of the courts come in to answer the plaintiffs of such trespasses, and be convicted thereupon, then by award of H. M.'s court the plaintiffs shall recover damages, 52 *H.* 3. *c.* 9. *s.* 1. *Stat. Marlbrege.*

2. If the tenants withdraw such suits as they were wont to do, then the lords of the courts shall obtain justice to recover their suits with their damages; and this must be understood of withdrawing from themselves, and not of withdrawing from their ancestors; nevertheless the lords of courts shall not recover seisin of such suits against their tenants by default, as they were wont to do, *id. s.* 2.

3. FIRST, YOU SHALL TELL US IF ALL SUITORS THAT OWE SUIT to this court are come and which are not; and if all the chief pledges are come with their deceners, and which are not; and if all the deceners are in the assize of H.M., and which are not, and who received them; of customs and services due to this court, but withdrawn, how and by whom; of purprestures made in lands, woods, and waters, to annoyance of walls, houses, dikes, and hedges set up or beaten down, to annoyance of bounds taken away, of ways opened or stopped, of waters turned or stopped, of breakers of houses and their receivers, of common thieves and their receivers, of petty thieves, as of geese, hens, or sheaves of corn; of thieves that steal cloths out of windows; of such as go in message for thieves; of hue and cry levied, and not pursued; of bloodshed, and of frays; of escapes of thieves or felons; of persons outlawed and returned, not having the king's warrant; of women ravished, not presented before the coroner; of clippers and forgers of money; of treasure found; of the assize of bread and ale broken; of false measures and balances; of such as have a double measure, and buy by the great and sell by the less; of such as haunt taverns, and no one knows whereon they live; of such as sleep by day and watch by night, and fare well and have nothing; of clothsellers and curriers of leather dwelling out of market-towns; of persons imprisoned and let go without warrant; of such as take doves in winter, by door-falls, or other engines, 18 *Ed.* 2. *Stat. de Visu Frankplegii.*

4. TO PREVENT THE OVERCHARGE OF THE PEOPLE BY STEWARDS of courts-leet and baron, 1 *J.* 1. *c.* 5.

5. No steward of any courts-leet or baron, shall take benefit to his own use in money, goods, or other thing, to the value of 12*d.*, by colour of any grant of the profits of such courts, on pain to forfeit 40*l.*, and be disabled to be steward of such court, or of any other; half to H. M., the other to any who shall sue by action of debt, bill, plaint, or information, wherein no essoin or dilatory plea shall be allowed, *id. s.* 1.

COURTS (MARCHES OF WALES).

1. FOR TAKING AWAY THE COURT holden before the president and council of the marches of *Wa.*, 1 *W. & M. S.* 1. *c.* 27. *s.* 1. reciting 34 & 35 *H.* 8. *c.* 26. *s.* 4.

2. The above court, and all jurisdiction belonging unto or exercised in the same, shall be taken away, *id s.* 2. [*ss.* 3 & 4. amend 34 & 35 *H.* 8. *c.* 26. *s.* 61. & 113., and are annexed thereto. WALES.]

3. No judgments of any court of great sessions before 1 *June*, 1689, shall hereby be annulled, *id. s.* 5.

COURTS (MARSHALSEA).

1. THE JURISDICTION OF THE STEWARD AND MARSHAL of H.M.'s house, 28 *Ed.* 1. *c.* 3. *Art. Sup. Chart.* [*See the rest of this statute*, CORONER.]

2. The steward and marshal shall not hold plea of freehold nor of debt covenant, or contract between people, but only of trespass done within H. M.'s house, or within the verge, and of contracts, which one of H. M.'s house makes with another of the same house, and within the house; and they shall plead [*viz.* take conusance of] no plea of trespass, other than that attached by them, before H. M. departed from the verge where it was committed, and shall plead speedily from day to day, that they may be determined before H. M. shall so depart; and if they cannot be determined within the verge, the pleas shall cease before the steward, and be cognizable at common law, and the steward shall not take cognizance of debts or other thing, but such only as are of H.M.'s house, nor shall hold other plea by obligation made on distress of the steward or marshals, and proceedings contrary hereto are void, 28 *Ed.* 1. *c.* 3.

3. WHERE INQUESTS ARE TO BE TAKEN BEFORE THE STEWARD and marshal, they shall be taken by men of the country, and by no men of H.M.'s house, except it be of the contracts, covenants, or trespasses made by men of the said house of either part, and that in the same house as in 28 *Ed.* 1. *c.* 3.; and error by H.M.'s steward and marshal shall be redressed before H.M. in his place, 5 *Ed.* 3. *c.* 2. *s.* 2. [CONF. 18 *E.* 3. *st.* 2. *c.* 7.]

4. THE LIMITS OF THIS COURT SHALL NOT PASS 12 miles round H.M.'s lodging, 13 *R.* 2. *S.* 1. *c.* 3.

5. CLERGY TAKEN INTO THE MARSHALSEA OF H.M.'s HOUSE shall pay the same fees as laity, 9 *R.* 2. *c.* 5.

6. IN SUITS BEFORE THE MARSHAL, DEFENDANT SHALL NOT be estopped by the record from pleading that plaintiff or himself are not of H.M.'s household, 15 *H.* 6. *c.* 1.

7. THE MARSHALL OF THE MARSHALSEA OF THE COURT OF H.M. shall take the fees following, *viz.*

From persons coming by *capias*	4*d.*	Persons committed by judgment of steward - -	4*d.*
If let to mainprize - -	2*d.*	Persons delivered of felony -	4*d.*
Persons impleaded of trespass and finding 2 mainpernors	2*d.*	Felons let to mainprize by court	4*d.*

And if he take more, he and his officers shall lose their offices and pay treble damages to party grieved, who shall have his suit before the steward of the court, *id. s.* 1.

8. No servitor of bills that beareth a staff of such court shall take more than 1*d. per* mile where he shall do his service, and 2*d.* for serving a *venire facias*, on pain of imprisonment and fine to H.M., in discretion of the steward, and of being forejudged of such court; and the steward shall proclaim this article at the coming of the court into every county, and execute the above penalties, 2 *H.* 4. *c.* 23. *s.* 2.

COURTS (STANNARIES).

1. AGAINST INNOVATIONS AND OPPRESSIONS IN STANNARY COURTS, 16 *C.* 1. *c.* 15.

2. Liberties of suing and being sued thereon, and being quit from tolls, tollages, aids and customs in vills, ports, fairs, and markets in *Devonshire* and *Cornwall*, under the charters and declarations of *E.* 1., 50 *E.* 3. *and* 8 *R.* 2., belong to working tinners only, *id. ss.* 1—3.

3. The words of the charters "*in locis ubi operantur*," shall be expounded of vill, tithing, or hamlet, where the tin-work in work is situate, and not elsewhere where it is not working; and if any person sued therein swear that they are not tinners, the suit in such court is discharged, unless plaintiffs swear that they are working tinners, and that the cause of suit arose within such stannaries, or concerneth tin or tin-works; and where any person not being a *bonâ fide* labouring tinner in or about some tin-work set on work within one-half year next before his suit, shall sue or implead in any such court, or before the warden, vice-warden, or steward of the stannaries, any person not being a tinner at the time of commencing the suit, the latter shall

within 2 years after, have his action at common law against such plaintiff, and recover 10*l.* with damages and costs, 16 *C.* 2. *c.* 15, *s.* 4.

4. Costs in the stannary courts shall be awarded as at common law, *id. s.* 5. And tinners may, if they think fit, sue foreigners at common law, *id. s.* 6.

5. No person shall be troubled as surety for the debt of another arrested by stannary process, by the return of a stannary bailiff, unless the person so returned surety shall, in presence of two witnesses, sign a note in writing to that effect; which shall mention the names of plaintiff and defendant, the sum or damages demanded, and the nature of the action, and shall be subscribed by the witnesses and returned to and filed in court, and such bailiff shall not be admitted to prove same, *id. s.* 8.

6. No defendant shall be condemned on such bailiff's return for not appearing, unless a note signed by the party arested, and by 2 such witnesses be returned into court, at or before the day of appearance; for which note such bailiff shall take 4*d.* and none shall be bailed on arrest there till he give such note, *id. ss.* 9, 10.

7. If such bailiff returns a rescous, the party may traverse it, *id. s.* 11.

COURTS (SURVEYORS).

(STATUTE *expired.*)

1. CONCERNING THE ERECTION OF THE COURT OF SURVEYORS, 5 *H.* 8. *c.* 39. *ss.* 1—49. [*Semb.* EXP. or REP. by 1 *M. s.* 2. *c.* 16.]

COURTS (OF WARDS AND LIVERIES).

(STATUTE *repealed.*)

1. FOR ESTABLISHING THE COURT OF H. M.'s WARDS AND LIVERIES, 32 *H.* 8. *c.* 46. 33 *H.* 8. *c.* 22. [REP. 12 *C.* 2. *c.* 24. *s.* 3.]

CROWN PROPERTY.

(STATUTES *repealed and expired.*)

1. FOR RESUMING ALL GRANTS OF LANDS, either of the crown or duchy of *Lancaster*, since 1 *H* 6., and for annulling all grants out of the revenue of offices in fee, releases of corodies, grants of profits, franchises, and privileges, and all letters patent, by which the crown has suffered in its income, assented to by H. M. with a proviso, that all exceptions and provisions by him granted, and put in writing during the parliament, should be available in law, and grants so excepted should be in force. All grants in *Calais* or *Ire.*, and some persons, and corporations therein specified, are excepted, 28 *H.* 6. *Rot. Parl. No.* 51. 8*vo. ed. p.* 546.

2. FOR EXEMPTING FEES, WAGES, AND PROFITS, of H. M.'s officers from 28 *H.* 6. *Rot. Parl. No.* 51. acts of resumption, 31 *H.* 6. *c.* 7. EXP.

3. TOUCHING THE REMITTING OF FEE-FARM RENTS for 3 years, 2 & 3 *E.* 6. *c.* 5., 3 & 4 *E.* 6. *c.* 18. EXP.

4. TO ENABLE [prince *Charles*, 21 *J.* 1. *c.* 29.] H. M. to make leases, grants, and copies of offices, lands, tenements, and hereditaments, parcel of his duchy of *Cornwall*, or annexed to the same, and for confirmation of leases and grants already made, 21 *J.* 1. *c.* 29. 1 *C.* 1. *c.* 2. 13 *C.* 2. *S.* 2. *c.* 4. 22 *C.* 2. *c.* 7. 25 *C.* 2 *c.* 3. 1 *J.* 2. *c.* 9. 5 & 6 *W.* & *M. c.* 18. 12 & 24 *W.* 3. *c.* 13. 6 *A. c.* 25. 12 *A. S.* 2. *c.* 22. 1 *G.* 1. *st.* 2. *c.* 37. (*in part,*) 13 *G.* 2. *c.* 50. 33 *G.* 2. *c.* 10. 1 *G.* 3. *c.* 11. 16 *G.* 3. *c.* 10. *like powers to the prince of Wales*, 33 *G.* 3. *c.* 78. [ALL EXP.]

5. TO ENABLE H. M. TO GRANT THE REGALITIES AND LANDS, now remaining in the crown, in North and South *Wa.* and county of *Chester*, to the prince of *Wa.*, in such manner and form as the principality of *Wa.* and earldom of *Chester* have formerly been granted to princes of *Wa.*, and also to enable the latter to make leases of parcel of his duchy of *Cornwall*, or annexed to the same, 1 *G.* 1. *S.* 2. *c.* 37. [EXP.]

6. FOR APPOINTING COMMISSIONERS to enquire into the state of the woods, forests, and land revenues of the crown, and to sell or alienate, fee-farm, and other unimproveable rents, 26 *G.* 3. *c.* 87. [CON. and AMD. 30 *G.* 3. *c.* 50. (*s.* 5.) but *both* seem EXP. *See* 34 *G.* 3. *c.* 75. *s.* 10. *pl.* 50. 48 *G.* 3. *c.* 73. *s.* 18.]

7. For sale of certain houses and grounds belonging to H. M. 27 *G.* 3. *c.* 22. [REP. 32 *G.* 3. *c.* 24. 34 *G.* 3. *c.* 75. *s.* 18.]

8. FOR DISCHARGING CERTAIN ARREARS of quit, crown, and composition rents, which have been growing due in *Ire.* 51 *G.* 3. *c.* 91. [AMD. 56 *G.* 3. *c.* 71. EXP. 25*th March*, 1821].

CROWN PROPERTY. (*See* KING.)

(STATUTES *in force.*)

[*NOTE.* UNDER THIS TITLE will be found all provisions relating to the sale, exchange, conveyance, demise, or management of crown lands, forestal rights, and property real and personal of all descriptions, which affect the subject, and are not of a nature exclusively local or personal.

It should also be here noticed, that the powers of the *surveyors general north and south of Trent, viz.* over all lands within *survey of exchequer* are, by 50 *G.* 3. *c.* 65. *s.* 1., vested in the *commissioners of woods, forests, and land revenues.*]

1. CONCERNING PURPRESTURES OR USURPATIONS made on H. M. he may clearly resume the land where the usurpers are living, and if any complain of such reseizures, he shall be heard as of right, 4 *E.* 1. *S.* 3. *c.* 4.

2. FOR RELIEF OF PATENTEES, TENANTS, AND FARMERS, of crown and duchy lands, [or of lands within survey of the court of wards and liveries, REP. 12 *C.* 2. *c.* 24. *s.* 1. &c.], in cases of forfeiture for non-payment of their rents, or other service or duty, 21 *J.* 1. *c.* 25. and recital in *s.* 1.

3. If any persons having any lands, tenements, or hereditaments, by virtue of any grant or lease made by H. M., whereupon any rent, or other service or duty is reserved, with condition of re-entry, or to be void for default of of payment of such rent, or performance of such service, &c. shall make default therein, and yet such rent or other service, &c. is afterwards answered to H. M., into his exchequer or duchy of *Lancaster*, or to any other having authority to receive the same, before advantage is taken of such forfeiture, and before any commission of inquiry awarded or process issued touching the same, no advantage shall be taken for such forfeiture, *id. s.* 2.

4. No claimant under H. M., after such cause of forfeiture given, shall have any benefit by means of such default; but every such estate so forfeited shall be adjudged to continue, as if no such default had been made, *id. s.* 3.

5. FOR ADVANCING THE SALE OF FEE-FARM, AND OTHER RENTS, 22 *C.* 2. *c.* 6.

6. FOR VESTING the same in trustees, 22 & 23 *C.* 2. *c.* 24. [BOTH ACTS repealed as to certain parts of them relating to copyholds in the duchy of *Lancaster*, 19 *G.* 3. *c.* 45. *s.* 1. & *s.* 9. and 26 *G.* 3. *c.* 87. *s.* 10. which act is EXP.]

7. Letters patent granted before 24*th June* 1672, under the great seal, the seal of the duchy of the county palatine of *Lancaster*, of fee-farm rents, and other rents due to H. M. in right of his crown or duchies of *Lancaster*, or parcel of the duchy of *Cornwall*, (except quit-rents and copyhold rents standing in charge as belonging to any manor, and all tenths and first-fruits, and rents *nomine decimæ*, payable by any ecclesiastical corporation, and all rents incident to reversions, [*See post*, 22 & 23 *C.* 2. *c.* 24. *s.* 2. *infra*, *pl.* 16.] in H. M. and reserved on leases and farms of customs or excise, shall be good in law for vesting the same in trustees for sale, and be construed most beneficially for the patentees, any mis-naming, mis-recital, or non-recital of the honours, lands, tenements, or hereditaments charged, or of any estate tail, or of the reversion thereupon, not true naming of the places where the said lands, &c. do lie, or lack of the true naming of the corporation, or of attornment, or any mis-naming or not naming of the tenants of the lands charged, and other defects notwithstanding, 22 *C.* 2. *c.* 6. *s.* 4.

8. The said trustees shall execute to purchasers, indentures of bargain and sale of the said rents, which shall be inrolled in any of the four courts of *Westminster*, within 6 months after the date, *id. s.* 6. [How described in deeds and pleadings, 10 *A. c.* 18. *s.* 4. *pl.* 23.]

9. Persons having such conveyance, and causing it to be inrolled as aforesaid, shall be in actual seisin of the rents so purchased, and shall enjoy the same freed of all demands which may be made by H. M., or any duke of *Cornwall*; and shall hold and enjoy the rents so purchased as fully as H. M. might have held, &c. the same, *id. s.* 7.

10. All persons who shall purchase any of the said rents, their heirs, successors, and assigns, shall recover the same by such ways as H. M. might; either by distraining in any of the lands of the tenant that shall hold any lands charged with the said rent; or by having power to detain or sell all such distresses after 15 days after such distress taken, in case the rent shall not be paid, returning the overplus; or by having the full benefit of all sums reserved *nomine pœnæ*; or by using the like action of suit as H. M. might have used, so as the same extend not to process of extent, or other prerogative process out of exchequer, *id. s.* 8.

11. Fee-farm or other rents not usually paid by the owners or occupiers of the tenements charged therewith, by the greater space of 40 years now last past, shall not be inserted in any letters patent to be granted to trustees as aforesaid; and where any persons have held lands subject to the payment of any fee-farm rent, or other rent which hath usually been paid by the owners or occupiers of such lands, and by colour of some patent of concealment, or of commissions for defective titles passed of the same lands, some greater rent hath been put in charge, but hath not been usually paid by such owners, &c. for more than such 40 years, then the tenant of the lands shall hold the same discharged of the said rent reserved by virtue of the patent of concealment or by commission of defective titles, until the same be recovered by course of law. And if any letters patent of any lands have been granted, whereupon any rents have been reserved, which shall be sold to any purchaser, if such letters patent whereupon such rents have been reserved,

shall be annulled, whereby the lands shall return to H. M., then the purchaser of such rents shall have out of the same lands the like rent, and for the like estate with that which was purchased, and shall have like remedy for recovery thereof; and certain covenants on H. M.'s part, contained in the original reservation of some of the said fee-farm rents and decrees in the court of augmentation or exchequer made before the *23d Oct.* 1642, or since *29th May* 1660, whereby divers fee-farmers were to be discharged, and the charge whereof hath been allowed by H. M. out of the said fee-farm rents, on the accounts of receivers, shall not be annulled; saving to all other persons all right, 22 *C.*2. *c.*6. *s.*9.

12. Bodies politic may purchase any the rents aforesaid, and the same retain; any statutes of mortmain notwithstanding, *id. s.*10.

13. This act shall not extend to the sale of any fee-farm rents, tenths, chauntry-rents, or other rents payable to H. M. or the prince of *Wales*, arising within the principality, *id. s.*11.

14. Fee-farms of mills formerly belonging to the crown, or parcel of the duchy of *Lancaster*, shall have the privilege of the exchequer and duchy, and all suits to mill, and aids of the said courts, *id. s.*13.

15. Such of the said fee-farm rents and premises, as are payable for maintenance of any grammar-school or scholars, or towards reparation of any church, highway, bridges, schools, alms-houses, castles, or other uses, shall continue to be paid as they have been: and the trustees shall set out unto such persons as they shall think fit, in trust for the performance of the uses aforesaid, such of the said fee-farm rents as amount to the sums so charged, for the uses aforesaid; and the purchasers of the residue of the said fee-farm rents shall be discharged, *id. s.*14.

16. ALL FEE-FARM RENTS, RENTS-SERVICE, RENTS-SECK, chauntry-rents, guild-rents, castle-guard rents, and other rents, within survey of exchequer or duchy of *Lancaster*, payable to H. M., (other than rents excepted out of 22 *C.*2. *c.*6.) shall be vested in *Francis* lord *Hawley*, and others, and shall be by them disposed according to that act; which conveyance of the trustees shall be effectual in law, 22 *&* 23 *C.*2. *c.*24. *s.*2.

17. All purchasers of the said rents shall hold and enjoy the same, *id. s.*3.

18. Until sale thereof be made, the receivers-general of H. M.'s revenue shall receive them, *id. s.*4.

19. All purchasers by this act, shall have all advantages given to purchasers by 22 *C.*2. *c.*6. And the printed copies of both acts, and the conveyance made by the trustees, and inrolled according to 22 *C.*2. *c.*6. shall be sufficient evidence to entitle the purchasers, *id. s.*5.

20. No tenant in tail of any of the said rents shall be hereby enabled to suffer any recovery, or do any other act, to bar the remainder hereby vested in the trustees, nor have any greater power than he had before, *id. s.*6.

21. Every purchaser of rents by this or any former act sold, and all persons claiming under them, may sue, make avowry, justification or conusance for such rents, without setting forth how H. M. became intitled, or setting forth or producing any letters patent, or other matter, whereby such rents had commencement, or the letters patent whereby the premises were granted to the trustees; but it shall be sufficient to declare or allege, that the said trustees were seised in fee of such rent in possession or reversion, as the case requires, and being so seised, granted the same, *id. s.*8. [and see 10 *A. c.*18. *s.*4., *infra*, *pl.* 23.]

22. The trustees may convey the said rents, either by the words expressed in the letters patent, or by particulars made out by the auditors, or by the original grants from the crown wherein those rents are reserved, as they shall find most convenient for the satisfaction of the purchasers; saving to H. M. all her rights therein, *id. s.*9.

23. WHERE ANY RENTS, INTENDED BY 22 *C.*2. *c.*6. and 22 *&* 23 *C.*2. *c.*24. to be sold, are described in any deed or pleading, as they were described in the indentures of bargain and sale made by the trustees, such descriptions shall be sufficient, 10 *A. c.*18. *s.*4.

24. This shall not give any advantage in deriving title to any rent not paid within 20 years next before the time of such pleading, *id. s.*5.

25. FOR THE BETTER SUPPORT of H. M.'s HOUSEHOLD, AND of the honour and dignity of the crown, 1 *A. S.*1. *c.*7., [*s.*6. is REP., as far as is contrary to any provisions of 34 *G.*3. *c.*75. *id. s.*1., or of 52 *G.*3. *c.*161. *id. s.*1.]

26. Every grant, lease, or other assurance, granted by H. M., her heirs, or successors, under the great or exchequer seal or seals, of the duchy and county palatine of *Lancaster*, or by copy of court-roll or otherwise, of any lands, tenements, or hereditaments, (advowsons of churches and vicarages only excepted) within *Eng.*, *Wa.*, or *Ber.*, whereby any estate or interest may pass, shall be void; unless such grant be made for some term not exceeding 31 years, [or three lives, or for some term of years determinable upon one, two, or three lives, REP. 48 *G.*3. *c.*73. *s.*3. *pl.* 67.] and unless such grant, &c. be made to commence from the date thereof; and if such grant, &c. be made to take effect in reversion or expectancy, then the same, together with the estates in possession, shall not exceed [3 lives, *see above*], or 31 years in the whole; and unless such grant, &c. be so made, that the tenant be liable to punishment for waste; and unless there be reserved the ancient or most usual rent, or more, or such rent as hath been reserved and paid for the greater part of 20 years, and where no such rent shall have been reserved, then upon every such grant, &c. there shall be reserved a reasonable rent, not under 1-3d of the clear yearly value; and unless such rents be made payable to H. M., her heirs, or successors, 1 *A. S.*1. *c.*7. *s.*5.

27. Where the greatest part of the yearly value of any tenements or hereditaments belonging to H. M., &c. (*as in s.*5.), consist of buildings which may want to be repaired or re-edified, it shall be lawful for H. M., &c. to grant such tenements, &c. for any term, not exceeding 50 years, [or 3 lives, *see above*], and so as such lease be made to commence from the date thereof; or if such grant be made to take effect in reversion or expectancy, then the same, together with the estates in possession, shall not exceed 50 years, or for building leases, 99 years, 34 *G.*3. *c.*75. *s.*1. [or 3 lives, *see above*], and so as the same be not made dispunishable of waste, and so as there be reserved as much rent as is hereby required in case of a lease not exceeding 31 years, [or 3 lives, *see above*], *id. s.*6.

28. The hereditary duties of excise and post-office revenue, and in the small branches of H. M.'s revenue, *viz.*, the first-fruits and tenths, the fines for writs of covenants and writs of entry, payable in the alienation-office, the post-fines, *the revenue of the wine licences*, and the revenue arising by sheriffs, proffers, and compositions in the exchequer, and by seizures of uncustomed and prohibited goods, [*see* 1 *G.*4. *c.*1. *s.*7.] shall not be alienable for longer than the life of such king or queen as shall make such alienation; and all grants and assurances of the said manors, messuages, lands, or of any the said revenues, contrary to this act, shall be void, without any inquisition, or other proceeding to determine the same, *id. s.*7., [the duties in italics seem REP.]

29. This act shall not disable H.M. to make any grant or restitution of any estates to be forfeited for treason or felony, or to grant any tenements taken into his hands on any outlawry, at the suit of subjects, as hath been usual, or any estate extended or taken in execution for any debt owing to the crown, or to make grants or admittances, which of right or custom ought to be made, of any copyhold tenements, parcel of any manor of H. M., *id. s.*8.

30. FOR SETLLING WHAT PARTS OF THE PRECINCTS of the Savoy in co. *Middlesex*, shall be under survey of the court of exchequer, and what parts thereof, under survey of the duchy of *Lancaster*, 12 *G.*3. *c.*42.

31. TO ENABLE the chancellor and council of the duchy of *Lancaster*, to sell and dispose of certain fee-farm and other rents, and to infranchise copyhold and customary tenements within their survey, and to encourage the growth of timber on lands held of the duchy, 19 *G.*3. *c.*45. [AMD. 27 *G.*3. *c.*34.]

32. TO AMEND 19 *G.*3. *c.*45., and to enable the said chancellor and council to discharge incumbrances, affecting the possessions of the said duchy, 27 *G.*3. *c.*34. [*The titles only of* the 3 last acts are given as of a local nature, though connected with the subject of crown lands.]

33. FOR BETTER MANAGEMENT OF THE LAND REVENUE OF THE crown, and for sale of fee-farm and other unimprovable rents, 34 *G.*3. *c.*75. [AMD. 46 *G.*3. *c.*151., and 48 *G.*3. *c.*73. *ss.*7—8.; 19. 21—26.]

34. Every lease or grant, made *under the great seal* or *seal of exchequer* [but see now 1 & 2 *G.*4. *c.*52. *infra*] of any tenements or hereditaments, *whereof the greatest part of the yearly value shall consist of the buildings thereupon*, or of any land set apart for buildings, under this act; and where *the lessee, &c. shall covenant to erect buildings thereon, of greater yearly value than the land leased*, shall be made in manner by this [or the following] acts directed, or shall be void, 34 *G.*3. *c.*75. *s.*1.

35. Where any land belonging to H. M., within the order and survey of exchequer, [*see s.*20. *infra*, *pl.*60.], shall by the treasury be deemed fit for the erection of houses or buildings thereon, or for gardens, yards, curtilages and appurtenances, to be used therewith, and shall by their order be set apart for that use; and where the lessee or grantee shall covenant to erect buildings thereon, of greater yearly value than the land to be leased or granted, or where the greatest part of the yearly value of any tenements or hereditaments belonging to H. M., at the making any lease thereof, consists of any buildings thereupon, H. M. may demise or grant such lands, so set apart, or the tenements, &c. last aforesaid respectively, to any persons soever, under the great seal or exchequer seal, for any term or estate, not exceeding 99 years, [or 3 lives, REP. 48 *G.*3. *c.*73. *s.*3.] computed from the date of such lease, or if such lease, &c. be made to take effect in reversion or expectancy, then the term and estate thereby granted with that in possession of the same land, tenements, &c. respectively, shall not exceed 99 years [or 3 lives, *see above*], the following rents being reserved, *viz.*: where the building on the ground demised, is substantial, or not intended to be rebuilt, there shall be reserved to H. M. an annual rent, of not less than 2-3ds of such annual sum, as is deemed by the treasury a reasonable rent for such buildings and ground respectively, for the term and estate intended to be granted therein, and a fine to the amount of the remaining 1-3d (subject to a discount not higher than the legal rate of interest) shall be paid to the use of H. M., and where there are no substantial buildings on the ground de-

mised, or the buildings thereon require or are agreed to be rebuilt, or other new buildings to be erected thereon, such a rent shall be reserved as is deemed reasonable by the treasury, without taking fine for the same; and so as in every such lease or grant of land or buildings of the description last aforesaid, there be contained a covenant, by the lessee or grantee, for erecting proper buildings thereon, in a reasonable time therein limited, and for keeping them in repair and other reasonable covenants, and so as all such rents be reserved to be paid, free of taxes, during such part of the term not exceeding 3 years, as the treasury shall allow; and so as the lessee or grantee shall duly execute a counterpart of his lease or grant, which shall not be subject to stamp-duty, 34 *G.*3. *c.*75. *s.*3. [*This exemption extended to* leases *or* grants *made under this act*, or under 48 *G.*3. *c.*73., *s.*18. of the latter act, *infra*, *pl.*82.] Subsisting leases valid, *id. s.*2.

36. In cases where any rent has been heretofore reserved for the benefit of any charitable institution, or for augmentation of any ecclesiastical benefice or corporation, H. M. may continue to reserve the same rent, on granting new leases of the lands, tenements, or hereditaments, within survey of exchequer, charged therewith, notwithstanding 34 *G.*3. *c.*75., 46 *G.*3. *c.*151.

37. Where on the ground demised there is some substantial building, not required or agreed to be rebuilt, and either some other building thereon requiring or agreed to be rebuilt, or some new building is agreed to be erected thereon, the treasury may direct what rent shall be paid annually, and whether any and what fine shall be taken on such demise, regard being had to the value of the building not intended to be rebuilt, and the proportion it bears to the value of the whole property intended to be demised, 48 *G.*3. *c.*73. *s.*23.

38. Where the treasury think that the solidity and value of any old house to be demised, and not required to be rebuilt, is such as to be sufficient security for due payment of the whole annual sum mentioned in *s.*23., they may reserve in such lease the rent only, without fine for the same, *id. s.*24.

39. The treasury may grant and renew leases of the profits of agistment of woods disafforested, of *præ* and *post* fines, arising within *Wa.* and *Chester*, of light-houses, beacons, mooring-chains, tolls, markets, tythes, fisheries, ferries, and other property of uncertain produce, for 31 years at discretion, 48 *G.*3. *c.*73. *s.*21.

40. On every grant, lease, or other assurance, granted by H.M. under either of the seals in *s.*1. *pl.*34., of any lands, tenements, manors, tithes, woods, or other hereditaments, (advowsons of churches and vicarages, and such tenements and grounds, with buildings erected thereon, as may hereby be granted for not exceeding 99 years, [or *three lives*, Rep. 48 *G.*3. *c.*73. *s.*3.] and whereon any fines are payable excepted,) in *Eng.* and *Wa.* belonging to H. M., his heirs, or successors, within the order and survey aforesaid, in possession, reversion, remainder, use, or expectancy, to any person, body politic or corporate, whereby any estate or interest, in law or equity, shall pass from H. M., &c. there shall be reserved such clear annual rent as shall by the treasury be deemed reasonable, without fine; which rent shall be made payable to H.M. during the whole term; and no such lease or grant shall be effectual, unless the lessee or grantee execute a counterpart thereof, which is not liable to stamp-duty, (and see *s.*3.) 34 *G.*3. *c.*75. *s.*4.

41. In respect of any lease or grant under the great or exchequer seal of any houses or other buildings, certified by surveyors not to require rebuilding, and being of greater yearly value than the ground on which built, but which a lessee may wish to pull down to build other houses, &c. of greater value; of houses or buildings damaged or destroyed by fire; of ground on which such buildings have been erected; of houses, &c. only in part rebuilt, or to which new buildings are added; and of ground to be granted as gardens, &c., [as in *s.*1. *infra*, *pl.*63.,] the treasury may admit of paying the consideration either in rent only, or in rent and fine, provided such fine does not exceed 1-3d of the net annual value of the premises for which paid, nor the legal rate of interest, 48 *G.*3. *c.*73. *s.*25.

42. In crown leases of mines, collieries, quarries, and other mineral and fossil substances, belonging to the crown, the treasury may reserve a share of the produce in kind, or a duty on the quantity or value thereof, at discretion, *id. s.*26.

43. No lease or grant of any H.M.'s lands, tenements, or hereditaments, within the order and survey of exchequer, shall be renewed for any term of years whatever, till within 5 years of its expiration, except such tenements and hereditaments as may, by this act, be granted, for not exceeding 99 years; nor shall any grant or lease of the latter be renewed, till within 20 years of the expiration, except as in *ss.*6—9. [*infra*, *pl.*45—46. to 49.,] and in 48 *G.*3. *c.*73. *s.*19. [*infra pl.*44.] directed, 34 *G.*3. *c.*75. *s.*5.

44. Thus where any house or other building requires or is agreed to be rebuilt, or any new house or building to be erected on any land belonging to the crown, within survey of exchequer, held under a crown lease, on which other houses, &c., included therein, are standing, if the lessee shall covenant to build a new house or building, or to rebuild one of such value as to increase the value of the whole property included in such lease, it shall be lawful to grant new leases of all such land, with the houses, &c. thereon, as were included in the former lease, for any term or estate, except for life or lives, not exceeding those authorized by 34 *G.*3. *c.*75., with the rent required to be reserved by both acts, and with covenants for so erecting or rebuilding such houses, &c. within a reasonable time, and that they be of the requisite value, 48 *G.*3. *c.*73. *s.*19.

45. Or if it appear to the treasury that any person has entered into any covenant to obtain renewals of leases at earlier periods, in confidence that the same could be so renewed, the lease or grant may be renewed at more than 5 years from its expiration, so as to enable such person to perform such covenants; so if any person is the lessee of tithes or other profits of any lands, and is owner of or interested in such lands, the treasury may order a renewal of leases of such tithes, at the most convenient times for beneficial enjoyment thereof with such lands, 34 *G.*3. *c.*75. *s.*6.

46. Where any wastes, commons, or other uninclosed lands, within the order and survey aforesaid, in which H. M., his heirs, &c. have any interest, shall, by statute or otherwise, be directed to be divided and inclosed, or where any lands belonging to and held under lease or grant from H. M. &c. under the great or exchequer seals, shall by the treasury be deemed fit to be planted, or any farm-house or substantial building to be erected for the improvement of any lands, or any pits, levels, &c. engines, or other works to be dug, erected, or made for the better working of any H. M.'s mines, quarries, or collieries, and held as aforesaid; and where the term or estate in possession therein respectively shall be deemed insufficient to repay the expences thereof, with reasonable profit to the parties making the same, the treasury may renew such lease, or grant a further lease of any such lands, mines, &c. for any term not exceeding that authorized by 1 *A. st.*1. *c.*7. (*s.*5, *pl.*26.) or this act; and where any houses or building shall require or be agreed to be rebuilt, or new houses to be erected, or where any houses, &c. have been (before this act passed) erected on any land belonging to and held under any lease or grant whereof the term or estate in possession, at the time of erecting such houses, &c. respectively, is deemed by the treasury insufficient to repay the costs of erecting the same, with reasonable profit to the parties, any further or other lease of such houses, &c. and land, &c. may be granted for any term not exceeding that hereby authorized to be granted; provided that in every such lease are inserted covenants for the rents by this act (*s.*3. *pl.*35.) reserved, with covenants by the lessees for erecting such new buildings, and making such works and improvements at their expence, in a reasonable time, where the same have not been previously erected or made, *id. s.*7.

47. Whenever such leases of wastes are renewed, as in the last *placitum*, they may be renewed in like manner, and on the same terms, with respect to any other lands comprised in the same leases, 48 *G.*3. *c.*73. *s.*22.

48. Before making any grant or lease under the great or exchequer seals of any lands, &c., within the survey aforesaid, a survey of the premises where it can be made, and an estimate of their improved annual value, shall be made by able surveyors of land or houses named for that purpose by order of the treasury, or of the surveyor-general of the land revenues of the crown for the time being, who shall certify by reports in writing under their hands what in their judgment is the annual value of the respective estates by them surveyed, clear of all taxes, &c.; and where the greatest part of the value thereof consists of the buildings thereon, or of ground appropriated for building, they shall certify the true annual value of the respective buildings or land clear of all contributions to building or repairing party-walls and of all other repairs, and also of all taxes or repairs soever; and what then appears to be the true state of such buildings in point of repair, and for what term it appears to be most beneficial for the crown to grant such buildings and ground respectively, and to every such survey and estimate shall be annexed the oath of such surveyor taken and subscribed before any justice, that he has faithfully and truly executed his duty, both which shall then be filed in the proper office for depositing the same, 34 *G.*3. *c.*75. *s.*8. [*The form of oath* annexed to this section seems unnecessary to be inserted here.]

49. Where any tenements or hereditaments, of which a lease or grant may be applied for, are of a fixed and unimproveable value, or where the nature or annual value thereof cannot be known by means of such survey, or where the known value is too inconsiderable to incur the expence of surveying the same, a lease thereof may be granted or renewed without causing such survey to be made, if the treasury shall so direct, *id. s.*9.

50. The surveyor-general of crown-land revenues may contract for the sale of any fee farm rents, rents-services and seck, chauntry, castle-guard, viscontial, and other dry and unimproveable rents, undisposed of under 26 *G.*3. *c.*87. *s.*12. & 30 *G.*3. *c.*50. Exp. (except quit and copyhold rents standing in charge as parcel of any manor) due to H.M. in *Eng.* or *Wa.* within survey and receipt of exchequer, at the best prices to

be obtained and approved by the treasury, not being less than the rates fixed by (26 *G.*3. *c.*87.) 34 *G.*3. *c.*75. *s.*10.

51. The bank of *Eng.* shall open an account in their books entitled "*An Account of the Sale of Fee-farm Rents*," and carry to its credit the purchase-money paid in for the same under this act, and when the said surveyor-general [commissioners, *pl.* 93.] shall have contracted for sale of any rents, he shall grant the purchasers a certificate, specifying the rent so contracted for, and the amount of purchase-money thereof; and the cashiers of the bank shall, on production thereof, receive the money, and (*gratis*) acknowledge its receipt, at the foot or back of such certificate, which shall then be brought to the office of the respective auditors of land-revenue, and there enrolled in proper and separate books, and attested by such auditor, who shall then return them to the purchaser, who shall then be taken to be in actual and free possession of the rents purchased, with all the powers given to purchasers of rents, (by 22 *C.*2. *c.*6., 22 & 23 *C.*2. *c.*24.), *id. s.*11.

52. The certificates so to be granted shall be witnessed and attested to the surveyor-general's [commissioners, *pl.* 93.] signature, by some principal clerk, &c. in his office, and the cashier's receipts, when enrolled as in *s.*11., shall discharge the purchasers from all questions soever therein, *id. s.*12., [the *forms* of these certificates and receipts are annexed to this section.]

53. The certificates and receipts hereby directed to be given, shall be made and enrolled at the expence of those requiring them, with such fees, (exclusive of stamps, parchment, and writing,) as the treasury shall establish in proportion to the value of the rents sold, but not exceeding 20*s.* for any one rent, and if for more rents than one, a further fee shall be taken for each, not exceeding one-fourth of that taken for the highest rent included in such certificate; and the like fees only shall be taken for inrolment of the said certificates and receipts, to be distributed among the clerks, as the surveyor-general shall direct, *id. s.*13.

54. Where the consideration money contracted to be paid for any purchase or discharge soever authorised by this act, exceeds 10*l.*, the certificate of the surveyor-general [commissioners, *pl.* 93.] shall be written on parchment stamped, as by law required for common conveyances of lands, without any stamp for the cashier's receipt; and if less than 10*l.* may be written on parchment, without other stamp-duty than that by law requisite for cashier's receipt; and so if the purchase money is to be paid by the owners of the lands, &c. to any purchaser of the rents, *id. s.*14.

55. If any persons with whom the surveyor-general [commissioners, *pl.* 93.] shall contract for any of the rents, by this act authorised to be sold or extinguished, shall neglect to procure such certificate; to pay the purchase-money into the bank; or to inrol the certificate and cashier's receipt (*as in s.* 12, &c.) for 14 days from the date of the contract, the same shall be void, and the consideration money, if paid into the bank, forfeited, unless he order enrolment to be made *nunc pro tunc*, *id. s.*15.

56. The money so paid into the bank on account of the sale of fee-farm rents shall, from time to time, be laid out by order of the surveyor-general [commissioners, *pl.* 93.] in the purchase of 3 *per cent. consols*, in the name of the treasury, in which name the bank are required to permit transfers to be made of the annuities or stock purchased, and to be accepted by such surveyor-general, in the name of the treasury, in whom they shall be vested, and shall not be transferable without authority of parliament, but all the interests of the annuities, &c. shall be from time to time paid by the bank into the hands of the appointee of the treasury, and shall, under this act, be taken to be part of the land-revenues of the crown, and applied as such, *id. s.*16.

57. The surveyor-general [commissioners, *pl.* 93.] of crown-lands, with consent of treasury, shall have the same power to compound for arrears of any such rents as the commissioners by 26 *G.*3. *c.*87. *s.*12., *and* 30 *G.*3. *c.*50., *id. s.*17.

58. In all cases where any such lease or grant may be renewed under either act, H.M., his heirs, &c. on surrender thereof, may grant new leases of the same lands, &c. in parcels for such term, and on the same conditions, as if the same had been renewed under either act, and had not been previously surrendered, 34 *G* 3. *c.*75. *s.*19., 48 *G.*3. *c.*73. *s.*7., altering in part 34 *G.*3. *c.*75. *s.*19.

59. All expences of any new lease made on such surrender as above, shall be paid by the lessees, 48 *G.*3. *c.*73. *s.*8.

60. This act shall not extend to any lands, tenements, or hereditaments within the order and survey of the chancellor and council of the duchy of *Lancaster*, or to any rents thereof, or to any leases under the seals of the duchy and county palatine, or either of them, but all the lands, &c. of the duchy may be granted and demised as before this act, 34 *G.*3. *c.*75. *s.*20.

61. The surveyor-general [commissioners, *pl.* 93.] shall, in 30 days after the commencement of the session of parliament in every third year after 1797, report in writing under his hand and seal to H.M., and both houses, what leases or grants have been made of such land-revenue since his last report, for what terms they are made, and the annual value of the tenements and hereditaments comprized in every such lease as returned on oath of the surveyor, as in *s.*12., and the annual value by the last preceding survey, (if the same is in the power of the surveyor-general,) the rents, fines, and other consideration thereof; and (as far as can be) those paid on the last preceding grant ther eof, and the amount of all fee-farm and other fixed rents sold under this act within the like period, and of the purchase money, and 3 *per cents.* purchased, and every thing else which he may think necessary to be set forth therein, 34 *G.*3. *c.*75. *s.*21.

62. To IMPROVE THE LAND REVENUE OF THE CROWN in *Eng.* and also of H.M.'s duchy of *Lancaster*, 48 *G.*3. *c.*73. *ss.* 1—6. 9—18. 20. 27—30. [AMD. as to *s.*1. by 52 *G.*3. *c.*161. *ss.*1—3., as to *s.*6. 50 *G.*3. *c.*65. *s.*9., as to *ss.*10, 11. by 54 *G.*3. *c.*70. *ss.*11, 12., as to *s.*28. by 52 *G.*3. *c.*161. *s.*2., and 1 & 2 *G.*4. *c.*52. *s.*4.]

63. Where any land belonging to H.M. within the order and survey of exchequer, *and* of the duchy of *Lancaster*, shall, by the treasury or chancellor and council of that duchy, be deemed proper for gardens, yards, curtilages, and other appurtenances to be enjoyed with any houses, &c. erected, or to be erected on ground belonging either to H.M. or to any other proprietors, [or for any purpose calculated for accommodation to the occupiers of such houses, 52 *G.*3. *c.*161. *s.*3.,] H.M., his heirs, &c. may demise or grant the same to any person or body politic or corporate under the great seal, or the seal of exchequer, or that of the duchy and county palatine of *Lancaster* for not exceeding 99 years, computed from the date of the lease, or if such lease or grant be made to take effect in reversion or expectancy, then the term and estate thereby to be granted, with that in possession of the same lands, shall not exceed such 99 years, 48 *G.*3. *c.*73. *s.*1., 52 *G.*3. *c.*161. *s.*3. [*But see* the present more simple mode of leasing by the crown, 1 & 2 *G.*4. *c.*52. *s.*1., *infra*, *pl.*175.]

64. The demise of such land, for the accommodation of lessees of the above houses, shall be made with all the powers thought requisite for effecting the object thereof, always reserving such annual rent as the treasury or chancellor and council of the duchy shall deem proper, without taking fine for the same, 52 *G.*3. *c.*161. *s.*3.

65. Where any land belonging to H.M., his heirs, &c. *within the duchy of Lancaster*, is fit for erection of houses or other buildings thereon, or for necessary gardens, yards, and appurtenances to be used therewith, and by order of the chancellor, &c. as in *pl.*63. is directed to be reserved for that use; or where the lessee or grantee shall covenant to erect buildings of greater yearly value than the land so leased or granted; or where the greatest part of the yearly value of any tenements or hereditaments belonging to H.M. doth at the time of grant consist of buildings thereon, H.M., his heirs, &c. may demise or grant the land so directed to be set apart, or the tenement, &c. above described, to any person or body politic or corporate under the duchy seal, for any term not exceeding 99 years, or 3 lives, to be computed as in 48 *G.*3. *c.*73. *s.*1. *pl.*63. and subject to the following rents; *viz.* where there is any substantial building on the ground demised, or if the buildings thereon shall not require or be intended to be rebuilt, there shall be reserved to H.M., &c. an annual rent of not less than 2-3ds of such annual sum as such chancellor, &c. shall deem a reasonable rent for such buildings and ground respectively for the intended term, and a fine to the amount of the remainder of such annual sum shall be paid to H.M., subject to a discount at no higher rate than the highest legal interest at the time of making such lease; and when there shall be no such substantial building on the land demised, or the buildings thereon require or are intended to be rebuilt, or other new buildings to be erected thereon, such annual rents shall be reserved as are deemed by such chancellor, &c. a reasonable consideration for the intended term, without taking any fine; and in every lease of such land or buildings of the last-mentioned sort, shall be contained a covenant by the lessee, for erecting proper and substantial houses or buildings thereon within a reasonable time limited, and such other covenants to repair as shall be so deemed reasonable; and all such rents shall be reserved clear of taxes during the whole term, except such rent or part thereof, for not exceeding 3 years during such part of such term as the chancellor, &c. may think fit to be allowed; and every lessee shall sign a counterpart of his lease; which leases so made shall be valid, notwithstanding 1 *A. S.*1. *c.*7. *s.*6., which is repealed, as far as it is contrary to this act, 52 *G.*3. *c.*161. *s.*1.

66. No land for such gardens, yards, or appurtenances, to be used with any houses or buildings holden under any lease from H.M. or his predecessors, shall be granted or demised for a longer term than that for which such houses are holden, 48 *G.*3. *c.*73. *s.*2.

67. No lease of crown lands within the order and survey of the exchequer in *Eng.*, shall in future be granted for life or lives, *id. s.*3.

68. Crown leases of such gardens (as in *s.*1.) granted under this act, may be renewed as the leases of houses may, under 34 *G.*3. *c.*75. *ss.*5—6., *pl.*43. 45., and where used with any houses under lease from the

crown, the leases of both may be renewed for the same term and on like conditions, 48 *G.*3. *c.*73. *s.*4.

69. Whenever lands or grounds, or part of any lands, &c. held under any lease or grant from H.M., or his predecessors, are deemed fit for gardens, &c. (as in *s.*1.,) then at any time during the continuance of the demise, the lease, &c. may be renewed under the conditions in *s.*1. &c. *id. s.*5.

70. The surveyor-general, [now the commissioners of woods, forests, and land-revenue, 50 *G.*3. *c.*65. *s.*1.,] with consent or by direction of treasury, may contract with any persons holding any lands, tenements, or hereditaments belonging to the crown, for the surrender or purchase of any lease, or buying up the remainder of the term of any lease of any crown lands, tenements, or hereditaments, convenient for the public service, and eligible to be purchased, and to pay the purchase-money out of any produce of sales of crown property made and vested in the 3 *per cent. consols*, *id. s.*6.

71. The commissioners may from time to time sell and transfer any of the consolidated bank annuities in 48 *G.*3. *c.*73. *s.*6. mentioned, and convert the same into money in order to pay such purchase-money; and the bank shall permit transfers thereof to be from time to time made, under the hand of one or more commissioners, provided a note in writing under the hands of at least two of them, specifying the sum to be raised, and the purpose for which applied, is delivered to the governor and company 3 days before the transfer is made, which note shall be sufficient authority to the bank for the transfer, 50 *G.*3. *c.*65. *s.*9.

72. Where the enrolment of any lease, or assignment, or minute, or dockets thereof before the auditor of land revenue, or the auditors of the duchy of *Lancaster*, or the entry, minute, or docket of any lease or assignment in either of their offices has been omitted beyond the period limited in such lease, the chancellor of the duchy, or the surveyor-general, on reasonable cause shewn, may authorize *nunc pro tunc* inrolments, entries, or dockets of such leases, 48 *G.*3. *c.*73. *s.*9.

73. [In order to effectuate the provisions of 38 *G.*3. *c.*60. and 42 *G.*3. *c.*116. *s.*131., &c. for redemption of land tax on the crown lands of the duchy of *Lancaster*,] the chancellor and council of the duchy may sell, grant, and assure in the name of H.M. under the duchy seal, such manors or lordships belonging to the crown within survey of the duchy as consist of the manerial rights without any, or with very little land belonging to them, and where the greater part of the land over which they extend is the property of individuals; and such manors or lands of which H.M. is not sole proprietor, but joint owner of an undivided share with other persons, or which are intermixed with the property of individuals, and lying remote from other crown property; and of ground or buildings usually held with any castle, &c. now used for a common gaol, or with any assize, sessions, or other court or gaoler's house, or in which magistrates may claim rights from length of enjoyment for public purposes of any county or district, and such tithes belonging to the crown issuing from lands the property of individuals, and mills, fisheries, ferries, tolls, stalls of markets, &c., and wastes belonging to the crown within the duchy survey encroached on by individuals, for the best prices to be paid to the duchy receiver-general under the recited acts, 48 *G.*3. *c.*73. *s.*10.

74. The treasury shall by warrant ascertain and declare what lands are comprised in the 48 *G.*3. *c.*73. *s.*10., and are thereby made saleable under denomination of lands dispersed in small quantities, and intermixed with the property of individuals, and lying remote from other crown property, 54 *G.*3. *c.*70. *s.*11.

75. The surveyor-general [commissioners, *pl.*93.] may, from time to time, sell the like property as in *pl.*73. (adding *mooring-chains* and not mentioning *tolls, or stalls of markets, &c.*) [within the survey of the exchequer in *Eng. semble from the recital*] for the best price: to be paid into the bank to the account of the treasury as the produce of the sales of land revenue authorised by the acts recited in *s.*10., such sales being also made according to the provisions of those acts, 48 *G.*3. *c.*73. *s.*11.

76. The monies arising from sale of the crown property described in 48 *G.*3. *c.*73. *ss.*10—11. [*ante*, *pl.*73. 75.] shall be paid into the bank, and placed to the account of the commissioners of H.M.'s woods, forests, and land revenues, [see 50 *G.*3. *c.*65. *s.*1. *pl.*93.] being the "navy timber nursery fund" account, and shall be applied for like purposes with other monies paid into that account, 54 *G.*3. *c.*70. *s.*12.

77. The produce of sales of the duchy and crown lands under the acts mentioned in *s.*10. *ante*, *pl.*73. or this act, (except as relating to the sales in *s.*13. next *pl.*) shall be invested in 3 *per cent.* stock, applicable as stock under the land-tax redemption acts in *s.*10., 48 *G.*3. *c.*73. *s.*12.

78. The surveyor-general [commissioners, *pl.*93.] may contract with any tenants of copyhold or customary tenements, parcel or holden of a crown manor within survey of exchequer in *Eng.* for the enfranchisement thereof, or with any persons, (not being such tenants) for sale of the manerial rights of the crown therein, at the best prices approved by the treasury; and the tenements so agreed to be enfranchised, or on which the manerial rights are contracted for, and the consideration to be paid, shall be specified in a certificate granted for that purpose, and shall be accepted, and a receipt for the same shall be given, and inrolment thereof made and attested as in 34 *G.*3. *c.*75. *s.*11., &c. contained; which certificate and receipt shall be enrolled and attested by the steward of the manor, or his deputy, in the court rolls of the manor, and returned to the purchaser; after which enrolments, the tenements included therein shall be enfranchised, and the tenants thereof hold the same freed from all claims by H.M. or any claimant under him, as lords of the manor; and the purchasers of any such manorial right shall be taken to be in actual possession thereof, free from all such claims, 48 *G.*3. *c.*73. *s.*3.; but no such contract shall be made unless by special treasury warrant, *id. s.*14.

79. The purchase money for such enfranchisement or purchase of manerial rights shall, from time to time, be paid into the bank of *Eng.* to the account of the lord high treasurer for enfranchisement of copyholds of crown manors, and shall be invested in 3 *per cent.* stocks in his name by order of the surveyor-general, (who may make drafts on the bank for that purpose under regulations of 34 *G.*3. *c.*75. *s.*16. *pl.*56.) but the accounts shall be distinct from those of the sales made under that act, *id. s.*15.

80. A certificate of purchase shall be given by the surveyor-general to purchasers, specifying the premises agreed to be enfranchised or sold, and the amount of purchase-money, which shall be paid in 30 days from the date of the certificate, on production whereof the bank cashier shall accept the money, and without fee acknowledge such receipt thereon; which certificates and receipts shall be subject to no other stamp duty than that by law required on the latter, and shall be a sufficient conveyance, *id. s.*16. [The form of this receipt is annexed to this section.]

81. All provisions contained in 34 *G.*3. *c.*75. and in force before passing this act, with respect to sales of fee-farm rents, and the certificates and receipts relating thereto authorized by that act, shall extend to this act as far as applicable, and not altered by it, *id. s.*17.

82. No contracts for sale or leases made under 26 *G.*3. *c.*87., 30 *G.*3. *c.*50., or 34 *G.*3. *c.*75. shall be void for want of proper stamps, and all future contracts for enfranchisement of copyhold or sale of manerial rights under this act, or of fee-farm rents, or other hereditaments of the crown within the order and survey of exchequer, or leases or grants made under this act, or 34 *G.*3. *c.*75. shall be exempt from stamp duties, *id. s.*18. and *see pl.*119.

83. The surveyor-general may sell the rights and interests of the crown in the forest of *Brecknock*, with approbation of treasury, under the regulations of this act as to crown lands, *id. s.*27.

84. Where any new buildings are erected, or agreed to be erected on crown land within survey of the chancellor and council of the duchy, or of the surveyor-general, [commissioners, *pl.*93.] or held under any crown lease for enlargement of, and to be united to, and occupied with any house or building held under any other crown lease, new leases may be granted for not exceeding 99 years, as well of the ground on which such edifice is erected, or agreed to be erected, as of all the other tenements and hereditaments contained therein, provided that the greater part of their annual value consists of the buildings thereon, or of ground set apart for building, or for necessary gardens, &c. (as in *s.*1.) *id. s.*20.

85. When it appears to the chancellor and council of the duchy, or to the surveyor-general [commissioners of woods and forests, *pl.*93.] that it would be advantageous to the land revenue of the crown to exchange any crown lands for other lands of equal, or nearly equal value, the surveyor-general of the duchy and the said *surveyor-general* may cause the value of both lands to be ascertained by some surveyor, who shall annex to his valuation thereof his oath, taken before any justice, for the faithful execution of his duty therein, [and see 52 *G.*3. *c.*161. *s.*6. same oath] which oath, &c. so taken and subscribed, shall be filed with the survey and estimate in the office of the said *surveyor-general*, or clerk of the council of the duchy; and the said *surveyor-general* shall report to the treasury, or if surveyor-general of the duchy, to the chancellor and council thereof, the grounds of his recommendation of the exchange, with the valuation; and if they approve thereof, they shall authorise such surveyor-general, &c. to carry it into effect on certain conditions, if assented to by the exchanging party; and the lands exchanged shall be mutually conveyed, and vest in the parties, *id. s.*28. *and see three next placita.*

86. [*Doubts having* arisen respecting the form of conveyance in cases of exchange under 48 *G.*3. *c.*73. *s.*28.]

87. Whenever it appears to the chancellor and council of the duchy that such exchange can be effected with advantage to H.M., his heirs, &c. according to that act, such chancellor, &c. may convey to the other exchanging parties any tenements or hereditaments, parcel of the duchy or county palatine, in the name of H.M., his heirs, and successors, under seal of such duchy, &c.; and such other parties shall at the same time convey to such chancellor, &c. in trust for H.M. in right of such duchy, &c. the parcel of land so to be given in exchange; and the lands exchanged shall accordingly vest in H.M. and such parties respectively subject to the same application to which the lands so mutually conveyed in exchange previously were, 52 *G.*3. *c.*161. *s.*2.

88. "*Further doubts* having arisen as to the power of exchanging crown property in perpetuity for lands or hereditaments held by the exchanging parties for any partial estate, term of years, or chattel interest," it is enacted, that the commissioners of woods and forests, [appointed in lieu of surveyor-general, 50 *G.*3. *c.*65. *s.*1.] with approbation of any 3 or more commissioners of treasury, may convey any of the crown possessions in *Eng.* or *Wa.* within the survey and order of exchequer, in perpetuity or otherwise, in exchange for any messuages, lands, or hereditaments in *Eng.* or *Wa.* held by the persons making the same for any partial estate or interest, or for any term of years or chattel interest where the reversion or remainder of such hereditaments expectant on the determination of such partial estate, &c. is immediately or ultimately in the crown: all which exchanges shall be made and carried into effect in the like manner, as near as circumstances admit, as the exchanges authorized by 48 *G.*3. *c.*73. *s.*28. *pl.*85. and all sums to be paid or received for equality of exchange shall be paid, received, or applied as monies paid, &c. for the like purpose, on any exchanges made under that act; and all deeds, &c. relating to such exchanges shall be exempt from stamp duties: and in making exchanges, the lands or possessions of H.M. so to be given in exchange shall be vested in the person to whom they are conveyed for such estates, uses, trusts, or purposes, as by such deeds, or reference therein to any other deeds expressed concerning the same, and the hereditaments given, or taken in exchange for the same shall vest in H.M. his heirs, or successors, or in the person to whom they are conveyed in trust for H.M. in right of his crown, for all the estate and interest of the person making such exchange, or for so much or such part thereof as are agreed or intended to be conveyed to or in trust for H.M. on the treaty for such exchange: and all such exchanges shall be valid, any law notwithstanding, 1 & 2 *G.*4. *c.*52. *s.*4. [*As to enrolment* in auditor's office of such deeds of exchange see *s.*8. *infra*, *pl.*180.]

89. The treasury or chancellor of the duchy may direct the payment or acceptance on behalf of H.M. of such sum of money for equalizing any such exchange, as shall be agreed on between the said chancellor and council, or surveyor-general, and the exchanging parties; such payment to be made out of the land revenue of the crown or revenues of the duchy, and where any sum amounting to 50*l.* shall be paid to H.M. for equalizing such exchange, it shall be vested in the 3 *per cents* in the name of the lord high-treasurer, and the dividends applicable as land-revenue; and if not amounting to that sum, shall be appropriated as land-revenue under the direction of the treasury, or if paid to H.M. in right of the duchy, it shall be placed out in the 3 *per cents.* according to the directions of the act (in *s.*10.), 48 *G.*3. *c.*73. *s.*29.

90. The chancellor and council of the duchy, or surveyor-general [commissioners, *pl.*93.] may act for H.M., as well in making as accepting conveyances of such exchanged lands, [and for the form of conveyance from H.M. to the party, and that to H.M. from the party, *see* APPENDIX,] neither instrument being liable to stamp duty, *id. s.*30.

91. FOR FURTHER IMPROVEMENT OF THE LAND-REVENUE OF THE crown, 54 *G.*3. *c.*70. *ss.*1—10. 13—46. *and schedules.* [This act (except *ss.*11, 12. 47., *see ante*, *pl.*74. 76. 119.) appears of too exclusively a personal and local nature to be inserted at length; but the title is here given to afford a reference to its provisions, which are important, though confined in extent.]

92. FOR UNITING THE OFFICES OF SURVEYOR-GENERAL OF THE land-revenues of the crown, and surveyor-general of H.M.'s woods, forests, parks, and chases, 50 *G.*3. *c.*65. [EXT. 52 *G.*3. *c.*161. *s.*23.]

93. H.M. may appoint not exceeding 3 persons to be commissioners for executing the offices of surveyor-general of land-revenue in *Eng.* and *Wa.*, and of surveyor-general of woods north and south of *Trent*, within the survey and government of exchequer, and the business of these offices by whatever names they are or have been denominated in patents statutes, &c. shall be jointly managed by such commissioners, not being less than 2 or more than 3 at any one time, and they shall be called, "*The commissioners of H. M.'s woods, forests, and land-revenues*," and all acts done by them or two of them, (or where directed by the treasury) by one of them (as in *s.*3.) shall be as valid as if done by such surveyors-general, &c. and all sales, conveyances, purchases, [*drafts on the bank of Eng.* (but *see s.*3.)] orders, and directions, which may or ought to be made, performed, or exercised by such surveyors-general, &c. shall be made, &c. by such commissioners, 2 or, if directed as in *s.*3., one of them, 50 *G.*3. *c.*65. *s.*1.

94. The commissioners shall observe the directions of the treasury, not being contrary to this act, concerning the execution of their office and the division of its business among them, *id. s.*2.

95. The treasury may by warrant direct all or any of the things by this act required to be done by or to all or 2 at least of such commissioners, [drafts on the bank of *Eng.*, and orders for sale of stock standing in their books only excepted,] to be done by or to one only, *id. s.*3.

96. The forms of all matters in writing soever made by or to the commissioners, shall be made according to the forms prescribed by statute, substituting the title of the commissioners (as in *s.*1.) for that of the surveyor-general, &c. and the seals and signatures, or seal, &c. of any two or one (*if directed as in s.*3.) shall be as valid, and the certificates and reports required to be made by such surveyor-general, &c. shall be made by any 2 or one (*as in s.*3.) of them, 50 *G.*3. *c.*65. *s.*4.

97. Each commissioner shall, before acting, take an oath before any baron of exchequer for faithful execution of his office, and that he will on no account accept any emolument beyond his salary, *id. s.*5. [The form of oath is annexed to this section.]

98. The salary of the first commissioner, being chairman, is 2000*l. per ann.* that of the others 1200*l. per ann.* each, clear of deductions, and in lieu of all emoluments formerly paid to the surveyors-general; one moiety thereof being paid as the salary of each surveyor-general has been formerly paid; and the whole shall commence from the date of their appointment, and be received by quarterly payments; and if any commissioner shall die or be removed after such days of payment, his salary shall be computed by the day, and paid up to the time of the vacancy, *id. s.*6.

99. All fees and emoluments soever heretofore received by the surveyors-general (except fees usually paid on assignment of leases, and on searches for, and copies of leases, or other documents in commissioners' custody) shall be abolished, and the fees here excepted shall be accounted for by the commissioners, as was used by the surveyor-general of land-revenue, *id. s.*7.

100. The old officers shall be continued, and any 2 or 1 (*as in s.*3.) of the commissioners may appoint and remove those heretofore usually appointed by the surveyors-general; which officers shall receive such salaries as are directed by the treasury, payable quarterly on the 4 most usual rent-days, *id. s.*8.

101. Every officer appointed to any office under the commissioners shall take an oath faithfully to perform his office without other fee or emolument than his salary; which oath shall be administered by 1 or more of the commissioners, or by a justice of peace or magistrate, if the commissioner desires it, *id. s.*10. [*the form* of oath is annexed to this section.]

102. All surveys, returns, estimates, accounts, and other things soever, which any person is by law required to transmit or deliver to the surveyor-general of land-revenue, or to the surveyor-general of woods and forests, shall be delivered to the said commissioners in the prescribed time and manner, and the commissioners or 1 of them may receive a verification, and take an examination on oath concerning the matters of such surveys, &c. wherein *such surveyors-general* [reciting their titles] were authorized to do, [*viz.* take the same] and perjury therein shall be punished as such, *id. s.*11.

103. Any 1 commissioner may, in like manner, receive verifications, and take examinations on oath from any officer employed in conducting any surveys, reports, estimates, accounts, or other things *concerning the land revenue*; and in case of perjury, shall be liable to the punishments thereof, 52 *G.*3. *c.*161. *s.*23. [This appears an unnecessary provision, for *both* surveyors-general are mentioned in 50 *G.*3. *c.*65. *s.*11.]

104. The balance due from the bank on the account of the surveyor-general of woods and forests, under 49 *G.*3. *c.*142. *s.*7., shall be placed to an account intituled, "the account of the public monies of the commissioners of H.M.'s woods, forests, and land-revenue, being The Woods and Forests' Fund," and shall be at the disposal of the commissioners; and money received on account of revenue formerly under management of surveyor-general of woods, shall, in 2 days after receipt, be paid by the commissioners into the bank, whose cashier's receipt shall be sufficient discharge, and all such monies, &c. so to be paid to the bank shall be placed to the above account, 50 *G.*3. *c.*65. *s.*12.

105. The commissioners may reserve out of the produce of the revenue heretofore under management of the surveyor-general of woods, for casual and ordinary payments, in the hands of any private banker nominated by the treasury, not exceeding 3000*l.*, to be drawn for by any 2 or 1 commissioner, as may be directed by treasury, and if the sum so received is reduced below 3000*l.*, any 2 or more commissioners may make up the same by draft on the bank, *id. s.*13.

106. The commissioners shall make all required payments out of the monies deposited in the bank by drafts of any 2 of them thereon, and shall specify in such draft the particular service, salary, or other cause, for which it is given, and every such draft shall have marked on the margin a figure corresponding to the page in a book to be kept by the commissioners, wherein shall be entered the particular service, &c. *id. s.*14.

107. All drafts drawn pursuant to this act, shall be sufficient authority to the bank to pay the amount to the payee or bearer, *id. s.*15.

108. On the death, resignation, or removal of any one of the commissioners, being 3 in number, the balance of cash, with all unpaid bills and drafts, shall actually vest in the 2 surviving commissioners in trust for H.M.'s service, and forthwith be carried over, and placed to their account, to be applied as in *s.*14.; on the death, &c. of one commissioner, there being only 2 in number, the like balance of cash (as soon

as a new commissioner is appointed, so as to make not less than 2,) shall vest in them, and they shall issue their drafts under the hands of any 2 or more of them for all unsatisfied demands on account of H. M.'s service, though accruing in the time of any former commissioner, 50 *G.*3. *c.*65. *s.*16.

109. The commissioners shall keep account with the bank of all monies issued for H. M.'s service, and whilst observing the regulations of this act, shall not be answerable collectively or individually for any money so paid into the bank, which latter shall be answerable for all the monies actually received by them from the commons, *id. s.*17.

110. Every person, who shall knowingly and wilfully forge, or counterfeit, or act, or assist in forging, &c. the name or hand-writing of either of such commissioners to any draft, instrument, or writing soever, in order to receiving any of the money in the hands of the bank on account of the commissioners, or shall forge, &c. (as above) any draft, instrument, or writing in form of a draft, made by the commissioners, or shall utter or publish any such, knowing the same to be forged with intent to defraud the bank or any person soever, is guilty of felony without clergy, *id. s.*18.

111. The first named commissioner shall receive and send letters and packets free from postage, subject to 4 *G.*3. *c.*24. and 42 *G.*3. *c.*63., *id. s.*19. and shall be deemed one of the persons authorized to act in execution of all letters patent, wherein the surveyor-general of woods is appointed to act, and shall so act in lieu of him, *id. s.*20.

112. Any such commissioner may be elected, and may sit and vote as a member of the house of commons, but only one of them may so sit, &c. at one time, *id. s.*21.

113. To REGULATE THE MANAGEMENT OF THE FORESTAL RIGHTS of the crown, 52 *G.*3. *c.*161. (*ss.*5—18., 20—22. 24. AMD. 54 *G.*3. *c.*70. *s.*47.) [Framed to show the general object of these sections.]

114. All powers given by this act to the commissioners of woods, forests, and land-revenues, may be exercised by any 2 of them, *id. s.*24.

115. If it appears to the treasury on report of the said commissioners, or of the surveyor-general of woods and forests for the time being, that any small parcels of land, not exceeding 1000*l.* value, in any of the royal forests, are intermixed with, adjoin, or are convenient to or surrounded by the lands of individuals, and are of little or no value to the crown for growth of timber, either by inclosure and planting, or otherwise, any 3 commissioners of the treasury may authorize the said commissioners, or the surveyor-general of woods and forests, to contract on behalf of H. M., his heirs and successors, with the person whose lands are so intermixed, &c. for sale thereof, and shall make good conveyance thereof, for the prices certified by them to the treasury as just; in no case to be under the value set thereon by the surveyor employed as in *s.*6., and to be paid to such commissioners or surveyor-general, and accounted for by them as hereinafter specified, and the conveyance shall be as in *schedule* (C), *id. s.*5.

116. In order to secure a just price to be set on the lands of the crown, and of individuals to be given in exchange, and on the crown lands to be sold under this act, the same shall, in every instance, be valued by an able practical surveyor, appointed by the said commissioners or surveyor-general on behalf of H. M., who shall certify by report in writing under his hand, what is in his judgment the true worth of the lands and premises by him surveyed, clear of all taxes, &c. annexing to such valuation the oath (or affirmation if a quaker) before any one such commissioner, or surveyor-general, or before a justice of the county, of the faithful execution of his duty, in form as in 48 *G.*3. *c.*73. *s.*28. *ante*, *pl.* 85., which being so taken and subscribed, shall be filed with the survey and estimate in the proper office, *id. s.*6.

117. Whenever application is made by any person to such commissioners or surveyor-general for leave to make any railway, tram-road, or inclined plane, or to build any fire or steam engine, (in order to raise the produce of mines, quarries, &c. within H. M.'s forests, and to carry off the water therefrom,) and it appears to them, that it would be for public advantage, and not detrimental to the interest of the crown, that such railway, &c. fire or steam engine should be made or erected, the treasury may authorize the said commissioners or surveyors-general to grant a lease [see form *Schedule* D.] for not exceeding 31 years, of such part of the royal forests as are necessary for making the same with a licence in such lease to make them under such restrictions, for such yearly rent, and on such terms as to them seem expedient, provided that no such lease or licence for such purpose is granted in any case, where its use would interfere or prove inconsistent with the rights vested in either of the railway companies established by 49 *G.* 3. *cc.*clviii. or clix. in the forest of *Dean*, without their previous consent, *id. s.*7.

118. In case of any purprestures or encroachments situate in parts of any of the forests fit for the growth of timber, which appear to have been enclosed, or used and occupied by the person then in possession, or by some one, of whom they are then claimed to be held, without effectual interruption by H. M. for not less than 10 years, and where expence appears to have been incurred in improvements by erection of buildings, &c. and the claimant or occupier has relinquished on notice, the said commissioners or surveyor-general, with authority of the treasury, may make such compensation in money for such relinquishment, &c. as is by them deemed reasonable under the circumstances, or may grant a lease of some other part of the forests situate on their borders, not deemed fit for growth of timber, or likely to interfere with plantations to be made for that purpose, for such time not exceeding 31 years, as will afford such reasonable compensation; reserving to H. M. such annual rent, as, under the circumstances, may be deemed reasonable, 52 *G.*3. *c.*161. *s.*8.

119. Where encroachments have been made 20 years before passing this act (and not abated or presented at any forest court), on the borders of any such forests, or parts thereof, not adapted for growth of timber, or likely to interfere with plantation, and the person in possession is desirous to retain possession under a lease, the said commissioners, or surveyor-general, by authority of treasury, may grant such leases for not exceeding 31 years, under such annual rent and covenants as shall by them be deemed reasonable; to be in form as in *Sch.*(D), without fee or other charge, except the actual expences for writing and engrossing it, *id. s.*9. [Such leases and counterparts thereof shall be free of stamp-duty, 54 *G.*3. *c.*70. *s.*47.]

120. Every agreement, deed, and lease hereby authorised, with a map of the land thereby exchanged, sold, or demised, shall be enrolled in the land-revenue auditor's office, and a minute or docquet thereof entered in the woods and forests commissioners' or surveyor-general's office; after which enrolment or entry H.M., his heirs, &c., shall be deemed in actual possession of any lands and premises taken in exchange; and the party with whom the exchange is made, or to whom such land is sold, shall hold and enjoy the lands, &c. so given in exchange, subject to the same tenure, charges, and rights to which that taken in exchange was previously legally subject, but freed from every claim or right of the crown, except any incident to tenure, and from all common rights soever, *id. s.*10.

121. All unlawful enclosures, encroachments, and trespasses, wilfully made upon any of the royal forests, or wilfully held by any subsequent occupier thereof (except those demised, or for which any treaty for demise shall be pending between such commissioners and the pretended owner or actual occupier), may be enquired of by the verderors of the forest in the court of attachment thereof, and the persons guilty of making, continuing, and renewing the same, save as above, shall be prosecuted in such court; and on proof thereof on oath of 1 witness, any 2 verderors present at such court may fine any offender not exceeding 20*l.*, to be recovered as in *s.*15., and direct such enclosure, &c. to be abated by the regarders, under foresters, keepers, or other officers, who shall abate the same accordingly; but if it is insisted by any person so proceeded against, that the *locus in quo* was not within the boundaries of the forest, or H.M's lands within the same, the verderors shall not proceed to conviction, but shall certify the presentment of such offence to H.M.'s attorney-general, that such proceeding may be had by information of intrusion, or otherwise, as before this act, *id. s.*11.

122. Any two verderors, at any forestal court of attachment, may, by warrant under their hands and seals, appoint any person officer of such court or forest, for executing the judgments and orders of the court, who, during the time mentioned in the warrant, or till it is recalled, or their appointment revoked by the verderors, shall have full power to execute the judgments and orders of such forestal court by like means as any peace-officer may execute a justice's warrant; and such verderors may fix the fees to be taken by such officer, *id. s.*12.

123. Every regarder, &c. (as in *s.*1.) or other forest officer, within 1 calendar month next before holding the first annual court of attachments, and within a reasonable time before holding any other such court, shall carefully survey such part of the forests as are within their regard, cognizance, or walks therein, and shall take account of all unlawful encroachments and trespasses committed therein since, or unnoticed by any preceding survey, and shall at every attachment court, make true return and presentment of the above, and of such, which having been committed before the last survey, have not been abated, and at what time, and particular part of any such forests, and by whom committed, as far as they have ascertained the same; and every such regarder, &c. or other officer shall, at the making such presentment, make oath before the verderors (or one of them) that to the best of his knowledge, no other unlawful enclosure or trespass has been made or committed, or exists within his regard, &c. of the forest, *id. s.*13.

124. Any 2 such verderors may, at attachment courts, enquire into the conduct of the regarders, &c. (as in *s.*11.), and other forest-officers in their offices; and if they find, by proof on oath, that any such officer has wilfully made any false return or presentment, or hath concealed, or wilfully omitted to insert therein any unlawful inclosure, encroachment, or trespass, or to make the survey directed in *s.*13., or hath been

guilty of wilful neglect in the care of the timber, or other trees or bushes situate within his walk, in such forests, or in any other respect has wilfully omitted to perform his duty, may impose a fine not exceeding 10*l.*, on such officer, to be recovered and applied as in *s.* 15: and for the 2d offence he shall forfeit his office, and shall not be restored thereto without an order made by two verderors, at any attachment-court: and for a 3d offence, whereby his office is forfeited, shall be incapable of re-appointment thereto, or of holding any office in any royal forest, 52 *G.* 3. *c.* 161. *s.* 14.

125. All pecuniary penalties imposed, and fees authorised by this act, and not hereinbefore directed to be recovered in attachment-courts, may be recovered in a summary way before any justice for any county or place in which the offender shall be; and if any penalty so recovered before any such justice, verderors, or courts, or imposed by either of the latter, is not paid forthwith, such justice, or verderors, or courts, shall (by warrant under their hands and seals, and directed by such justice to any constable or peace-officer, and by such verderors to the proper officer to be appointed for any such forest as above,) cause the same to be levied by distress and sale of goods, with costs thereof, and for want of sufficient distress, may commit the offender to the common gaol or house of correction, within such county or place, for six months, *id. s.* 15.

126. Nothing herein shall alter any rights enjoyed under any king's grant by letters patent of any office, bailiwick, walk or lodge, in any such forest, *id. s.* 16.

127. Nothing herein shall prevent H.M. from proceeding by information in exchequer, or from having recourse to any other existing law for punishment of the above offences, where such proceedings are deemed more adviseable, *id. s.* 17.

128. All sums accruing either by penalties recovered under this act, or from sale of, or as rent for, any lands sold or demised by this act, shall be paid to the commissioners of woods, forests, &c. or surveyor-general thereof, to be by him paid into the bank, and applied and accounted for as in 46 *G.* 3. *c.* 142., *id. s.* 18.

129. No surveyor of highways, or other person, shall dig, or cause, &c. any stone, gravel, or other road-making materials from any H.M's forests, whereby any plantation or tree may be liable to injury, *id s.* 20.

130. Nothing herein shall enable the said commissioners or surveyor-general to grant in exchange, or make sale of, any accustomed marl or gravel pits, or any bogs or lands from which peat has been usually gotten, situate within any such forests; or any lands, by exchange or sale of which the owners of any adjoining estates are deprived of their usual supply, *id. s.* 21.

131. Or to grant in exchange, or make sale of, any land within any such forest, so as to prevent commoners thereon from having access thereto to enjoy such rights, or prevent any persons from having access from such forests to any adjacent lands belonging to them, as fully as usual, *id. s.* 22.

132. TO ENABLE THE COMMISSIONERS OF WOODS, FORESTS, and land revenues, to contract for the purchase and surrender of crown leases, and to sell H.M.'s interests in [the *Thornhill* estate, in *Stallbridge*, co. *Dorset*, *ss.* 8—11. *Local*] certain small parcels of land belonging to H.M.'s subjects within the royal forests, and to remove doubts as to sales of such estates of H.M. by order of such commissioners being exempted from auction duty, 55 *G.* 3. *c.* 51.

133. Such commissioners, with consent of treasury, may contract with any persons or bodies politic holding any houses, buildings, lands, or hereditaments, belonging to the crown, for any term, under letters patent, lease, demise, or grant from the crown, for the purchase or surrender of such term, letters patent, lease, or grant, whether possession of the houses, &c. comprised therein is required for public service, or for other purposes, if the treasury deem them eligible to be bought, and may pay the price agreed on out of any money which may arise by sale of crown property under their control, *id. s.* 1.

134. All bodies politic or corporate, ecclesiastical or civil, and all executors or trustees; all tenants for life and in tail; guardians, trustees, or committees, or attornies of such owners of the houses, &c. so proposed to be purchased, as shall be *feme coverts*, infants, lunatics, idiots, or persons beyond seas, or otherwise incapable of acting for themselves, may contract with such commissioners, or other persons authorized on behalf of H.M., for sale of any such houses, &c., and may assign or surrender the same, and the subsisting terms therein, and letters patent, &c. under which the same are held, to such commissioners or persons in trust for H.M.; and such contract, assignment, &c. shall be as valid as if made by the person absolutely entitled to the same, and under no incapacity; and on execution of such assignment (and which shall be free from stamp duty), all the terms thereby assigned, &c. shall be merged and for ever extinguished in the freehold or inheritance of such premises; and all the houses, &c. comprised therein shall be vested in the crown for the residue of the term, freed from all rights of any person therein under any will, deed, settlement, or otherwsse, *id. s.* 2.

135. Where any premises contracted to be sold are held in trust for any person under any such incapacity, or having a limited interest therein, the value thereof, and of the premises therein comprised, shall be ascertained by 2 land surveyors, 1 to be nominated by such commissioners with the approbation of the treasury, and the other by the contracting party; and in case such surveyors do not agree, they shall name a third, and each of them shall annex to his survey or estimate, when completed, an oath or affirmation, to be subscribed by him, and taken before and certified by any justice, of the faithful execution of his duty therein, and which shall be filed with such estimate in the office of such commissioners, and the price to be given for such purchase shall in no case be less than that at which the same is estimated, 55 *G.* 3. *c.* 51. *s.* 3. [the *form* of oath is annexed to the section.]

136. Money so agreed to be paid for purchase of any such terms, &c. (as in *s.* 1.) which shall belong to any corporation, *feme-covert*, &c. (as in *s.* 3.) or other person under any incapacity or entitled only to particular estates therein, shall, if exceeding 200*l.*, be paid into the bank of *Eng.* and placed to the account of the accountant-general, *ex parte* the purchaser, without fee, in order to be applied, under direction of the court of chancery, to be made on petition in a summary way by the persons entitled to the rents and profits of such houses, &c. (as in *s.* 1.) comprised in any such term, or granted by any such letters patent, lease, &c. (as in *s.* 1.) to be conveyed and settled to the like uses as the houses, &c. so sold stood limited; and till such purchase is completed, such money shall, by order of the court, be vested in the name of such accountant in the 3 *per cents. Red.*, and the produce thereof, till sold by order of such court, shall be paid to such persons so entitled to such rents, &c. in case the purchase is then made, *id. s.* 4.

137. But where such money so to be paid is less than 200*l.*, but exceeds 20*l.*, then the same may (at the option of the parties entitled to such rents, or their trustees, &c. signified by writing under their hands,) be paid into the bank in the name and with the privity of such accountant-general, and be placed to his account in order to be so applied, or the same may be paid to trustees (nominated by the party making the option and signified by writing under their hands,) to be approved by such commissioners in order to be applied as in *s.* 4. without direction of such court, *id. s.* 5.

138. But where such money is less than 20*l.*, then it may be applied to the use of the person entitled to the rents and profits of such houses, &c. (as in *s.* 7.) so contracted to be sold, or in case of infancy or lunacy, to their guardians or committees for their use, *id. s.* 6.

139. Where any question arises touching the title of any person to money so to be paid into the bank pursuant hereto, or to any stock purchased therewith, or the dividends thereof, the persons who were in possession of the houses, &c. (as in *s.* 1.) comprised in the term so purchased or surrendered, and all claimants under them, shall be deemed lawfully entitled to such premises, or to the receipt of such dividends until the contrary is shewn to the satisfaction of the court of chancery, and the dividends and capital of such stock shall be paid and applied accordingly, unless it appears to the court that such possession or receipt was wrongful, and that some other person was lawfully entitled to such terms, or to the houses, &c. confirmed therein, *id. s.* 7.

140. [*Sections* 8—11. *are local, relating to the sale of H. M.'s interest in the Thornhill estate.*]

141. Nothing in 17 *G.* 3. *c.* 50., 19 *G.* 3. *c.* 56., 43 *G.* 3. *c.* 69., 45 *G.* 3. *c.* 30., shall extend to any sale by auction of the estates or chattels belonging to H.M., and made by order of such commissioners, or to charge such sales or auctioneer by whom they are made, in respect thereof, with any duties by such act granted, *id. s.* 12.

142. FOR BETTER REGULATING THE OFFICES OF RECEIVERS OF crown rents, 56 *G.* 5. *c.* 16.

143. The letters patent of 3*d June*, 1793, whereby the bishop of *Rochester* was appointed receiver of crown rents for *Essex*, *Hertford*, *Norfolk*, and *Huntingdon*, shall cease from the date of any warrants appointing new receivers, and the appointment of all other receivers shall cease from the like time, *id. s.* 1.

144. A compensation shall be made to such bishop for the loss sustained by reason of his appointment being made void, and of the loss of the fees or emoluments incident thereto, when they shall respectively cease by any warrant or appointment made in pursuance of this act; the quantum of which compensation shall from time to time be referred to and ascertained by such person as the commissioners of woods, forests, and land revenues (with the approbation of treasury) shall appoint on the part of H. M., and by such indifferent person as shall be nominated on the part of the bishop, and in case the referees do not agree, then by such indifferent person as they shall, before they proceed to consideration of the matters, by writing under their hands, appoint to act as umpire, and such referees and umpire may send for persons and papers, and may examine witnesses upon oath if necessary, *id. s.* 2.

145. Like compensation may be made to other officers if the treasury see fit, *id. s.* 3.

146. The commissioners or surveyor-general shall, from time to

time, when occasion shall require, with consent of treasury, appoint so many surveyors of lands or land stewards, or persons otherwise skilled in the management and cultivation of lands, and competent to superintendance thereof, as they shall think requisite to be receivers of the rents, issues, revenues and profits of the crown in *Eng.* or *Wa.*, within the ordering of the exchequer; so as every such person so nominated shall be resident within the county, or any one county (if his appointment extends to 2 or more counties), or any district, for which he is so appointed, and not elsewhere, unless the commissioners or surveyor-general, with such consent, think it expedient to dispense with such residence; and every such appointment shall be by warrant (as in *sch.* A.) and exempt from stamp duty; and shall be enrolled within 1 calendar month after its date, in the office of the auditor or auditors of the land revenues for the county, hundred, or district comprised in such warrant, who shall, within 1 calendar month from the date of the enrolment, deliver to the receiver a perfect rental of the land revenue within the division of receipt of such receiver, 56 *G.*3. *c.*16. *s.*4.

147. Every such receiver shall once in every year survey the estates, issues, rents, revenues, or profits in his collection (except such parts as are chargeable only with payment of a fee-farm, or quit-rent), and inspect the field books if any, kept by the lessees or occupiers, and which book every such lessee, &c. or other person having custody thereof, shall produce to the receiver on demand, and permit him to inspect the same; and he shall, within 2 calendar months after each survey, transmit to the said commissioner, &c. or surveyor-general, a true report in writing of the actual state of the premises, and of the cultivation thereof at the time of such survey, and how far the covenants under which they are then held have been observed, or whether they have been in any respects broken, and all such circumstances as shall come to his knowledge in the course of his survey, together with his opinion thereon; and if any alterations in the mode of managing such estates appear to him to be expedient, he shall state the same in such report, and his reasons, *id. s.*5.

148. Every such receiver shall make up annually an account in writing of all sums become due to H. M., and which he shall have collected, and of all such payments, allowances, or deductions, as have been made thereout by him to any persons; the 1*st* of which shall be made up to 10*th Oct.* next ensuing the date of the warrant of appointment, and every succeeding account shall begin from the end of the former, and be made up to 10*th Oct.* in the following year; and every such receiver shall transmit such account within 6 calendar months after expiration of the day to which it ought to be made up, or at or within such other period as he shall be required, by notice in writing from the commissioners or surveyor-general, to transmit the same, *id. s.*6.

149. Every such account, when so transmitted, shall be examined, checked, and inspected in the office of the said commissioners, or surveyor-general, and when approved, delivered over to the auditors of the district, who (or the persons to whom the duty of auditing such accounts shall then be transferred) shall, within 3 calendar months after receipt thereof examine, and when so examined, make up the same according to the form in which the accounts of the receivers have been used to be made up by the auditors for declaration; to be verified when so made up by the oath of every such receiver, before a baron of the coif, or cursitor baron of exchequer, or any commissioner for taking affidavits in exchequer, or one of the commissioners of woods and land revenues, or the surveyor-general; and such auditors shall afterwards present the same account to the chancellor or under-treasurer, or one of the barons for declaration; and when so declared, and the balance (if any) paid according to the directions herein contained, a *quietus* from the auditors shall be made out to such receiver in the usual form, *id. s.*7.

150. Every such receiver who shall wilfully forswear himself shall be prosecuted, and on conviction shall suffer the punishments of wilful and corrupt perjury, *id. s.*8.

151. All balances due on the periodical making up of such accounts by the auditors, and all such sums as prior to ascertaining such balances are required to be paid on account thereof, either by any debentures or instruments in writing from the said auditors, in pursuance of any treasury warrant, or by any order in writing from she said commissioners, or surveyor-general, shall be paid over by such receiver to such persons, at such times or place, and in such manner as he shall be directed by any such debenture, instrument, or order, to pay the same; and in default of such direction, then to such persons, and in such manner, times, and places, as the receivers of land revenue were immediately before this act, by the statutes and usage in that behalf, bound to answer and pay the monies in their hands, *id. s.*9,

152. Every such receiver shall be allowed 1-20th of all such monies by him received, for his trouble in collecting the same, and as a full recompence for all services performed, or such other compensation, not exceeding such 1-20th part, as the said commissioners, or surveyor-general, shall with consent of treasury direct, *id. s.*10.

153. If any lessee or occupier of any possessions of the crown, the annual rent whereof exceeds 100*l.*, shall be in arrear for 3 calendar months, and after being applied to, either personally, or by letter from the receiver for payment; he shall be charged with interest for such arrear, at 5*l. per cent.* thereon, from the day at which each half-yearly payment became due, up to the day on which the same shall be paid, and such interest shall be added to the rent, and recovered by the same ways, 56 *G.*3. *c.*16. *s.*11.

154. In case any receiver has received exceeding 500*l.*, and shall not within 1 calendar month after give notice in writing to the commissioners, or surveyor-general, he shall be charged with like interest from the day at which it shall have been received, until drawn out of his hands or paid over by him, *id. s.*12.

155. Every receiver as aforesaid, by virtue of his appointment alone, may make distresses for rents in his collection, receipt, or management, *id. s.*13.

156. Every such receiver shall, before he shall execute the office, or anywise intermeddle with the exercise thereof, enter into a bond in such penalty and with such sureties as the said commissioners or surveyor-general with consent of treasury shall require, for accounting for the rents and profits to be by him received, in the form prescribed by this act, exempt from stamp duty, and to have the effect of a statute staple to H. M., *id. s.*14.

157. But during the life of the bishop of *Rochester*, this act shall not extend to any hereditaments in *Middlesex* or *London*, or to vacate the office of receiver of the revenues thereof held by said bishop, *id. s.*15. and *s.*4.

158. But after his decease, the regulations of this act shall extend to the possessions in *Middlesex* and *London*, *id. s.*16.

159. Also this act shall not take away or diminish any of the fees which the auditors of land revenues have been used to take before it, *id. s.*17.

160. FOR BETTER MANAGEMENT AND IMPROVEMENT OF CROWN land revenue, 57 *G.*3. *c.*97. *ss.*3—9. and 22. 27. [the rest of the act is local, and ratifies an agreement between the commissioners of woods and forests, and lord *Gage*; settles several other local particulars, and regulates the sale of chief, fee-farm, and other rents belonging to *W. H. White*, a crown debtor.] The provisions of this act are not affected by 1 & 2 *G.*4. *c.*52. but are subject to that act, without prejudice to leases granted pursuant thereto, *id. s.*2. *infra*, *pl.* 176.]

161. The commissioners of woods, forests, and land revenues, may from time to time as advantageous purchases occur, with consent of treasury contract and purchase for and on behalf of H. M. his heirs and successors, any estates, lands, tenements, or hereditaments in fee-simple, or any copyholds which can be procured on reasonable terms, situate near to any of the royal forests, or to any extensive estates of the crown, which may be conveniently placed, wholly or principally under the management of the officers or agents, having already the care of such forests; &c. under control of the said commissioners, and in their judgment desirable to be purchased for H. M., which shall become part of the land revenues of the crown, and be placed within the government, and under order and survey of the exchequer, *id. s.*3.

162. The like commissioners may contract and agree with any persons soever for the sale of, or may dispose of any part of the possessions or land revenues of the crown within the survey of exchequer, consisting of any royalties, manors, franchises, or rights thereof, or any fines arising therefrom, or any lands, tenements, or hereditaments soever, which in their judgment are desirable to be sold for the best prices in money which they shall under direction of treasury be able to procure; and all sums arising from such sales shall be paid into the bank, and placed to, "the account of the public monies of the commissioners of H. M.'s woods, forests, and land revenues, being *the woods and forests fund*," and the sums so paid in shall be applied from time to time by order of such commissioners, (who may make drafts on the bank for that purpose,) in the payment of the purchase money and interest due thereon for any purchases to be made for H. M., and in discharge of all expences of the above sales and purchases, and of any incumbrances affecting any of his estates within survey of exchequer, *id. s.*4.

163. No contract for purchase or sale of estates shall be made under this act but by special warrant from the treasury, *id. s.*5.

164. Whenever the commissioners have contracted with any persons for sale under this act of any of the possessions or land revenues of the crown by *s.*4. authorized to be sold, they shall grant the purchaser a certificate under their hands, describing the premises so agreed to be sold, and the purchase money which shall be paid into the bank within 31 days of the date of the certificate, on which the cashier shall acknowledge the receipt thereof without fee; such certificate and receipt being in the form as in the schedule, and within 2 calendar months after such date, shall be taken to the land revenue auditor's office for the district where the premises are situate, and be there inrolled in the proper books, and the auditor shall attest such inrolment under his hand, and on receiving the usual fees, return the same to the pur-

chasers, after which the latter shall be taken to be in actual seisin of the premises, free from all H. M.'s claims, and such certificate and receipt shall effectually discharge the purchasers from all purchase money expressed therein, 57 *G.* 3. *c.* 97. *s.* 6.'

165. If any person to whom such certificate shall be granted shall neglect to pay into the bank the consideration money therein specified, for 31 days after its date, or to inroll such certificate and the cashier's receipt for 2 calendar months after its date, the certificate shall be void, and the consideration money (if paid into the bank) forfeited, unless the like commissioners shall order such certificate and receipt to be inrolled *nunc pro tunc*, which they may do on reasonable cause shewn for the omission, *id.* *s.* 7.

166. Whenever any of such possessions or land revenues of the crown are disposed of according to this act under a treasury warrant, the purchaser shall not be required to make any further inquiry, whether the same were saleable under this act, or into the commissioners' power to make the sale, but having ascertained the same to have been sold under a treasury warrant, and having obtained such certificate as aforesaid, and paid the purchase money therein specified, and procured the receipt of a cashier of the bank for the same, and having inrolled such certificate and receipt with the auditor of the land revenue (as in *s.* 6.) shall hold the premises so purchased without future disturbance on the above or any other grounds soever, *id.* *s.* 8.

167. The commissioners may give any notices, or make any demands and may authorize any person to make any entries requisite to be given or made by or on behalf of H. M., either to compel any tenant or occupier of any of H. M.'s estates within survey of exchequer to quit possession thereof, or to perform any contract relative thereto, or to do any act which ought to be done in regard to the separation or management thereof, or to the payment of any sum which ought to be paid to or for the use of H. M. or any other notice, claim, demand, or entry relating thereto, requisite to be made or given on behalf of H. M., and every such notice, claim, and entry made under authority of the commissioners shall be deemed valid, and to have been given on behalf of H. M., *id.* *s.* 9.

168. No minute, memorandum, contract, or agreement, made or entered into by or with the said commissioners for the sale or purchase by them of any other lands, tenements, or hereditaments under this act, nor any certificate, contract, or receipt, deed, covenant, agreement, or indemnity, to be given or granted, entered into or made, to or with any purchaser of any lands, &c., or any of the rents, [*ss.* 14—21. see title,] to be sold by such commissioners under this act, nor any lease or agreement for lease to be granted under this act, shall be liable to any *ad valorem* or other stamp duty, unless specially subjected thereto by statute, *id.* *s.* 22.

169. All conveyances, deeds, or instruments, whereby any lands, &c., as in *s.* 22, shall be hereafter purchased by the said commissioners for and on behalf of H. M., shall be conveyed to H. M., or to any person in trust for him, and all leases to be granted by the said commissioners shall be inrolled in the office of the land revenue auditor for the district in which the premises comprised therein shall be situate, (or, where situate within the district of more than one such auditor, then at the office of either,) on payment of the usual inrolment fees; and a minute thereof shall be entered and preserved in the commissioners' office; which inrolment shall be as good in law, as if enrolled in any court at *Westminster*, or as if a memorial had been entered in the office for registering deeds and other conveyances of lands, &c. in the counties where any of the estates are situate, *id.* *s.* 23.

170. The like commissioners, in every report to H. M. and both houses concerning the land revenues of the crown, (for so long as the powers of purchase and sale hereby given shall continue in force,) shall report what lands, &c. (as in *s.* 22.) have been purchased for H. M. under this act, describing the premises so purchased, and the purchase money paid or to be paid for the same, and the terms of completion of the purchase, and also what part of the land revenue of the crown has been sold under this act, since making their last report, and for what sum, and how applied, *id.* *s.* 24.

171. The chancellor and council of the duchy of *Lancaster*, by any order of the court of revenue in that duchy, may from time to time direct that any part of the 3 *per cent. consols*, standing in the bank books in the name or to the account of the duchy of *Lancaster*, shall be disposed of, and the produce applied in payment of any expences incurred in the division, inclosure, or other improvement of any lands or tenements belonging to H. M., in right of his said duchy, which shall be certified by the surveyor-general of the latter, on oath to be filed in the duchy office, to be necessary and beneficial to H. M.'s possessions; and the bank, on requisition to them for that purpose, by any order of the said chancellor and council, and under the hand of the attorney-general of the duchy shall permit any person, named in such order, to sell or transfer all or any of the above stock which shall be transferable by such sales, *id.* *s.* 26.

172. The bank shall be hereby indemnified for all things done in obedience to the orders of the chancellor and council, without question or impeachment at law or equity, 57 *G.* 3. *c.* 97. *s.* 27.

173. To improve the land revenues of the crown, and of the duchy of *Lancaster*, and for making regulations for the better management thereof, 1 & 2 *G.* 4. *c.* 52. *ss.* 1—3. 5—13., see *s.* 4, *ante*, *pl.* 88. [*s.* 3. is private, *ss.* 9—11. are local.

174. "Whereas by 1 *A.* *st.* 1. *c.* 7. 24 *G.* 3. *c.* 75., & 48 *G.* 3. *c.* 73., the several lands, tenements, and other hereditaments belonging to the crown, and within survey of exchequer, are now demiseable by lease, under the great seal of *Eng.*, or the exchequer seal, for such terms of years or other interests, and subject to such restrictions, and in such manner as therein respectively mentioned: and whereas special provisions are contained in 53 *G.* 3. *c.* 121. [*new street act*, and 57 *G.* 3. *c.* 97. *pl.* 160.] and the usual mode of granting leases of estates of the crown within survey of exchequer, under those seals, is attended with great delay and expence:"

175. It is enacted, that the said commissioners, with consent in writing of the treasury of U.K. or of any three or more of them, signified by warrant under their hands, from time to time after passing this act, and without other warrant, may demise or lease, or previous to such demise, &c. may enter into any contract for all or any of the manors, messuages, lands, tenements, rents, tithes, woods, mines, minerals, and other hereditaments for the time being belonging to H. M., his heirs or successors, and within the survey of exchequer, to any person soever, for such terms and interests, at such rents to be reserved to H. M., &c., and for such fines, and subject to such covenants and restrictions, as the same may now be demised under the great or exchequer seals under the 3 first recited or any other statute, law, or custom soever, provided that the lessees named in such leases do duly execute counterparts thereof; and leases made pursuant to this act shall be as valid as if they had been passed through the office of the clerk of the pipe in exchequer, and all other offices of crown lands, and had been granted under the above seals, or one of them, *id.* *s.* 1.

176. Nothing herein shall affect the powers given to the said commissioners by 53 *G.* 3. *c.* 121., and 57 *G.* 3. *c.* 97., of leasing or contracting to lease all or any of the houses and hereditaments, purchased, erected, altered, and improved, or to be purchased, &c. under those acts or either of them; but without prejudice to such powers and to any leases now or hereafter granted pursuant thereto, all those houses, &c., shall be subject to the powers of leasing hereby vested in the said commissioners, *id.* *s.* 2.

177. The commissioners of woods and forests, on behalf of H. M., his heirs and successors, by any instrument in writing under their hands, or those of any two of them, from time to time shall appoint such persons as they think fit, to be stewards of any hundreds, honors, manors, or lordships belonging to the crown, within survey of exchequer, where such offices vacant are not in the appointment of any grantee of the crown, to hold and execute such offices till some persons are appointed thereto by H. M., his heirs, &c., or by the first lord commissioner of treasury, or chancellor of the exchequer, or till such appointment is revoked by the commissioners of woods and forests, with full power to hold and keep all and singular hundred courts, courts leet, views of frankpledge, courts baron, and customary and other courts within the limits and precincts of such hundreds, &c. respectively, and to do all things incident to such offices; and also to appoint such persons as they shall think fit to execute all usual forestal offices, and to preserve the deer, beasts, and birds of chase, or warren, and other game within any such hundreds, &c., or any royal forests, chases, or warrens, or the limits thereof within survey of exchequer, where such offices are vacant, and are not in the appointment of any grantee of the crown, and also to preserve the fish belonging to H. M., &c. in any of the waters within those limits; and on H. M.'s behalf to grant licences to any persons to hunt, hawk, fish, and fowl, within any of such hundreds, &c, forests, &c. and waters respectively, and the demesnes thereof, and places thereto adjoining; and to take and kill any such deer, beasts, or birds; also to take, seize, and destroy all unlawful dogs, nets, guns, and engines, used for taking or destroying of deer, &c., game, and fish; and the same appointments and licences again at pleasure to revoke; and to allow to any such stewards, game-keepers, &c. such wages or emoluments, as they, with consent of treasury signified by warrant, deem adequate remuneration, all which appointments shall have the like effect, as if they had been made by H. M., his heirs, &c., *id.* *s.* 5.

178. Nothing herein-before contained shall abridge or interfere with the right of appointment of master or under-keepers, or other officers of any royal forest, so long as such right is vested in any warden thereof, *id.* *s.* 6.

179. No instrument made or executed by the commissioners of woods and forests, under any of the powers hereby granted, nor any contracts, instruments, made, or executed by any other persons, to or with the commissioners, for any purpose of this act, shall be liable to any stamp duty soever, imposed or to be imposed by statute, unless such instrument be specially charged by such future statute, *id.* *s.* 7.

180. Every lease or deed of exchange, executed pursuant to this act, shall be enrolled in the office of the auditor of land revenues for the district within which the premises to which it relates are situate, or if they are situate within the district of more than one such auditor, then in his office, on payment of the usual fees for inrolment; and every such lease and deed of exchange, when so inrolled, shall, without other inrolment or registry, be of the like force in all respects, as if it had been inrolled in any court at *Westminster*, or as if a memorial thereof had been entered or registered in the offices appointed for registering conveyances of lands and tenements in the counties in which those estates, or any of them, are situate; any law or usage to the contrary notwithstanding, 1 & 2 *G.*4. *c.*52. *s.*8. [*ss.*9—11., are local.]

181. The commissioners of woods and forests where such lands are within survey of exchequer, and the chancellor and council of the duchy of *Lancaster*, where such lands are within its survey, may contract and agree with the owners of the lands over which any rights of forest, chase, or free warren extend, for the sale of such rights, or any of them, in order that they may be abolished, for the best prices in money which the commissioners or chancellor and council can procure for the same; and thereupon shall sell and convey the rights of forest, &c. so contracted for, to the purchasers thereof, for the above purpose; and the purchase money payable for such of those rights as extend over any lands within survey of exchequer, shall be paid into the bank of *Eng.*, and placed to account of "The public monies of the commissioners of woods, forests, and land revenues, being *the woods and forests fund*," and shall be applied from time to time, by order of the said commissioners in the like manner; and such rights, so sold or contracted to be sold, shall be conveyed by the like instruments, and in such form, as nearly as circumstances will permit; and every such sale shall be made under the like regulations, and be as valid as if made under 57*G.*3. *c.*97., and the purchase money to be paid for such of those rights as extend over any lands within survey of the duchy of *Lancaster*, shall be paid to the receiver general of the duchy, in like manner as monies arising from sale of manors and other property of the duchy authorised to be sold by 48*G.*3. *c.*73., or any act thereby referred to, are to be paid; and all sales made under this act by the said chancellor and council, shall be made in the same form, as far as circumstances permit, and shall be as valid as if made under 48*G.*3. *c.*73., or any act there referred to; and after payment of such purchase money, and completion of every such sale, the rights so purchased shall cease and be no longer exercised, and the lands over which they extend shall be for ever discharged therefrom, as fully as if they had never existed, *id. s.*12.

182. Every person, body politic and corporate, their heirs and successors respectively, to whom sale or disposition of any such forestal or other rights is made as aforesaid under this act, shall, in lieu thereof, at all times thereafter have full power to depute one or more game-keepers to preserve, take, and kill game on all or any of the lands over which such rights so purchased by them did extend, provided such lands are not locally situate within any existing manor; which game-keeper during his deputation shall have the like power and exemption from penalties, in regard to all his acts on any of the lands within the limits of his deputation and by virtue thereof, and shall obtain such certificate, and be subject to such game duty, and shall register his deputation in like manner, and be subject to such rules as game-keepers of any manors in *Eng.* now have or are subject to by any law or statute now in force; but nothing herein shall authorise the appointment of more than one game-keeper, with power to take or kill game within the same tract of land, *id. s.*13.

CROWS.

1. For destroying choughs, crows, and rooks, 24 *H.*8. *c.*10. [Rev. as to crow nets, and Rep. as to the rest by 8 *El. c.*15., which being Exp. *Qu.* if this act is not revived.]

2. [Recital of the consumption of grain and destruction of thatch by crows, &c.] Every one shall do his best to destroy crows, &c. on pain of amerciament; [every town, hamlet, &c. shall provide crow nets for 10 years, during which time the inhabitants shall assemble in order to destroy them, defaults being given in charge at leets, Exp.]; any man with licence of owner of the ground may take crows, &c. The taker of crows, &c, shall have at the rate of 2*d. per* dozen; none under pretence hereof shall kill pigeons, under penalties of the laws, 24 *H.*8. *c.*10,

CUTLERY.

1. Against false forging of gadds of steel, 2 & 3 *Ed.*6. *c.*27.

2. If any person do make or forge any gadds of any *Bilboa* iron in form of gadds of steel, or do utter or put to sale the same, he shall forfeit 4*d.* for each gadd so put to sale, to go in moieties to H.M. and the party suing by action of debt or information in any of H.M.'s courts of record wherein no essoin, &c. shall be allowed, 2 & 3 *E.*6. *c.*27.

3. To extend the provisions of 12 *G.*1. *c.*34. and of 22 *G.*2. *c.*27. against payment of labourers in goods, or by truck, and to secure payment thereof in the lawful money of this realm [or in notes of bank of *Eng.*, or of duly licensed bankers, where the labourers consent, 58 *G.*3. *c.*51. *s.*1.] to labourers employed in manufacture of articles made of steel, or of steel and iron combined, and of plated articles, or of other articles of cutlery, 57 *G.*3. *c.*115. [Ext. as above 58 *G.*3. *c.*51. *s.*1.]

4. The provisions of 12 *G.*1. *c.*34. which prohibit the payment of wages of persons employed in woollen manufacture in goods, and to secure the payment in lawful money of this kingdom [or *bank notes*, as in last *pl.*, since 58 *G.*3. *c.*51. *s.*1.], shall be extended to labourers in the manufacture of articles made of steel, or of steel and iron combined, and of plated articles, or other articles of cutlery, 57 *G.*3. *c.*115. *s.*1.

5. The provisions of 22 *G.*2. *c.*27. to facilitate the recovery of wages by labourers in the woollen trade, as well as those imposing a penalty on masters paying labourers in goods, shall be extended to the manufacture of articles made of steel, or of steel and iron combined, and of plated articles, or of other articles of cutlery, *id. s.*2.

6. To regulate the cutlery trade in *Eng.*, 59 *G.*3. *c.*7.

7. All persons who shall make, forge, form, or manufacture by means of the hammer, any knives, knife blades, forks, razors, razor blades, scissors, shears, and other articles of cutlery, edge tools, and hardware, requiring a cutting edge of wrought steel, or of iron and steel, may mark, strike, stamp, grave or impress, upon any part of every such knives, and other articles of cutlery requiring a cutting edge, so forged and formed by means of the hammer, the figure of a hammer at any time after the forging, and previous to the same being ground or polished, so as to denote that such knives, &c. are so formed by the hammer, and so as to distinguish the same articles from such articles formed in a mould, or otherwise than by the hammer, *id. s.*1.

8. But persons who shall on the passing of this act have in their possession any such articles of cutlery manufactured by the hammer of wrought steel, or of iron and steel, at any time within 6 calendar months next after, may mark on any part of such articles so forged and formed by the hammer so in their possession, the figure of a hammer, *id. s.*2.

9. No person may cast, mark, strike, stamp, grave or impress in or upon any part of such cutlery articles which shall be cast or formed in a mould, or formed otherwise than by the hammer, either at the time of casting or subsequently thereto, and previous to the *bonâ fide* sale thereof to the user, the figure of a hammer, or any device resembling it, nor have in his possession for sale, nor shall sell, expose, or offer to sale any such articles of cutlery requiring a cutting edge, which shall have been formed in a mould, or otherwise than by the hammer, having marked thereon the figure of a hammer, or any device resembling it; and every person who shall offend in either of the above particulars shall forfeit all such articles of cutlery, together with 5*l.* for any quantity not exceeding 1 dozen of such articles; and for any quantity exceeding 1 dozen, 5*l.* for every dozen thereof, *id. s.*3.

10. No persons shall cast, &c. (as in *s.*3.) upon any part of any knives, or other articles of cutlery requiring a cutting edge, forged and formed with the hammer, of wrought steel, or of iron and steel, or cast in a mould, either at the time of forging or casting such articles, or subsequently thereto, previous to the *bonâ fide* sale thereof to the user, any word which may denote the quality to be otherwise than the real quality thereof; or shall have in possession for sale, or sell or expose or offer to sale any such articles of cutlery having marked thereon any word which may denote the quality to be otherwise than the real quality thereof; and every offender herein shall, in all the above cases, forfeit all such articles of cutlery being marked, possessed, sold or exposed to sale contrary to this act, together with 5*l.* for any quantity not exceeding 1 dozen; and for any quantity exceeding 1 dozen, 5*l.* for every dozen thereof, *id. s.*4.

11. No person shall cast, &c. (as in *s.*3.) upon any part of any such articles of cutlery, and formed with the hammer, or cast in a mould either at the time of forging or casting, or subsequently thereto, previous to the *bonâ fide* sale thereof to the user, the words '*London*,' '*London made*,' or any words having any similitude thereto, unless the articles have been manufactured within *London*, or twenty miles therefrom; nor shall have in possession for sale, nor shall sell, or expose or offer to sale any such articles of cutlery having marked thereon the above words, on pain to forfeit all such knives and cutlery, together with 10*l.* for any quantity not exceeding 1 dozen of such articles, and for any quantity exceeding 1 dozen, 10*l.* for every dozen thereof, *id. s.*5.

12. In case any person shall have in his possession for sale, or shall sell, or offer for sale, any such cutlery articles, having marked thereon any words contrary to this act, and shall on information laid against him prove satisfactorily by oath of himself or any other person, before one justice, that such cutlery articles were purchased or came into his possession, before 23 *Mar.* 1819, he shall not be liable to the penalties aforesaid, *id. s.*6.

13. In case any person [*semble*, here *who*] shall have in his possession for sale, or shall sell, or offer for sale, any such cutlery articles, not ma-

nufactured before 23d *Mar.*, 1819, having marked thereon the figure of a hammer, or any words contrary to this act; shall, at or before any information laid against him, prove by oath of himself, or themselves, before one justice, that he purchased such articles without knowing at the time that they were marked contrary to this act, and shall discover to any two justices the name of the person of whom he purchased the same, so that he shall be prosecuted to conviction, then he shall not be liable to the penalties aforesaid, but shall be entitled to two-third parts of the penalty as other informers, as in *s.* 18., 59 *G.* 3. *c.* 7. *s.* 7.

14. Two justices may hear and determine any offence against this act; and shall on information summon the accused, and witnesses on each side, and examine into the matter of complaint; and on due proof thereof, either by confession, or the oath of one witness shall give judgment for the penalty, with costs, and shall issue out their warrant for levying such penalty and costs on the goods of the offender, and cause sale to be made thereof in case they are not redeemed within 5 days inclusive of the day of the seizure, rendering the overplus (if any) after defraying the expences of such distress and sale, to the owner of the goods; and for want of a sufficient distress, such justices shall commit the offender to gaol for not exceeding 3 calendar months, unless payment is sooner made of the said penalty and costs, *id. s.* 8.

15. Any person aggrieved may, (on giving security with a sufficient surety to the amount of the penalty and costs, with farther costs in case judgment shall be affirmed) appeal to the next general quarter-sessions, which shall summon and examine witnesses, and finally determine the matter of appeal, and award costs to the party in whose favour such appeal shall be determined, *id. s.* 9.

16. The justices before whom any information may be laid, and the quarter-sessions, may mitigate the penalties; but in no case to less than one-half, or where such penalties shall be less than [*Qu. exceeding?* but the act is so,] 50*l.*, to less than 25*l.*, 59 *G.* 3. *c.* 7. *s.* 10.

17. No conviction shall be set aside for want of form, or through the mistake of any fact, circumstance, or other matter, provided the material facts be proved, *id. s.* 11.

18. A summary conviction in the form and to the effect as set forth in this clause, shall be good and effectual, *id. s.* 12. [*See Form*, APPENDIX.]

19. If any person shall be summoned as a witness, and shall neglect or refuse to appear without any excuse, or appearing shall refuse to give evidence, he shall forfeit 10*l.*, to be levied as other penalties, *id. s.* 13.

20. Any justice by warrant may cause any such cutlery articles liable to be forfeited by this act to be seized for the purpose of producing the same in evidence; after which they shall, by order of such justices, be destroyed or disposed of as the court before whom produced shall direct, *id. s.* 14.

21. No information shall be exhibited for any of the offences aforesaid, unless within 6 calendar months, *id. s.* 15.

22. One-third of the penalties shall be paid to the poor of the parish, and the other two-third parts to the person who shall inform, *id. s.* 16.

23. In all informations and other proceedings, any inhabitant of the parish shall be admitted to give evidence, *id. s.* 17.

24. In case any person liable to any of the penalties for any thing done by him under the order, direction or procurement of any other person, shall, before information, discover to two justices the name of the person, so that such person shall be prosecuted to conviction, then such informer shall not be liable to the penalties aforesaid, but shall be entitled to two-thirds of the penalty, *id. s.* 18.

DAYS IN BANK.

1. OF THE LEAP-YEAR, 21 *H.* 3.

2. The day increasing in the leap-year shall be accounted in that year, so that because of that day none shall be prejudiced, that is impleaded, but it shall be reckoned in the same month wherein it groweth, and be contained in the entirety of the year, and that day and the day next going shall be deemed one day, 21 *H.* 3. [*see now* 24 *G.* 3. *c.* 23., CALENDAR.]

3. CONCERNING DAYS IN BANK IN REAL ACTIONS and writs of dower, 51 *H.* 3. *st.* 2. & 3. 8*vo ed.* i. 41. [SUPERSEDED by 32 *H.* 8. *c.* 21., 16 *C.* 1. *c.* 6. and 24 *G.* 2. *c.* 48.]

4. DAYS GIVEN IN DOWER, ASSIZE OF *darrein presentment*, and *quare impedit*, 52 *or* 54 *H.* 3. *c.* 12. *Stat. Marlbrege.*

5. In dower under *nihil habet*, four days shall be given in the year, and more if convenient, so that they shall have 5 or 6 days in the year at least; in *darrein presentment* and *quare impedit*, days shall be given from 15 to 15, or from 3 weeks to 3 weeks, as the place shall be near or far; and in a plea of *quare impedit*, if the disturber come not at the first day, nor cast essoin, he shall be attached for another day, at which day, if he come not, or cast essoin, he shall be destrained by the great distress above given, [*Qu. c.* 2. DISTRESS, *pl.* 6—7.] and if he come not, then by his default a writ shall go to the bishop, that the claim of the disturber for that time shall not be prejudicial to the plaintiff, saving his right at another time, *id. s.* 1.

6. The same law shall be observed in all writs where attachments lie, as to making distresses, so that the second attachment shall be made by better pledges, and afterwards the last distress, *id. s.* 2.

7. FOR ABBREVIATION AND LIMITATION of *Trinity* term, 32 *H.* 8. *c.* 21.

8. There shall be only 4 common days of return in *Trinity* term, *viz.* the 1st shall be called *in crastino sanctæ Trinitatis*; the 2d, *in octabis sanctæ Trinitatis*; the 3d, *in quindenâ sanctæ Trinitatis*, and the 4th, *à die sanct. Trin. in tres septimanas*; which same days of return shall be kept in all H. M.'s courts of record, *id. s.* 1.

9. The *Trinity* term shall yearly begin on the *Monday* next after *Trinity Sunday* for keeping essoins, returns, &c. and full term shall begin on *Friday* next after *Corpus Christi* day; and the 2d and 3d days of return shall commence as formerly, and the 4th day shall begin from *Trinity Sunday* into 3 weeks next following, and have its return with the 4th day, as in other like days of return, *id. s.* 2.

10. If any writ in any real action is returnable into any of H. M.'s courts *in octabis sancti Hillarii*, then day shall be given *in crastino sanctæ Trinitatis*; if *in quindena sancti Hillarii*, then in *octabis sanctæ Trinitatis*; if *in crastino purificationis beatæ Mariæ*, then *in quindena sanctæ Trinitatis*; if *in octabis purificationis beatæ Mariæ*, then *à die sanctæ Trinitatis in tres septimanas*; and if *in crastino sanctæ Trinitatis*, then day shall be given *in crastino animarum*; if *in octabis sanctæ Trinitatis*, then *in crastino sancti Martini*; if *in quindena sanctæ Trinitatis*, then *in octabis sancti Martini*; if *à die sanctæ Trinitatis in tres septimanas*, then *in quindena sancti Martini*, 32 *H.* 8. *c.* 21. *s.* 3.

11. If any writ of dower come into H. M.'s courts, returnable *in quindena Paschæ*, then day shall be given *in crastino sanctæ Trinitatis*; if *à die Paschæ in tres septimanas*, then *in octabis sanctæ Trinitatis*; if *à die Paschæ in unum mensem*, then *in quindena sanctæ Trinitatis*; if *à die Paschæ in quinque septimanas*, or *in crastino ascensionis Domini*, then to the day of *à die sanctæ Trinitatis in tres septimanas*; if *in crastino sanctæ Trinitatis*, then day shall be given *in octabis sancti Michaelis*; if *in octabis sanctæ Trinitatis*, then *in quindena sancti Michaelis*; if *in quindena sanctæ Trinitatis*, then *à die sancti Michaelis in tres septimanas*; if *à die sanctæ Trinitatis in tres septimanas*, then *à die sancti Michaelis in unum mensem*; or otherwise, as by 52 *H.* 3. *c.* 12. appointed, *id. s.* 4.

12. All common writs and processes, personal or mixt, which shall be returnable in Trinity term, shall have the said returns of *crastino sanctæ Trinitatis*, *octabis sanctæ Trinitatis*, *quindena sanctæ Trinitatis*, and *à die sanctæ Trinitatis in tres septimanas*, *id. s.* 5.

13. In those cases, and processes where special days have been used to be assigned for returning of writs and processes, the justices of any court of record in all processes by them awarded, may assign special days of return as they think fit, *id. s.* 6.

14. The days in assize of *darrein presentment*, and in plea of *quare impedit* limited by 52 *H.* 3. *c.* 12., and also the days given in attaint limited by 5 *E.* 3. *c.* 6., shall be in force, *id. s.* 7.

15. FOR THE [limitation, 16 *C.* 1. *c.* 6. and] abbreviation of *Michaelmas* term, 24 *G.* 2. *c.* 48. [NOTE, *the* 16 *C.* 1. *c.* 6. *seems to be superseded by the effect of* 24 *G.* 2. *c.* 48.]

16. There shall be only 4 common return days in *Michaelmas* term; (viz.) the 1st thereof, the morrow of *All Souls*; 2d, the morrow of *St. Martin*; 3d, in eight days of *St. Martin*; 4th, in 15 days of *St. Martin*, 24 *G.* 2. *c.* 48. *s.* 1.

17. The same return days shall be kept in all the high courts of record, and *Michaelmas* term shall yearly begin on the morrow of *All Souls*; and if it be on a *Sunday*, then on the morrow next after, for keeping essoins, returns, &c. as on the old return day, and full *Michaelmas* term shall yearly begin on 4th day of the morrow of *All Souls*, or on the morrow after, if it fall on a *Sunday*, *id. s.* 2.

18. In all writs of dower *unde nihil habet*, after issue joined, it shall not be needful to have above 15 days between the *teste* and return of the *venire facias*, or any other process sued out for the trial of such issue, but such writ or other process, until judgment be given, with such 15 days, shall be good as is used in personal actions, *id. s.* 4.

19. All writs and processes to be made out of the courts at *Westminster*, and having day from the 4th day of the morrow of *the Ascension* to the morrow of the *Holy Trinity*, shall be good, although there be not 15 days between the *teste* and the return, *id. s.* 5.

20. If any writ of dower *unde nihil habet*, or writ of entry for com-

mon recoveries, or writ of right of advowson, or any other real action, be returnable in C.P. in the morrow of *All Souls* day, day shall be given in 15 days of *St. Martin*, if on the morrow of *St. Martin*, then in 8 days of *St. Hilary*; if in 8 days of *St. Martin*, then in 15 days of *St. Hilary*; if in 15 days of *St. Martin*, then on the morrow of *the Purification*; if in 15 days of *St. Hilary*, then in 15 days of *St. Martin*; if on the morrow of *the Purification*, then in 3 weeks from the day of *Easter*; if in 8 days of *the Purification*, then in one month from the day of *Easter*; if in 15 days of *Easter*, then in five weeks from the day of *Easter*; if in 3 weeks from the day of *Easter*, then on the morrow of the *Ascension of our Lord*; if in 1 month from the day of *Easter*, then on the morrow of the *Holy Trinity*; if in 5 weeks from the day of *Easter*, then in 8 days of the *Holy Trinity*; if on the morrow of the *Ascension of our Lord*, then in 15 days of the *Holy Trinity*; if on the morrow of the *Holy Trinity*, then in 3 weeks from the day of the *Holy Trinity*; if in 8 days of the *Holy Trinity*, then on the morrow of *All Souls*; if in 15 days of the *Holy Trinity*, then on the morrow of *St. Martin*; if in 3 weeks of the *Holy Trinity*, then in 8 days of *St. Martin*, 24 *G.* 2. *c.* 48. *s.* 3.

21. All process to be made on the returns following, *viz.* in 3 weeks of *St. Michael*, or from the day of *St. Michael* in 1 month next following, or having days between either of such returns, shall have day unto the morrow of *All Souls*, and the parties to such process shall then appear and plead, *id. s.* 6.

22. All common writs, as well personal as mixt, returnable in *Michaelmas* term, shall have the said returns of the morrow of *All Souls*, the morrow of *St. Martin*, in 8 days of *St. Martin*, and in 15 days of *St. Martin*, *id. s.* 7.

23. On common recoveries in writs of entry and writs of right of advowson, all writs of summons to warrant upon the appearance of the tenant to such writ of entry and writ of right advowson, shall be abridged to 4 returns inclusive, *id. s.* 8.

24. In cases where special days have been used to be given for the return of process, the justices of the courts of record may assign special days of return, *id. s.* 9.

25. The days in *darrein presentment* and in plea of *quare impedit* appointed by 52 *H.* 3. *c.* 12., and the days given in attaint, 5 *E.* 3. *c.* 6. and 23 *H.* 8. *c.* 3. shall stand in force, *id. s.* 10. [*See s.* 11. *tit.* London, *s.* 12. *tit.* Sheriff.]

DEBT TO AND FROM THE KING. (*See* KING.)

(Statutes *expired.*)

Pardon of divers debts, account, arrearages, &c. due to H.M., 14 *E.* 3. *st.* 1. *c.* 3. Conf. 14 *E.* 3. *st.* 2. *c.* 3. Both Exp.

(Statutes *in force.*)

1. Of recovering debts to H.M., 9 *H.* 3. *c.* 8. (*M.C.*)

2. H.M. or his bailiffs shall not seize any land or rent for any debt as long as the debtor's chattels suffice to pay the debt, and the debtor is ready to satisfy the same, nor shall the sureties of the debtor be distrained as long as the principal is sufficient; but if he fail in payment they shall answer for the debt, and may have his lands and rents till satisfied of the debt so paid for him, unless he can shew himself acquitted thereof against such sureties, *id. ibid.*

3. If H.M.'s tenant of a lay fee die his debtor, and the sheriff or bailiff shew letters patent of summons for such debt, he may attach all the goods of the dead in the lay fee to the value of the debt by view of lawful men, so that nothing thereof be taken away till the debt be paid; and the residue shall go to the executors of his will, *id. c.* 18.

4. Where the tenant of a barony coming into H.M.'s hands by escheat dies, no other relief or service shall be done to H.M. by the heir than to the baron, if it remained in his hand, *id. c.* 31. [*Qu.* Rep. 12 *C.* 2. *c.* 24. *s.* 1.]

5. A sheriff having received H.M.'s debt, shall discharge the debtor, 3 *E.* 1. *c.* 19. (*Stat. West.* 1.)

6. Sheriffs shall lawfully acquit the debtors at the next account after they have received such debts, and then the debt shall be allowed in the exchequer, so that it shall no more come into summons; and if the sheriff otherwise do, and thereof is attainted, he shall pay to plaintiff thrice as much as he hath received, and shall make fine at H.M.'s pleasure; and the sheriff shall answer for his receiver; and if any other that is answerable in the exchequer so do, he shall render thrice so much to plaintiff, and make fine in like manner; and the sheriff shall make tallies to such as pay their debt to H.M.; and the summons of exchequer shall be shewed to all debtors that demand a sight thereof without reward, and he that doth otherwise, shall be grievously punished, *id. ibid.*

7. Of distresses for H.M.'s debt, 28 *E.* 1. *c.* 12. *Art. sup. Chart.*

8. Distresses taken for H.M.'s debt shall not be made on beasts of the plough, so long as a man may find other, on the pain ordained by statute, [51 *H.* 3. *st.* 4.], and over great distresses shall not be taken for his debt nor driven too far; and if the debtor find surety till a day before that limited to the sheriff, within which a man may purchase remedy, or agree for the demand, the distress shall be released in the meantime, and he that doth otherwise, shall be grievously punished, *id. ibid.*

9. For compelling sheriffs and other officers to account duly for their receipts, 6 *H.* 4. *c.* 3.

10. After every final account made by officers and customers before the barons of exchequer, the tenor thereof shall be sent into the counties with commissions to enquire of, and certify the profits which they have received and concealed, and if the accountants be attainted of frauds, they shall forfeit to H.M. treble the value whereof they are convicted, and their bodies to prison till they make fine and ransom, *id. ibid.*

11. All obligations and specialties made for any cause touching H.M., or his heirs, or to their use, shall be made to H.M. by these words, *domino regi*, and to no other person to his use, [on pain of imprisonment adjudged by H.M. and council, *s.* 51.], and to be paid to H.M. by these words, *solvend' eidem domino regi hæred' vel executoribus suis*, the rest being in the usual form, and being in the nature of a statute staple; and all such obligations, the debt not being paid, shall remain to H.M.'s heirs and executors at his appointment, 33 *H.* 8. *c.* 39 *ss.* 50, 51. [*see ss.* 1—49. of this statute, *ante*, Courts (of surveyors).]

12. H.M. in all suits on any obligation made to him, or to his use, shall have his debt, costs, and damages, *id. s.* 54.

13. All suits upon any debt or duties due to H.M. in the offices and courts of exchequer, duchy of *Lancaster*, surveyors general of his manors, lands, and tenements, [augmentations and first fruits, Rep. 1 *El. c.* 1. *s.* 24.], shall be sued in such of the said courts and offices in which the debt did first grow, or the specialty is; and shall be made under the seals of those courts by *capias*, *extendi facias*, *subpœna*, attachments, and proclamations of allegiance, or otherwise, as is expedient, (*id. s.* 55.); and the court of exchequer, and the said courts, shall have power to hear and determine such suits, and to do execution on body, lands, and goods, (*id. s.* 56.); and to hear and determine all debts, and other things arising on any matter assigned to the government of the same courts, or upon any thing which may concern the same, wherein H.M. only is party, as well as all estates, terms of years, between party and party, concerning the premises, and to punish, at discretion, all persons convicted before them of any of the premises, and of all treasons, felonies, estates, and interests, as well of inheritance as freehold, except jointures for life, *id. s.* 57. [The courts, in *s.* 55. enumerated, were united to exchequer, pursuant to 1 *M. S.* 2. *c.* 10. which is Exp.]

14. All the above courts (see above, *s.* 57.) may set fines on parties, sheriffs, officers, and others, for default or contempt, &c. and may try the above suits by such evidence, and in such other manner as is thought expedient, *id. s.* 59.

15. On sight of acquittances made for H.M.'s debts, or proof before the head officers of the said courts, or if the condition of the recognizance or bond be performed, every such head officer may cancel at discretion such recognizance or bond, calling to him such of the court as seems convenient, *id. s.* 62. [*see* 4 *G.* 3. *c.* 10. *as to estreats* into exchequer.]

16. "Recital of grants by H.M. of lands and tenements under survey of the *court of augmentations* [Rep. 1 *El. c.* 1. *s.* 24.] on payment of one-tenth of the yearly value reserved as rent." If any person to whom H.M. has, by letters patent under his great seal, or that of the above court, granted with reservation of rent, any tenements in the survey of the same courts, for any estate of inheritance, or for term of life, yielding to H.M. 1 yearly rent at 1 certain day in the letters patent expressed, to be paid into the said courts, do not pay to the treasurer or receiver of those courts, at the day limited by the letters patent, or in 3 months after, all money reserved to H.M. by the letters patent, the same persons, for default of payment, shall forfeit to H.M. the 4th part of the rent reserved for 1 year, in the name of a penalty above the rent reserved; and if they do not, within 1 half year after the day in the patent, pay to the use of H.M. as well the said yearly rent, as also the penalty, they shall forfeit to H.M. the moiety of the rent reserved for 1 year, and for every half year after, so much money as a whole year's rent amounts to; till the rent reserved, with the arrears, and also the said penalty, be satisfied, *id. s.* 63.

17. The treasurer or receiver may distrain, as well for the rent reserved, as for the said sums forfeited in the name of a penalty; and the head officers of the same courts, on certificate of the default, shall award process against the offender for not paying the rent, and also for the sums of money forfeited, *id. s.* 64.

18. If any persons make payment to any such treasurer or receiver of any money due to H.M. for any rent or tenth, and after such payment, tender to them an acquittance to be signed, such treasurer, &c.

shall sign the same without fee, on pain to forfeit 40*s.*, 1 moiety to H.M., and the other to the party that will sue: and if the parties paying any such money do not bring an acquittance with them to be signed, then if the treasurer, &c., upon request, shall make and deliver a sufficient acquittance testifying the same, he or any of his clerks shall take, not above 4*d.* for making the same, on pain to forfeit for every acquittance for which they shall take above 4*d.*, 20*s.*, one moiety to H.M., and the other to the party that will sue, *id. s.*65.; and such acquittance shall be a sufficient discharge, 33 *H.*8. *c.*39. *s.*66.

19. If any such receiver happens to pay any annuity or rent, then if the person, upon the receipt thereof, deliver to the same receiver a sufficient acquittance, sealed and signed, testifying the same, the receiver shall receive the same without fee for making it; and if the same party do not bring with him any acquittance, by reason whereof the same receiver maketh one acquittance for receipt of such annuity, &c., then the receiver or his clerk shall not take, for making such acquittance, above 4*d.*, on pain to forfeit for every acquittance which he shall refuse, 20*s.*, and for every acquittance which he shall make, and receive above 4*d.* for making it, 20*s.*; one moiety to H.M., and the other to the party that will sue: and the same receiver or his deputy, who shall pay any such annuity or rent, shall not take of the party above 4*d.* fee for every £., upon pain to forfeit 6*s.* 8*d.* for every 1*d.*, one moiety to H.M., and the other to the party that will sue, *id. s.*67.

20. If any persons tender to the auditors of the same courts any letters patent, decrees, or leases to be inrolled, the auditor shall inrol the same, or as much of them as shall appertain to his office; and if any of the auditors, or their clerks, or any other to their use take for the inrolment, or allowance for the same, above 3*s.* 4*d.*, the auditor or his clerks so offending shall forfeit 6*s.* 8*d.* for every penny which they shall receive contrary to this statute, in moieties to H.M. and the persons suing, *id. s.*68.

21. Every auditor of the said courts yearly in every county within their limits, by the space of 20 days or more before their audit, shall proclaim, in 4 several markets or other places, the place and days when they will keep their audits, upon penalty of 5*l.*, one moiety to H.M. and the other to the party suing, *id. s.*69.

22. The said auditors and the particular receivers, between the feasts of *St. Michael* and *Christmas*, shall direct their precepts, under their seals, to their receivers and officers, accountable before the auditors in H.M.'s name, to appear before them to make account of all such receipts whereof they owe to account, *id. s.*70.

23. If the auditors and particular receivers keep their audit according to the proclamations, then if any receiver or officer, being accountable for any hereditaments in the survey of the above courts, be warned to appear, as well by the same proclamation or by precept or warrant in writing sealed, but does not so appear before the auditor and receiver, or will not account before the auditor, or does not pay unto the treasurer of the court, or the receiver of the county, within 3 weeks after the account finished, all sums of money which shall be found in arrear, and the contempt is fully proved before head officers of the above courts, he shall forfeit his office, *id. s.*71.

24. Every such officer, who, on declaration of accounts, doth willingly conceal any rent or casualty for which he ought to account, which is duly proved before the said head officers, shall forfeit his office and 3 times as much as he hath concealed: and the head officers, on certificate of the default, shall award process in nature of attachment against the same officer, as well for the arrears as also for the penalty of his recognizance, and the penalty appointed by this act, *id. s.*72.

25. In all suits in any of the above courts for recovery of debts to H.M., by reason of any attainder, outlawry, forfeiture, gift of the party, or by any other collateral means, it shall be sufficient to show generally that the party to whom such debts belong did give the same debt to H.M., or was attainted, outlawed, &c. by reason whereof the said debts accrued to H.M.: and the matter so generally shewn, without declaring the circumstances, shall be good in law, *id. s.*73.

26. Any suit commenced or process awarded for recovery of H.M.'s debts, shall be preferred before that of any other person; and H.M. shall have first execution, so always that H.M.'s suit be commenced, or process awarded, before judgment given for the other persons, *id. s.*74.

27. All manors, lands, tenements, and hereditaments, which shall come to the seisin or possession of any person to whom the same shall descend, revert, or remain in fee-simple or in fee-tail, after the death of any ancestor, or by gift of his ancestors, which ancestor was indebted to H.M., or to any person to his use, by judgment or specialty, shall stand charged for the payment of the debt, *id. s.*75.

28. H.M. shall not be excluded to demand his debts against any of his subjects, as heir to any person indebted to H.M., or to his use; albeit this word *heir* be not comprised in such recognizance or specialty, or that such persons shall say that they have not any lands, &c. or hereditaments to them descended, but only such as be entailed or given to them by their ancestors, *id. s.*76.

29. H.M. may, at his liberty, demand his debts of any executors or administrators of any person indebted, if the executors, &c. have assets, 32 *H.*8. *c.*39. *s.*77.

30. If the said hereditaments are evicted out of the possession of such persons by just title without fraud, whose hereditaments shall be chargeable as is above said, then all such hereditaments shall be acquitted of the same debts, *id. s.*78.

31. If any person, of whom any such debt shall be demanded, show in any of the said courts sufficient matter in law, reason, or good conscience, why he ought not to be charged with the same, and the matter so showed is sufficiently proved, the said courts shall have power to allow the proof, and acquit all persons so impleaded, *id. s.*79.

32. If any hereditaments, chargeable with the debt of H.M., be in the seisin of divers persons, other than the obligors, they shall be entirely, and in no wise severally, liable to the said debts, *id. s.*80.

33. This act shall not take away any liberties belonging to the duchy and county palatine of *Lancaster*, *id. s.*81.

34. Processes and executions for debts in exchequer shall be made by such officer as hath been used, as by this act is limited, *id. s.*82.

35. CONCERNING SOME MANNER OF ASSIGNMENTS OF DEBTS TO H.M. 7*J.* 1. *c.*15.

36. No debt shall be assigned to H.M., his heirs or successors, other than such as did before grow due originally to his *bonâ fide* debtor or accountant, and all other assignments of debts to H.M., his heirs, &c. shall be void, *id. s.*1.

37. IF ANY TENANT OF H.M. SHALL, BY NEGLECT or mistake, be returned into exchequer for any rent which has been paid, then, on producing the receipt for the same from the receiver or other proper officer, the treasurer, remembrancer, clerk of pipe, and other proper officers, shall, without fee, discharge such tenant's name from the roll, so that such rent be no more given in charge to any sheriff, 11 & 12 *W.*3. *c.*2. *s.*153.

38. FOR MORE SPEEDY AND EFFECTUAL RECOVERY of debts due to H.M., his heirs and successors, in right of the crown of U.K., 41 *G.*3. (U.K.) *c.*90. *ss.*1. & 4. [*See rest of this title, and statute*, COURTS (Chancery, *pl.* 71—72.) (Exchequer, *pl.* 72—73.) STATUTES.]

39. Where, upon any account audited, declared, or recorded, in the exchequer in *Eng.*, or on judgment or decree of that court, any debt shall be due to H.M., a copy of such account, judgment, or decree, shall be exemplified and transmitted to and enrolled in the exchequer in *Ire.*, after which enrolment that court shall issue process against the debtor's body, and real and personal property being within *Ire.*, 41 *G.*3. *c.*90. *s.*1. [and so *vice versâ* on such account declared, or judgment recorded in the *Irish* exchequer, *id. s.*3.]

40. The sheriff or other officer in *Ire.*, to whom such process is directed, shall account for the due execution thereof, and the chancellor and barons of the *Irish* exchequer shall take care that the monies levied shall be paid into that court; and the *Irish* treasury shall, as soon as conveniently may be, cause the same to be transmitted to the exchequer in *Eng.*, *id. s.*2. [and *vice versâ* on process in *Eng.*, *id. s.*4.]

DEFENCE OF REALM.

(STATUTES *repealed and expired.*)

TO ENABLE H.M. TO PROVIDE FOR THE DEFENCE AND SECURITY of the realm during the present war, and for indemnifying persons who may suffer in their property by such measures as may be necessary for that purpose, 43 *G.*3. *c.*55. [AMD. 43 *G.*3. *c.*96., (*which is amended by* 43 *G.*3. *c.*120., 43 *G.*3. *c.*125., *and which are* REP., *the first two expressly and the latter virtually, by* 46 *G.*3. *c.*90. *s.*1.) 44 *G.*3. *c.*95. *and* 49 *G.*3. *c.*112.] [NOTE. *These acts appear to have expired with the war. See* 43 *G.*3. *c.*55. *s.*22.]

(STATUTE *in force.*)

TO ENABLE H.M. ANNUALLY TO TRAIN AND EXERCISE a proportion of his subjects in *Eng.* under certain regulations; and more effectually to provide for the defence of the realm, 46 *G.*3. *c.*90. [*This act* seems in force, but is not given at length.]

DEPARTING REALM.

(STATUTES *repealed and expired.*)

1. NONE SHALL DEPART THE REALM WITHOUT LICENSE, 5 *R.*2. *st.*1. *c.*2. [REP. *as to departing realm*, 4 *J.*1. *c.*1. *s.*22.] (*See rest of this title*, GOLD, *and* SILVER.)

2. AGAINST FUGITIVES OVER THE SEA, 13 *El. c.*3. [EXPL. 14 *El. c.*6. *both* EXP.]

3. MORE EFFECTUALLY TO PREVENT DURING THE WAR persons being H.M.'s subjects from voluntarily repairing to, or remaining in *France*,

or any country or place united to, or occupied by the armies of *France*, and to prevent correspondence with such persons, or with H. M.'s enemies, 38 *G.* 3. *c.* 79. [EXP.]

DISCONTINUANCE.

1. FOR CONTINUANCE OF ACTIONS AFTER THE DEATH of any king, 1 *E.* 6. *c.* 7. [ALT. 1 *M. S.* 2. *c.* 8. *s.* 2. *pl.* 5., 2 & 3 *P. & M. c.* 18.]

2. No action, suit, bill, or plaint depending in any court of record shall be discontinued by demise of H. M., but process and pleadings therein shall stand good and in the same condition as if H. M. had lived; and all judicial process had in the reign of any other king then regnant, shall be made in the name of the king regnant for the time being, and variance in such process between the names of such kings shall not be material, 1 *E.* 6. *c.* 7. *s.* 1.

3. Assizes of *novel disseisin*, *mort d'ancestor*, *juris utrum*, and attaint hereafter commenced before judges of assize, shall not be discontinued or abated by the death, new commission, association, or not coming of such judges, *id. s.* 2.

4. If any plaintiff shall be created duke, archbishop, marquis, earl, viscount, baron, bishop, knight, justice of either bench, or serjeant at law pending the same action, it shall not abate for that cause, *id. s.* 3.

5. If any justice of assize, gaol-delivery, or of the peace, shall be created duke, &c. (as in *s.* 4.) or *sheriff*, [REP. as to sheriff, 1 *M. S.* 2. *c.* 8. *s.* 2.] he shall remain such justice notwithstanding, *id. s.* 4.

6. Where any persons are found guilty of treason, murder, manslaughter, rape, or other felony for which judgment of death may ensue, and are reprieved to gaol without judgment against them, H. M.'s justices at any time thereafter assigned to deliver such gaol, shall have full power to give judgment of death against them, *id. s.* 5.

7. No process or suit made or had before any justices of assize, gaol-delivery, *oyer and terminer*, or of peace, or other king's commissioners, shall be discontinued by the making any new commission or association, or by altering the names of such commissioners; but the new justices of assize, &c. may proceed in every behalf as if the old commissioners and justices had remained unaltered, *id. s.* 6.

[*See as to* commissioners of the peace and gaol-delivery to cities and towns corporate not counties in themselves, 2 & 3 *P. & M. c.* 18.]

DISORDERLY HOUSES.

1. FOR PUNISHING PERSONS KEEPING DISORDERLY HOUSES, 25 *G.* 2. *c.* 36. *ss.* 5—10. [MADE PERP. 28 *G.* 2. *c.* 19. *s.* 1. AMD. 58 *G.* 3. *c.* 70. *s.* 7. *For the rest of this statute, see tits.* FELONY, ROBBERY, THEATRE, VAGRANT.]

2. Unlicensed places of public entertainment deemed disorderly houses, 25 *G.* 2. *c.* 36. *s.* 2. [*See the section at length*, THEATRES, *&c.*]

3. If any two inhabitants of any parish or place paying scot and lot therein do give notice in writing to any constable, (or other peace officer of the like nature where there is no constable,) of any person keeping a bawdy-house, gaming-house, or other disorderly house in such place, such constable, &c. shall forthwith go with such inhabitants to any justice of peace for the county or liberty; and upon such inhabitants making oath before such justice that they believe the contents of such notice to be true, and entering into a recognizance in the penal sum of 20*l.* each to produce material evidence against such person for such offence, shall enter into a recognizance in the penal sum of 30*l.* to prosecute such person with effect for such offence at the next quarter sessions or assizes for the county as to such justices shall seem fit; and such constable, &c. shall be allowed all expences of such prosecution, to be ascertained by two justices of the same county, &c. and shall be paid the same by the overseers of the poor of such place; and in case such person is convicted, such overseers shall pay 10*l.* each to such inhabitants; and if they refuse to pay such expences, or such 10*l.*, they shall forfeit to the party grieved double the sum so refused, *id. s.* 5.

4. A copy of the notice which shall be given to such constable under 25 *G.* 2. *c.* 36. *s.* 5. shall also be served on or left at the places of abode of the overseers of the poor, or one of them; and such overseers shall be summoned or have reasonable notice to attend before the justice before whom such constable shall have notice to attend; and if they shall then and there enter into such recognizance to prosecute as the constable is by such act required to enter into, then such constable shall not be required to enter into such recognizance; but if they neglect to attend or shall attend and decline or refuse to enter into such recognizance, then such constable shall enter into same, and shall prosecute, and be entitled to his expences, to be allowed as by *s.* 5. directed, 58 *G.* 3. *c.* 70. *s.* 7. [See *s.* 8. FELONY.]

5. Upon such constable, &c. entering into such recognizance, such justice shall make out his warrant, to bring the party accused before him, and bind him over to appear at such sessions or assizes, there to answer to such indictment as shall be found against him for such offence; and may take security for such person's good behaviour in the mean time, 25 *G.* 2. *c.* 36. *s.* 6.

6. In case such constable shall neglect, upon such notice, to go before a justice, or enter into such recognizance, or shall be wilfully negligent in the prosecution, he shall forfeit 20*l.*, to each of such inhabitants, *id. s.* 7.

7. Any person who shall appear to act as the master or mistress, or person having the management of any such disorderly house, shall be deemed the keeper, and be prosecuted and punished accordingly, though not the real owner, *id. s.* 8.

8. Any person may give evidence in such prosecution of any disorderly house, on either side, although he may be an inhabitant of such parish, or has entered into such recognizance in 20*l.*, *id. s.* 9.

9. No indictment preferred against the keeper of any such disorderly house shall be removed by *certiorari* into any other court, but the same shall be sued and the penalty determined at the quarter sessions or assizes where the indictment is preferred, unless the court, on cause shewn, shall adjourn the same, *id. s.* 10.

10. All penalties, hereby inflicted, may be sued for by action of debt in any of the courts of record at *Westminster*, wherein it shall be sufficient to declare, that the defendant is indebted to the plaintiff in the sum of —*l.*, being forfeited by an act, intituled '*An Act for the* better preventing thefts and robberies, and for regulating places of public entertainment, and punishing persons keeping disorderly houses,' and if the plaintiff recovers, he shall have full costs, *id. s.* 13.

11. No action shall be brought by virtue of this act, unless commenced within 6 calendar months after offence committed, *id. s.* 14.

DISPENSATION.

1. FOR HAVING LICENCES AND DISPENSATIONS within this realm, without suing further for the same, 25 *H.* 8. *c.* 21., *ss.* 2—29. [REP. 1 & 2. *P. & M. c.* 8.; but REV. 1 *El. c.* 1. EXT. to *Ire. by* 28 *H.* 8. *c.* 19. *Ir.* (*see the rest of this act*, PAPIST, *pl.* 1.) Persons who obtained dispensations from *Rome*, released from them, 28 *H.* 8. *c.* 16., *post*, *pl.* 24.]

2. Neither H. M. nor any of his subjects shall sue to such bishop or see of *Rome*, or to any person pretending authority by the same, for licences, dispensations, compositions, faculties, grants, rescripts, delegacies, or any other instrument or writing, for any cause for which any licence, &c. hath been accustomed to be had at the see of *Rome*, or by authority thereof, or of any prelate of this realm, nor for any other licences, &c. that of necessity may be granted without offence to *God*; but every such licence, &c. necessary for H. M. or his subjects, on due examinations of the persons procuring the same, shall be granted as follows, (*viz.*): the archbishop of *Canterbury* may, by his discretion, grant by an instrument under his seal, to H. M., as well all such licences, &c. for causes not contrary to the laws of *God*, as heretofore have been accustomed to be had of the see of *Rome*, and all other licences, &c. for causes convenient, so that such archbishop, &c. shall not grant any such licence, &c. for any cause repugnant to the law of *God*, *id. s.* 3.

3. Such archbishop, after examination of the causes and qualities of persons procuring licences, &c., may, by himself or his commissary, or deputy, at discretion, grant, by an instrument under the name and seal of such archbishop, to all H. M.'s subjects, all licences, &c. for any cause whereof such licences, &c. have been accustomed to be had at the see of *Rome*, or by authority thereof, or of any prelate of this realm (*s.* 4.); and such archbishop or his commissary shall not grant any other licence, &c. in causes unwont to be so had, until H. M. or his counsel is advertised thereof, and do determine whether the same, in such causes unwont, shall commonly pass as other dispensations do or no, upon pain, that the grantors of such licence, &c. in such causes unwont, shall make fine at H. M.'s will; and if it be determined, that dispensations, &c. in such causes unwont, shall pass such archbishop or his commissary, having H. M.'s licence for the same, by his bill assigned, shall dispense with them accordingly, *id. ss.* 4, 5.

4. Provided, no licences, &c. to be granted under this act by the archbishop or his commissary, being of such importance, that the tax for the expedition thereof at *Rome* extended to 4*l.*, shall be put in execution till the same be first confirmed by H. M. under the great seal, and enrolled in chancery by a clerk to be appointed for the same, and this act shall be sufficient warranty to the chancellor to confirm such writings passed under such archbishop's seal by letters patent under the great seal, and remitting both instruments to the party; and all such licences, &c. for the expedition of which the tax at *Rome* was under 4*l.*, which be matters of no great importance, shall pass only by the archbishop's seal, unless the procurers of such licence, &c. desire to have them confirmed under the great seal; in which case they shall pay for the great seal to the use of H. M. 5*s.*, besides such tax as shall be limited for the making, writing, registering, confirming, and enrolling, of such licence, &c. under such tax of 4*l.*, *id. s.* 6.

5. Every such licence, &c. for such causes as the tax was wont to

be 4*l.* or above, so granted by the archbishop, and confirmed under the great seal, and all other licences, &c. to be granted by the archbishop by virtue of this act, whereunto the great seal is not of necessity to be put, shall be effectual without any revocation, 25 *H.* 8. *c.* 21. *s.* 7.

6. Children procreated after solemnization of marriages by virtue of such licences or dispensations, shall be legitimate, and inherit, and all acts done according to such licences, &c. shall be in force, notwithstanding any foreign decree, &c. *id. s.* 8.

7. Such archbishop shall make a clerk, who shall write and register every such licence, &c. and shall find parchment, wax, and laces, for the same, taking for the same the sums herein limited; and H. M. shall by letters patent under the great seal, depute 1 clerk learned in chancery, who shall be attendant upon the lord chancellor, and shall, make and enrol the confirmation of such licences, &c. and shall also enrol the confirmations of such licences, &c. and shall also enrol of record such other writings as shall be brought under the archbishop's seal *not* [*see pl.* 4.] to be confirmed, taking for the same the sums herein limited; and the clerk appointed by such archbishop, and the clerk appointed by H. M., shall subscribe their name to every such licence, &c. that shall come to their hands, *id. s.* 9.

8. There shall be 2 books made of one tenor, in which shall be contained the taxes of all customable dispensations in such books, &c. wont to be sped at *Rome*, and both sides of every leaf shall be subscribed by the archbishop of *Canterbury*, the lord chancellor, the lord treasurer, and the two chief justices, to which books all suitors for dispensations, &c. shall have recourse; and one of such books shall remain in the hands of the register and scribe of such dispensations, &c. under such archbishop, and the other with the clerk of the chancery by H. M. appointed, which clerk of the chancery shall also note in his book the number and quality of the dispensations, &c. which are sealed only with the seal of the archbishop, and also which are sealed with such seal, and confirmed with the great seal, *id. ss.* 10, 11.

9. No man suing for dispensations, &c. which were wont to be sped at *Rome*, shall pay any more than shall be taxed in such books; compositions excepted, the tax whereof shall be set by such archbishop and the lord chancellor. And such as shall receive of any suitor more for any dispensation, &c. than shall be contained in such books, shall forfeit 10 times as much as he so received; the 1 half to H. M., and the other to such subjects as will sue for the same by an action in any court, wherein no essoin, &c. *id. s.* 12.

10. The tax appointed to be paid for every such dispensation, &c. shall be employed as ensueth, *viz.* if the tax extend to 4*l.* or above, it shall be divided into 3 parts, whereof 2 shall be divided into 3 parts, whereof 2 shall be received by the clerk of the chancery, to the use of H. M. and the lord chancellor, and of the clerk; and the 3d part shall be taken by the clerk of the archbishop, to the use of the archbishop and his commissary, and his said clerk and register; and such 2 parts shall be divided in 4 parts, of which 3 parts shall be taken to the only use of H. M., and the 4th part shall be divided in 3 parts, whereof the chancellor shall have 2 parts, and the clerk of the chancery the 3d part; and the 3d part of the whole tax appointed to the archbishop and his officers shall be divided into 3 parts, whereof the archbishop shall have 2, and his officers shall have the 3d part, of which 3d part to be divided into 2 parts, such clerk who shall find parchment, wax, and silk, and shall write such dispensations, &c. shall have the 1 moiety, and the commissary of the archbishop appointed to seal such dispensations, &c. shall have the other, *id. s.* 13.

11. If the tax be under 4*l.* and not under 40*s.*, it shall be divided into 3 parts, whereof H. M. shall have 2, abating 3*s.* 4*d.* which shall be to such clerk of the chancery for enrolling, &c. such dispensations, &c.; and the archbishop and his officers shall have the 3d, which 3d shall be divided into 2 parts, whereof the archbishop shall have the one, his scribe and commissary the other. And if the tax be under 40*s.* and not under 26*s.* 8*d.* the same shall be divided into 2 parts, whereof the 1 shall be to H. M., deducting thereof 2*s.* for the clerk of the chancery, and the other shall be to the archbishop and his officers, and be divided into 2 parts, whereof the archbishop shall have the 1, and his commissary and scribe the other; and if the tax be under 26*s.* 8*d.* and not under 20*s.*, the same shall be divided into 2 parts, whereof H. M. shall have the 1, abating 2*s.* to such clerk of the chancery, and the archbishop and his officers shall have the other, and the same shall be divided into 3 parts, whereof the archbishop shall have 1, his commissary the 2d, and his scribe or register the 3d; and in case the tax be under 20*s.*, the same shall be received to the use of the commissary, clerk of such archbishop, and clerk of the chancery, to be equally divided amongst them, *id. s.* 14.

12. This act shall not be prejudicial to the archbishop of *York*, or to any bishop of this realm, but that they may dispense in all cases in which they were wont to dispense by the common law, *id. s.* 15.

13. If the see of the archbishop of *Canterbury* be void, such licences, &c. shall be granted under the seal of the guardian of the spiritualties and shall be deemed effectual, 25 *H.* 8. *c.* 21. *s.* 16.

14. If the archbishop of *Canterbury*, or the guardian of the spiritualties, refuse to grant any licences, &c. which they may do by this act, the chancellor shall direct H. M.'s writ to such archbishop, &c. enjoining him upon pain therein to be limited by such chancellor, that he shall in due form grant such licence, &c. or else signify in the chancery for what cause he refused; and if it appears to the chancellor upon such certificate, that the refusal was just, then on proof the same shall be allowed; and if it appear that the archbishop, &c. without a just cause, refused, H. M. shall send an injunction under the great seal, out of chancery, commanding the archbishop or guardian to make grant thereof by a certain day, and under a certain pain therein limited by H. M.; and if the archbishop or guardian, after receipt of the writ, refuse to grant such licences, &c. and show before H. M. no just cause why they should so do, they shall forfeit to H. M. such pain as is limited in injunction; and H. M. may give power, by commission under his great seal, to 2 spiritual persons to grant such licences, &c. so refused, *id. s.* 17.

15. Such 2 prelates or persons, to whom in such cases as in *s.* 17. any such commission is directed, shall grant every such licence, &c. so refused, by an instrument under their seals, taking the like fees as aforesaid, and not above under the pains aforesaid, and every such licence, &c. so granted for any cases whereunto any confirmation under H. M.'s great seal is by *s.* 6. appointed to be had, shall be had accordingly, and such licences and confirmation shall be had for like fees as before specified, and not above, under the pains aforesaid, and such licence, &c. so granted by persons so assigned, shall be as good and effectual as if granted under the name and seal of such archbishop, *id. s.* 18.

16. This act shall not be expounded that H. M. and his subjects intended to declare or vary from the congregation of *Christ*'s church in any things concerning the very articles of the catholic faith, or in any other things declared by scripture necessary for their salvation, but only to make an ordinance by policies necessary to repress vice, and for the conservation of this realm in peace from spoil, not seeking for any relief for worldly things but within this realm at the hands of H. M., which has paramount power in the same, *id. s.* 19.

17. The archbishop of *Canterbury* shall have no power by this act to visit any colleges, hospitals, or other places religious, which be exempt; but redress, visitation, and confirmation shall be had by H. M. by commission under the great seal; so that no visitation be had by the bishop of *Rome*, nor by any under his authority or out of H. M.'s dominions, nor that any person resiant in H. M.'s dominions depart out of such dominions, to any visitation or assembly for religion, *id. s.* 20.

18. This act, or any dispensation by virtue thereof, shall not extend to the repeal of the late act 21 *H.* 8. *c.* 13. for reformation of pluralities and non-residence; nor shall give licence to any person to have more benefices than is limited in such act, *id. s.* 21.

19. If any person within H. M.'s dominions sue to the court or see of *Rome* for any licence, &c. or put in execution any licence, &c. obtained from *Rome*, or from any claiming authority by the same for any of the above causes, or causes that may be granted by authority of this act, or attempt any thing contrary to this act; or maintain, admit, or obey any censures or other process from *Rome*, to the derogation of this act: such persons being convict, their aiders, and abettors, shall incur the penalty in the act of provision and *præmunire*, 16 *R.* 2. *c.* 5., *id. s.* 22.

20. Provided this act shall not be expounded to the derogation of any grants of any houses or places exempt, which before this act have been obtained at *Rome*, or by authority thereof; provided that the chief rulers and governors of such houses and places exempt shall not pay any pension or other cense to the see of *Rome*, nor admit any visitation, nor any confirmation from such see, or by authority thereof, of or for any person to be elect, named, or presented, to be heads of such houses exempt; nor shall make any oath to the bishop of *Rome*, upon the pain limited in this act; but every such visitation and confirmation of such heads elect, shall be made within this realm within such houses exempt by such persons as shall be appointed by H. M.'s commission, and not by the see of *Rome*, *id. s.* 23.

21. Provided that in such houses, &c. exempt, where after election, presentation, nomination of heads, no such confirmation hath been used, they shall not be bound to take any confirmation, but use their privileges therein as before this act, *id. s.* 24.

22. H. M., by advice of his council, shall have such power for the ordering and reformation of all indulgences and privileges thereof within this realm, heretofore obtained at the see of *Rome*, and of the abuses of such indulgences and privileges as shall seem good; and such order as shall be taken by H. M. in that behalf shall be observed, upon the pains limited in this act, *id. s.* 27.

23. Commencement of the act shall be Nativity of *St. John Baptist*, 1534, (*s.* 28.) and H. M. empowered to annul or ratify this act by letters

patent, 25 *H.*8. *c.*21. *s.*29. [This act was so ratified, 7 *April*, 1534, 25 *H.*8.]

24. ALL WILLS, BREVES, FACULTIES, AND DISPENSATIONS heretofore obtained of the see of *Rome*, or by authority of such see, by any of H. M.'s subjects shall be void, and never used or allowed, on pain of *præmunire*, 28 *H.*8. *c.*16. *s.*1.

25. Those allowable shall be confirmed under the great seal, *id. ss.*6—7. [rest is EXP.]

DISSEISIN AND REDISSEISIN. (*See* ENTRY.)

1. ENQUIRY AND PUNISHMENT OF REDISSEISIN, 20 *H.*3. *c.*3. [AMD. as to punishment, 52. & 54 *H.*3. *c.*8., and as to damages; and EXT. to recoveries by default, &c., 13 *E.*1. *West. Sec. c.*26.]

2. If any be disseised of his freehold, and before the justices in eyre have recovered seisin by assize of *novel disseisin*, or confession of the disseisor, and the disseisee hath seisin delivered by the sheriff, if the same disseisors shall again disseise the same plaintiff of the same freehold, and thereof be convict, they shall be committed to prison until the king hath discharged them, by fine or otherwise; and persons so convict, shall be thus punished, *viz.* when the plaintiff comes into court, he shall have the king's writ directed to the sheriff, in which must be contained the plaint of disseisin on disseisin, and it shall be commanded to the sheriff, that he, taking with him the keepers of the pleas of the crown, and other lawful knights, in his proper person shall go into the land for which plaint is made, and make by lawful proofs inquisition thereof, and if they find him disseised again, then he shall do as aforesaid; but if otherwise, the plaintiff shall be amerced and the other go quit. And the sheriff shall not execute such plaint without special commands of the king. In the same manner shall be done respecting those who have recovered seisin by assize of *mort d'ancestor*; and so it shall be of all lands and tenements recovered in the king's courts, by inquests, if they be disseised after by the deforceors against whom they have recovered by inquest, 20 *H.*3. *c.*3.

3. They which be imprisoned for redisseisin shall not be delivered without the special command of the king, and shall make fine with the king for their trespass; and if it be found that the sheriff delivereth them otherwise, he shall be grievously amerced, and they which are delivered shall be grievously punished, 52 or 54 *H.*3. *c.*8.

4. In writs of redisseisin double damages shall be awarded, and the redisseisor shall not be repleviable by the common writ, and the same writ shall hold place for them that shall recover by default, reddition, or otherwise, without recognition of assizes or juries, 13 *E.*1. *West. Sec. c.*26.

5. THE REMEDY, IF AN OFFICER OF THE KING do disseise any, 3 *E.*1. *c.*24.

6. No escheator, sheriff, or other bailiff of H. M. by colour of his office, shall without special warrant or authority, disseise any of his freehold, nor of any thing belonging thereto; and if any do, it shall be at the election of the disseisee whether the king by his office shall cause it to be amended, or that he will sue by writ of *novel disseisin*; and he that is attainted thereof, shall pay double damages to the plaintiff and be amerced to the king, *id. ibid.*

7. IF ANY MAN BE ATTAINTED OF DISSEISIN, done in the time of the king that now is, with robbery of goods, the plaintiff shall recover his damages, goods and freehold, and the disseisor shall make fine and be awarded to prison; and so it shall be done of disseisin with force and arms, although there be no robbery, 3 *E.*1. *c.*37. [*Qu.* EXP.]

8. IN WHAT CASE NONAGE OF THE HEIR OF the disseisor or disseisee shall not prejudice, 3 *E.*1. *c.*47.

9. If any purchase a writ of *novel disseisin*, and he against whom the writ is brought, as principal disseisor, dies, before assize passed, then the plaintiff shall have his writ of entry upon disseisin, against the heir of the disseisor, their ancestor, or against their heirs of what age soever they be; and in same-wise the heirs of the disseisee shall have writs of entry against the disseisors or their heirs, of what age soever they be, if such disseisee die before writ purchased, so that the nonage of either party shall not abate the writ or delay the plea; and in like manner, this point shall be observed with regard to prelates, men of religion, and others, to whom lands and tenements may descend after others death, whether they be disseisors or disseisees, and if the parties come to an inquest, and it pass against the heir within age, he shall have an attaint of the king's grace, *id. ibid.*

10. THAT WRONGFUL DISSEISIN IS NO DESCENT IN THE LAW, 32 *H.*8. *c.*33.

11. The dying seised of any disseisor of any lands wherein he has no title shall not be such descent, as to toll the entry of the persons or their heirs, having good title of entry at the time of such descent, unless disseisor had 5 years peaceable possession next after the disseisin, without entry or continual claim of the persons having title thereunto, *id. ibid.*

DISTRESS. (*See* LANDLORD AND TENANT.)

1. NONE SHALL BE DISTRAINED FOR MORE SERVICE THAN IS DUE, 9 *H.*3. *M. Ch. c.*10.

2. A STATUTE OF DISTRESSES FOR THE EXCHEQUER, 51 *H.*3. *st.*4.

3. When a sheriff or any other doth take another's beasts, they to whom the beasts belong may give them their feeding, as long as they are impounded, without giving any thing for their keeping; and the distress taken for H. M.'s debt, or for any other cause, shall not be sold within 15 days, and if any bring the tally of a payment made in the exchequer the distress shall cease, and if he bring the tally of any sheriff or bailiff, and find pledges to appear in the exchequer upon the next account the distress shall cease. And the sheriff or bailiff shall attach him that ought to have acquitted him that he appear on the same account. No man shall be distrained by his beasts that gain his lands, nor by his sheep for H. M.'s debt or for other cause so long as they can find another sufficient, except impounding of beasts found damage feasant, and such distresses shall be reasonable after the value of the demand and the estimation of neighbours, and not by strangers. Sheriffs or bailiffs that have received H. M.'s debt of summons of the exchequer, and have not acquitted the debtors at the next account, shall punish after the statutes made thereupon, and all debts of summons of the exchequer that the sheriff or bailiff have confessed receipt shall be allowed, whether the whole or part only is received, so that it shall never come more in demand, *id. ibid.*

4. ALL PERSONS SHALL HAVE AND RECEIVE JUSTICE IN H. M.'s courts, 52 *H.*3. (*st. Marl.*) *c.*1.

5. All persons shall receive justice in H. M.'s court, and none shall take distresses of his own authority, without award of that court, though he have injury done him. And if any take such distresses of his own authority, and be convict thereof, he shall be punished by fine according to the trespass. And if one neighbour take a distress of another, without award of H. M.'s court, whereby he hath damage, he shall be punished in same wise after the quantity of the trespass. And amends shall be made to them that have sustained loss by such distresses, *id. ibid.*

6. NONE BUT SUITORS SHALL BE DISTRAINED TO COME TO A COURT, 52 *H.*3. (*st. Marl.*) *c.*2.

7. None shall distrain any to come to his court, which is not of his fee, or upon whom he hath no jurisdiction, by reason of hundred or bailiwick; nor shall take distresses out of his fee, or place where he hath no jurisdiction. And he that offendeth shall be punished as in *c.*1., according to the trespass, *id. ibid.*

8. DISTRESSES SHALL BE DELIVERED TO H. M.'s OFFICERS, 52 *H.*3. (*st. Marl.*) *c.*3.

9. If any will not suffer such distresses as he hath taken, to be delivered by H. M.'s officers, or will not suffer summons, attachments, or executions of judgments given in H. M.'s court to be done, he shall be punished as in *c.*1. And if any distrain his tenant for services and customs, or other thing, for which lord of the fee hath right to distrain, and after it is found that services are not due; the lord shall not therefore be punished by fine, as in cases aforesaid, if he suffer the distresses to be delivered, but shall be amerced, and tenant shall recover his damages against him, *id. ibid.*

10. A DISTRESS SHALL NOT BE DRIVEN OUT OF THE COUNTY. Distresses shall be reasonable, 52 (*or* 54) *H.*3. (*st. Marl.*) *c.*4. [ENF. *And none* to distrain out of his fee, 3 *E.*1. *c.*16.]

11. None shall cause any distress to be driven out of the county; and if any neighbour do so to another, of his own authority, and without judgment, he shall be punished by fine as in *c.*1.; nevertheless, if lord do so against his tenant, he shall be punished by amercement. Moreover the distresses shall be reasonable, and not too great: and he that taketh great and unreasonable distresses shall be grievously amerced for the excess, *st. Marl. c.*4.

12. In regard that some divers persons take the beasts of other, chasing them out of the shire, it is provided that if any do so he shall make a grievous fine, as is in the statute of *Marlebrege*, [52 *H.*3. *c.*4.] And likewise it shall be done to them which take beasts wrongfully and distrain out of their fee, and they shall be more grievously punished, if the manner of their trespass so require, 3 *E.*1. *c.*16.

13. IN WHAT PLACES DISTRESSES SHALL NOT BE TAKEN, 52 (*or* 54) *H.*3. (*st. Marl.*) *c.*15.

14. No man shall take distresses out of his fee, nor in highway, nor in common street, but only H. M. or his officers having special authority, *id. ibid.*

15. OF REPLEVYING DISTRESSES, 52 (*or* 54) *H.*3. (*st. Marl.*) *c.*21.

16. If the beasts of any man be taken, and wrongfully withholden, the sheriff may deliver them without let of him that took them, if they were taken out of liberties, and if taken within liberties, and the bailiff thereof will not deliver them, then the sheriff shall, *id. ibid.*

17. NONE SHALL COMPEL HIS FREEHOLDER TO ANSWER FOR HIS freehold, 52 (*or* 54) *H.* 3. (*st. Marl.*) *c.* 22.

18. None shall distrain his freeholders to answer for their freeholds without H.M.'s writ, nor cause them to swear against their wills, *id. ibid.*

19. THE REMEDY IF A DISTRESS BE IMPOUNDED IN A CASTLE OR fortress, 3 *E.* 1. (*st. West. Prim.*) *c.* 17.

20. If any take the beasts of another, and drive them into a castle or fortress, and withhold them against gage and pledges, after demand made by sheriff or bailiff of H.M. at suit of the plaintiff, such sheriff or bailiff, taking with him the power of his bailiwick, shall essay to make replevin; and if any deforce him of deliverance, (or if no man be found to make deliverance after the lord of the taker is admonished so to do, by sheriff, &c.) H.M. for the trespass shall cause the castle or fortress to be beaten down without recovery; and all damages sustained by plaintiff in his beasts or otherwise (after the first demand made by the sheriff, &c.) shall be restored to him double by the lord or by him that took the beasts, if he have whereof, and if not he shall have it of the lord when the sheriff, &c. shall come to make deliverance; and where the sheriff ought to return H.M.'s writ to the bailiff of the lord of the castle, &c. or to any other to whom the return belongs, if the bailiff of the franchise do not make deliverance after sheriff hath made his return, then the sheriff shall do his office without delay, and upon the same pain; and in like manner deliverance shall be made by attachment of plaint without writ, and upon the same pain, and this is intended in all places where H.M.'s writ runs; and if it be done in the marches of *Wa.*, or where H.M.'s writ runs not, H.M. shall do right therein, *id. ibid.*

21. NONE SHALL BE DISTRAINED FOR A DEBT which he oweth not, 3 *E.* 1. (*West. Prim.*) *c.* 23.

22. In no city, borough, market or fair, shall there be any stranger to the city, &c. distrained for debt whereof he is not debtor or pledge. And whosoever doth it shall be punished. And distress shall be without delay delivered by bailiff of place, or by H.M.'s bailiffs, if need be, *id. ibid.*

23. NO DISTRESS shall be taken but by bailiffs sworn and known: and if they take distress otherwise, and thereof be convict, if parties grieved purchase a writ of trespass, they shall restore damages to them, and be grievously punished to H.M., 13 *E.* 1. (*West. Sec.*) *c.* 37.

24. DISTRESSES ON THE CLERGY shall not be taken in the highways, nor in the ancient fees of the church, *Articuli Cleri*, 9 *E.* 2. *c.* 9.

25. H.M.'s officers, as sheriffs and others, do enter spiritual fees to take distresses, and sometime take beasts of clergy in highway, where they have nothing but glebe land. *The answer.* Such distresses shall neither be taken in highway, nor in fees wherewith churches have been endowed. Nevertheless distresses may be taken in possessions newly purchased by ecclesiastical persons, *id. ibid.*

26. FOR PREVENTING UNDUE DISTRESSES IN *Wa.* and *Lancashire*, 28 *H.* 6. *c.* 4.

27. Persons taking other men's goods under colour of distress, where they have no cause, in *Wales* or *Lancashire*, shall be deemed guilty of felony, 28 *H.* 3. *c.* 4. [EXP.]

28. FOR THE IMPOUNDING OF DISTRESS, 1 & 2 *Ph. & M. c.* 12.

29. No distress of cattle shall be driven out of the hundred, rape, wapentake, or lathe, where taken, except to a pound overt in the same shire, not above 3 miles distant from the place where taken; and no cattle or other goods distrained at one time shall be impounded in several places, whereby the owner shall be constrained to sue several replevies for the delivery thereof, on penalty of 100*s.* and treble damages to the party grieved, *id. s.* 1.

30. No person shall take for keeping in pound, impounding, or poundage of any distresses, above 4*d.* for any one whole distress so impounded; and where less has been used, there to take less, on penalty of 5*l.* to party grieved, besides the money he shall take above 4*d.*, *id. s.* 2.

31. Every sheriff of shires, being no cities, or of towns made shires, shall, at his first county day, or in 2 months after receiving his patent, appoint and proclaim in the shire town of his bailiwick, 4 deputies dwelling not above 12 miles distant from each other, which deputies shall make replevies and deliverance of distresses in the sheriff's name: and as he may do: on pain of 5*l.* forfeiture by the sheriff for every month that he shall lack them; 1 half thereof to HM., and the other half to the party suing by bill, plaint, information, or action of debt in courts of record, in which no essoin, &c. admitted, *id. s.* 3.

DOGS.

1. FOR PREVENTING THE STEALING OF DOGS, 10 *G.* 3. *c.* 18.

2. Every person who shall steal any dog from the owner, or person entrusted by the owner with such dog, or who shall sell, buy, receive, harbour, detain, or keep any dog, knowing the same to have been stolen, shall, on conviction on oath of 1 or more witnesses, or by confesssion before 2 justices for any county, division, or place, for the 1st offence forfeit not exceeding 30*l.*, nor less than 20*l.*, as to such justices seems meet, together with the charges of conviction, to be ascertained by such convicting justices; and if not forthwith paid, they shall commit him to the common gaol or house of correction for not exceeding 12, nor less than 6 calendar months, or until the penalty and charges are paid; and every person so convicted, who shall be again convicted of a like offence, shall forfeit not exceeding 50*l.*, nor less than 30*l.*, in discretion of the justices, with the charges of conviction by them ascertained; which penalties shall be paid in moieties to the informer and poor of the parish where the offence committed; and on non-payment such justices shall commit him to the common gaol or house of correction for not more than 18, nor less than 12 months, or until such penalty and charges are paid, and shall order him to be publicly whipped within 3 days after commitment, in the town wherein such gaol, &c. is, between 12 and 1 o'clock, 10 *G.* 3. *c.* 18. *s.* 1.

3. Any one justice for any county, division, or place, may, on information to him for that purpose, grant a warrant to search for any dog so stolen; and if such dog or his skin shall be found, shall restore same to the owner; and the person in whose custody such dog or skin is found (if it appear that he was privy to such dog having been stolen, or to the skin being that of a stolen dog), shall be respectively subject to the penalties in *s.* 1. *id. s.* 2.

4. All justices may cause the conviction to be in form following, or to the same effect:

'Be it remembered, that on the — day of — in the year of our Lord — *A. B.* is convicted before us — of H.M.'s justices of peace for the county of — [*specify here the offence, and time and place when and where committed.*] Given under our hands and seals the day and year aforesaid.' *id. s.* 3.

5. Any person aggrieved by any thing done in pursuance of this act, may appeal to the next quarter sessions for the county or place where the cause of complaint arises, and in 4 days after the same arisen; such appellant giving 14 days' notice of appeal, and of the matter thereof, in writing, to the person whose acts are complained against, and within 2 days after such notice, entering into a recognizance before some justice, with 2 sureties conditioned to try such appeal, and abide the order of, and pay costs awarded by such sessions; which, on due proof of such notice and recognizance having been so given and entered, shall hear and determine the same in a summary way, and award costs to either party at their discretion: their determination shall be final, and no order or other proceedings on such convictions shall be quashed for want of form, or removed by *certiorari* or otherwise into any court at *Westminster*, *id. s.* 4.

DOWER.

1. A WIDOW SHALL HAVE HER MARRIAGE ESTATE, INHERITANCE, and quarantine, 9 *H.* 3. *Mag. Chart. c.* 7.

2. A widow, on death of her husband, shall forthwith have her marriage estate and inheritance, and shall give nothing for her dower, or for her marriage estate or for her inheritance, which she and her husband held together at time of his death; and she shall tarry in the chief house of her husband 40 days, within which her dower shall be assigned; unless it were assigned her before, or unless that house be a castle; and if she depart from the castle, a competent house shall be provided in which she may dwell till her dower is assigned her, and in the meanwhile she shall have reasonable estovers of common, and for her dower shall be assigned the 3d part of her husband's lands, which were his in his lifetime, except endowed of less at the church door; no widow shall be distrained to marry, [rest is REP. 12 *C.* 2. *c.* 24. *ss.* 1—2.] *id. ibid.*

3. A WOMAN shall recover damages in a writ of dower, 20 *H.* 3. *c.* 1. *Stat. de Merton.*

4. Widows deprived of their dowers or quarantine of lands, whereof their husbands died seized, who recover them by plea, those convict of such deprivement shall pay damages to such widow, *viz.* value of the dower from death of the husband unto the day of judgment of the court whereby the widows recovered their seisin, and the deprivers shall be amerced, *id. ibid.*

5. TENANT'S PLEA on a writ of dower, 3 *E.* 1. *Stat. West.* 1. *c.* 49.

6. Writs of dower *unde nihil habet* shall not abate by exception of tenant that she hath received her dower of another before writ purchased, unless he can show that she has recovered part of her dower from himself, and in the same town, *id. ibid.*

7. ON ALIENATION OF DOWER BY A WOMAN, the heir may have his writ of entry, 6 *E.* 1. *c.* 7. *stat. Glouc.* [EXPL. *as to its commencement*, EXPLANATIONES *stat. Glouc.*, 6 *E.* 1., 1 *vol.* 8*vo. edit. p.* 136.]

8. If a woman sell, or give in fee or term of life, land holden in dower, the heir, or person to whom the land would revert on her death, shall have present recovery by a writ of entry in chancery, 6 *E.* 1. *c.* 7.

9. AGAINST RECOVERIES AND DISCONTINUANCES made by tenants in dower, 11 *H.* 7. *c.* 20.

10. If any woman, which shall have any estate in dower or for term of life, or in tail jointly with her husband, or only to herself or to her use, in manors, lands, tenements and hereditaments of the inheritance or purchase of her husband, or given to the husband and wife in tail or

for life by any of the ancestors of the husband, or by any other person seised to the use of the husband or of his ancestors, shall, being sole or with any after taken husband, discontinue, alien, release or confirm with warranty, or by covin suffer any recovery of the same, all such recoveries, discontinuances, &c. shall be void; and the reversioner, after the woman's decease, may enter as if no such discontinuance, &c. had been made, 11 *H.* 7. *c.* 20. *s.* 1.

11. If any of such husbands and women, or any seised to their use, shall do, make or suffer any such discontinuance, recoveries, &c. the person so in reversion (as in *s.* 1.) may enter on and enjoy such manors, lands, &c. as against such husband during his life, according to their respective interests, as if such women had been dead; provided such women, after the decease of their husbands, may re-enter and enjoy the same according to their first estate therein, *id. s.* 2.

12. If such woman at the time of such discontinuances or recoveries, &c. be sole, then she shall be barred of interest in such lands, &c. and the reversioner (as in *s.* 1.) may enter and enjoy such lands, &c. according to his title, *id. s.* 3.

13. This act shall not extend to any such recovery or discontinuance to be had where the heir next inheritable to such woman, or where the reversioner next after the death of such woman is consenting to the same, *id. s.* 5.

14. Every such woman after the death of her first husband may give, sell or make discontinuance of any such lands for term of her life only, *id. s.* 6.

15. Any person who shall be attainted, convicted or outlawed of treason, petit-treason, misprision of treason, murder and felony, yet his wife shall be endowable, and shall enjoy her dower in like form as if her husband had not been so attainted, &c.; saving to all persons and corporation (other than the offender) all such right, entry, leases, profit, &c. as any of them had at the time of attainder, 1 *E.* 6. *c.* 12. *s.* 17. [*See as to treason*, 5 & 6 *E.* 6. *c.* 11. *s.* 13. TREASON; and *tit.* CORRUPTION OF BLOOD.]

16. FOR DISCHARGING THE LANDS OF ANY HUSBAND OF DOWER in cases where the wife shall accept of a jointure in bar of dower, 27 *H.* 8. *c.* 10. *ss.* 6—9. [*See* the rest of this act, USES AND TRUSTS; and 10 *C.* 1. *st.* 2. *c.* 1., *Ire. This title* is framed from the following sections.]

17. Where any estate or purchase of lands, tenements or hereditaments shall be made to any husband and his wife, and to his heirs, or to him and his wife and the heirs of their two bodies begotten, or to the heirs of one of their bodies begotten, or to him and his wife for their lives, or the life of the wife, or to any person and their heirs and assigns to the use of the wife as aforesaid for the jointure of the wife, then every woman married, having such jointure, shall not claim or have any dower of the residue of the lands, &c. that at any time were her husband's, of whom she had such jointure, nor demand the same of those that have the inheritance of her said husband; but if she have no such jointure, then she shall have her dower by writ of dower, according to law, 27 *H.* 8. *c.* 10. *s.* 6.

18. If any such woman be lawfully evicted from her jointure, or from any part thereof, without any fraud or covin, by lawful entry, action or by discontinuance of her husband, she shall be endowed of as much of the residue of her husband's lands whereof she was before endowable as the same lands from which she was evicted shall amount to, *id. s.* 7. [*s.* 8. EXP.]

19. Provided that if any wife shall have any manors, lands, &c. given unto her, and assured after marriage for term of her life, or otherwise in jointure, except the assurance be by act of parliament, and she survives her husband in whose time such jointure was made unto her; then she may, after the death of such her husband, refuse to take the lands given unto her during coverture for her life, or otherwise in jointure, and thereupon may take her dower by writ of dower, or otherwise, according to law of all lands of which her husband was seized at any time during the coverture, *id. s.* 9.

DYER.

(STATUTE *repealed.*)

FOR PREVENTING FRAUDS AND ABUSES IN THE DYING TRADE, 13 *G.* 3. *c.* 24. [REP. 23 *G.* 3. *c.* 15. *s.* 1.]

(STATUTES *in force.*)

1. FOR RENDERING THE 13 *G.* 1. *c.* 24. MORE EFFECTUAL, 23 *G.* 3. *c.* 15. [PUBLIC *clause*, *s.* 16.]

2. If any person shall, within *Eng.* or *Wa.* and *Ber.*, dye any cloths, bays, or other woollen goods of any kind whatsoever, as for mather blacks, not being dyed throughout in first place with woad and indigo, such person shall forfeit for every piece of long *Bocking* bays, containing 70 yards, or upwards, 5*l.*; for every piece of *Colchester* bays, or short bays, containing 35 yards, or upwards, 50*s.*; and for every piece of other woollen goods of any kind whatsoever, 6*d. per* yard; and if any person shall dye any woollen cloth, as or for woaded black, the same not being woaded throughout, such person shall forfeit for every piece of such cloth, 2*s. per* yard, 23 *G.* 3. *c.* 15. *s.* 2.

3. All woollen goods, mathered black according to this act, shall be marked with a red rose and a blue rose; and all woollen cloth woaded black throughout, according to this act, shall be marked with a blue rose only; and if any person shall counterfeit or cause to be counterfeited such marks, or shall dye, or affix any such mark to woollen cloths falsely dyed as for mathered or woaded blacks, he shall forfeit 4*l.* for every piece, upon which such mark shall be so stained or affixed, *id. s.* 3.

4. If any person shall use any logwood, or logwood liquor, in dying blue any woollen goods of any kind whatsoever, he shall forfeit 20*l.* for every piece, *id. s.* 4.

5. The masters, wardens, and court of assistants of the company of dyers of *London*, under the common seal of such company, together with certain persons here named, or any 3 of them, shall appoint such number of persons as they think proper to be searchers of all shops, warehouses, workhouses, and tenter grounds or drying places of all persons using the mystery of dying, drying, or packing woollen goods, and also all public warehouses, and other public places where any woollen goods packed for exportation are deposited, situate within the city of *London*, or 10 miles thereof; and shall from time to time appoint others in room of such as shall die, resign, or be removed, and any searcher so appointed may at all times in day-time, enter into such shop, warehouse, &c. to search for and examine all woollen goods dyed black or blue, whether packed or not, and may take a pattern from either end thereof for the purpose of proving same, on taking to his assistance a peace-officer of the parish wherein such shop, warehouse, &c. is situated, who shall assist when required, *id. s.* 5.

6. When the persons hereby empowered to appoint searchers shall die, or refuse to act, 3 of the survivors by writing under their hands shall appoint another person (being a dyer of woollen goods within such limits) in room of such person so dying or refusing to act, who shall have like power as the person he succeeds to, *id. s.* 6.

7. Such company of dyers (as in *s.* 5.), and such persons so authorized to appoint searchers, shall meet at *Dyers'-hall*, or other place in the city, as often as necessary, to appoint searchers, and may adjourn themselves; but if at any such meeting a sufficient number of persons authorized to act in appointment of searchers shall not attend, or omit to adjourn, any of such persons may adjourn such meeting to such time and place as he thinks proper, *id. s.* 7.

8. Provided, that if at any such meeting to appoint searchers such company shall not attend, the persons hereby authorised to appoint searchers, or 3 of them, may appoint a searcher, who shall have the same power as if he was appointed by such company, *id. s.* 8.

9. If such company and persons shall refuse or neglect to appoint searchers, any 2 persons, being dyers of woollen goods, may apply to the quarter-sessions holden within such limits (as in *s.* 5.), and make complaint thereof, and such sessions may enquire touching the same, and, if deemed necessary, may appoint such searchers within such limits, who shall have like power as if appointed by such company and persons as before directed, *id. s.* 9.

10. To prevent frauds and abuses in dying of woollen goods in such places as are not within the city of *London* and ten miles thereof, the justices at their general or quarter-sessions, shall appoint searchers within their jurisdictions; and every person so appointed shall be invested with like power to act as a searcher in pursuance of this act, within the limits for which he shall be appointed, as are herein given to any searcher within *London*, and 10 miles of such city, *id. s.* 10.

11. No person shall be capable of acting as a searcher, until he shall have taken and subscribed an oath to the effect following, *viz.*

'I do swear, that I will faithfully, impartially, and honestly execute and perform the trust reposed in me as a searcher, by virtue of an act of parliament, made in the twenty-third year of the reign of his majesty king *George* the third, for rendering more effectual the provisions contained in an act of the thirteenth year of king *George* the first, for preventing frauds and abuses in the dying trade.'

Which oath the persons by whom he is appointed, or one of them, shall administer, *id. s.* 11.

12. If any person shall oppose, obstruct, hinder, or prevent any such searcher in execution of powers hereby vested in him, he shall forfeit 10*l.*, *id. s.* 12.

13. All penalties for offences against this act, where exceeding 5*l.*, shall be recovered in the name of any person who shall inform, by action of debt, &c. or information in any court of record at *Westminster*, wherein no essoin, &c. and all such forfeitures which shall not exceed 3*l.*, shall, upon proof of offence before any justice for county where offence done, either by confession of party, or by oath of one witness, be levied and recovered by distress and sale of goods of the party offending, by warrant under hand and seal of such justice, directed to any constable, or other peace-officer; and overplus, after pe-

nalties and charges deducted, shall be returned, upon demand, to the owner; and in case sufficient distress cannot be found, and such penalties shall not be forthwith paid, such justice shall cause the offender to be committed to the house of correction, to be kept to hard labour for not exceeding 3 months; and one moiety of all penalties recovered from persons residing within *London*, or 10 miles thereof, shall go to the informer, and the other shall be disposed of in the manner directed by the persons attending any meetings to be holden for appointment of searchers within *London*, *&c.* and the whole of all other such penalties shall go to informer, 23 *G.*3. *c.*15. *s.*13.

14. All prosecutions for offences against this act shall be commenced within 40 days after committed or discovered, and shall be prosecuted with effect; and any person aggrieved by order of any justice may appeal to the next general quarter-sessions, first giving reasonable notice of such appeal to the prosecutor; and the judgment of such sessions shall be final; and such sessions upon such appeal shall allow costs to either party, to be levied as is usual in other cases of appeal, 23 *G.*3. *c.*15. *s.*14.

15. All actions for any thing done in pursuance of this act shall be commenced within 3 calendar months after cause of action arose, and shall be laid in the county, city, or place where it arose; defendant may plead general issue, and give this act and the special matter in evidence, and that same was done in pursuance hereof; and if it shall so appear, or that the action was commenced after time limited, or was laid in the wrong county, &c., then the jury shall find for the defendant; and on such verdict, or if the plaintiff is nonsuited, or discontinues after appearance, or has judgment against him on demurrer, defendant shall have treble costs with usual remedy to recover same, *id. s.*15.

EAST INDIA COMPANY.

(STATUTES *repealed and expired.*)

FOR ASSURING TO THE ENGLISH CO. TRADING TO THE E.I. on account of the united stock [*viz.* of the "*Co. of merchants of London*, trading to the E.I., and of the *English Co.* trading thither"] a longer time in the fund and trade therein mentioned, and for raising thereby the sum of 1,200,000*l.* for carrying on the war, and other H.M.'s occasions, 6 *A. c.*17. [*semb.* EXP.]

2. FOR CONTINUING THE TRADE AND CORPORATION CAPACITY of the united E.I.C. although their fund [of 2,000,000*l.* raised by 8 *per cent. annuities* under 9 & 10 *W.*3. *c.*44. *s.*48.] should be redeemed, 10 *A. c.*28. [*semb.* EXP.]

3. FOR BETTER SECURING THE E.I. TRADE, AND FOR MORE effectually preventing all H.M.'s subjects [*from*] trading thither under foreign commissions, 5 *G.*1. *c.*21. [CON. 5 *G.*2. *c.*29. and, lastly, to *25th March*, 1800, 20 *G.*3. *c.*19. *s.*1. EXP.]

4. FOR PAYMENT OF 400,000*l. per ann.* FOR 2 YEARS BY THE E.I.C. in respect of territorial acquisitions and revenues lately acquired in the E.I., 7 *G.*3. *c.*57., 9 *G.*3. *c.*24. [Both EXP.]

5. FOR RESTRAINING THE E.I.C. [for 6 months from *7th Dec.* 1772] from appointing commissioners to regulate their affairs at their presidencies in the E.I., 13 *G.*3. *c.*9. [EXP.]

6. FOR GRANTING TO H.M. A SUM OF MONEY [1,400,000*l.*] to be raised by exchequer bills, and to be advanced and applied in the manner, and on the terms therein mentioned, for the relief of the E.I.C., 13 *G.*3. *c.*64.

7. TO CONTINUE [for 3 years from *29th Sept.*, 1775] so much of 13 *G.*3. *c.*64. as [*s.*17.] obliged the E.I.C. to export annually goods, &c. of the growth of G.B. to their settlements in the E.I. to a certain value, 15 *G.*3. *c.*44. [*semb.* EXP.]

8. FOR GRANTING FURTHER TIME FOR ALLOWING the drawback on export of muslins and calicoes imported by E.I.C. in 1773 and 1774, and for several other temporary purposes, 16 *G.*3. *c.*51. *ss.*1—4. [EXT. to *coffee*, 19 *G.*3. *c.*4. *s.*2., but both acts EXP.]

9. FOR CONTINUING IN THE POSSESSION OF THE E.I.C. till *5th April*, 1780, and under certain conditions, the territorial acquisitions and revenues obtained in E.I, 19 *G.*3. *c.*61. [CON. till *5th April*, 1781, 20 *G.*3. *c.*56. Both EXP.]

10. FOR CONTINUING 13 *G.*3. *c.*64. and 13 *G.*3. *c.*63. *s.*7. and for indemnifying the E.I.C. for any money they have paid, or may pay about the building of 3 ships of the line for the public service, 20 *G.*3. *c.*56 [EXP.]

11. FOR ESTABLISHING AN AGREEMENT WITH THE E.I.C. for payment of 400,000*l.* for the use of the public in discharge of all claims of the latter from the time when the Co.'s bond debt was reduced to 1,500,000*l.* till 1*st March*, 1781, in respect of the territorial acquisitions and revenues lately obtained in the E.I. and for securing to the public in respect thereof a certain proportion of the clear revenues and profits of the Co., 21 *G.*3. *c.*65. *ss.*1—8., 10—15. [*semb.* EXP. see rest of the statute, *infra.*]

12. TO INDEMNIFY THE E.I.C. FROM ALL DAMAGE, INTERESTS, and losses in respect to their having made default in certain payments due to the public, on the same being made at a future stipulated time, and to enable them to continue a dividend of 8*l. per cent.* to the proportion for 1782, 22 *G.*3. *c.*51. [*semb.* EXP.]

13. TO INDEMNIFY THE E.I.C. FROM ALL INTEREST AND losses in respest of their not making regular payment of certain sums due and to become due to the public, and to allow further time for such payment; to enable them to borrow 500,000*l.* on bonds under their common seal, (*s.*2.) and to make a dividend of 4 *per cent.* to the proprietor at *Midsummer*, 1783, 23 *G.*3. *c.*36. [*semb.* EXP.]

14. FOR GRANTING RELIEF TO E.I.C. BY ALLOWING FURTHER time for the payment of certain sums due and to become due to the public, and by advancing them on the terms therein mentioned a certain sum of money to be raised by exchequer bills, at 4*l.* 15*s. per cent.*, and to enable them to make a dividend of 4 *per cent.* to the proprietors at *Christmas*, 1783, 23 *G.*3. *c.*83. [CON. 24 *G.*3. (*S.*1.) *c.*3. but both seem EXP. except 23 *G.*3. *c.*83. *s.*12.]

15. TO EMPOWER E.I.C. TO MAKE A DIVIDEND TO THE proprietors of E.I. stock at *Midsummer*, 1784, 24 *G.*3. *S.*2. *c.*2. [EXP.]

16. FOR CONFIRMING AN ORDER IN COUNCIL OF THE GOV.-GEN. of *Bengal*, and for granting him further powers during his residence on the coasts of *Coromandel and Malabar*, 31 *G.*3. *c.*40. [EXP.]

17. FOR ALLOWING FOR A LIMITED TIME the importation of goods from *India* and *China*, and other parts within the limits of the exclusive trade of the E.I.C., in ships not of *British* built, nor registered as such, and for export of goods from *G.B.* by the same ships, under certain restrictions, 35 *G.*3. *c.*115. [CON. 42 *G.*3. *c.*20. *s.*6., 54 *G.*3. *c.*35., 53 *G.*3. *c.*155. *s.*30., 54 *G.*3. *c.*35. and (till 1*st Jan.* 1816,) by 54 *G.*3. *c.*134. *s.*1. ALL EXP.]

18. TO ENABLE THE E.I.C. TO PAY THE EXPENCES OF TWO REGIMENTS of infantry, to be raised for defence and protection of their house and warehouses, and for the public services mentioned in 34 *G.*3. *c.*31., 37 *G.*3. *c.*74. [EXP.]

19. FOR REGULATING THE MANNER IN WHICH THE E.I.C. SHALL HIRE and take up ships for their regular service, 39 *G.*3. *c.*89. [AMD. by 50 *G.*3. *c.*86. and 51 *G.*3. *c.*75. *s.*6. (but the two first acts and *s.*6. of 51 *G.*3. *c.*75. are REP. by 58 *G.*3. *c.*83. *s.*1.) ALSO AMD. by 43 *G.*3. *c.*63. which is CON. (till 25th *March*, 1815) by 46 *G.*3. *c.*85.; but *semble*, BOTH EXP.]

20. TO ENABLE THE COURT OF DIRECTORS OF THE E.I.C. TO MAKE reasonable allowances to the owners of certain ships in their service, on account of the extraordinary expence of their outfit, between 27th *March* 1802, and 8th *March* 1803, 43 *G.*3. *c.*137. [EXP.]

21. FOR ALLOWING THE SALE OF CERTAIN E.I. PRIZE GOODS in the port of *Liverpool*, 44 *G.*3. *c.*72. [EXP.]

22. FOR IMPOSING AN EXCISE DUTY ON SILK HANDKERCHIEFS sold by E.I.C. for home consumption, 54 *G.*3. *c.*148. [REP. 55 *G.*3. *c.*93. *s.*2.]

(STATUTES *in force.*)

I. *Provisions respecting loans from the Co. to the public, forming part of their capital stock, and the annuities thereby created.*

II. *Provisions respecting money raised by annuities, or on bonds granted by the* E. I. C.

III. *General provisions affecting the regulation of the Co. and its servants, its trade, and the local government of* India.

IV. *Army.*

V. *Shipping and Seamen.*

I. *Loans from the* E.I.C. *to the public.* (*See list of titles, ante.*)

23. A.D. 1698. 2,000,000*l.* at 8 *per cent.* (*viz.* 160,000*l. per ann.*) by 9 & 10 *W.*3. *c.*44. *ss.*48—55.

1707. 1,200,000*l.* [without interest, by 6 *A.*17. *s.*4. (legal interest being then 6 *per cent.*), this RED. the 160,000*l. per ann.* interest on the 3,200,000*l.* debt to the Co. to 5 *per cent.* Further RED. to 4 *per cent.* (*viz.* 128,000*l. per ann.*) 3 *G.*2. *c.*14. *s.*4.]

1744. 1,000,000*l.* (raised by bonds, and not added to the former capital), at 3 *per cent.* (producing 30,000*l. per ann.*) by 17 *G.*2. *c.*17. *s.*1.

Total princ. 4,200,000*l.*

producing total interest 158,000*l. per ann.* up to the reduction of the interest on the existing national debt, by 23 *G.*2. *c.*22. *s.*1.(A.D.1750.) by which statute the interest due to the E.I.C. on the 4,200,000*l.* was first RED. to 3½ *per cent.* till 25th *Dec.* 1775, (*id. s.*2.) and after that time to 3 *per cent. id. ibid. viz.* yielding 126,000*l. per ann.* (*which amount is recognized in the preamble to* 26 *G.*3. *c.*62. *s.*1.), and is now charged on the consolidated fund, 33 *G.*3. *c.*47. *s.*1. (being called the 3 *per cent.* E.I. annuities, and now consolidated with the 3 *per cent.* Bank annuities by 33 *G.*3. *c.*47. *s.*1., on the 3,200,000*l.* only. *Tomlins's Law Dict. tit.* E.I.C.) Besides the above loans to the public, they paid, in 1730, a premium of 200,000*l.* (*see* 3 *G.*2. *c.*14. *s.*1.), and in 1781 another of 400,000*l.* to the public, (21 *G.*3. *c.*65. *s.*1.) for continuations of their exclusive trade. [*See Tomlins's Law Dict. tit.* E.I.C. *passim.*] The dividend is now 10 *per cent.* to be increased to 10*l.* 10*s. per cent.* after the *separate fund* (33 *G.*3. *c.*52. *s.*124.) is exhausted, and is no longer sufficient to pay 10*s. per cent.* as at present, 53 *G.*3. *c.*155. *s.*57. (having been fixed at 10*l. per cent.* by 33 *G.*3. *c.*52. *s.*111.) and is payable on their present (*viz.* 8,000,000*l.*), or future capital stock, 17 *G.*2. *c.*17. *s.*1.

24. FOR RAISING 2,000,000*l. per ann.* on a fund for payment of annuities at 8 *per cent. per ann.* 9 & 10 *W.*3. *c.*44. *ss.*42. 47. 70—72. 74. 86. 88. [and see *ss.*48—55. *ante, pl.*23. and the rest of this title and statute, *infra, pl.*72.]

25. The said yearly fund or annuity, [*viz.* of 160,000*l. per ann.* (*supra, pl.*23.) now diminished to 126,000*l.*, *id. ibid.*] shall be paid by the officers of exchequer without fee; and such of them as delay the issue of, or divert, or misapply the same, shall lose their offices, and be disabled to serve H. M. and shall pay double the value of the sum delayed to be paid or so diverted, to E.I.C. or any person suing for them, 9 & 10 *W.*3. *c.*44. *s.*47. [by action of debt, or case, or information in any court of record of H. M. without essoin, &c. or more than one imparlance allowed, *s.*42.] and are also subject to the penalties of 1 *W.* & *M. c.*1. 9 & 10 *W.*3. *c.*44. *s.*88.

26. H. M.'s commission or charter shall direct in what manner the shares in the yearly fund and in the stock in trade shall be transferred, (9 & 10 *W.*3. *c.*44. *s.*70.) The stocks shall be deemed personalty (*s.*71.), exempt from taxes (*id. s.*72.); and no member of any society or company, within this act, shall, in respect of his stock only, be adjudged a bankrupt, or the stock liable to foreign attachment (*id. s.*74); but if the Co. by dividends reduce their capital, so that it will not pay their debts, the members are liable as far as their shares, reserved on such dividends, extend, *id. s.*86.

27. An annuity of 30,000*l.* to the E.I.C., in respect of 1,000,000*l.* advanced by them, shall be paid quarterly, [altered to half yearly, 33 *G.*3. *c.*47. *s.*1. *infra, pl.*49.] till redemption by parliament, [is now charged on the consolidated fund, *id. ibid.*] Differences are to be paid out of the sinking fund, and replaced out of the first supplies, 17 *G.*2. *c.*17. *s.*1. & *ss.*4—7. [*and see* 33 *G.*3. *c.*47. *infra.*]

28. The E.I.C. may borrow any sum under their common seal, so as the total of the monies, owing on the security thereof, does not exceed 1,000,000*l.* above what might lawfully be borrowed before this act, *id. s.*8. [*Qu.* if not superseded by 7 *G.*1. *S.*1. *c.*5. *s.*32. and by later acts?]

29. On one year's notice by parliament, after 25th *March* 1745, and on repayment of 3,200,000*l.* formerly, and of 1,000,000*l.* now advanced, and of all arrears of the annuities due to them on their loans to the public, the annuities shall cease; and on repayment of any sum not less than 500,000*l.* in part of such capital stock or debt, and of all arrears of the annuities, so much thereof as bears proportion to the monies so paid in part shall cease, *id. ss.*9, 10. [*superseded provisions to the same effect,* 3 *G.*2. *c.*14. *ss.*5, 6.]

II. *Provisions respecting money raised by annuities, or on bonds granted by the* E. I. C.

30. Their *Capital Stock*, previous to 26 *G.*2. *c.*62. *s.*2. was,

	4,200,000*l.*	(*see supra, pl.*23.) with which has been consolidated
1753, by 26 *G.*2. *c.*62. *s.*2. with	800,000*l.*	Loans to the Company,
1779, — 29 *G.*3. *c.*65.	1,000,000*l.*	
1793, — 33 *G.*3. *c.*47. *s.*8. ...	1,000,000*l.*	
1797, — 37 *G.*3. *c.*31. *s.*1. ...	2,000,000*l.*	
	9,000,000*l.*	

at 10 *per cent.* (53 *G.*3. *c.*155. *s.*57.) to be augmented to 10*l.* 10*s. per cent.* on the exhaustion of the 10*s. per cent.* now paid on the *separate fund, id. ibid.*

31. Powers have been given them to borrow by *bond*, under their common seal,

1720, by	7 *G.*1. *S.*1. *c.*5. *s.*32. ...	5,000,000*l.*
1744, —	17 *G.*2. *c.*17. *s.*1.	1,000,000*l.**
1788, —	28 *G.*3. *c.*29. *s.*1.	1,200,000*l.*
1807, —	47 *G.*3. *S.*1. *c.*41. *s.*1. ...	2,000,000*l.*
1811, —	51 *G.*3. *c.*64. *s.*1.	2,000,000*l.*
		11,000,000*l.*

32. No company established in pursuance of this act shall borrow any sums on credit of the funds thereby granted, nor borrow, owe, or give security for any greater sums than shall be employed in their trade, (which shall be borrowed only on their common seal, and not repayable in less than 6 months,) nor discount any bills or notes, or keep books or cash for any persons other than their own corporation, 9 & 10 *W.*3. *c.*44. *s.*75.

33. The E.I.C. may borrow money under their common seal for carrying on their trade, or for lending money by way of bottomry, so as the whole sum which they shall owe at any one time does not exceed the sum due to them at that time from the public, or 5,000,000*l.* in all, 7 *G.*1. *st.*1. *c.*5. *s.*32.

34. They shall not borrow any greater sums than shall be laid out for buying of goods or bullion to be exported for account of the Co., or otherwise employed in their trade, or than shall be advanced on the bottom of any ship, or on goods on board any ship employed in their service, all which monies shall be borrowed only on their common seal, and shall not be made payable at any less time than 6 months, nor shall it be lawful for them to discount bills, nor to keep books or cash for other persons, *id. s.*33.

35. FOR EMPOWERING THE E.I.C. to raise certain sums by transferable annuities, 23 *G.*2. *c.*22. *ss.*4—6. [and *see* 26 *G.*3. *c.*62., *&c. post.*]

36. If the E.I.C. do not subscribe the 3,200,000*l.* owing to them, and carrying interest of 4 *per cent.*, not only that sum, but also 1,000,000*l.* owing to them at 3 *per cent.* shall be redeemed (*s.*4.); but if they do subscribe, they may, with consent of the treasury, raise 4,200,000*l.* on the credit of their above capital stock by sale of annuities, as to 3,200,000*l.* thereof at 4 *per cent.* till 25*th Dec.* 1755 (*s.*2.) and 3 *per cent.* after (*s.*5.); and as to the remaining 1,000,000*l.* at 3 *per cent.* [2,992,440*l.* 5*s.* only was subscribed under these powers, *see* 26 *G.*3. *c.*62. *s.*1. *infra, pl.*44. and 33 *G.*3. *c.*47. *s.*1. *pl.*49.] and the annuities payable in respect thereof (called *E. I. Annuities*) shall be free of taxes, and transferable in books to be provided for that purpose in the E.I.C.'s office, as the treasury shall direct, without fee and free of all charges, shall be personalty going to the executor, and not the heir, [subject to the *former* conditions of redemption; *viz. comm. semb.* 17 *G.*2. *c.*17. *ss.*9, 10. *ante, pl.*29. *This power* of redemption is taken away, 33 *G.*3. *c.*47. *s.*1. *pl.*49.] 23 *G.*2. *c.*22. *ss.*4, 5.

37. The Co.'s statute powers to raise money by bonds under their common seal for carrying on their trade and lending money on bottomry, shall continue in force, but the money which they shall raise by sale of annuities shall be applied to the discharge of their present bond debt, and shall be considered as part of what they are empowered to borrow, *id. s.*6.

38. FOR RELIEF OF THE E.I.C. AS TO PAYMENT OF CERTAIN sums due to the public, and to the acceptance of certain bills drawn on them, and for regulating their dividends, 24 *G.*3. *S.*2. *c.*34. [called *The Relief act.*]

39. After recital (*inter alia*) "that besides the debts due to H.M. of 923,519*l.* 5*s.* 2*d.* for customs unpaid, as well as a deficiency of 141,947*l.* on the annual accounts of the profit and loss of their trade and revenues made up to 1*st March*, 1784, according to 21 *G.*3. *c.*65. *s.*13. the E.I.C. have been allowed to increase their bond-debt to 500,000*l.* above the sum of 1,500,000*l.* (mentioned in that act as the sum to which that debt was then reduced), and that they also owe 300,000*l.* lent to them on exchequer bills pursuant to 23 *G.*3. *c.*83. *s.*8., and that bills have been drawn on the court of directors to the amount of 1,690,000*l.*, besides *China* bills, and 300,000*l. per ann.* in bills of exchange allowed to be accepted by such court, and that other bills are expected to be drawn on them." The treasury are empowered to allow the Co. further time for payment of the sums then due to the public, but not beyond 1*st Jan.* 1786., *id. s.*1.

40. The court of directors, with consent of treasury, may accept and pay the said bills at such times and on such terms, and with such interest, as any 3 commissioners of treasury shall allow, by writing under their hands, *id. s.*2, 3.

41. Until the debts so due to H.M., with the said bills of exchange, and the 300,000*l.* borrowed on exchequer bills are paid, and the bond-debt of the E.I.C. again reduced to 1,500,000*l.*, the profits of the territorial acquisitions and revenues, after defraying the expences attending

* This was lent *by* the E. I. C. to the public at 3 *per cent.* the rest are loans *to* the E. I. C.

the same, together with all the clear revenues and profits of the Co. after providing for the said bills of exchange, together with the current payment of interest, and other expences of the Co., shall be applied as follows, *viz.* the Co. may retain in the first place 8 *per cent. per ann.* on the capital stock of 3,200,000*l.*, and may make dividends to the proprietors at 8 *per cent. per ann.* [see note to this *pl.*]; and in the next place the said clear profits shall be applied to pay the debts due to H.M. and the 300,000*l.* borrowed on exchequer bills, and the interest thereof; and after such payments made, then in diminution of the bond-debt till reduced to 1,500,000*l.*; *after which reduction* the whole clear profits above mentioned, territorial and commercial, are to be thus applied, [*viz.* (after providing for current payments of interest, and all other outgoings of the company,) first a sum equal to 8*l. per cent.* on the capital stock of 3,200,000*l.* shall be retained, and if a surplus then remain, 3-4ths shall be applied to the use of the public, and 1-4th reserved for the Co.'s own use, 21 *G.*3. *c.*65. *s.*9.] *id. s.*2. [The words between brackets form the enactment suspended by the operation of this act till the recited debts are paid, *but the whole appears now* Susp. by 33 *G.*3. *c.*52. *s.*111., and 53*G.*3. *c.*155. *s.*57. *Dividend raised,* 53*G.*3. *c.*155. *s.*57. *pl.*30. and *infra, pl.* 361.]

42. The deficiency of 141,941*l.* appearing in the annual account made up to 1*st March* 1784, shall be carried forward as a charge in the account of 1784, and if any deficiency appears in the account of any subsequent year during the continuance of the participation between the public and the Co. mentioned in 21 *G.*3. *c.*65. *s.*9., it shall be carried forward to next year's account, *id. s.*5.

43. To enable the E.I.C. to raise money by a sale of annuities, and by increasing their capital stock, 26 *G.*3. *c.*62. [Public *clause, s.*9. Amd. 31 *G.*3. *c.*11.]

44. The Co., with consent of 3 commissioners of treasury, may borrow any sum of money by subscription from any persons, bodies politic or corporate, by sale or mortgage of a fund attended with an annuity of 3 *per cent. per ann.* not exceeding the annual sum of 36,226*l.* 16*s.*, being an annuity due to the Co. from the public in consideration of 1,207,559*l.* 15*s.*, part of the debt of 4,200,000*l.* due from the public, such sale to be made at such price as the directors, with consent of treasury, shall think fit; after which sale, the said annuities shall be paid and transferred in like manner, and the proprietors shall hold their shares of the said fund to be purchased in like manner, as the present proprietors now hold the respective sums belonging to them in the annuity fund of 2,992,440*l.* 5*s.* borrowed pursuant to the powers of 23 *G.*2. *c.*22. *s.*5. (*ante, pl.*36). and the annuities so sold shall be consolidated with that fund; and the said debt of 4,200,000*l.* due from the public to the Co., and the annuities payable in respect thereof, shall be a collateral security to proprietors of the annuities so sold, &c. in the same manner as those sold under 23 *G.*2. *c.*22. *pl.*35., 26 *G.*3. *c.*62. *s.*1. [*These powers* are continued to the Co. for their exercise from time to time, 31 *G.*3. *c.*11.]

45. The Co. may, with like consent, receive subscriptions for enlarging their capital stock of 3,200,000*l.* by not exceeding 800,000*l.*, so as to make their whole stock 4,000,000*l.*, to be subscribed for at 160*l.* for every 100*l.* stock, or at such other rate as the directors, with consent of treasury, shall direct, which capital stock so subscribed shall be deemed part of their capital stock, and the subscribers, members of the Co., entitled to all advantages and dividends thereon, (*s.*3.) and are subject to all its regulations, *id. s.*2. [The regulations of subscription follow, but are not here inserted, being Exp.]

46. The E.I.C. may borrow money upon, and issue bonds under, their common seal, as their affairs may require, not exceeding 1,200,000*l.* beyond the sum for which they may *now by law* issue their bonds, 28 *G.*3. *c.*29. *s.*1. [*viz.* 5,000,000 *comm. semb. see* 7 *G.*1. *S.*1. *c.*5. *s.*32. *supra, pl.*33.]

47. They may raise 1,000,000*l.* by a further increase of their *capital stock,* 29 *G.*3. *c.*65.

48. For placing the stock, called East India Annuities, under management of bank of *Eng.*, and engrafting the same on the 3 *per cent. Red. Ann.* in redemption of a debt of 4,200,000*l.* owing by the public to the E.I.C., 33 *G.*3. *c.*47. [Public *clause, s.*16.]

49. The annuities sold by the E.I.C. [by virtue of 23 *G.*2. *c.*22. *ante, pl.*36.] amounting to 2,992,440*l.* 5*s.* capital at 3 *per cent. per ann.* and called East India Annuities, and the annuity of 89,773*l.* 4*s.* payable to the holders of the former, and the like annuities amounting to 1,207,559*l.* 15*s.* capital [residue of the above debt of 4,200,000*l. see title,*] with the annuity of 36,226*l.* 16*s.* payable to E.I.C. in respect thereof, are transferred from the management of the E.I.C. to the bank, and consolidated with the 3 *per cent. Red. Ann.*, the annual interest of both sums, *viz.* 126,000*l. per ann.* remaining charged on the consolidated fund, [under 27 *G.*3. *c.*13. *s.*53. *pl.*23.) and being issued half yearly by the exchequer to the bank as part of the 3 *per cent. Red. Ann.*, by which name, and as such stock only, the above annuities shall be transferred or redeemed, the power of redemption reserved to the E.I.C. by 26 *G.*3. *c.*62. (*s.*1. *at end,*) or 31 *G.*3. *c.*11., and the allowance of 168*7l.* *per ann.* for management of the above annuities being repealed and discontinued, 33 *G.*3. *c.*47. *s.*1.

50. The holders of such E.I. annuities shall be deemed to have assented to such consolidation, unless they have signified their dissent before 31 *Aug.* 1793, in a book opened at the bank for entry thereof (*s.*2.); but the annuities of those that dissent, shall continue to be managed and paid by the Co., and repaid to the Co. by the bank, 33 *G.*3. *c.*47. *ss.*2—5.

51. The above annuities after their consolidation, (as in *s.*1.) shall continue liable to the same uses, trusts, settlements, and incumbrances, as before, unless by this act otherwise provided, and the Co.'s power under any act in force to sell, mortgage, or dispose of *their share* of the capital stock (*viz.* the 1,207,559*l.* 5*s.* in *s.*1. *pl.*49.) remains valid, *id. s.*4.

52. The treasury shall make a reasonable allowance to the bank for management, &c. of the annuities transferred under *s.*1., *id. s.*6.

53. Any share of the said annuities retained by the E.I.C. shall be paid by the public to the Co. at par, antecedent to the determination of their exclusive trade, *id. s.*7. [Conf. 53 *G.*3. *c.*155. *s.*3. *infra.*]

54. The E.I.C., with consent of treasury, may receive subscriptions for enlarging their capital stock of 5,000,000*l.* to any sum not exceeding a further sum of 1,000,000, thus making their whole capital stock 6,000,000, to be subscribed at the rate of 200*l.* for every 100*l.* stock, *id. s.*8. [*Regulations for the subscription follow in s.*9—13. *but are not inserted here, being* Exp.]

55. From the money so raised, the Co. shall reduce their bond debt in *G. B.* to 1,500,000*l.* [2,000,000*l.*, 34 *G.*3. *c.*41. next *pl.*] after which they may apply the rest to paying such of their debts as they think fit, *id. s.*14.

56. The E.I.C. may continue their bond debt in *G. B.* at 2,000,000*l.*, and apply the remainder of the money raised under 33 *G.*3. *c.*47. for the general purposes of their commerce; and may, with consent of the board of control, at any time hereafter, borrow a further sum of 1,000,000*l.* on bonds under their common seal, 34 *G.*3. *c.*41. *s.*1.

57. To enable the E. I. C. to raise money by further increasing their *capital stock,* and to extend the existing provisions respecting the present stock of the Co. to such encreased stock, 37 *G.*3. *c.*31. [Public *clause, s.*10. Amd. 47 *G.*3. *S.*2. *c.*41. and 51 *G.*3. *c.*64.]

58. The Co., with consent of treasury, may, from time to time, receive subscriptions from any person or body soever, for enlarging their capital stock of 6,000,000*l.* by any sum not exceeding 2,000,000*l.* additional capital stock, which additional capital stock shall, from time to time, be subscribed and paid for at such rate for every 100*l.* thereof, as the court of directors, with consent of treasury, shall direct, and the subscription shall be made and the money paid in like manner as, and it shall be taken to be, part of the Co.'s capital stock, and the subscribers thereof to be members of, and incorporated with the Co., with all the advantages and under all the regulations to which the present members of the Co. and stockholders are subject in respect of their stock by statute, charter, or bye-law, which stock shall be transferable, and the proprietors shall hold their shares thereof, in like manner as the original stockholders do, and the whole shall be consolidated as 1 joint stock, 37 *G.*3. *c.*31. *s.*1.

59. The Co. shall, from time to time, pay the like dividends to the proprietors of the additional as on the original stock, the first of which shall commence from the time specified in the proposals for the subscription, *id. s.*2.

60. The court of directors, with consent of treasury, may give the preference in subscribing for the additional stock to their stockholders at the time of subscription, not exceeding 50*l. per cent.* on the capital stock then held by each subscriber for all sums subscribed by them, on or before a day fixed by the court of directors, and if the subscriptions made on or before that day, exceed the sum proposed to be sold at that time, a proportionable deduction shall be made from each subscription, and if it falls short of such sum, the deficiency shall be disposed of to other persons, as the court of directors, with consent of treasury, shall think fit, *id. s.*3.

61. The directors, with the above consent, may agree to sell the whole, or any part of such additional capital stock, to any 1 or more persons, *id. s.*4.

62. When payments are made for the additional stock subscribed for, the Co.'s treasurer shall, at a reasonable time, give receipts for the same, transferable by indorsement, and when the last payment is made, the holder of such receipts, on delivering them up, shall have his name entered in the Co.'s books, with an account of the capital stock of each proprietor, as now kept in the present form, *id. s.*5.

63. In case any subscriber, after having subscribed, shall not make his payments at the proper times, the E.I.C. may sell the stock subscribed for by such defaulter to any other person, and all previous payments by him are forfeited to the Co., *id. s.*6.

64. Any guardian or trustee having the disposition of any infant's money, may subscribe and pay for such additional stock, or any part

thereof, on the terms of this act, the infant being entitled to the advantages thereof, and the guardian being discharged in respect of the sums so advanced by him, so as the infant's name is expressed in the receipts for the same, 37 *G.*3. *c.*31. *s.*7.

65. The E.I.C., with consent of the board of control, may borrow on their bonds under their common seal, any sum not exceeding 2,000,000*l.* above such sums, as they can now lawfully [under 34 *G.* 3. *c.*41.] raise on their bonds, applying the same for the purposes to which that raised by 37 *G.*3. *c.*31. is applicable, 47 *G.*3. (*S.*2.) *c.*41. *s.*1. [2,000,000*l.* more in like manner, 51 *G.*3. *c.*64. *s.* 1.]

66. When the Co. have raised 4,000,000*l.* under 37 *G.* 3. *c.*31., 47 *G.*3, *S.*2. *c.*41. *and this act*, they shall not raise any further sum on bond; and all money, which shall thenceforth be raised by increase of capital stock under 37 *G.*3. *c.*31., shall be applied in discharge of the said bond-debt created by 47 *G.*3. *S.*2. *c.*41. *and this act*, until the same, together with the money raised by increase of capital as aforesaid, is reduced to 4,000,000*l.*, 51 *G.*3. *c.*64. *s.*3.

67. All bonds issued under the common seal of the Co. by virtue of any power to borrow money thereon, shall be transferable by delivery, and on every such transfer or assignment, the money secured by the bond transferred, with the property therein, shall be vested in the assignee, who, or whose executors, representatives, may sue thereon, as the present obligee may, and shall recover their debt, damages, and costs of suit; and if plaintiff be nonsuit or has verdict against him, defendant shall recover his costs against plaintiff, and every such plaintiff and defendant respectively recovering, may sue out execution for such debt, damages, and costs, *ca. sa.*, *fi. fa.*, or *elegit*, *id. s.*4.

68. To REGULATE THE BONDS ISSUED BY THE E.I.C. as to the rate of interest payable thereon, 44 *G.*3. *c.*3. *ss.*3—4.

69. The E.I.C., with consent of the board of control, may allow the same interest on money raised by bonds lawfully issued by the E.I.C., as is allowed on exchequer bills issued at the same time; and all bonds and instruments for securing money raised thereon are valid, and no person is liable to any penalty for accepting such interest, *id. s.*3.; but this shall not prevent the Co. from allowing legal interest on such bonds, *id. s.*4.

70. To AUTHORIZE THE TRANSFER TO THE E.I. of debts originally contracted there on the part of the E.I.C. payable in *Eng.*, 52 *G.*3. *c.*121.

71. All agreements for the re-transfer from *London* to the E.I. of sums of money to be invested by way of loan to the Co. in the E.I., there to bear interest after an *Indian* rate, and all securities for payment of any such sums of money, or interest thereof, shall be valid in law, 52 *G.*3. *c.*121. *s.*1.

III. *General provisions affecting the regulation of the company, and its servants; its trade; and the local government of India.*

72. FOR SETTLING THE TRADE TO INDIA, 9 & 10 *W.*3. *c.*44. *ss.*56, 57. 60—69. 75. 86. [AMD. 6 *A. c.*3. *s.*2.] All penalties inflicted by 9 & 10 *W.*3. *c.*44. are repealed by 33 *G.*3. *c.*52. *s.*146., but the exclusive right of trade, granted by the act, was recognised as never having been put an end to; and its infringement was declared a public wrong, affording a defence to underwriters on policies signed in contravention of its provisions, 6 *T.R.* 765., 1 *B. & P.* 272.

73. H.M. may, by patent, incorporate the subscribers of the sum of 2,000,000*l.* [*ante*, *pl.* 23.] in 100*l.* shares, (*s.*48.) to be one body politic and corporate, with perpetual succession, a common seal, and power to them and their successors to purchase lands, plead, and be impleaded, and do all other things by the name of their corporation; *viz.* "The "general society entitled to the advantages given by an act of parliament, "for advancing a sum not exceeding 2,000,000*l.*, in the service of the "crown of *Eng*," *id. s.*56. [But this society seems superseded by 6 *A. c.*17., *infra*, *pl.*92. and *pl.*78.; and see *Tomlins's Law Dict. tit.*, E.I.C. (1.), where it is shewn, that this *general society* for trade to *India*, by individual members thereof, was much neglected, for the superior advantages of being concerned in the joint stock trade, erected by *s.*62. of this act; (and it does not appear that the former ever sent out a single ship;) and, at the union of the two companies, (see *infra*, *pl.* 92.) out of the whole loan of 2,000,000*l.*, only 7,200*l.* remained the property of the separate traders of the united society, (see 6 *A. c.*17. *s.*7.) which sum was also soon absorbed in the UNITED COMPANY, making their capital stock, on which dividends were then to be made, 2,000,000*l.*, to which 1,200,000*l.*, advanced under 6 *A. c.*17. *s.*4., was afterwards added, (see *supra*, *pl.*23).]

74. The sum total of all the subscriptions, shall be the principal stock of the said corporation, and all persons shall have a share in proportion to their subscriptions, *id. s.*57.

75. The yearly sum of 160,000*l.*, [now diminished to 126,000*l.* on 4,200,000*l.* debt, see *ante*, *pl.*23.] shall be paid to the general society, or their treasurer, in trust, for the members, *id. s.*60.

76. No company established in pursuance hereof, shall borrow any sums on credit of the funds hereby granted, nor borrow, owe, or give security for any greater sum than shall be employed in their trade, (which shall be borrowed only on their common seal, and not repayable in less than 6 months,) nor discount any bills or notes, or keep books, or cash for any persons, other than their own corporation, 9 & 10 *W.*3. *c.*44. *s.*75.

77. The subscribers, and all persons licensed by them in their stead, may trade to the E.I., and the parts beyond the *Cape of Good Hope*, to the streights of *Magellan*; but none shall trade by himself, or others, in any one year, for more than the amount of his stock, *id. s* 61.

78. All persons entitled to shares in the principal stock may be incorporated into a *company*, to trade with a *joint stock*, in proportion to their interests, by such name as H. M. shall think fit, with perpetual succession, common seal, &c., *id. s.*62.; [*viz.* the *English company*, see 6 *A. c.*17. *s.*1. *infra*, *pl.* 92.]

79. If the *present* Co., (*viz.* the *London* E.I.C.,) or any other person or persons, shall make any dividend of their stock and estates, or of any part, effects, or produce thereof, before full payment of their just debts, then every member who, in his private or personal capacity, shall receive any share of such dividend, shall be liable, as far as his share so by him received on such dividend shall extend, to satisfy the said debts, or such of them as remain due to any others persons, bodies politic or corporate, who may sue for, and recover the same, by virtue hereof, with *double costs*, by action of debt, or on the case, *id. s.*85. [But the double costs here given, seem in nature of a penalty, all of which, by this act inflicted, were REP. 33 *G.*3. *c.*52. *s.*146.]

80. Every company erected in pursuance of this act shall take care that the sum total of their debts does not exceed the value of their capital; and, in case they shall, by dividends, so reduce their capital, that it is insufficient to answer their debts, the members shall be liable, as far as their shares received on such dividends extend, to pay the debts, besides costs, *id. s.*86.

81. After incorporating such joint stock company, the proportionable parts of the above annuity (see *s.*60.) payable to the members thereof shall be paid at the exchequer to the E.I.C., or their treasurer, in trust for the members, by weekly payments, *id. s.*63.

82. Every member of the general society, not in the company, shall, before he be permitted to trade, take an oath before two of the trustees, to be faithful to the general society, and not to trade to the E.I. for more than this act allows; and all persons trading by licence shall enter their licences in the books of the general society, and take an oath to the like effect. And no member of any company having power to trade thither, during his continuance in the said company, shall trade otherwise than in the joint stock. And every member of such company shall take an oath before two of the trustees, to be faithful, and not to trade to the E.I. (during his continuance in the company) on any private account. And no person shall be intrusted to trade upon the joint stock, or for a company, before he hath taken an oath, to be faithful to such company, and not to trade thither but for the account thereof, *id. s.*64.

83. Quakers may, instead of an oath, make a solemn declaration to the same effect, *id. s.*65.

84. All persons trading to the E.I. in pursuance of this act, (except in a company,) shall enter the goods they export, before the lading thereof, with the ship's and master's name; which entries shall be on oath, or solemn affirmation, made before two trustees, till a company be erected, and then before two directors thereof, *id. s.*66.

85. The general society and companies may be impowered by charters to make by-laws for the good of the trade, *id. s.*67.

86. Persons not making true entries and affirmations, shall forfeit the goods exported, or designed to be exported, and the proceed thereof, and double the value, to be divided as the charters shall appoint, *id. s.*68.

87. No company or particular person, shall trade to the E.I. before security given to the commissioners of customs, [as in next *placitum*,] *id. s.*69.

88. Such security shall be at the rate of 2500*l.* for every 100 ton that the ships are let for; and the *English* Co., for every ship sent out by them, shall give security with the condition following; *viz.*

"*Whereas in pursuance of an act of parliament, made in the ninth year of H. late M.'s reign, intituled*, An act for raising a sum not exceeding 2,000,000*l.* upon a fund for payment of annuities, after the rate of 8*l. per cent. per ann.* and for settling the trade to the E. I., the ship — whereof captain — is master, of the burthen of — tons, is under the regulation of the said act bound out upon a voyage to the *E. I.*, or other parts within the limits prescribed by the said act, with a cargo or loading of goods upon account of the above bound *English* company trading to the E. I.: the condition of this obligation is such, that if all the goods, wares, merchandizes, and commodities, which shall at any time or times hereafter, during the continuance of this present intended voyage, be laden by or for the said company or any of them, or for their or any of their accounts, in the said ship, from the said E. I., or parts aforesaid, shall be, without breaking bulk, brought to

some port of *G. B.*, and there be unladen and put on land (the danger of the seas, enemies, pirates, constraint of princes and rulers, barratry of seamen, and necessary provisions, stores and merchandizes for the people and garrison of *St. Helena*, only for their own proper consumption excepted) then this obligation shall be void, or else shall remain in full force, effect, and virtue, 6 *A. c.* 3. *s.* 1."

89. All goods laden in E. I. or other parts within E. I. *Co.'s* charter, on any ship belonging to H. M.'s subjects, with intent to be transported from the E. I. shall be brought to *G. B.*, and unladen, except stores for *St. Helena*, and except danger of seas, enemies, pirates, restraint of princes, or barratry, on pain of forfeiting all such goods, or their value, one moiety to H. M., and the other to them that shall sue for same, in any court at *Westminster*, without any essoin, &c. allowed, *id. s.* 2.

90. FOR ASSIGNING TO THE ENGLISH [*United Company of Merchants of Eng.* trading to the E. I, *s.* 13.], on account of the *United Stock*, a longer term in the fund and trade herein mentioned, and for raising thereby from them 1,200,000*l.* for carrying on the war, and for H. M.'s other occasions, 6 *A. c.* 17. [PUBLIC *clause*, *s.* 14.]

91. The said Co. shall advance 1,200,000*l.*, as above, (*s.* 1.)

92. "Recital (*s.* 1.) *inter alia, that* by indenture *tripartite*, bearing date, 22 *July*, 1702, between H. M. of the 1st.; the *London* E. I. Co. of the 2d.; and the *English* Co. (created 9 & 10 *W.* 3. *c.* 34. *s.* 62., *supra*, *pl.* 78.) of the 3d. part, it was agreed, that an union of the companies should be effected by a purchase by the *London* Co. of an equal moiety of the capital stock of the *English* Co., and that the E. I. trade should be wholly carried on by the *United Company*, according to the charter of 5 *Sept.* 10 *W.* 3." The *English Co.* may borrow by their common seal on their united stock, so as the principal money owing does not exceed 1,500,000*l.*, above what might lawfully be borrowed thereon, before this act, *id. s.* 2.

93. In case the general court of the said *English* Co. shall think fit, they may call in monies from their adventurers, towards raising the said 1,200,000*l.*, or re-paying the money borrowed for that purpose: and in case any member shall neglect to pay his share of the monies called in, or which the said companies in pursuance of 9 *W.* 3. *c.* 44. or their charters, shall call in for carrying on their trade (by notice, fixed on the *Royal Exchange*, *London*) the companies may stop the dividends payable to such member, and apply the same towards such payment; and also stop the transfers of the shares of such defaulter, and charge him with interest, at 6 *per cent.* for the monies neglected to be paid; and if the principal and interest be not paid in 3 months, may sell so much of the stock of the defaulter as will pay the same, *id. s.* 3.

94. The said 1,200,000*l.* (*s.* 1.) shall be deemed an addition to the stock of the *English* Co., and be tax-free, *id. s.* 4.

95. The united stock of the said *English* Co. shall be subject to the debts contracted by them, *id. s.* 5.

96. Upon importation of goods by such *English* Co., the officers of customs shall take bonds of them, for the custom of such goods for which bonds have been usually given, *id. s.* 11.

97. FOR FURTHER PREVENTING H. M.'s SUBJECTS FROM TRADING to the E. I. under foreign commissions, and for encouraging and securing the lawful trade thither, 7 *G.* 1. *S.* 1. *c.* 21.

98. All contracts made by any of H. M.'s subjects, or in trust for them, on the loan of monies, by way of bottomry on any ship in the service of foreigners, and bound to the E. I., &c.; and all contracts for supplying her with goods or provisions, and all co-partnerships relating to any such voyage, and agreements for the wages of persons serving on board such ship, shall be void, *id. s.* 2.

99. All the penalties herein appointed, [or in 9 *W.* 3. *c.* 44. REP. 33 *G.* 3. *c.* 52.] or in 6 *A. c.* 3. or in 5 *G.* 1. *c.* 21. relating to the E. I. Co., shall be sued for in any court of record at *Westminster*, at the suit of the attorney-general, or of the Co., or of any officer of the customs; and one-third of such penalties shall be to the crown, one other third to the company, and the remaining third to such officers of the customs as shall sue as aforesaid, *id. s.* 6.

100. Before any suit is commenced for the above penalties by any officer of customs, he shall go to the court of directors of the Co., and make known to them the offence, and his intentions to sue for the same; and if the said court shall elect to have the suit brought by bill in the exchequer, with waiver of the penalties, then such bills shall be filed in the name of the attorney-general; and thereupon the Co. shall pay to such officer one quarter part of the monies recovered, and shall bear the charges: but if the said court shall elect to have the suit commenced by information or action of debt, then the officer shall sue for the same at law, and the information, &c. shall not be discontinued, but with the consent of the Co., or their court of directors, *id. s.* 7. *pl.* 379. [see a somewhat similar provision, in 33 *G.* 3. *c.* 52. *s.* 143.]

101. This act shall not subject the Co. of merchants trading into the *Levant* seas, or any member thereof, to answer any such bill, or to any other penalties in respect of their trading into those seas, *id. s.* 8.

102. The Co. shall be allowed to ship out stores for maintaining their garrisons and settlements free of all duties, so as such duties would not have exceeded in one year 300*l.*, 7 *G.* 1. *S.* 1. *c.* 21. *s.* 13.

103. FOR ASCERTAINING THE E. I. C.'s RIGHT OF TRADE TO THE E. I., and the continuance of their corporation for that purpose on the terms therein mentioned 3 *G.* 2. *c.* 14. [AMD. as to *s.* 7. by 17 *G.* 2. *c.* 17. *s.* 14.] [See rest of this statute, *supra*, *pl.* 23. *and* 29.]

104. Notwithstanding the redemption of the annuity due from the public, *supra*, *pl.* 27. [The condition of redemption in *s.* 6. of this act here alluded to seems superseded by 17 *G.* 2. *c.* 17. *ss.* 9—10. *supra*, *pl.* 29.] the united Co. shall continue a body corporate by the name of the "United Co. of merchants of *Eng.* trading to the E. I." and enjoying all privileges which by former acts, or charters founded thereon, the Co. might enjoy, *id. s.* 7.

105. After redemption of the said annuity, or one moiety thereof, the Co. may, by bye-laws to be made in their general courts, declare what share in the remaining stock, &c. shall qualify members to be directors, or to give votes in any general court, *id. s.* 8.

106. After *determination of their sole trade* the Co. may carry on a free trade to the E. I. with their joint stock in common with other subjects, *id. s.* 14., 3 *G.* 2. *c.* 14. *s.* 12., 21 *G.* 3. *c.* 65. *s.* 6., 53 *G.* 3. *c.* 155. *s.* 4. *s. p.*

107. The Co. shall have all powers by any acts or charters granted to them, not altered by this act, discharged from all provisoes of redemption therein contained, for securing to them the sole trade to the E. I. and for securing their effects, and governing their affairs, *id. s.* 10.

108. The Co. are restrained from purchasing hereditaments in *G. B.*, exceeding in the whole the yearly value of 10,000*l.*, *id. s.* 14.

109. Nothing in this act shall prejudice such trade or navigation within the said limits as the *South Sea* Co. are entitled unto, *id. s.* 15.

110. Nothing herein shall subject the governor and Co. of the merchants of *Eng.* trading to the *Levant* to any penalties in respect of trading into those seas, *id. s.* 16.

111. FOR REGULATING CERTAIN PROCEEDINGS OF THE GENERAL COURTS of the E. I. C., 7 *G.* 3. *c.* 49.

112. No dividend shall be made by the E. I. C. other than in pursuance of a vote or resolution passed by ballot in a general court of the Co. summoned for declaring a dividend, and of the meeting of which general court 7 days notice shall have been given in writing fixed on the *Royal Exchange* in *London*, 7 *G.* 3. *c.* 49. *s.* 1.

113. No balloting on any question proposed in any general court relative either to declaring a dividend, or any other matter soever, shall be begun in less than [8, altered 10 *G.* 3. *c.* 47. *s.* 3. to] 24 hours after the adjournment or breaking up of the general court in which it shall have been determined that such question should be decided by balloting, and in no case shall the balloting be begun later than 12 at noon, nor closed earlier than 6 *p. m.*, 7 *G.* 3. *c.* 49. *s.* 3., 10 *G.* 3. *c.* 47. *s.* 3.

114. FOR BETTER REGULATING PERSONS EMPLOYED in the E. I. C.'s service, and for further purposes, 10 *G.* 3. *c.* 47. [PUBLIC CLAUSE, *id. s.* 7.]

115. Officers, mariners, or other persons in the service of the Co. who shall transport to the E. I. or put on board any ship in the Co's service trading to the E. I, any artillery, ordnance, musquets, fire-arms, ammunition, or warlike stores of any kind soever, or shall knowingly assist therein, without the licence of the Co., with intention of transporting, selling, trafficking, bartering, exchanging, or otherwise disposing of the same in the E. I., or within the limits of the company's trade, shall be deemed guilty of a high crime and misdemeanor, and may be prosecuted for the same in K. B. at *Westminster*; and shall be liable to such corporal punishment or fine as the court shall think fit, 10 *G.* 3. *c.* 47. *s.* 2.

116. When any half-yearly or other dividend of the said Co. shall be voted and declared by a general court of proprietors, not varying from the dividend for the preceding half year, it shall not be necessary for the said general court to ballot respecting such dividends; but a declaration from the chairman of the voting and agreeing to such dividend, shall be a sufficient notice and authority for declaring and making such dividend, *id. s.* 3.

117. If any person in the service of the Co. in any civil or military station, office, or capacity whatsoever in the E. I. or deriving any power, authority, or jurisdiction by or from the Co. shall be guilty of oppressing any of H. M.'s subjects beyond the seas within their jurisdictions; or in the exercise of any authority under the said Co., or shall be guilty of any other crime or offence, such oppressions, crimes, or offences shall be enquired of, and determined in the K. B. in *Eng.*, and such punishments inflicted as are usually inflicted for offences of the like nature committed in *Eng.*; and the same and all other offences if committed against this act, may be alleged to be committed, and may be tried in *Middlesex*, *id. s.* 4., [and see 24 *G.* 3. *S.* 2. *c.* 25. *s.* 64, *&c. infra.*]

118. In actions against the company, their agents, or servants, or any person deriving authority under the Co, for any thing by them done in such capacity, the defendants may plead the general issue, *id. s.* 5.

119. The defendant, or his attorney, shall deliver to the plaintiff, in every such action, or his attorney, a notice in writing, signed by the defendant or his attorney, of the substance of the defence which he in-

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tends to rely upon, six days before the trial, in case the same is to be tried in *London* or *Middlesex*, and eight days in any other county; and defendant shall not give evidence of any matters not contained in such notice, 10 *G.*3. *c.*47. *s.*7.

120. FOR ESTABLISHING CERTAIN REGULATIONS FOR BETTER management of the affairs of the E. I. C. as well in *India* as in *Europe*, 15 *G.*3 *c.*65. [PUBLIC *clause*, *id. s.*47. AMD. 17 *G.*3. *c.*8., 21 *G.*3. *c.*65., 39 & 40 *G.*3. *c.*79. *ss.*18—19., 53 *G.*3. *c.*155. *s.*89. commencement, *pl.*396.]

121. At the next ensuing general election of directors of the Co., instead of an election of 24 directors to serve for one year only, there shall be chosen six directors for one year, six for two years, six for three years, and six for four years, and not otherwise; and from thenceforth yearly at the expiration of each of the said terms respectively, six new directors shall be chosen in the place of such directors whose term has expired, and who are hereby declared incapable of being then rechosen; and at every subsequent election during the continuance of the charter of the company, six new directors shall be chosen, and shall continue directors for four years, to be accounted from the day of election; and in case the office of any such director becomes void by death, removal, or otherwise, another shall be chosen in his place, to serve during the remainder of such term for which the person whose office shall have become void, was chosen, 13 *G.*3. *c.*63. *s.*1.

122. All future annual elections of directors shall be made on the 2d *Wednesday* in *April*, 17 *G.*3. *c.*8. *s.*1.

123. All future directors elected for 4 years shall continue such till the 2d *Wednesday* in that *April* in which the term of 4 years shall end, and during all that day, *id. s.*2.

124. No person in any civil or military capacity in the E.I. shall be chosen director, until he shall have returned to, and been resident in *Eng.* for 2 years, 13 *G.*3. *c.*63. *s.*2.

125. All transfers of stock made to any person, on purpose to qualify him to vote at any election of directors, or in any general court of the Co. (subject to conditions, either verbal or in writing, to defeat such transfers, or to re-transfer the same) shall be taken against the persons who transferred the same, as absolute, and to be holden by such persons absolutely discharged of all trusts, powers of revocation, or redemption, &c. and all bonds, covenants, notes, collateral or other securities, contracts, or agreements between the said parties, or any other person in trust for them, or any of them, for retransferring, redeeming, or defeating such transfer to any person who made such transfer, or in trust for them, shall be void: and every person to whom such transfer shall have been made, and who shall have voted by virtue thereof, at any election of directors, or in any general court, and who shall afterwards retransfer the same, in consequence of any trust, &c. shall forfeit 1000*l.* one moiety to any person who shall sue for the same, and the other to H. M., to be recovered with costs by action of debt, in any court of record at *Westminster*; and no member of E. I. C. shall be qualified or admitted to vote in respect of less than 1000*l.* stock, nor in respect of any stock transferred to him until possessed thereof for 12 months, in his own right, and not in trust for any other person, discharged of all incumbrances; unless the same is acquired by bequest, marriage, or succession to any intestate's estates; by the custom of *London*, or by any deed of settlement after the death of any person who shall have been entitled for life to the dividends, *id. s.*3.

126. Every proprietor possessed in his own right of 3000*l.* stock, shall be entitled to give two votes at any election of directors, or at any ballot of the said Co.; and if possessed of 6000*l.* 3 votes; and if of 10,000*l.* or more, 4 votes; and the oath and affirmation hereinafter prescribed shall, as occasion shall require; be altered in such manner as is necessary to comprise such right of voting, *id. s.*4.

127. Upon every election of directors, and upon every ballot to be taken at any general court, every proprietor shall, before admitted to vote, first take the oath hereafter mentioned before 2 directors.

'I, *A. B.* do swear [*or, being one of the people called Quakers,* do solemnly affirm], that the sum of 1000*l.* or more of the capital stock of the united Co. of merchants of *Eng.* trading to the E. I. standing in my name, doth at this time belong, and hath for the space of 12 calendar months actually belonged to me, in my own right, and not in trust for any person or persons whatsoever; and that I have been in the actual receipt of the dividends and profits thereof for my own use, freed and discharged of all incumbrances which can or may affect the same, for the said space of 12 calendar months; or that the same came to me within the time aforesaid by bequest, [or by marriage, or by succession to an intestate's estate, or by the custom of the city of *London*, or by settlement] and that such stock has not been transferred or made to me fraudulently or collusively on purpose to qualify me to give my vote; and that I have not before given my vote on this ballot. So help me God.'

And in case any person taking the oath or affirmation shall thereby commit, and be convicted of wilful perjury, or if any person suborns any other to take such oath or affirmation, in order to vote, whereby he shall commit such perjury, and shall be thereof convicted, he shall incur such pains and penalties as are inflicted for offences committed contrary to 5 *El. c.*9., and 2 *G.*2. *c.*25., *id. s.*6.

129. For government of the presidency of *Fort William* in *Bengal* there shall be appointed a governor-general, [and by 24 *G.*3. *S.*2. *c.*25. *s.*18. *three* superior counsellors,] and the whole civil and military government of the said presidency, and also the management and government of all the territorial acquisitions and revenues in the kingdoms of *Bengal*, *Bahar*, and *Orissa*, shall, during such time as they remain in the possession of the company, be vested in the said governor-general and council of *Fort William* in *Bengal*, in like manner, as the same now are, or heretofore might have been exercised by the president and council, or select committee, in the said kingdoms, 13 *G.*3. *c.*63. *s.*7.

130. In all cases wherein any difference of opinion shall arise upon any question proposed in any consultation, the said gov.-gen. and council shall be concluded by the opinion of the major part of those present: and if it shall happen to be equally divided, then, the gov.-gen., or, in his absence, the eldest counsellor present, shall have a casting voice, and his opinion shall be decisive, *id. s.*8.

131. The said gov.-gen. and council shall have power of superintending and controuling the government and management of the presidencies of *Madras*, *Bombay*, and *Bencoolen*, so far as that it shall not be lawful for any president and council of *Madras*, *Bombay* or *Bencoolen*, to make orders for commencing hostilities, or making war against any *Indian* powers, or for negociating or concluding any treaty of peace, or other treaty with any such powers, without the consent of the said gov.-gen. and council, except in cases of imminent necessity, as would render it dangerous to postpone such hostilities or treaties until the orders might arrive; and except where the presidents and councils have received special orders from the Co., [*see* 33 *G.*3. *c.*52. *s.*41.] and any president and council of *Madras*, *Bombay*, or *Bencoolen*, who shall offend in any of the cases aforesaid, shall be liable to be suspended from his office by order of the said gov.-gen. and council; and every president and council of *Madras*, *Bombay* and *Bencoolen*, shall pay obedience to such orders as they shall receive, touching the premises, from the said gov.-gen. and council, and transmit to them advice of all transactions and matters whatsoever that shall come to their knowledge, relating to the government, revenues, or interest of the Co.; and the said gov.-gen. and council shall obey all such orders as they shall receive from the court of directors, and correspond with and transmit to the said court an exact particular of all advices, and of all transactions and matters whatsoever, that shall come to their knowledge, relating to the govt., commerce, revenues, or interest, of the Co.; [*the provisions for* the delivery of copies of all dispatches, &c. to the treasury by the directors, seem altered by 33 *G.*3. *c.*52. (*s.*11.), appointing the *Board of Control*,] all which copies shall be fairly written and signed by two directors, *id. s.*9., [*and see* 33 *G.*3. *c.*50. *s.*41—44.]

132. The power of nominating and removing the gov.-gen. and council at *Fort William* and *Bengal*, shall be vested in the directors of the Co., *id. s.*10., [*and see* 33 *G.*3. *c.*52. *s.*25.]

133. Nothing in this act shall restrain the Co, from appointing officers, factors, or agents, for managing, conducting, and transacting the trade and commerce of the Co. at *Fort William* and *Bengal*, *id. s.*12.

134. H. M. by charter or letters patent under the great-seal of *G. B.*, may erect a supreme court of judicature at *Fort William*, [so in *Madras*, 39 & 40 *G.*3. *c.*79.] to consist of a chief justice and [three, altered to 37 *G.*3. *c.*142. *s.*1.] two other judges, being barristers in *Eng.* or *Ire.*, of not less than five years standing, to be named by H. M., which said court shall have power to exercise all civil, criminal, admiralty, and ecclesiastical jurisdiction, and to appoint such clerks, and other ministerial officers of the said court, with such salaries as shall be approved of by the gov.-gen. and council; and to establish such rules of practice and of process of the court, and to do all other things necessary for the administration of justice, and due execution of the powers, which by the said charter shall be granted to the same, and also shall be a court of record, and shall be a court of oyer and terminer and gaol delivery for the town of *Calcutta*, and factory of *Fort William* in *Bengal* aforesaid, and the limits thereof, and the factories subordinate thereto, *id. s.*13. [*and see* 37 *G.*3. *c.*142. *s.*1. & *s.*5.]

135. The said charter shall extend to all *British* subjects who shall reside in the kingdoms or provinces of *Bengal*, *Bahar* and *Orissa*, under protection of the company; and the supreme court thereby established shall have full power to hear and determine all complaints against any of H. M.'s subjects for any crimes, misdemeanors, or oppressions, and also to determine any suits against any of H. M.'s subjects in *Bengal*, *Bahar*, and *Orissa*, and any suit against any person who shall, when such cause of action shall have arisen, have been employed by, or been directly or indirectly in the service of the Co., or of any of H. M.'s subjects, *id. s.*14.

136. The said court shall not be competent to hear, try, or determine any indictment or information against the gov.-gen., or any of the council, for any offence (not treason or felony) which such gov.-gen. or council shall be charged with having committed, *id. s.*15. [*and see* 21 *G.*3. *c.*70. *ss.*8, 9.]

137. The said court shall determine any suits of any of H.M.'s subjects, against any inhabitant of *India*, upon any contract or agreement in writing, where the cause of action shall exceed 500 current rupees; and where the said inhabitant shall have agreed in the said contract, that, in case of dispute, the matter shall be determined in the supreme court; and all such suits may be brought, in the first instance, before the said court, or by appeal from the sentence of any courts established in the said provinces, 13 *G.*3. *c.*63. *s.*16.

138. Nothing in this act shall subject the person of the gov.-gen. or any of the council, or chief justice and judges, to be arrested or imprisoned upon any action in the said court, *id. s.*17.

139. It shall be directed, in the said charter, that in case any person shall think himself aggrieved by any judgment of the said court, he may appeal from such judgment to H.M. in council, in such manner as in the said charter is appointed, *id. s.*18.

140. So much of the charter granted 8 *Jan.* 26 *G.*2. as relates to the establishment of the mayor's court at *Calcutta* in *Bengal*, or to the jurisdiction thereof, (in case a new charter shall be granted in pursuance of this act, and shall be openly published at *Fort William*,) after such publication shall cease; but the said charter shall, in all other respects, remain in force, *id. s.*19.

141. All records belonging to the mayor's court at *Calcutta*, or to the courts of oyer and terminer and gaol delivery at *Fort William*, established by such charter, shall, after such court shall be established at *Fort William*, be delivered over and deposited for safe custody, in the new court of judicature, to which all parties concerned may have recourse, upon application to the said court, *id. s.*20.

142. During such time as the territorial acquisitions shall remain in possession of the Co., the directors shall cause to be paid to the gov.-gen. of *Fort William* 25,000*l. per ann.*; and to each of the council 10,000*l. per ann.*; and to the chief justices 8000*l. per ann.*; and to each of the judges of the supreme court 6000*l. per ann.* which salaries shall be paid out of the said territorial acquisitions in the kingdoms of *Bengal*, *Bahar*, and *Orissa*, *id. s.*21.

143. The salaries of the gov.-gen. and council of *Bengal*, and govrs. and councils of *Madras* and *Bombay*, of the chief justices and judges of *Bengal* and *Madras*, of the recorder of *Bombay*, and the governor of *Prince of Wales Island*, shall commence from the time of entering on the execution of their offices, and shall be in lieu of all fees of office, perquisites and emoluments soever; and no fees, &c. shall be taken by such gov., council, chief-justice, or judges in any manner, or on any account soever, other than such salaries, *id. s.*22., 37 *G.*3. *c.*142. *s.*20., 39 & 40 *G.*3. *c.*79. *s.*7., *and* 53 *G.*3. *c.*155. *s.*89.

144. The court of directors shall pay and advance to all the persons herein after-mentioned, who shall be resident in *G.B.* at the time of their appointments, for the purpose of defraying the expense of their equipments and voyage the following sums, *viz.*

To the governor-general of *Fort William* in *Bengal*	£5000
To each of the members of council there	1200
To the commander in chief of all the forces in *India*	2500
To the chief justice at the supreme court at *Fort William*	1500
To each of the puisne judges there	1000
To the governor of *Fort St. George*	3000
To each of the members of council there	1000
To the commander in chief there	2000
To the chief justice of the supreme court there	1200
To each puisne judge there	1000
To the governor of *Bombay*	2500
To each of the members of council there	1000
To the commander in chief there	1500
To the recorder there	1000
To the governor of *Prince of Wales Island*	1200
To the recorder there	1000
To the bishop	1200
To each of the archdeacons	500

53 *G.* 3rd. 155. *s.* 89.

145. No gov.-gen. or any of the council at *Fort William*, or any chief justice or judge of the supreme courts, shall directly or indirectly, by themselves or by any other person for their use, take from any person, in any manner or on any account whatsoever, any present, gift, donation, gratuity, or reward pecuniary or otherwise, or any promise or engagement for any present, &c. [and no gov.-gen., or any of the council, or any chief justice or judge, shall carry on, be concerned in, or have any dealing or transactions, by way of traffick or commerce of any kind whatsoever, either for his use or benefit, profit or advantage, or for the benefit of any other person, (the trade of the company only excepted,) Rep. 23 *G.*3. *c.*52. *s.*146.], 13 *G.*3. *c.*63. *s.*23.

146. Nothing herein shall restrain any person whatsoever (except such as are by this act prohibited from being concerned in trade) from exercising any trade within *Fort William* and *Calcutta*, *id. s.*28.

147. No subject of H.M. in the E.I. shall upon any contract take, directly or indirectly, for loan of any monies, wares, merchandizes, or other commodities whatsoever, above 12*l.* for the forbearance of 100*l.* for a year; and all bonds, contracts, and assurances soever, whereby there shall be reserved or taken above 12*l.* in the 100*l.* as aforesaid, shall be void: and all persons who shall upon any contract take for giving day of payment, above 12*l.* for the forbearing of 100*l.* shall forfeit treble the value of the monies, &c. lent, &c. with costs; 1 moiety to the Co. and the other to him who will sue in the supreme court of judicature at *Fort William* in *Calcutta*, or in the mayor's court in any other of the Co.'s settlements where such offence shall have been committed, by action of debt, &c. or information, and in case no such action, &c. has been brought and prosecuted with effect within 3 years, then the party grieved may sue for recovery of all sums paid over such rate of interest, 13 *G.*3. *c.*63. *s.*30.

148. No informer or plaintiff shall compound with any person that shall offend, before answer made in the said supreme court, nor after, but by order of such court, on pain, being thereof convicted, to be fined and imprisoned at discretion of the said court, *id. s.*31.

149. If any subject in *India*, in the service of the Co. shall be charged with, and prosecuted for any breach of public trust, or for embezzlement of public money, or stores, or for defrauding the Co., such offender being convicted thereof, in the supreme court, or in any court of judicature in any other settlement in *India*, may be fined and imprisoned, and adjudged incapable of serving the Co., at the discretion of the court; and after sentence executed shall be sent over to *Eng.* unless he shall remove himself within 12 months, and in the mean time give sufficient security so to do, *id. s.*33.

150. All offences tried in the supreme court, shall be tried by a jury of *British* subjects resident at *Calcutta*, *id. s.*34.

151. After any judgment of the said court, against any of the Co.'s servants, civil or military, for any debt or penalty due to the Co. is made known to the directors, it shall not be lawful to release or compound such judgment, or to release any prosecution for carrying on any illicit trade, or for any debt or penalty due to the Co. or to restore any servant, who shall have been dismissed for misbehaviour, without the consent of 3 parts in four of the directors, and 3 parts in four in number of the proprietors who shall be present, and give their votes by ballot at a general court to be specially called for that purpose, and of which 14 days public notice shall be given before holding the same, and of the occasion for which such court shall be called, *id. s.*35.

152. The gov.-gen. and council at *Fort William* in *Bengal*, may make and issue rules, ordinances, and regulations for the good order and civil government of the settlement at *Fort William*, and other factories and places subordinate thereto, not being repugnant to the laws of the realm, and may impose and levy fines for the breach or non-observance of such rules, &c. but the same shall not be valid, until registered in the supreme court, with consent of the said court, which registry shall not be made until 20 days after the same shall be openly published, and a copy thereof affixed in some conspicuous part of the court-house, where the said court shall be held; and after such registry, the same shall be valid; but any person in *India* may appeal therefrom to H.M. in council, who may set aside such rules, &c. so as such appeal, or notice thereof, be lodged in the said court, within 60 days after registering; and any person in *Eng.* may appeal therefrom in like manner, within 60 days after publishing the same in *Eng.* and a copy of all such rules, &c. as the same shall be so received, shall be affixed in some conspicuous place in the *India House*, there to remain and be resorted to; yet such appeal shall not obstruct the execution of any rule, &c. until repealed, 13 *G.*3. *c.*63. *s.*36.

153. The gov.-gen. and council, in addition to or instead of such fines and forfeitures may order such reasonable corporal punishment by public or private whipping or otherwise as to them shall seem fit for the breach or non-observance of the rules made as above subject to the registry, publication, approbation, power of appeal, and regulations of 13 *G.*3. *c.*63. *ss.*36—37., 39 & 40 *G.*3. *c.*79. *s.*18.

154. No such corporal punishment shall in any case be ordered, except on due conviction before two justices acting for the settlement, presidency, and places subordinate thereto; which offence they are hereby empowered to hear and determine, and punish on conviction as above; but no such conviction, judgment, or order shall be brought into any superior court by *certiorari* or appeal or other process soever, *id. s.*19.

155. The gov.-gen. and council shall transmit copies of all such rules, &c. to one of the secretaries of state, and H.M. may signify to the said Co. under his sign manual, his disapprobation of such rules, &c. and after the same is registered and published in the supreme court at *Fort William*, all such rules shall be void; but in case H.M. shall not within 2 years from making of such rules signify his disapprobation, they shall be valid, 13 *G.*3. *c.*63. *s.*37.

156. The gov.-general and council at *Fort William*, and the chief-justice and other judges of the supreme court may act as justices of the peace, for the said settlement, and the settlements and factories subordinate thereto, in all matters which to the office of a justice do be-

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long; and for that purpose hold quarter-sessions within the settlement of *Fort William*, 4 times a year, which shall be a court of record, 13 *G.*3. *c.*63. *s.*38.

157. If any of the Co.'s presidents or council at their respective principal settlements, [or *Fort Marlborough*, or any other principal settlement wherein they are empowered to hold courts of judicature, 1 *G.*3. *c.*14. *s.*2.] shall be guilty of oppressing any H.M.'s subjects beyond the seas within their respective jurisdictions or commands, or of any other offence against the laws of *Eng.* or in force within their several jurisdictions or commands, such oppression and offences may be heard and determined in K.B. in *Eng.*, or before such commissioners and in such county there as shall be assigned by H.M.'s commission, by good and lawful men of the county, and punished in the same manner as the like offences in *Eng.* 27 *G.* 2. *c.*9. *s.*13., 1 *G.*3. *c.*14. *s.*2.

158. If any gov.-gen., president, or gov., or council of any of the Co.'s principal or other settlements in *India*, or the chief justice, or any of the judges of the supreme or any other court, or any other person in the service of the Co., in any civil or military station, or who have any power from the said Co., or any subjects residing in *India*, shall commit any offence against this act, or shall be guilty of any crime, misdemeanor, or offence, committed against any subjects, or any of the inhabitants of *India*, all such crimes may be tried and determined in K.B., and all such persons so offending, and not having been before tried for the same offence in *India*, shall, on conviction, be liable to such fines or corporal punishments as the court shall think fit; and moreover shall be liable, at the discretion of the court, to be adjudged incapable of serving the Co.; and such crimes may be alleged to be committed, and may be tried in the co. of *Middlesex*, 13 *G.*3. *c.*63. *s.*39. [*See* 24 *G.*3. *S.*2. *c.*25. *s.*64. *&c.* for the special court of judicature.]

159. In case the chief justice or judges of the supreme court, shall commit any offence against this act, or be guilty of any corrupt practice, or other crime, in execution of their offices, the K.B. in *Eng.*, upon information or indictment for such crime, upon motion made in the said court, may award a *mandamus* as aforesaid, requiring the gov.-gen. and council at *Fort William*, to assemble and to cause all such proceedings to be had as are in *s.*40. directed concerning the examination of witnesses; and such examination so taken, shall be returned and proceeded upon in the same manner, *id. s.*41. [*See s.*40. *post.*]

160. In all cases of proceedings in parliament, touching any offences against this act, or any other offences committed in *India*, the lord high chancellor, or speaker of the house of lords, and also the speaker of the house of commons, may issue his warrant to the gov.-gen. and council of *Fort William*, and to the chief justice and judges of the supreme court, or the judges of the mayor's court [supreme court since 39 & 40 *G.*3. *c.*79. *ss.*4, 5., at *Madras*,] *Bombay* or *Bencoolen*, for the examination of witnesses; and such examination shall be returned to the chancellor or speaker of the house of lords, or to the speaker of the house of commons, and proceeded upon in the same manner; and shall then be deemed good evidence, *id. s.*42.

161. No proceedings in parliament touching any offence committed in *India*, wherein such warrant as aforesaid shall have been issued, shall be discontinued by any prorogation or dissolution of parliament, but may be resumed and proceeded upon in a subsequent session or parliament, *id.s.*43.

162. When the Co. or any person soever, shall commence any action or suit in law or equity, for cause arisen in *India*, against any other person, in any court at *Westminster*, such court on motion there made, may award such writ, in the nature of a *mandamus*, or commission to the chief justice and judges of the supreme court at *Madras* [since 39 & 40 *G.*3. *c.*79. *ss.*4, 5.] or the judges of the mayor's court at *Bombay* or *Bencoolen*, for the examination of witnesses; and such examination being duly returned, shall be deemed good evidence, *id. s.*44.

163. No such depositions shall be given in evidence in any capital cases, other than such as shall be proceeded against in parliament, *id. s.*45.

164. The rights, interests, privileges, and authorities now vested in the united Co., not hereby expressly taken away, or varied, shall continue, *id. s.*46. [21 *G.*3. *c.*65. *s.*25. *S.P.*]

165. 400,000*l.* shall, by the Co. be paid into the exchequer for the use of the public, in full discharge of all claims of the public upon the said Co., from the time the bond-debt of the Co. was reduced to 1,500,000*l.*, until 1*st March*, 1781, 21 *G.*3. *c.*65. *s.* 1. [PUBLIC *clause*, *id. s.*40.]

166. The directors shall cause copies of the annual parliamentary accounts to be laid before the general court of proprietors holden next after they are made up, *id. s.*16.

167. No bill, promissory note, or other obligation for money, issued by any of the E. I. Co.'s presidents and councils, or servants in the *E. I.* or in *China*, and made payable in the *E. I.* or in *China*, shall be payable in *Eng.*, without the consent of 18 of the directors; nor shall the Co. be liable to the payment of any bill, issued as aforesaid, and made payable in *Eng.*, unless accepted by, or by order of a court of directors, *id. s.*27.

168. The directors are empowered to nominate, with consent of H.M., signified in writing under his sign manual [altered by 26 *G.*3. *c.*25., but re-enacted by 53 *G.*3. *c.*155. *s.*80.], and countersigned by the president of the board of control, any person to succeed to the place of gov.-gen. of *Fort William*, and to revoke the said appointment; and the person so appointed shall succeed to the said office when the same shall become vacant by the death, resignation, or removal of the gov.-gen. for the time being, and shall have all the powers of gov.-gen.; but the person so appointed shall not be entitled to any salary, &c. as gov.-gen., until he take upon himself the said office [see 53 *G.*3. *c.*155. *s.*89. *pl.* 143.], and in case he shall not happen to be at *Fort William* at the time the vacancy shall happen, then the office shall be supplied, till his arrival at *Fort William*, by the senior councillor of the presidency, 21 *G.*3. *c.*65. *s.*36.

169. The directors are empowered to appoint (with consent of H.M., signified under his sign manual), 1 or 2 persons to succeed to the office of a councillor of the presidency of *Fort William* [the royal assent not necessary on *councillor's* appointment, 26 *G.*3. *c.*25. *s.*1.], whenever a vacancy shall happen, and to declare which of the said 2 persons shall first succeed to the said office of a councillor; and on the 1st vacancy in that office the said persons shall succeed thereto accordingly, and have all powers of a councillor; and H.M., on representation of the court of directors, may revoke the appointment of such persons, (*see above*) as a councillor of the said presidency may be removed from such office under 13 *G.*3. *c.*63. [but the person so appointed shall not be entitled as a councillor to any salary, &c. until he shall take on himself the office, 53 *G.*3. *c.*155. *s.*9.] *id. s.*37.

170. The commander in chief of all the Co.'s forces in the E. I., provided he shall be appointed one of the councillors of the said presidency of *Fort William*, shall rank as second in council at the presidency, but shall in no case succeed to the government of the presidency without a special appointment for that purpose; but in case of the vacancy of gov.-gen. of the presidency, at a time when no person shall be appointed to succeed to his office, the councillor next in rank to such commander in chief shall succeed to the office of gov.-gen. until some other person shall be appointed thereto, *id. s.*38.

171. Nothing herein shall affect the rights or claims of the public, or the company, respecting the territorial acquisitions and revenues, *id. s.*39.

172. TO EXPLAIN AND AMEND SO MUCH of 13 *G.*3. *c.*63. AS RELATES to the administration of justice in *Bengal*, and for other purposes, 21 *G.*3. *c.*70.

173. The gov.-gen. and council of *Bengal* shall not be subject, jointly or severally, to the jurisdiction of the supreme court of *Fort William*, for any act done in their public capacity only, *id. s.*1.

174. Any person impleaded in the said supreme court, for any act done by order of the gov.-gen. and council in writing, may plead the general issue, and give the order in evidence, which said order, with proof that the act was done according to the same, shall be a justification, and the defendant shall be discharged from every suit, civil or criminal, in the said court, *id. s.*2.

175. With respect to such order of the said gov.-gen. and council as shall extend to any *British* subject, the said court shall have as full jurisdiction as if this act had never been made, *id. s.*3.

176. Nothing herein shall discharge the gov.-gen. and council, or any other acting under their order, from any complaint, suit, or process, before any court in this kingdom, or give any other authority whatsoever to their acts, than acts of the same nature had, by the laws of this kingdom, before this act, *id. s.*4.

177. In case any person, by himself, or his attorney or counsel, shall make a complaint to the supreme court, and enter the same in writing, and on oath, of any oppression or injury, charging the same to be committed by the gov.-gen., or any member of the council, or any other person by virtue of any order given by the latter, and shall execute a bond, with some other person whom the court shall deem responsible, jointly and severally to the Co., in such penalty as the court shall appoint, effectually to prosecute the said complaint, in some competent court in *G. B.*, within 2 years of the making of the same, or of the return into *G. B.* of the party against whom the same is made; then the party complaining shall be enabled to compel, by order of the court, the production in the said supreme court of true copies of the orders of council complained of, and to have the same authenticated by the court, and to examine witnesses upon the matter of the complaint, and also on the part of the person complained of; and the parties complaining and complained of, shall have all advantages relative to proof of the complaint or defence, and also relative to any *mandamus* or commission to be issued by any court in *Westminster-hall*, in case the court upon motion shall think fit to issue the same, as are provided by 13 *G.*3. *c.*63. *s.*40. *see infra*, and the supreme court shall have the same powers for compelling witnesses to appear and be examined, and the same rules shall be observed for transmitting the depositions and papers to this kingdom, as are provided by the said act, *id. s.*5.

178. All copies of orders so authenticated as in 13 *G.3. c.63. s.40.*, *infra, pl.* 241., and also the depositions taken in manner aforesaid before the supreme court, shall be received in evidence in any court of law or equity at *Westminster*, 21 *G.3. c.70. s.6.*

179. No prosecution shall be carried on against the said gov.-gen. or any of the council, before any court in *G. B.* (parliament only excepted), unless commenced within 5 years after the offence, or his arrival in *Eng.*, *id. s.7.*

180. The supreme court shall not exercise any jurisdiction in any matter concerning the revenue, or any act done in the collection thereof, according to the usage of the country, or the regulations of the gov.-gen. and council, *id. s.8.*

181. No person shall be subject to the jurisdiction of the supreme court, by reason of being a land-owner, land-holder, or farmer of land, or of land-rent, or for receiving a payment or pension in lieu of any title to, or ancient possession of, land or land-rent, or for receiving any compensation or share of profits for collecting of rents payable to the public out of such lands as are farmed by himself, or his under-tenants in virtue of his farm, or for exercising within the said lands and farms any ordinary or local authority commonly annexed to the possession or farm thereof, within *Bengal*, *Bahar*, and *Orissa*, or for becoming security for the payment of the rents, *id. s.9.*

182. No person, for being employed by the Co., or the gov.-gen. and council, or by any person deriving authority under them, or for being employed by a native or descendant of a native of *G. B.* shall become subject to the jurisdiction of the supreme court in any matter of inheritance or succession to lands or goods, or in any matter of dealing or contract between parties, except in actions for wrongs or trespasses, and also except in any civil suit by agreement of parties in writing to submit the same to the decision of the court, *id. s.10.*

183. The gov.-gen. and council shall cause the name, description, and place of usual abode, of every native employed in the service of the Co. in any judicial office, or as principal native officer of any district in the collection of revenue, or in any commercial concerns of the Co. (except as before) to be entered in a book alphabetically disposed, distinguishing the district in which the said officers are employed; of which book two copies shall be made, one of which shall remain in the provincial office, and the other shall be registered in the supreme court; and the gov.-gen. and council shall register the name of every person who shall afterwards be appointed to succeed to any office vacant or new created, within 3 months of the appointment or creation, *id. s.11.*

184. Whenever any person shall die, or be removed from any judicial office, his name shall be entered in a book, *id. s.12.*

185. Every *British* subject shall cause to be entered in the provincial office of the district in which they reside, the name, description and abode of his native steward, agent, or partner, in any concern of revenue or merchandize (if such he hath), and shall enter within 3 months from the time of succession or new appointment, or new partnership, the names of them who are dismissed, dead, or new appointed in the said provincial office; and the president of the said council shall transmit, within 3 months, to *Calcutta* the name of every person who shall succeed to the said employment or partnership, for which one sicca rupee for every entry shall be paid to the officer keeping the register, *id. s.13.*

186. Any *British* subject convicted before the supreme court, of employing any native agent, or engaging with any native partner, not registered, or who shall be *bonâ fide* such agent or partner, (although by collusion the same may be concealed,) shall, if in the Co.'s service, forfeit 500*l.*, and if not, 100*l.* to any person suing, *id. s.14.*

187. No native shall be entitled to any salary except from the date of his registry, *id. s.15.*

188. If any *British European* subject shall engage in any concern of trade with a native partner not registered, he shall not be entitled to recover any money by reason of such joint concern, or to compel an account thereof, by any suit in law or equity, in any court within the provinces; and any person, prosecuting to conviction in the supreme court, a *British* subject, having a native partner or agent not registered, shall be entitled to, and shall recover the whole of the salary engaged for, and shall also be entitled to an account and receipt of the said *British* subject's share of profit of any partnership entered into with any person not conforming to this act, *id. s.16.*

189. The supreme court shall have power to determine, as provided in the charter, all actions against the inhabitants of *Calcutta;* in the case of *Mahomedans*, by the laws and usages of *Mahomedans*, and in the case of *Gentoos* by the laws and usages of *Gentoos*, and where only one of the parties is a *Mahomedan* or *Gentoo*, by the laws and usages of the defendant, *id. s.17.*

190. The rights of fathers of families, and masters of families, according to the *Gentoo* or *Mahomedan* law, shall be preserved to them within their families; nor shall any act done in consequence of the rule and law of cast, respecting the members of the said families only, be adjudged a crime, though not justifiable by the laws of *Eng.*, 21 *G.3. c.70. s.18.*

191. The supreme court may frame such process, and make such rules for the execution thereof, in suits civil or criminal against the natives of *Bengal*, *Bahar*, and *Orissa*, as may accommodate the same to the religion and manners of such natives, so far as the same consist with the execution of the laws and attainment of justice, *id. s.19.*

192. Such new forms of process, and rules, shall be transmitted to one of the secretaries of state, to be laid before H. M. for approbation, correction, or refusal; and such process shall be used, and such rules observed, until repealed or varied, *id. s.20.*

193. The gov.-gen. and council, or some committee thereof, may hold all pleas and appeals, from the country or provincial courts, in civil causes as hitherto, and shall be a court of record; and the judgments therein given shall be final, except upon appeal to H. M., in civil suits only, the value of which shall be 5000*l.*, *id. s.21.*

194. The court aforesaid shall be a court to determine on all offences committed in the collection of revenue, or of severities used beyond what shall appear customary or necessary, and to punish the same, provided such punishment does not extend to death, maiming, or perpetual imprisonment, *id. s.22.*

195. The gov.-gen. and council shall have power to frame regulations for the provincial courts and councils; and shall, within 6 months after making the said regulations, transmit copies thereof to the court of directors, and to one of the secretaries of state; which regulations H. M. in council may disallow or amend; and the said regulations, if not disallowed within 2 years, shall direct the said provincial courts, according to the amendment, provided the same do not produce any new expence to the suitors, *id. s.23.*

196. No action for wrong or injury shall lie in the supreme court, against any person exercising a judicial office in the country courts, for any judgment of the said court, nor against any person for any act done by the order of the said court, *id. s.24.*

197. In case of an information intended to be brought or moved for against any such officer or magistrate, for any corrupt act, no rule or other process shall be made or issued thereon until notice be given to the said officer, or left at his usual place of abode, in writing, signed by the party or his attorney, 1 month, if the person exercising such office shall reside within 50 miles of *Calcutta;* 2 months if beyond 50 miles; and 3 months if beyond 100 miles, before suing out or serving the same, in which notice the cause of complaint shall be fully contained; nor shall any verdict be given against a magistrate till proved on trial, that such notice has been given; in default whereof defendant shall have verdict with costs, *id. s.25.*

198. No magistrate shall in such case be liable to personal caption or arrest, nor obliged to put in bail till he shall have declined to appear to answer after notice given, and service of the process directing his appearance by himself or his attorney, *id. s.26.*

199. IF THE E. I. CO. SHALL AT ANY TIME NEGLECT TO KEEP THE market supplied with a sufficient quantity of tea, at reasonable prices, to answer its consumption in *G. B.*, the treasury may grant licenses to import it into *G. B.* from any parts of *Europe*, in like manner, subject to such duties, restrictions, and limitations, and with such notices and licences as are by any act in force directed, with respect to tea to be imported by the Co. from any parts of *Europe*, 14 *G.3. c.34. s.3.*, and 16 *G.3. c.51. s.5.* S. P.

200. FOR ESTABLISHING A COURT OF JUDICATURE FOR TRIAL OF persons accused of offences committed in the E. I., 24 *G.3. S.2. c.25.*, [PUBLIC *clause*, *id. s.85.* AMD. 26 *G.3. c.16. s.3. 5. and c.57.*]

201. All such powers vested in the proprietors and directors of the E. I. Co., or in any general or special court thereof respectively by any act or charter as are repugnant to this act, are repealed, 24 *G.3. S.2. c 25. s.30.* [in force, *see* 33 *G.3. c.52. s.146.*]

202. The court of directors shall take into consideration the origin and justice of demands of the *British* subjects on the nabob of *Arcot;* and give orders to their presidencies and servants abroad for completing the investigation thereof, and for establishing, in concert with the said nabob, a fund for the discharge of those debts which shall appear to be justly due, according to priority, *id. s.37.*; and also the indeterminate rights and pretensions of the nabob of *Arcot*, and rajah of *Tanjore*, and pursue measures to ascertain and settle the same, according to the treaty of 1762, *id. s.38.*

203. They shall take the complaints of rajahs, zemindars, polygars, talookdars, and other native landholders in *India*, into serious consideration, and adopt methods for enquiring into the causes and truth of the said complaints, and for obtaining a knowledge of the same, and thereupon, according to the circumstances of the cases, shall give orders to the governments and presidencies for redressing all injuries and wrongs which the said rajahs and others may have sustained unjustly,

and for establishing, upon principles of moderation and justice, according to the laws of *India*, the rules by which their tributes, rents, and services shall be paid to the Co., 24*G.*3. *S.*2. *c.*25. *s.*39.

204. The coroner and attorney of H.M. in K.B. [or *master of the crown office*, 4*Bla. Comm.* 308. and 26*G.*3. *c.*57. *s.*15. *pl.*222.] by rule of court obtained on motion, at the instance of any person, or the attorney-general, or court of directors or of proprietors, in the name of the Co. may exhibit in K.B. an information against any person, for any extortion or misdemeanor, whereupon the said court shall, at the instance of the prosecutor, cause the party against whom such information shall have been exhibited to be attached, and may order him to stand committed to the *Marshalsea*, the tower of *London*, or *Newgate*, until delivered by law, or until he, with two sureties, shall have entered into a recognizance unto the king for his appearance, and for satisfying the judgment; and when the defendant shall have appeared and pleaded to the information, the chief justice, or some of the justices of K.B., shall, within 10 days, (unless any *mandamus* is granted for examination of witnesses, as hereinafter provided,) deliver the record of the said information and plea to the lord chancellor, or lord keeper, or lords commissioners for custody of the great seal, who shall thereupon issue a commission under the great seal, as after provided, *id. s.* 64.

205. If any person shall neglect or refuse to appear and plead Not Guilty to such information, within the time by the rules or discretion of K.B. allowed, the attorney-general, or other prosecutor, may cause an appearance, and the plea of Not Guilty, to be entered for such person; and the said information shall thereupon proceed, as if the party had appeared and pleaded, *id. s.*65.

206. Within 30 days from the commencement of every session of parliament, the lords shall *nominate* 26 or more members of their house; and the commons, 40 or more, to be *chosen by ballot*, [as hereafter provided by 26*G.*3. *c.*57. *ss* 1—2. *infra*, *pl.*209—210.] and the speaker of each house respectively shall cause the list of the said names, so chosen, to be transmitted, under their respective hands and seals, to the clerk of the crown in chancery. And whenever a commission is to be issued under the great seal, by virtue of this act, the lists so returned shall be delivered over to such three judges of the courts of K.B., C. P., or exchequer, as those courts shall for that purpose appoint, one judge being nominated from each of them; and if the lists contain more than 26 members of the house of lords, or 40 of the commons, the said judges shall, within 3 days from the receipt thereof, cause the names contained therein to be put into a box, and 26 names of the peers, and 40 names of the commons, to be publicly drawn by lot, in presence of the judges; who are to give notice to all members, whose names shall have been so returned, or drawn by lot, and also to the attorney-general, or other prosecutor, and also to the accused, of the time and place to be appointed by them, (not exceeding 20 days from such lists being delivered to them as aforesaid,) for proceeding in the execution of this act; and the names of all such members of either house as shall not attend in consequence of such notice, shall be transmitted to the speaker, within 3 days, if parliament be then sitting, or if not, within 3 days after its next meeting; and such persons as shall have made default, shall forfeit to H. M. 500*l.* each, unless they offer such excuses as shall appear to each house to be sufficient, *id. s.*66.

207. If any member drawn by lot shall die, [or hold any civil office of profit under the crown during pleasure, or shall be, or have been, a member of the board for the affairs of *India*, or shall be, or shall have been, a director of the Co., or shall hold, or have held, any office in the service of the Co. in *India*, 26 *G.*3. *c.*57. *s.*3.] then another name shall be drawn out of the same box, instead of the name of such person, 24*G.*3. *S.*2. *c.*25. *s.*66. [and his name shall be struck out of the list by order of the house, 26 *G.* 3. *c.* 57. *s.*3.] upon such list being read over at the table, 24 *G.*3. *S.*2. *c.*25. *s.*70.

208. FOR FURTHER REGULATION OF THE TRIAL OF PERSONS accused of certain offences committed in *E. I.*, for rendering the laws more effectual against persons unlawfully resorting thither, and for more easy proof, in certain cases, of deeds and writings executed there, or in *G. B*, 26 *G.*3. *c.*57. [PUBLIC clause, *s.*39.]

209. Within the first 30 sitting days of the house of lords, in every session of parliament, the members of the said house, or any of them, may deliver in at the table, lists inclosed in covers, sealed up, and having the words *East India Judicature*, and their names or titles, indorsed on the outside thereof, in their proper hand writing; every such list containing the names of 26 peers; and on the first sitting day after the expiration of the said 30 days, the clerk of the parliaments, or his deputy, or such other person as the house shall direct, shall prepare and lay upon the table a list of the names of the lords who shall, within the said 30 days, have delivered such lists; and on the next sitting day of the said house, the said covers shall be opened by the clerk or his deputy, or such other person as the said house shall direct, by the order of the speaker, during the sitting of the said house, and all the lists so delivered, shall be taken out of the said covers and put into a box; and shall be referred by the said house to a committee, who shall examine the same, and within such time as the house shall direct, report to the house the name of every lord whose name shall appear in 10 or more of such lists; and if the names of the members so returned shall not amount to 26 members, exclusively of such as shall be struck out of the lists according to this act, (*pl.* 207.) the members of the said house may, on any of the next 7 sitting days of the house, deliver in fresh lists in manner before directed, each containing a number of names, equal to that number which the list returned by the committee shall fall short of 26, and the covers shall be opened, and the lists proceeded upon after the end of the said 7 days, as the said former lists, 26 *G.*3. *c.*57. *s.*1.

210. Within the first 30 sitting days of the house of commons in every session of parliament, the members of the said house, or any of them, may deliver in at the table lists, inclosed in covers, sealed up, and having the words *East India Judicature*, and their names indorsed on the outside thereof, in their proper hand writing, each of which lists shall contain the names of 40 members of the said house; and on the first sitting day after the expiration of the said 30 days, the clerk of the said house, or his deputy, or such other person as the house shall direct, shall prepare and lay upon the table the names of all the members who shall have delivered such lists; and on the next sitting day of the house shall, at the table, [*see s.*4.] during the sitting of the said house, by order of the speaker, take the lists out of the said covers, and put them together into a box; and they shall be immediately referred by the said house to a committee, who shall examine the same, and within such time as the house shall direct, report to the house the name of every member whose name shall appear in 20 or more of the said lists; and if the names so returned shall not amount to 40, exclusively of those struck out according to the directions of this act, (*pl.* 207.) the members may, on any of the next 7 sitting days of the said house, deliver in at the table fresh lists, in covers, each containing a number of names of members equal to that number which the list returned shall fall short of 40, and the said lists shall be proceeded upon, after the end of the said 7 days, as before directed in respect to former lists; and the like order as aforesaid shall be taken in each house of parliament, until 26 members of the house of lords, and 40 members of the house of commons, shall have been returned to the said houses, by the committees to whom the said lists shall be referred, exclusive of the members struck out of the lists, (as in *pl.*207.) *id. s.*2.

211. If the delivery of the said lists at the tables of the respective houses of parliament, as directed by this act, shall occasion any interruption of other business, or be found inconvenient, either of the said houses, by order, may substitute such other mode for the delivery of such lists as they think fit, *id. s.*4.

212. The names of the 26 peers and 40 members of the house of commons, so chosen, or which (in case the lists contain a greater number of members than aforesaid) have been drawn by lot, according to 24*G.*3. *S.*2. *c.*25. *s.*66. (*ante*, *pl.*206.) or of such of them as shall personally appear at the time and place appointed, in the manner by that act directed, shall be put into a box, to be drawn by lot, in the presence of the judges, to be appointed according to that act, and of the parties to the information to be tried, or their counsel or agents; and the persons against whom the said information shall have been exhibited shall have liberty, as the said names are drawn out, to make peremptory challenges to 13 peers, and 20 members of the house of commons, whose names shall have been put into the said box; and the attorney-general, or prosecutor, and also the party against whom such information shall have been exhibited, may make challenges to any of the names drawn out, and assign for cause of challenge any such matter, as in the opinion of the 3 judges, or the majority of them, shall appear sufficient to set aside the persons so challenged; and the 1st 5 peers, and the 1st 7 members of the house of commons, which being drawn out shall not be so challenged, or against whom no challenge shall have been allowed, shall be returned by the said judges to the lord chancellor, who shall cause them together with the 3 judges, to be inserted in the special commission, and the persons so named therein shall appear within 10 days, at the time and place to be appointed by the said 3 judges, and shall then and there take the following oath before the lord chancellor, *id. s.*5. and 24 *G.*3. *S.*2. *c.*25. *s.*71.

'I *A.B.* do swear, that, as a commissioner appointed by H.M.'s commission for the trial of the information now at issue against *C.D.*, I will diligently attend such trial, and that I will hear and determine the same to the best of my judgment, according to the evidence which shall be given.

'So help me God.'

213. If, by reason of the challenges, the number of names drawn out shall be reduced to less than 5 peers and 7 members of the house of commons, then the 3 judges shall certify the same to the speakers of the respective houses of parliament, who shall lay the same before the said houses, who shall proceed, within any of the next 7 days on which the same shall sit, to appoint 26 members of the house of lords,

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and 40 members of the house of commons, after the manner aforesaid, the lists of which said members, so appointed, shall be transmitted to the clerk of the crown in the court of chancery, or his deputy, and be inserted in a new commission, to be issued as in 24 *G.*3. *S.*2. *c.*25. *s.*66. *ante*, *pl.* 206; but no day on which the house of commons shall have adjourned, for want of the presence of a sufficient number of members to execute the provisions of 10 *G.*3. *c.*16. and 11 *G.*3. *c.*42. to regulate the trials of controverted elections, &c. shall be accounted 1 of the sitting days, 26 *G.*3. *c.*57. *s.*6.

214. The said special commissioners shall have power to hear and determine every information, and to pronounce judgment thereon according to the effect of the common law, on convictions had according to the course thereof, for extortion or other misdemeanor, and also to declare the party convicted incapable of serving H. M. or E. I. C. in any capacity; which judgment shall be good and conclusive, and no *certiorari* shall be granted for removing their proceedings, into any court whatever; and the proceedings shall not be impeached, or their validity questioned in any court of law or equity, *id. s.*7.

215. The powers given to the said commissioners may be executed by 10 (of whom 1 of the 3 judges shall always be 1), and no act executed by them shall be valid, unless 10 (of whom 1 of the 3 judges shall be 1) shall be present (except as in *s.*12.), *id. s.*8., altering 24 *G.*3. *S.*2. *c.*25. *s.*72.

216. Whenever the commissioners shall not concur in opinion upon any question before them, such question shall be determined by the greater number of them present, so that it be not less than 10; and if they are equally divided in opinion, the judge then sitting as president shall have the casting vote, *id. s.*9.

217. If any of the commissioners shall depart this life, or be excused as in *s.*12. from attending, before the commission has been executed, so that there are not a sufficient number to proceed, according to this act; or if all the 3 judges shall die, or be excused from attending, whilst the commission is depending, then the same shall cease, and a new commission be awarded, and the trial of such information shall begin *de novo*; save only with respect to the examinations or depositions of any witnesses taken in writing under the former commission, which shall be admitted as evidence under such new commission, *id. s.*10.

218. The said special commissioners shall severally attend in court during the whole trial for which they are appointed, and none shall in any wise absent himself therefrom, (except as in *s.*12.) and the said court shall at no time proceed in the said trial, till all the commissioners, not having obtained leave of absence, or been excused, shall be assembled; and if they shall not all assemble within 1 hour after the time to which they adjourned, such of them as shall be present, or the majority, shall make an order for further adjournment of the trial, in which order the cause of such adjournment shall be expressed, and a copy of such order, signed by the register to the commissioners, shall be served upon, or left at the abode of the absent commissioners; and at such further adjourned meeting, the cause of their absence shall be enquired into by the commissioners present, before they proceed to any other business; and if it is not made appear to the satisfaction of the commissioners, by facts specially stated, and verified before them upon oath (or, if by a peer of the realm, upon his honour) that such absent commissioners were, by sudden accident, or by necessity, prevented from attending at the former sitting, the special commissioners then present may pass a censure upon such commissioners who shall have been absent; and also impose on them for such neglect of duty, or on any commissioner who shall depart from the said court during the sitting, and before an adjournment thereof, such fines as they think fit, so that no such fine exceed 500*l.*; which fine shall be estreated by 1 of the 3 judges, into the court of exchequer, and the like process shall be awarded by that court, for levying the said fine, as is usual for levying other fines; and the said commissioners may declare any commissioner censured, or on whom any fine shall be imposed, disabled from acting in further execution of such commission, *id. s.*11.

219. The commissioners may grant leave of absence to any of the commissioners, on proof of sickness or other urgent occasion; and such who shall obtain leave of absence, and shall accordingly be absent during any part of such trial, shall be no longer capable of acting under such commission, *id. s.*12.

220. After the trial of any information has commenced and been begun before the commissioners, they shall sit every day, *Sunday*, *Christmas-day*, and *Good Friday* only excepted, and shall never adjourn for longer than 24 hours, unless a *Sunday*, &c. intervene, in which case their adjournment shall not exceed 24 hours, exclusive of such days; but if the number of the commissioners shall, by death or otherwise, be reduced to 10, who are prevented by sudden accident or necessity from attending such trial, the other commissioners may adjourn and suspend the proceedings from time to time, so that such adjournment shall not exceed 3 days, and the number of such successive adjournments shall not, in the whole, exceed 10, *id. s.*13.

221. The commissioners may appoint clerks, tipstaffs, messengers and other officers, to attend on them in the execution of their commission; who shall be obedient to them, and may be suspended, removed, or discharged, or punished by fine to be imposed by them, for neglect of duty or disobedience; which fines shall be estreated into exchequer, by 1 of the 3 judges, and may be levied by the process of that court; and all clerks and other officers shall be paid by the informant and defendant named in such information, the like fees as the officers of the K. B., on trials of informations for misdemeanors, 26 *G.*3. *c.*57. *s.*14.

222. Whenever an information shall be exhibited in K. B. against any person for extortion, or other misdemeanor in E. I., upon a certificate from the clerk of the crown in K. B., or the master of the crown office, or either of his sworn clerks in the said office, that such information hath been filed (which, if filed when the court shall not be sitting, shall be considered as filed on the last day of the preceding term), the lord chief justice, or any of the other judges of the said court, at the instance of such prosecutor, may issue his warrant, under his hand and seal, directed to all sheriffs, mayors, bailiffs, constables, and other peace officers, and to such other persons as shall be named for that purpose by such prosecutor, for apprehending the defendant to such information; and if such party shall escape or go into *Scot.*, the sheriff or steward depute or substitute, or any justice of the county into which such party shall escape, may indorse his name on the said warrant; which warrant so indorsed shall be a sufficient authority to all persons to whom such warrant was originally directed, and also to all sheriffs' and stewards' officers, constables, and other peace officers, to execute the same, by apprehending the party, and to convey him before K. B., or before the lord chief justice or any of the judges, *id. s.*15.

223. The party against whom such information shall be exhibited (not being attached) may surrender himself in the court of K. B. during its sitting, to be dealt with according to 24 *G.*3. *S.*2. *c.*25. and this act; or if the court is not sitting, unto the lord chief justice, or any other of the judges, and when such party shall surrender himself out of court, or shall, during any vacation, or when the said court shall not be sitting, be attached and brought before the chief justice or other judge, under any warrant issued by virtue of either act, the said chief justice or judge shall order such party to stand committed to the *Marshalsea*, or *Tower*, or *Newgate*, there to be detained till delivered by due course of law, or till he, with 2 sureties, has entered into a recognizance to the king, in such sum, and with such condition for his appearance, and for submitting to the judgment upon such information as the chief justice or other judge shall direct; but the commissioners may order any person in custody, under this act, to be from time to time brought up and remanded, as to them seems meet, *id. s.*16.

224. When any party, against whom such information shall be exhibited, shall not be attached, or shall not have surrendered, and proof shall be made, by any affidavit, to the satisfaction of the court of K. B., that such party is beyond sea, or that, on enquiry at his abode, or last place of residence in *G. B.*, he could not be found, and that there is just ground to believe that he is gone out of the realm, to avoid being attached; then that court may make a rule, directing such party to surrender at a certain day in such rule limited; a copy of which shall, within 20 days after making thereof, be inserted 3 times in the *London Gazette*, and another copy fixed in some conspicuous place in the *India House*; and if the party shall not surrender according to such rule within the time limited, or within such further time as the court shall appoint, (which they may do, on application on the behalf of such party,) then proof being made of the publication of such rule, the attorney-general, or other prosecutor, by rule and leave of the court, shall cause an appearance, and plea of not guilty to be entered for such party; and the said information shall thereupon proceed as if the party had appeared and pleaded, *id. s.*17.

225. Where the plea of not guilty is entered for defendant, by prosecutor, it shall be sufficient, in order to the hearing of such information, for such prosecutor to give fourteen days' notice of trial by advertisement in the *London Gazette*, *id. s.*18.

226. If any party charged by such information shall make default in his personal appearance, at the pronouncing of judgment, in the matter of such information, before the special commissioners; it nevertheless shall be lawful for the commissioners to pronounce judgment upon such information, as if the said party was present, and such judgment shall be valid, *id. s.*19.

227. Whenever the party charged by such information shall personally appear before the special commissioners, on the trial, the said commissioners, during such trial, may order him to stand committed to the *Marshalsea*, *Tower*, or *Newgate*, there to be detained until judgment is pronounced, unless he shall be previously discharged by rule of the commissioners, *id. s.*20.

228. If any person shall be guilty of any contempt or disturbance in the court of the said commissioners, during its sitting, they may order him

to be taken into custody, and to stand committed to the *Marshalsea* or *Newgate* for such time as they shall direct, 26 *G.*3. *c.* 57. *s.* 12.

229. The judgments pronounced by the special commissioners shall, when delivered over by the register to the clerk of the crown in the court of K.B., be enforced by the authority of the court of K.B., and such proceedings to outlawry, and other proceedings against the defendants may be had thereon, in like manner as according to the practice of the said court may be had upon judgments pronounced by the same, and the judgments of the said commissioners shall be conclusive, and shall not be avoided for error in any such judgment, or in the information, the award of process, or in the record of the issue, *id. s.* 22.

230. Nothing in the 24 *G.*3. *S.*2. *c.*25. or this act shall deprive the prosecutor or defendant of any right, liberty, benefit or advantage to which, by the law of the land, or practice of K.B. either of them is entitled upon any other information of a like nature depending in K.B., before issue in fact joined therein; nor shall prevent K.B. from exercising any such power as they might have exercised in such information, before issue joined, if neither act had been made, *id. s.* 23.

231. If the party charged by such information shall enter a demurrer to the same, which shall be over-ruled by K.B., such party shall, within eight days after judgment on such demurrer, unless a writ of error shall be brought thereon, and then within eight days after such judgment shall be affirmed, or such writ of error nonprossed, enter the plea of not guilty to such information, or, in default thereof, the said plea shall be entered for such party by H.M.'s attorney-general, or other prosecutor; and the said information shall proceed as if no demurrer had been entered thereto, *id. s.* 24.

232. If the attorney-general, or other prosecutor of such information is desirous of having the same determined in K.B., and shall move the court for that purpose, then that court shall grant a rule for retaining such information, and the said information shall be accordingly retained by K.B. and determined as an information of the like nature might, *id. s.* 25.

233. Whenever the party against whom such information has been exhibited shall be adjudged to pay a fine to H.M., and also whenever any recognizance entered into under 24 *G.*3. *S.*2. *c.*25. *s.*64. *pl.* 204. or this act, shall become forfeited, the court of K.B., or in case it is not then sitting, the lord chief justice shall, at the instance of the attorney-general, or other prosecutor, deliver to the lord chief baron, or other baron of exchequer, an estreat of the fine or recognizance forfeited, who shall thereupon direct the officer of the court to award, and such officer shall accordingly award, under the seal of the same court, special writs of *extendi facias* and *capias*, or other special process, against the said party adjudged to pay such fine, or the principal and sureties in such recognizance, and their lands, goods and effects, directed into such county, cities or liberties, to the proper officers for the execution thereof, as the said attorney-general or prosecutor shall desire; and if such party or principal and sureties have any lands or goods within *Scot.*, or are resident therein, then the exchequer in *Scot.*, or when the court is not sitting, the lord chief baron, or other baron, on a copy of the estreat being sent into the same court, or delivered to him under seal of the exchequer in *Eng.*, or under hand and seal of the lord chief baron, &c. as above, shall carry on such proceedings and award such process as is competent by the law of *Scot.* for recovery of debts due to the crown, *id. s.* 26.

234. If it is made appear to the court of exchequer in *Eng.*, at the instance of the attorney-general or other prosecutor by motion in court, that such party, principals or sureties have no lands or other estate in *G.B.*, or that the same are not sufficient to answer the sums forfeited and that such party are seised or possessed of any lands or effects within any of the *British* possessions in the E.I., (the sums or fines not being paid,) then the said court shall, by rule of court, cause transcripts of the estreats to be sealed with their seal, or to be otherwise attested, as they shall direct, and the same so sealed or attested shall be closed up under the seals of two of the barons directed to the supreme courts in *Bengal* and [*Madras*, since 39 & 40 *G.*3. *c.*79. *s.*5.] to the mayor's court at *Bombay*, or to any of them, and the same shall be delivered by the said barons, or one of them, to such agent as the prosecutor shall appoint; which agent (or in case of his death the person into whose hand the same shall come) shall deliver such transcript to one of the judges of the supreme court, or mayor's courts, and make oath that he did receive the same from the hands of one of the barons, (or how the same came into his hands,) and that the same hath not been opened or altered since he received the same (which oath the judges in *India* are to administer); and thereupon such transcript shall be filed and recorded in such of the said courts in *India* to which the same shall be directed; and upon motion made in such courts on the behalf of such prosecutor, the like process shall be awarded against the lands and effects of the said party, principals and sureties within the limits of the jurisdictions of such courts, as might have been awarded in the court of exchequer in *Eng.* against the lands and effects in *Eng.* *id. s.* 27.

235. The senior of the said three judges present at the respective meetings of the said special commissioners shall be the president of such meetings; and all determinations before the commissioners shall be by a majority of voices, which, if equal, the then president shall have a second or casting voice, 24 *G.*3. *S.*2. *c.*25. *s.*67.

236. The commissioners shall appoint a person to act as their register in execution of the commission, and when fully executed, the said commission, information and plea, and the judgment thereupon, and all the depositions and other proceedings in the premises, shall be delivered over by such register unto the clerk of the crown in K.B. to be recorded, *id. s.* 73.

237. Subpœnas requiring the attendance before the commissioners of any witness may be issued out of the crown office of K.B.; and in case any witness, having due notice of such subpœna, shall not attend, his non-attendance shall be deemed a misdemeanor, and subject him to be indicted; and in case he attends, but refuses to be examined, the commissioners may punish him by fine or imprisonment, *id. s.* 74.

238. The commissioners may send for persons, papers and records, and examine witnesses upon oath, and cause their examinations to be reduced into writing, and to be signed by them; and if any person shall prevaricate in his evidence, or otherwise misbehave himself before them, they may commit such person to the *Fleet* or *Newgate* for such time as they shall appoint (with power of releasing him at any time), and if any witness shall wilfully give false evidence he shall be guilty of perjury, and punished for the same, *id. s.* 75.

239. The recognizance to be entered into (as in *pl.* 204.), shall bind the property of all the goods of the principal party at the time of entering into the same, or which he shall acquire at any time afterwards, and before he shall be discharged therefrom; and shall also bind all estate and interest in lands, &c. whereof the principal, or any person in trust for the party so entering into such recognizance (at the time of entering into the same, or at any time afterwards) shall be seised, *id. s.* 76.

240. Where the party against whom such information has been exhibited shall be adjudged guilty of the crime charged therein, and to pay a fine unto H.M., the attorney-general, E.I.C. or other prosecutor, may exhibit interrogatories before the exchequer for examination of the party as to his estate; and if he shall not appear, or refuse to answer to such interrogatories, or wilfully conceals any part of his estate bound by such recognizance, he shall forfeit to H.M. all his goods, lands, tenements and hereditaments whatsoever, and shall be liable to be imprisoned in *Newgate* or the *Tower* for such time as exchequer shall direct, *id. s.* 77.

241. In all informations [or indictments, 13 *G.*3. *c.*63. *s.*40.] in K.B. for offences committed in *India*, the court, on motion of the attorney-general, or other prosecutor, or of the defendant, may award a *mandamus* requiring the chief justice and judges of the supreme court at *Fort William*, or the judges of the mayor's court of any of the *British* settlements in *India* [or the chief justice and judges of the supreme court at *Madras* since 39 & 40 *G.*3. *c.*79. *s.*5.], who are accordingly to hold a court for the examination of witnesses, and receiving other proofs concerning the matters charged in such informations; and in the mean time to cause public notice to be given of the holding the said court, and to issue process for the attendance of witnesses, and of the agents or counsel of the parties, and to adjourn from time to time; and such examination shall be publicly taken, *vivâ voce*, in the said court, upon oath of witnesses, and the oaths of skilful interpreters administered according to the forms of their religions, and shall by some sworn officer of such court, be reduced into writing on parchment, in case any duplicate should be required by the parties interested, and shall be sent to K.B. closed up, and under the seals of two of the judges of such courts; and one of the judges thereof [or of the said mayor's courts, 26 *G.*3. *c.*57. *s.*28., or of the supreme court at *Madras*, *comm. semb.* *See above*,] shall deliver the same to the agent of the party requiring the same; which agent (or in case of his death the person into whose hands the same shall come) shall deliver the same to one of the clerks in the court of K.B. in the public office, and make oath that he received the same from the hands of one of the judges of such court in *India* (or how the same came into his hands), and that the same has not been opened or altered since he received it, (which oath such clerk in court shall administer;) and such depositions shall be read before the special commissioners only, (*id. s.* 78. only) and shall be deemed good evidence in all other cases, 13 *G.*3. *c.*63. *s.*40.; and all parties concerned may take copies thereof at their own costs; [and the chief justice of K.B. or one of the judges shall, after such depositions are received, together with the information and plea, cause the same to be delivered over to the lord chancellor, who shall thereupon issue the commission under the great seal, as by this act directed, *id. s.* 78.] 26 *G.*3. *c.*57. *s.*28., 13 *G.*3. *c.*63. *s.*40. *same provision.*

242. No information, plea or deposition shall be so delivered over at

any other time than during *Hilary*, *Easter* or *Michaelmas* term, 24 *G.*3. *S.*2. *c.*25. *s.*79.

243. In all proceedings on such information, as well the depositions taken under such commission after publication thereof, as also all writings transmitted from *E.I.* to the court of directors by their officers resident in the *E.I.* in the usual course of correspondence, and copies of all writings transmitted by the said directors, or any committee thereof, to the officers in the *E.I.*, and which relate to the subject matter of the charge, or to the defence, may be admitted by the commissioners to be offered in evidence, and shall not be deemed inadmissible, unless on objections arising from the nature of the contents thereof; subject nevertheless to be impeached in point of credibility by such observations as the nature of such evidence or other circumstances may suggest, *id. s.*80.

244. K.B., at the prayer of the attorney-general, or other prosecutor, or of the defendant, may order an examination *de bene esse* of witnesses upon interrogatories to be taken before an examiner appointed for that purpose, or by commission, and may cause the depositions so taken to be published when proper; which depositions shall be afterwards admitted to be read before the commissioners, and shall be deemed good evidence; saving all exceptions thereto when offered to be read, *id. s.*81.

245. No prosecution shall be commenced, unless within three years after the return of the party prosecuted into *G.B.*, *id. s.*82.

246. Nothing herein shall affect the rights or claims of the public, or the Co. respecting the territorial acquisitions and revenues, *s.*83.

247. As well the servants of the Co. as all other subjects resident in *India*, shall be amenable to the courts of oyer and terminer and gaol delivery, and of general or quarter sessions in any of the *British* settlements in *India* for all murders, felonies, homicides, manslaughters, burglaries, rapes of women, perjuries, confederacies, riots, routs, retainings, oppressions, trespasses, wrongs and other misdemeanors, offences and injuries whatsoever by them committed in any of the parts of *Asia*, *Africa* or *America*, beyond the *Cape of Good Hope* to the *Streights of Magellan*, within the limits of the exclusive trade of the Co., whether committed against subjects, or any other person whatsoever, 26 *G.*3. *c.*57. *s.*29.

248. The governor or president and council of *Fort Saint George*, in their courts of oyer and terminer and gaol delivery, and quarter or general sessions, as also the mayor's court [*semble* the supreme court *since* 39 & 40 *G.*3. *c.*79. *s.*5.] at *Madras*, according to their several judicatures, shall have cognizance, as well civil as criminal, over all *British* subjects residing within any of the territories in possession of the Co. on the coast of *Coromandel*, or in any other part of the *Carnatic*, or in the five northern circars, including those parts of the said circars which lie within *Orissa*, or any of the territories of the soubah of the *Deckan*, the nabob of *Arcot*, or the rajah of *Tanjore*, *id. s.*30.

249. When any ship, vessel, goods, merchandize or other effects, shall be seized in the *E.I.*, or other parts within the limits of the exclusive trade, for any forfeiture incurred under any of the laws, the said supreme courts, or either of the said *mayor's* courts [*Qu.* as to *Madras*, see *last pl.*] may determine the cause of such seizure, or complaint concerning the same, and proceed to condemnation or restoration of the property seized, and give judgment thereon, and carry such judgment into execution, as the *Exchequer* could, if such seizure had been made in *Eng.*, *id. s.*33.

250. Whenever any bond or other deed or writing executed in the *E.I.* and attested by any persons resident there, shall be offered in evidence in any of the courts of justice in *G.B.*, it shall be sufficient to prove, by one witness, that the names subscribed to such bond, &c. and of the witnesses attesting the execution of the same, are of the proper hand-writing of the parties, and that their witnesses are resident in the *E.I.*; and in like manner all courts of justice in the *E.I.* shall admit the like proof of the execution of bonds and other deeds executed in *G.B.* and witnessed by any persons resident in *G.B.*; and such proofs shall be sufficient evidence of the execution of such bonds and deeds, as if the witnesses were dead, *id. s.*38.

251. FOR OBVIATING DOUBTS AS TO THE EXCLUSIVE POWER OF the court of directors to appoint the [*Gov. Gen.* and] council of the presidency of *Fort-William* in *Bengal*, 26 *G.*3. *c.*25.

252. It is declared that H. M.'s approbation of the *Gov. Gen.* [*Semb.* altered by 53 *G.*3. *c.*155. *s.*80.] and *council* [*Semb.* confirmed, *id. s.*81.] of *Fort-William* is unnecessary, 26 *G.*3. *c.*25. *s.*1.

253. [FOR CONTINUING IN THE E.I. Co. for a further term, the possession of the *British* territories in *India*, together with their exclusive trade, under certain limitations, *partly* EXP., *see* 53 *G.*3. *c.*155., *post.*] FOR ESTABLISHING FURTHER REGULATIONS FOR GOVERNMENT OF THE SAID TERRITORIES, AND THE BETTER ADMINISTRATION OF JUSTICE IN THE SAME; FOR APPROPRIATING to certain uses, the revenues and profits of the Co.; and for making provision for the good order and governments of the towns of *Calcutta*, *Madras*, and *Bombay*, 33 *G.*3. *c.* 52. [AMD. by 37 *G.*3. *c.*31. *ss.*8, 9. 39 & 40 *G.*3. *c.*79. *s.*1. and *s.*12. 45 *G.*3. *c.*36. 47 *G.*3. *S.*2. *c.*68. *s.*5—7. 51 *G.*3. *c.*75. *s.*1—5. 53 *G.*3. *c.*155. *s.*40., *s.* 62. *s.*71—75. *s.*78—9. *s.* 80—86. *s.*88. *s.*90—92. *s.*112. 54. *G.*3. *c.*36. *s.*55.]

254. The territorial acquisitions, mentioned in 21 *G.*3. *c.*65., and 7 *G.*3. *c.*37., and those since acquired in the *E.I.* with their revenues, shall continue in possession of the E.I. Co. for a term of 20 years, from (1*st Mar.* 1794.) determinable on 3 years' notice by parliament, 33 *G.*3. *c.*52. *s.*73—75. [EXP.] their exclusive trade secured, *id. s.*71. [EXP. see the existing provision, 53 *G.*3. *c.*155. *s.*1. *pl.*263.]

255. All the profits, advantages, privileges, franchises, capacities, remedies, penalties, provisions, and things soever, granted to the E.I. Co. by any other acts or charters, are freed from all conditions of redemption and determination in any former act contained, 33 *G.*3. *c.*52. *s.*72.

256. H. M. by letters patent or commission under great seal may, from time to time, appoint during his pleasure such members of the privy council (of whom the 2 principal secretaries of state and chancellor of exchequer shall always be 3) and such other 2 persons as he shall think fit, who shall be styled "*Commissioners for the affairs of India*," 33 *G.*3. *c.*52. *s.*2. [usually termed *the* "*Board of Control.*"]

257. Any 3 or more such commissioners shall form a board for executing the powers by this or any other act vested in them; and the first-named commissioner, being the president of the board, and when any board is formed in his absence, the commissioner whose name stands next in order of nomination in the commission of those present, shall in turn preside at the same, *id. s.*3. [see note to last *pl.*]

258. If the commissioners present at any board are equally divided in opinion, the president, or commissioner acting as such, shall have 2 voices or the casting vote, *id. s.*4.

259. The board may appoint the secretaries and officers necessary to attend them, with power to dismiss them at pleasure: their proceedings shall be entered in proper books, and such of the commissioners as H. M. shall think fit, as likewise their secretaries and other officers, shall be paid such fixed salaries, as H. M. by warrant under his sign manual, countersigned by chancellor of exchequer, shall direct; all which salaries, with the other contingent expences of the board, shall be paid quarterly by the E.I. Co., the quarterly amount being first settled by the board and certified to the court of directors by the president for the time being, *id. s.*5.

260. The whole of the sum to be paid by the E.I. Co. on account of the board, shall not exceed 26,000*l.* in any one year, and shall be taken as part of their *political* charges, 53 *G.*3. *c.*155. *s.*90. [Repealing 53 *G.*3. *c.*52. *s.*5. in part, and 51 *G.*3. *c.*75. *s.*2.]

261. H. M. by warrant under the sign manual, countersigned by the chancellor of exchequer, may allow to any of the secretaries or officers of the board such allowances or superannuations as he shall think proper, subject to the conditions, and in the like proportions as may now be made to public officers under 50 *G.*3. *c.*117. (*s.*2.), to be paid quarterly by the Co., and taken as part of their *political* charges, *id. s.*91.

262. Previous services to the Co. by such officer before his employment by the board, shall be taken into account, in computing his length of service under the latter, *id. s.*92.

263. The provisions of 50 *G.*3. *c.*117. (*s.*1.) [SERVICES, PUBLIC] extended to the office of the board of control, 51 *G.*3. *c.*75. *s.*6.

264. The commissioners, before acting as such, except in administering such oath, shall severally take an oath faithfully to excecute their duty, before any two such commissioners, and such oath shall be entered by their chief secretary among the acts of the board, and be duly attested by such commissioners, at the time of their taking and administering the same to each other respectively, 33 *G.*3. *c.*52. *s.*6. [The *form* of oath is annexed to this section.]

265. The several secretaries and other officers of the board shall also take and subscribe before the board such oath of secrecy, and for execution of their duties, as the board shall direct, *id. s.*7.

266. The respective appointments of commissioner or chief secretary of the board, shall not be deemed within 6 *A c.*7., whereby to disqualify them from being elected M.P., nor shall the appointment of any such commissioner, without a special salary annexed, or of the said chief secretary, if members of the H. of C. vacate their seats therein, *id. s.*8.

267. The board shall, by virtue of this act, be fully authorized to direct, superintend, and controul, all acts, operations, and concerns, in any way relating to or concerning the civil or military government, or revenues of the *E.I.* territories, subject to the regulations, restrictions, and appropriations of revenue hereby provided, *id. s.*9.

268. The said commissioners or chief secretary, or any other officer of the board, by the authority thereof, shall have free access to the books, papers, correspondences, evidences, and other records of the Co., and shall be assisted by their officers in their searches for the same, and shall be furnished at their expence with the copies or extracts of such parts thereof as the board shall require, [33 *G.*3. *c.*52. *s.*10. *only*], and

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may direct to be prepared such accounts and statements as they think fit; and the court of directors shall cause the same to be transmitted, *id. ibid.*, and *53 G.3. c.155. s.78.*

269. The court of directors shall deliver to the said board, copies of all minutes, orders, resolutions, and proceedings of all courts of proprietors, general or special, and of all courts of directors, within 8 days after holding the same respectively; and also of all letters, advices, and dispatches received by the court, or any committee of directors, from the *E. I.*, or any other settlement or factory within the limits of their [*exclusive*, see alteration, *53 G.3. c.155. s.6.*] trade as in *statute* 9 & 10 *W.3. c.44. s.61.*, and *charter*, 5th *Sept.* 10 W.3. described [CONF. *53. G.3. c.155. s.2.*], or from any of the Co.'s servants stationed at *St. Helena*, *Bussora*, *Suez*, *Aleppo*, or other parts beyond the seas, in anywise relating to the civil or military government, or territorial revenues in *India*, immediately after the arrival and receipt thereof, *33 G.3. c.52. s.11.*

270. No orders or instructions whatever relating to the said civil or military government, or territorial revenues, shall be at any time given to any of the governments in *India* by the court or committee of directors, until submitted to the consideration of and approved by the board; for which purpose copies of all orders proposed to be sent to *India* shall be by them previously laid before the board, and within 2 months, [*53 G.3. c.155. s.71.*] shall either be returned by them to the said court or committee, with their approbation certified under the hand of the chief [*or assistant, id. s.72.*] secretary to the board, or if any part of such proposed orders, &c. is disapproved or varied in substance by the board, they shall give to the directors in writing under the hand of their chief [or assistant, *comm. semb. above,*] secretary by order of the board, their reasons at large in respect thereof, with their instructions to them in relation thereto, and the directors shall forthwith dispatch the same, in the form so approved of by the board, to the proper governments or officers in *India*, or their other limits without further delay; unless on representation made to them by the directors, the board shall order any alterations therein, and the directors of the Co. shall obey and be bound by the instructions of the board concerning the civil and military government of the above territories and their revenues according to this act, *33 G.3. c.52. s.12., and 53 G.3. c.155. ss.71, 72.*

271. Nothing herein shall restrict the directors from expressing by representation in writing to the board such remarks or explanations as occur, or are thought fit, concerning any orders, &c. disapproved or varied in substance by the board, which latter shall take the same into consideration, and give such further orders thereon as may be expedient, which shall be final, *33 G.3. c. 52. s.13.*

272. Nothing herein shall give the board power to nominate any of the Co.'s servants, *id. s.14.*

272(*a*). Whenever the court of directors shall neglect to frame and transmit to the board, dispatches on any subject connected with the government or revenues as aforesaid, beyond 14 days after requisition, by order of the board, the latter may prepare and send to the directors (without waiting for the receipt of their intended dispatches) any orders for any of the *Indian* governments concerning the government or revenues above mentioned, and the directors shall transmit dispatches according to the tenor of such instructions, to the respective governments in *India*, unless, on representation made to the board, the latter shall direct an alteration therein, in which case the directors shall be bound to conform to the same, *id. s.15.*

273. Nothing herein shall authorize the board to issue any orders or instructions not relating to points connected with the civil or military government or revenues of the *British* possessions in *India*, or to expunge and alter any dispatches proposed by the court of directors, and not relating thereto; and if the board shall send any orders to such court, to be by them transmitted, which, in the opinion of the latter, relate to points not connected with the said government or revenues, such court may petition H. M. in council, who shall finally decide how far the same is or is not connected with such government or revenues, *id s. 16.*

274. The board shall not give any directions authorizing, by dispatches to be sent to *India*, the increase of the established salaries or emoluments of any gov.-gen., govr., president, or member of council, or of any other officer in the Co.'s service beyond the present amount, unless such increase be contained in some dispatch proposed to be sent to *India*, and transmitted to the board for their approbation, and unless an account of the actual salaries and emoluments of such officer, and of the proposed increase therein, with the reason of the same, shall have been laid before both houses, 30 days before such dispatch sent, *33 G.3. c.52. s.17.*, and *28 G.3. c.83. s.3.* S. P.

275. The board shall not give direction for the payment of any gratuity from such revenues to any person on account of services in *India*, or on any other account to any greater amount, or to any other person than is specified in some dispatch proposed to be sent to *India*, and transmitted to the said board for their approbation: and where such directions are given, a distinct account of such gratuities shall be added to the next list of establishments laid before parliament by the court of directors, *33 G.3. c.52. s.18.*, *28 G.3. c.8. s.4.* S. P.

276. If the board are of opinion that the subject of any of their deliberations concerning levying war, making peace, or negociating with any native princes or states in *India*, intended to be communicated in orders to any of the *Indian* governments shall require secrecy, they may send their orders and instructions to the secret committee of the court of directors for transmission to *India* by the latter, and all the *Indian* governments shall obey the same as if transmitted by the court of directors, *33 G.3. c. 52. s.19.*

277. The court of directors shall from time to time appoint a secret committee, to consist of any number not exceeding 3 directors, for the particular purposes herein specified, each of whom shall take an oath faithfully to discharge his duty therein, which oath shall be administered by the respective members of the committee to each other, and, being so taken and subscribed, shall be recorded by the secretary of the court of directors among the acts of the court, *33 G.3. c.52. s.20.*, *53 G.3. c.155. s.74.* [The *present form* of oath is that given by the latter act, viz.:

'I *A.B.* do swear, that I will, according to the best of my skill and judgment, faithfully execute the several trusts and powers reposed in me as a member of the secret committee appointed by the court of directors of the united Co. of merchants of *Eng.* trading to the *E. I.*, I will not disclose or make known any of the secret orders or instructions which shall be given, communicated, or transmitted to the said committee by the commissioners for the affairs of *India*, nor any dispatches communicated or transmitted to the said committee by any of the governments or presidencies in *India* which relate to the levying of war, or the making of peace, or treaties, or negociating with any of the native princes or states of the *E. I.*, or other parts within the limits of the said Co.'s charter, save only to the other members of the said secret committee, or to the person or persons who shall be duly nominated and employed in transcribing or preparing the same respectively, unless I shall be authorized by the said commissioners to disclose and make known the same.—So help me God.'

278. The secretary of the court of directors, or examiner of *Indian* correspondence, or any other person employed by the secret committee in preparing or transcribing any secret dispatches, orders, or instructions required to be transmitted by them to *India*, under the directions of *33 G.3. c.52.*, or any secret dispatches received from the governments in the *E. I.*, shall, before they enter on that duty, *take and subscribe before any other members* of the secret committee an oath of secrecy as near to the tenor of the above oath as the case will admit, [*53 G.3. c.155. s.75.*] and the members of the said committee, *or any 2 of them*, [*33 G.3. c.52. s.21.*] shall frame and administer and attest the taking, &c. the said oath by the persons above required so to do, and shall cause the same to be recorded among the acts of the court of directors, *33 G.3. c.52. s.21.*, as AMD. by *53 G.3. c.155. s.75.*

279. When any of the governments or presidencies in the *E. I.* are of opinion that any of their dispatches to *G. B.* concerning the government of their territories, or making war or peace, negociations or treaties with any of the native princes or states, shall require secrecy, they may address such dispatches under cover, sealed with their seals, to the said secret committee for their inspection, who shall deliver the same, or copies thereof, to the board immediately on their arrival, *33 G.3. c.52. s.22.*

280. The secret committee shall not disclose the contents of such dispatches till authorized by the board of control, *53 G.3. c.155. s.73.*

281. No order of the court of directors concerning the civil or military government or territorial revenues of the acquisitions in *India*, after having received the approbation of the board of control, shall be liable to alteration by any general court of proprietors of the Co., *33 G.3. c. 52. s.23.*

282. The whole civil and military government of the presidency of *Fort William* in *Bengal*, and the ordering and management of the territorial acquisitions and revenues in *Bengal*, *Bahar*, and *Orissa*, shall be vested in a gov.-gen. and 3 counsellors for the presidency, subject to all the statute regulations in force; and the whole civil and military government of the presidency of *Fort St. George*, and the management of the territorial acquisitions and revenues on the coast of *Coromandel* and of *Orissa*, now being under the administration of *Fort St. George*, are vested in a governor and 3 counsellors for the presidency, subject as aforesaid: and the whole government, civil and military, of the presidency and island of *Bombay*, and the management of the territorial acquisitions and revenues on the coast of *Malabar* are vested in a governor and 3 counsellors for that presidency and island, subject as aforesaid; such governor and counsellors respectively being also subject to the controul of the gov.-gen. in council, as in this act provided, *id. s.24.*

283. The court of directors may declare and appoint what parts of the said territorial acquisitions, or of any other now subject to the government of the presidencies of *Fort St. George* or *Bombay*, with their respective revenues and establishments of civil servants, shall be hereafter subject to the government of either and which of the said presi-

dencies, or of that of *Fort William* in *Bengal*: and may from time to time revoke or alter such appointment, making such new distribution as they think fit, subject to the direction, &c. of the board of control, and all such territories, revenues, and civil servants shall be annexed and made subject to such presidency and courts of judicature therein accordingly, 39&40 *G.*3. *c.*79. *s.*1.

284. All vacancies in the office of governor-general of *Fort William* in *Bengal*, or of any of the members of council there, or of governor or member of council of either *Fort St. George* or *Bombay*, or of governor of the forts and garrisons at *Forts William* or *St. George*, or *Bombay*, or of commander-in-chief of all the forces in *India*, or of any provincial commander-in-chief of the forces there, shall be supplied by the court of directors, the vacancies of any of the members in council being always supplied from among the list of senior merchants of the Co. who have been resident 12 years in *India* in their service, 33 *G.*3. *c.*52. *s.*25.

285. When the court of directors shall neglect for 2 months from the day whereon the notification of the vacancy of any employment in *India* in their appointment has been received by such court to supply such vacancy, H.M. may, by writing under his sign manual, appoint (subject to the restrictions in *s.*25. with respect to appointments by the court of directors) a person to supply such vacancy, who shall be invested with the same powers and authorities as if appointed by the court of directors, subject to recall only by H. M., *id. s.*26.

286. The court of directors may appoint any persons provisionally to succeed to any of the above offices, for supplying vacancies therein, when they happen by the death or resignation of the person holding the same, or on his departure from *India*, or on any event expressed in any such provisional appointment to the same, and may revoke such appointments; but no persons so appointed to succeed provisionally shall be entitled to any authority or emolument appertaining thereto, till in actual possession of the office, *id. s.*27.

287. If any vacancy shall happen in the office of gov.-gen. or govr. of *Fort St. George* or *Bombay* respectively, when no provisional or other successor is on the spot to supply the same, then the counsellor of the presidency next in rank to the gov.-gen. or govr. shall execute the office till a successor shall arrive, or some other person on the spot is duly appointed thereto; and if the council board shall, during that interval be reduced to one only member, besides the acting gov.-gen. or govr., the person acting as such may call to the council board any one of the senior merchants of the Co. at such presidency, where the vacancy shall occur, to be a temporary member of the board, who shall sit and act as such with all powers of such member of council, till the arrival of a successor, or other appointment made to the office of gov.-gen. or govr. respectively; every such acting gov.-gen., govr., and occasional counsellor enjoying the salaries of those offices, during the time of acting as such, the two former foregoing their salary and allowances of counsellor for the same period, *id. s.*29.

288. If at the time of any vacancy in the office of gov.-gen. or govr. of any of the presidencies no provisional successor as by this act shall be on the spot, no commander-in-chief, though a member of council, shall succeed to the temporary government, unless provisionally appointed to supply it, but the vacancy shall be filled by the counsellor next to him in rank at the council board, *id. s.*30., and see *ante*, *pl.* 291. and *pl.* 292.

289. Any vacancy which shall happen in the office of a counsellor, at either of the said presidencies, when no person provisionally or otherwise appointed to succeed thereto is resident on the spot, shall be supplied by the appointment of the gov.-gen. in council of *Fort William*, or the gov. in council of *Fort St. George* or *Bombay*, from among the senior merchants in the Co.'s service in *India*, who shall execute the office with all its powers, till a successor shall arrive duly appointed by the court of directors, with the salary and other emoluments appertaining to that office during his continuance therein, *id. s.*31.

290. When the offices of gov.-gen., and commander-in-chief of all the forces in *India*, and those of gov. of *Fort St. George*, and commander-in-chief of all the forces there, are vested in different persons, such commanders-in-chief shall, if specially authorised thereto by the court of directors and not otherwise, be members of the councils at *Fort William* and *Fort St. George* respectively, and when so appointed shall have precedence at the council board, next to the gov.-gen. or gov. of the presidency, but without emolument as such member, unless specially granted by the court of directors of the Co. *id. s.*32.

291. The court of directors may specially appoint the commander of the military forces of the Co., on the *Bengal* establishment, to be a member of the supreme council of *Fort William*, notwithstanding the office of gov.-gen. and commander-in-chief are vested in the same person, 45 *G.*3. *c.*36. *s.*1.

292. Such commander shall have rank at the council board next to the gov.-gen., but shall not succeed to the government of the presidency on a vacancy in the office, unless provisionally appointed to supply the same, but it shall be supplied by the counsellor next in rank to such commander, 45 *G.*3. *c.*36. *s.*2., see *pl.*288.

293. Such commander, so appointed a member of the supreme council, shall be subject to recall; and shall have all the powers of a member of council, as if appointed thereto as commander-in-chief of all the forces in *India*, *id. s.*3.

294. When the commander-in-chief of all the forces in *India* (not being likewise gov.-gen.) shall be resident at either of the presidencies of *Fort St. George* or *Bombay*, he shall, from the time of his arrival, and during his continuance at such presidency, be a member of the council thereof; and during that period the provincial commander-in-chief of the forces of the presidency (if a member of the council thereof) shall sit and deliberate, but not vote at the council board, 33 *G.*3. *c.*52. *s.*33.

295. If any of the members of the council of either of the said presidencies shall, by any infirmity or otherwise, be rendered incapable of acting or attending to act as such, or shall be absent from the presidency, and the gov.-gen. or either of the said govenors are desirous of the advice of a full council on any urgent business, they shall, by virtue of this act, have respectively full power to call any provisional successor appointed then on the spot, or if none such is on the spot, then any senior merchant there to assist at the council board, *pro hâc vice*, without any emolument or loss of other office, on account of his acting as such, *id. s.*34.

296. H. M., by instrument under his sign manual, countersigned by the president of the board of control, may remove or recall any person holding civil or military employment or commission under the Co. in *India*, and may vacate and make void every appointment or commission of any person there, and their powers shall cease from the time specified in such instrument; provided that a duplicate thereof, under such sign manual, attested by the said president, shall, within 8 days after signature, by H. M., be delivered to the chairman or deputy chairman of the E. I. C., in order to apprize the court of directors thereof, *id. s.* 35.

297. The court of directors may remove, recall, or dismiss their officers and servants at their will and pleasure, except any gov.-gen. govr. or commander-in-chief appointed by H. M. through default of appointment by the directors (as in *s.* 26.), *id. s.*36.

298. The departure from *India* of any gov.-gen. or govr., member of council, or commander-in-chief, with intent to return to *Europe*, shall be deemed in law a resignation of his office, and his arrival in any part of *Europe* a sufficient indication thereof; and no act or declaration of any gov.-gen. or govr., or member of council, during his continuance in the presidency, whereof he was so gov.-gen. &c. except by some deed or instrument in writing under his hand and seal, delivered to the secretary for the public department of the presidency to be recorded, shall be deemed a resignation of his office, and the salary and allowances of such gov.-gen. or other officers respectively shall cease from the day of his departure or resignation, and if any such gov.-gen. or other officer in the Co.'s service shall quit the presidency to which he belongs, other than in the known actual service of the Co., his salary, &c. shall not be payable during his absence to any person for his use; and in the event of his not returning to such presidency, or of his coming to *Europe*, shall be deemed to have ceased from the day of his quitting the presidency, *id. s.*37.

299. The gov.-gen. and counsellors of *Fort William*, and the several governors and counsellors of *Fort St. George*, and *Bombay*, shall at their respective council boards proceed first to the consideration of such matters as are proposed by the gov-gen. or governors respectively: and when any matter is propounded by any counsellor, the gov-gen. or governor may postpone or adjourn the discussion to a future day, but for not longer than 48 hours, nor more than twice without consent of the counsellor who proposed the same, *id. s.*38.

300. All orders and proceedings of the gov.-gen. and council at *Fort William* shall be expressed to be made by the gov-gen. in council; and those of *Fort St. George* and *Bombay*, by the respective governors in council and not otherwise; and the several orders, &c. of all the presidencies shall, previous to being published or put in execution be signed either by the chief secretary to the government of the presidency, or in his absence, by the principal secretary of the department to which they relate by the authority of the gov-gen. or governors in council respectively, 33 *G.*3. *c.*52. *s.*39., 53 *G.*3. *c.*155. *s.*79.

301. The gov-gen. in council at *Fort William*, shall have full power to superintend, controul, and direct the several governments and presidencies of *Fort St. George*, and *Bombay*, and all other governments erected by the company within limits of their [exclusive, but see 53 *G.*3. *c.*155. *s.*6.] trade, in all points relating to any transactions with the country powers or states, or levying war, or making peace, or the collection or application of the territorial revenues in *India*, or to the forces employed at such governments, or to their civil or military government, 33 *G.*3. *c.*52. *s.*40.

302. Notwithstanding any doubt entertained by the said presidencies, &c. to whom such orders are given respectively, of the power of the gov-gen. in council to give the same, they shall be bound to obey them

in all cases, except where they have received positive orders from the court, or secret committee of directors, by authority of the board of controul, repugnant to the orders of the gov.-gen. in council, and not known to the latter, at the time of dispatching the same, who shall at the time of transmitting all secret orders transmit therewith the dates and times of receiving their last dispatches, orders, or instructions from the court of directors, or secret committee as above, on any points contained therein; and the said presidencies, governments, and settlements, in all cases where they have received orders from either of the latter, which they deem repugnant to those of the gov.-gen. and council at *Fort William*, and which were not known to them at the time of dispatching their orders as aforesaid, shall forthwith transmit copies thereof, with an account of all orders made by them in consequence thereof to the gov-gen. in council, who shall dispatch such further orders as he shall judge necessary thereupon, *33 G. 3. c. 52. s.* 41.

303. It shall not be lawful for the gov.-gen. in council, without the express command of the board of directors, or of the secret committee, by authority of the board of controul in any case, (except where hostilities are actually commenced, or preparations for them actually made against the *British* nation in *India*, or against some of the princes or states dependent thereon whose territories the Co. are engaged by treaty to defend or guarantee,) either to declare war or commence hostilities, or enter into any treaty for making war against any other prince or state, (except as aforesaid,) or to make such treaty for guaranteeing the possession of any prince or state, but on consideration of the latter actually engaging to assist the Co. against such hostilities commenced, or preparations made; and where such hostilities are commenced, or such treaty made, the gov-gen. and council shall as expeditiously as possible communicate the same to the court of directors, or secret committee, with a full state of the intelligence, and reasons of their commencing such hostilities or making such treaty, *id. s.* 42.

304. It shall not be lawful for the governors and counsellors of *Fort St. George*, and *Bombay*, or of any other subordinate settlement, to make any order for commencing hostilities, or levying war, or to negotiate or conclude any treaty of peace or other treaty with any *Indian* prince or state, (except in case of imminent danger or emergency,) unless in pursuance of express orders from the gov-gen. in council, or from the court of directors, or from the said secret committee, by authority of the board of controul; and every such treaty shall, if possible contain a clause for subjecting it to the ratification or rejection of the gov.-gen. in council; and the governors and counsellors aforesaid shall yield obedience to the orders of the latter in the matters aforesaid, and they and all other officers neglecting the same shall be liable to removal, dismission, or suspension by order of the gov.-gen. in council, and to be sent to *Eng.* and shall be subject to the further penalties of law, *id. s.* 43.

305. The governors and counsellors of the presidencies of *Fort St. George* and *Bombay* respectively, and the chief officers of every other *British* settlement in *India*, shall constantly transmit to the gov.-gen. in council true copies of all acts in council of their respective governments, &c. and also advice of all matters which shall come to their knowledge, material to be communicated to them, or which the latter shall require, *id. s.* 44.

306. The gov.-gen. may issue warrant under his hand and seal to such peace officers and other persons as he shall think fit for securing any person suspected of carrying on any illicit correspondence dangerous to the safety of any of the *British* possessions in *India*, with any of the princes, rajahs, zemindars, or persons having authority in *India*, or with the governors of any *European* factories there, or any correspondence contrary to the rules and orders of the Co. or of the gov-gen. in council; and if on examination taken on oath in writing of any credible witness or witnesses before the latter there appear reasonable grounds for the charge, the gov.-gen. shall commit the accused to safe custody, and within 5 days shall deliver him a copy of the charge on which he is committed; he shall be permitted to deliver in his defence in writing with a list of his witnesses; the witnesses on both sides shall be examined and cross-examined on oath in his presence, and their examinations taken down in writing; and if it appear reasonable to the gov.-gen. to continue his confinement, notwithstanding his defence, he shall remain in custody till brought to trial in *India*, or sent to *Eng.* for that purpose; and all such proceedings, or attested copies thereof under the seal of the supreme court of judicature at *Fort William*, or of one of the mayor's courts, [*semble* of the supreme court at *Madras*, since *39 & 40 G. 3. c. 79. s. 5.*] shall be transmitted to *Eng.* by the first dispatches, in order to their production in evidence on trial of the parties in *G. B.* subject to exceptions to competency of the witnesses only; and such persons as are intended to be so sent shall be sent by the first opportunity of which their health will admit, *id. s.* 45.

307. The several governor or governors in council of *Fort St. George* and *Bombay*, shall have like powers with regard to such suspected persons, *id. s.* 46.

308. When any measure or question shall be agitated in the supreme council of *Fort William*, or in either of the councils of *Fort St. George*, or *Bombay*, whereby the interest of the Co. or the safety of the *British* possessions in *India*, or any part thereof, may in the judgment of the gov-gen. or governors respectively be essentially affected, and the latter are of opinion that the measures so agitated ought to be carried, suspended, or rejected, and the several other members of council shall dissent from such opinion, the gov-gen. or governor and other members shall mutually exchange with and communicate in council to each other in writing, under their hands, (to be recorded at large on their secret consultations,) the reasons of their different opinions, and if after considering the same, they severally retain their opinions, such gov-gen. or governor may make or declare any order which he shall think fit for suspending, rejecting, or carrying such measure into execution: which shall be signed by himself, and also by all the members of council present, and shall be as valid as if they concurred therein; and all persons shall be obedient thereto, and shall carry the same into execution in their respective stations, *33 G. 3. c. 52. s.* 47.

309. The gov.-gen. or governor who shall command such order and resolution to be made and recorded without concurrence of any of the other members of council shall alone be held responsible for the same, and for its consequences, *33 G. 3. c. 52. s.* 48.

310. Nothing herein shall give power to either the gov.-gen. or governors aforesaid to make or execute any order or resolution which could not have been lawfully executed with the concurrence of their respective councils, (*id. s.* 49.) or shall give any discretionary power of acting or forbearing to act without concurrence of other members of council to any person on whom the office of gov.-gen. or governor respectively shall devolve by the death or resignation of those officers, or to any deputy gov.-gen. unless provisionally appointed by the court of directors, or unless and until he be confirmed in the office, and in the mean time all orders and acts soever in the presidency shall be determined by a majority of voices of the councils, the gov.-gen. or gov. having a casting vote on any equality of voices, and not otherwise, *id. s.* 50.

311. Nothing herein shall impower the gov.-gen. or governors aforesaid to make or execute any order or resolution against the opinion of their councils, in any matter which comes before them in council in their judicial capacity, or to make, repeal, or suspend any general resolution for the civil government of the Co.'s settlements, or to impose any tax within their governments, *id. s.* 51.

312. When the gov.-gen. shall visit either of the presidencies of *Fort St. George* or *Bombay*, or any province or place in *India*, the powers of the governor or chief officer thereof shall be suspended from the time of proclamation of his arrival (except as to judicial proceedings) and shall so continue till proclamation to the contrary is made by the gov.-gen., or till his departure; and all the powers of the governor &c. shall be vested in the gov.-gen. together with his own powers under this act, (with liberty to the former to sit and act as a member of council of the presidency,) *id. s.* 52.

313. When the gov.-gen. is absent from his own government, in his absence such one of the members of the council as he shall nominate for the purpose, shall be styled and act as vice-president and deputy-governor of *Fort William*, and the government of the presidency shall be exercised by him and the other members of council in like manner and no otherwise than as that of *Fort St. George* or *Bombay* may be exercised by the governors in council there, subject to the restrictions in this act contained, *id. s.* 53.

314. If the gov.-gen. of *Fort William*, or the governors of *Fort St. George* or *Bombay*, happen to be absent from any council of those presidencies, and shall signify their intended absence to such council, the senior member present shall preside at the same with all their powers; but no act of any council so held shall be valid, unless signed by such gov.-gen. or governors respectively, if then resident at the presidency, and not prevented by indisposition from signing the same; provided that if such gov.-gen. or governor not being so prevented, shall decline to sign such act of council, he and the members who have signed the same, shall mutually communicate in writing to each other the grounds of their respective opinions, subject to such regulations and ultimate responsibility of such gov.-gen. or governor respectively as by *33 G. 3. c. 52.* (*s.* 47.) directed; but nothing in this act shall prevent such gov.-gen. if absent from his own government of *Bengal*, from nominating a vice-president and deputy governor according to *33 G. 3. c. 52. s. 53.*, *last pl.*, *39 & 40 G. 3. c. 79. s.* 12.

315. If the gov.-gen. during such his absence shall judge it necessary to issue orders to any of the governments or presidencies in *India*, or to any officers or servants of the Co. acting under their authority without previously communicating them to the said respective governments, he may so issue them, and the above governments, their officers and servants shall obey the same: and such orders shall be of the same, but of no greater validity than if made by him in council at *Fort William*; and if made by him of his own sole authority, and without concurrence of the other members of the councils of either *Fort St. George*, or *Bombay* respect-

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ively, he shall be alone responsible for the same (as in *s.* 48.) and shall transmit by the first opportunity to the governors and councils of the respective presidencies to which the above mentioned officers and servants belong, and also to the court of directors, copies of such orders respectively, with his reasons for issuing the same, 33 *G.*3. *c.* 52. *s.* 54.

316. The court of directors may, with approbation of the board of control, suspend all or any of the powers hereby given to the governor-general to act on his own sole authority at such times as they judge expedient, and the same shall be suspended from the arrival in *India* of their orders to that effect, and may be revived in like manner, *id. s.* 55.

317. All the civil servants of the Co. in *India* under the rank of members of the council shall have precedence in the service at their respective stations according to seniority of appointment, 33 *G.*3. *c.* 52. *s.* 56.; [but the governor-general, or any governor in council of the Co. may, on application in writing by any civil servant of the Co., by special order direct that such servant on being appointed to office in any court, board, or official establishment, shall take precedence thereat according to his seniority of appointment as a member thereof, though not according to his seniority in the Co.'s service; and he shall take precedence at such court, &c. accordingly, 53 *G.*3. *c.* 155. *s.* 86., altering 33 *G.*3. *c.* 52. *s.* 56.

318. All vacancies in the offices of governor-general, or of governors of the Co.'s settlements of *Madras* or *Bombay*, or of the forts and garrisons thereof, or of the commander in chief of all the forces in *India*, or of any provincial commander in chief, shall be filled up by the court of directors, subject to H.M.'s approbation, signified in writing under his royal sign-manual, countersigned by the president of the board of control; but the court of directors may remove or dismiss such governor-general, &c. as before this act, 53 *G.*3. *c.* 155. *s.* 80.

319. The court of directors shall not either absolutely or provisionally appoint any person to succeed to any civil or military employment in their service in *E.I.* without approbation of the board of control, except as above: and nothing herein shall prevent their appointment of members of council, general-officers on the staff, advocate and attorney-general, attorney at law of the Co., or chaplain at the several presidencies or settlements, or to any officers in their civil or marine establishments, usually supplied by persons not having been covenanted servants of the Co. previous to their appointments, or shall prevent them from appointing writers, cadets, or assistant-surgeons, as before the act, *id. s.* 81.

320. All vacancies in any of the offices or employments in the Co.'s civil service (under the degree of counsellor) shall be from time to time filled up from among their civil servants belonging to the presidency wherein such vacancies happen, subject to the following restriction, viz. no office the emoluments whereof exceed 500*l. per ann.* shall be granted to any such servants who have not actually resided in *India* in the Co.'s service for 3 years at least previous to such vacancy, [33 *G.* 3. *c.* 52. *s.* 57.] but all time not exceeding 2 years *bonâ fide* spent in *Hertford* college in the regular course of education for the said civil service in *India* by any persons either *after or before* 17 years of age, [*Qu. but see* 33 *G.* 3. *c.* 52. *s.* 60. *pl.* 323.] who shall afterwards go to *India* in such civil service, shall be accounted, with regard to their appointments to such offices, as so much time actually spent in *India*, [47 *G.*3. *S.*2. *c.*68. *s.*7.] [and any such office the emoluments whereof exceed 1500*l.* may be granted to the Co.'s servants actually resident in *India* in their service for 4 years at least: if exceeding 3000*l. per ann.* to any such actual resident for 7 years at least: if exceeding 4000*l.* such office, including that of the council, may be granted to any such actual resident for 10 years in the whole antecedent to such vacancies respectively, 53 *G.*3. *c.*155. *s.* 82.,] 33 *G.* 3. *c.* 52. *s.* 57., as altered by 53 *G.*3. *c.*155. *s.* 82., and 47 *G.*3. *S.* 2. *c.*68. *s.*7.

321. No person shall for the future be capable of taking two or more offices, the joint amount of the emoluments of which shall exceed in the whole the annual salary and emoluments in *s.* 57., 33 *G.*3. *c.*52. *s.*58.

322. The court of directors shall not appoint or send out to *India* a greater number of persons as cadets, or writers, or in any other capacity, than necessary, in addition to those already there to supply the proper complement of officers and servants on the lists of the establishments, according to the returns transmitted by the Indian governments to the said court, *id. s.* 59.

323. No person shall be capable of acting, or of being appointed or sent to *India* as writer or cadet whose age shall be under 15, or exceed 22 years; nor until the person proposed to be appointed shall have delivered to the court of directors a certificate of his age, under the hand of the minister or keeper of the registry of baptism of the parish in which he was baptized; and if no such registry can be found, affidavit thereof shall be made by the party himself that his age is not under 15, nor above 22 years: but this shall not prevent the court of directors from appointing any person to be a cadet of not above 25 years of age, and who has been for one year at least a commissioned officer in H.M.'s service, or in the militia or fencibles when embodied and called into actual service, or from the cadets in the royal regiment of artillery, *id. s.* 60.

324. Every British born subject appointed to collect, manage, control, or receive the rents, duties, or revenues payable to the Co. in *India*, shall, before he enter on the collection and receipt thereof, take the following oath, which may be administered by any C.J. or *puisne* judge of the supreme court of judicature at *Bengal*, [*semble, the like at Madras since* 39 & 40 *G.*3. *c.*79.] or by the mayor or other magistrate in any other presidency or settlement; or by any other person deputed by any order in council of any presidency in that behalf; and shall be recorded in the supreme court at *Calcutta*, [*semble* also in that at *Madras, as above*] or in one of the said provincial or mayor courts, *viz.*

'I, *A. B.* do promise and swear that I will, to the utmost of my endeavours well and faithfully execute and discharge the duties of an officer of revenue reposed in and committed to me by the united Co. of merchants of *Eng.* trading to the *E. I.*, and that I will not demand, take, or accept, directly or indirectly, by myself or by any other person, for my use, or on my behalf, of or from any rajah, zeminder, talookdar, polygar, farmer, renter, or ryot, or from any person paying, or liable to pay any tribute, rent, or tax to or for the use of the said U.C. any sum of money, or other valuable thing by way of gift, present, or otherwise, over and above, or besides and except the actual tribute, rent, or tax authorized to be taken by and for the use of the said U. C. and that I will justly and truly account for, answer, and pay all the rents, duties, and other revenues and sums of money which shall come to my hands, or to the hands of any person or persons in trust for or employed by me as an officer of the revenues of the said Co., unto the said united Co. So help me God.' 33 *G.*3. *c.* 52. *s.* 61.

325. The demanding or receiving any sum of money or other valuable thing as a gift, or under colour thereof, whether for the use of the receiver or of the E.I.C., or any other person soever by any British subject in office under H.M. or the Co. in the *E.I.* shall be deemed extortion and a misdemeanor at law, and shall be proceeded against and punished as such under this act; and the offender shall also forfeit the whole gift so received, or its full value, *id. s.* 62., 24 *G.*3. *S.*2. *c.*25. *s.* 45., S. P.

326. The court before whom such offence shall be tried may at discretion order such gift, or any part thereof, to be restored to the giver, or may order the whole or any part thereof, or of any fine set by the court on the offender, to be paid to the prosecutor or informer, *id. s.* 63., 24 *G.*3. *S.*2. *c.*25. *s.*46. S. P.

327. But nothing herein shall prevent any counsellor at law, physician or surgeon, or any chaplain, from taking fees *bonâ fide* professionally only, *id. s.* 48.

328. The wilful disobeying or neglecting to execute the orders or instructions of the court of directors by any gov.-gen., govr., president, counsellor, commander-in-chief, or any other officers or servants of E.I.C. in *E.I.* (unless in cases of necessity, the burthen of the proof whereof shall lie on the party disobeying or forbearing to execute such orders, &c.) and every wilful breach of official duty by any such gov.-gen., &c. shall be deemed a misdemeanour at law, and may be proceeded against and punished as such under this act, *id. s.* 49.

329. The making or being a party to any corrupt contract for giving up, or obtaining, or in any other manner concerning the duty of any employment under the crown, or the Co., in the *E.I.* by any *British* subject there resident, shall be deemed a misdemeanor at law, and prosecuted as such under this act, *id. s.* 50.

330. All H.M.'s subjects, as well servants of the Co. as others, are amenable to all courts of justice, both in *E.I.* and *G.B.*, of competent jurisdiction to try offences committed in *India*, for all crimes, misdemeanors, trespasses, and offences soever committed in any of the lands or territories of any native prince or state, or against their persons or properties, or those of any of their subjects, as if so committed within the *British* territories in *India*, 33 *G.*3. *c.*52. *s.*67.

331. Neither the Co. nor any of their officers or servants, or their court of directors, shall discontinue, stay, compound, or settle any suits at law or equity before final decree or judgment given therein, unless with approbation of the board of control first obtained in writing, *id. s.* 68.

332. After sentence or judgment of any court of competent jurisdiction, whether in *G.B.* or *India*, against any gov.-gen., govr., president, counsellor, or commander-in-chief, or against any of the Co.'s servants, civil or military, for any debts or penalty due to the Co., or for any extortion or other misdemeanor, the Co. shall not release or compound such judgment, *id. s.*69., and 24 *G.*3. *S.*2. *c.*25. *s.*51.

333. The court of directors may restore to the Co.'s service any military officer dismissed or suspended therefrom by sentence of court-martial (*s.*4.), but not without consent of the board of control, 51 *G.*3. *c.* 75. *s.* 5.

334. No restoration by the court of directors of any servant of the Co., civil or military, suspended or removed by authority of any of the Co.'s governments in *E.I.* to his employment in the Co.'s service, shall be valid without like consent, 53 *G.*3. *c.*155. *s.*83.

335. No person having held any civil or military station whatever in [illegible] *E.I.* in the Co.'s service under the rank of member of council, or co[illegible]

mander-in-chief of the forces, and who having departed from E. I. by leave of the gov.-gen. in council, or govr. in council, shall not return in 5 years next after such departure, shall be entitled to any rank or restoration of office, or be capable of again serving in E. I. either in the European or native troops, or in the civil service, unless, *in case of any civil servant*, it be proved to the satisfaction of the directors that his absence was occasioned by sickness; or unless he be permitted to return with his rank to E. I. by a vote, by way of ballot, by 3 parts in 4 of the general court of proprietors specially convened for the purpose, whereof 8 days previous notice shall be given in the *London Gazette;* or unless, in the *case of a military officer*, it be proved to the satisfaction of the court of directors and board of control, that his absence was occasioned by sickness or inevitable accident, *33 G. 3. c. 52. s.* 70.

336. But the court of directors, with approbation of the board of control, may permit any military officer of the rank of a general officer, col., or lieut.-col., commanding a regiment, who having departed from *India* with such leave as aforesaid, shall not have returned thither within 5 years of his departure, to have his rank, and be capable of again serving in *India*, though his absence was not occasioned by sickness or other accident, *53 G. 3. c. 155. s.* 84.

337. When any civil servant of the Co. in *India*, having departed from thence by leave of the gov.-gen. or governor in council, is restored to the Co.'s service after 5 years absence, he shall take precedence only according to his time of service at the period of his departure; and on his return thither, if any other civil servant of the Co. at the settlement shall have then passed a greater or like length of time in the service, as he had passed when he left *India*, he shall take rank immediately below him, *id. s.* 85.

338. If any cession of territory shall be obtained from the *Chinese* government, and a new settlement made by the Co. thereon, distinct from the continent of *China*, and wholly free from *Chinese* authority, in that case it shall be lawful for H. M.'s subjects, under regulations approved by the board of control, to export *British* and *Irish* manufactures in the Co.'s ships, at a moderate rate of freight, being consigned to the Co.'s supercargoes, or persons licensed by the Co. with consent of the board to reside there for that purpose only; provided that the latter be prohibited from intercourse with the continent of *China*, and from carrying on any trade, except the sale of the above manufactures, and from all interference with the Co.'s affairs; and all such persons shall enter into the same covenants as merchants licensed by the Co. [*Qu. since free trade given by 53 G. 3. c.* 155.] or any other covenants reasonably required by the directors, and also with a special engagement (if required) for paying the net proceeds of the sales into the Co.'s treasury at such new settlement, for the Co.'s bills payable in *G. B.* to be drawn at the actual exchange at the time; and no person not being a servant of or licensed by E. I. C. to act as above, shall be permitted to reside in any place so ceded, or to trade with any place in *China*, *33 G. 3. c. 52. s.* 76.

339. The court of directors of the company shall forthwith frame and lay before the board of control, for their approbation, regulations for licensing ships fitted out for the north-west coast of *America* and the adjacent islands, to proceed from thence direct to the isles of *Japan*, and coasts of *Korea*, and *Canton*, there to dispose of their cargoes, and to return from thence direct to the same north-west coast, &c. to dispose of their returns of trade, under the limitations of the convention with the king of *Spain*, of 28 *Oct.* 1790; and shall also frame the forms of such deeds of covenant or other securities, as they shall judge necessary to be given for their due observance by the owners and commanders of ships so licensed, for revision by the board, and the owners, &c. so conforming themselves, shall be entitled to such license, which the court of directors shall grant, unless on their representation of specific objections to the board, the latter shall order the same to be withheld, *id. s.* 78.

340. The regulations to be so made for the aforesaid purposes, or any securities given for their observance, shall not extend to vest in any council of supercargoes, or other officers of the Co., a greater power over any ships so licensed, or the officers or crew thereof, in the eastern seas, or on the coasts of *Japan*, *Korea*, and *China*, than those exercised by the said council of supercargoes, or other officers over the ships in the Co.'s service, and the officers and men belonging thereto, *id. s.* 79.

341. The disposing of any goods or merchandize at any other place than those mentioned in the license, or any wilful breach of any of the said regulations, shall be held a misdemeanor at law, and may be punished as such, and the offender shall be deemed to have traded unlawfully within the limits of the Co.'s exclusive trade, and shall incur the penalties by this act imposed for illicit trading within the said limits, and shall besides pay to the said Co. the pecuniary penalties incurred by wilful breach or nonobservance of the stipulations in the deeds of covenants or securities given to the E. I. C. under this act, *id. s.* 80.

342. Any of H. M.'s subjects in *G. B.*, or any other part of his *European* dominions, may export, on their own proper risk, *in the Co.'s ships*, [*see 53 G. 3. c.* 155. *s.* 6. *giving a free trade,*] or in ships freighted by them from the port of *London*, to any of the ports or places usually visited by the Co.'s ships on the coasts of *Malabar* and *Coromandel*, or in the Bay of *Bengal*, or in *Sumatra*, any goods, &c. of the growth produce or manufacture of the said dominions, except as in (*s.* 82.) provided; and any such subjects being in the Co.'s civil service in *India*, or being merchants resident in *India*, under their licence or protection, may consign and put on board the Co.'s ships, or those freighted by them, bound to *G. B.* any goods, &c. except as in *s.* 82. provided, in order to be imported on the risk of the owners at the port of *London*, under the regulations of this act, *33 G. 3. c. 52. s.* 81.

343. During the E. I. Co.'s further term in their exclusive trade, [*but see now 53 G. 3. c.* 155. *s.* 6.] no persons, except the E. I. C., or persons specially licensed for that purpose, shall export, ship, or carry out from *G. B.* to the E. I. or other parts within their limits, any [military stores, [see *53 G. 3. c.* 155. *s.* 9. *pl.* 478.] ammunition, masts, spars, cordage, anchors, pitch, tar, or copper; nor ship, carry, or put on board any of the Co.'s ships in E. I. or within the said limits, bound to *London*, or import to *G. B.* any *India* calicoes, dimities, muslins, or other piece goods, made with silk, or cotton, or with silk and cotton mixed, or with other mixed materials, *id. s.* 82.

344. If the said Co. shall not, on or before 31st *Aug.* in every year during the continuance of their exclusive trade, [but see *53 G. 3. c.* 155. *s.* 6.] contract for and purchase, on their own account, 1500 tons of *British* copper, for exportation to some place within their limits, the proprietors of *British* copper in *G. B.* may, in every such year, export that quantity in ships provided by the Co. to any port, &c. in E. I. at the same rates of freight, and subject to the same regulations, as to the amount thereof *per ton*, as herein expressed, with respect to the freight of other *British* manufactures or produce on private account; and if the Co. shall not purchase or contract for so much as 1500 tons, the proprietors may annually export the residue as above, on giving notice in writing to the chief secretary of the Co. between 31st *Aug.* and 1st *Oct.*, and shall be at liberty to obtain their returns with like *Indian* commodities, in the manner and proportions herein provided, for the other proprietors of *British* manufactures or produce exported to *India* by virtue hereof; and the tonnage for the copper so sent out to *India* as above, shall not be considered as part of that allowed for private trade, *id. s.* 84.

345. Nothing in this act shall extend to permit any person to export or import in private trade any goods, &c. contrary to statutes now in force, and not hereby repealed, nor to vary or affect any acts now in force for prohibiting the consumption or use of any foreign manufacture within this kingdom, all of which shall remain in full force as if this act had not been made, *id. s.* 86.

346. Any persons residing in *India*, in the Co.'s civil service, or by their licence, not being restricted by covenant with the Co., or otherwise specially prohibited by them or their government in *India* from so doing, and not being in any judicial or military capacity, may act as commercial agents, managers, or consignees, on behalf of their employers, as well in the disposal of export goods not hereby (*s.* 82.) prohibited to be exported by individuals, as in providing such other goods as may by law be imported by individuals into *G. B.* on their private account, without incurring any forfeiture on account thereof, *id. s.* 95.

347. If on representation to the court of directors by the private traders, of the want of a sufficient number of persons in the E. I. to act for them in the disposal of their cargoes, and the purchase and investments of goods in return for the same, the court shall fail to licence a further number of persons to reside in *India*, as free merchants, to the satisfaction of the private traders, the latter may represent the same to the board of control, and the court shall thereon license a proper number with approbation of the board, *id. s.* 96.

348. The Co.'s officers and servants, and all other *British* subjects resident in *India*, notwithstanding their being employed to act as agents, factors, or managers for private traders, shall continue amenable to the powers of the Co. and their governments in *India*, *id. s.* 97.

349. During the time that the E. I. C. shall be entitled to their exclusive trade, [but see now *53 G. 3. c.* 155. *s.* 6. *pl.* 468.] no *British* subject in their service, or licensed by them to go to or to live or continue in *India*, shall reside in any other place there than in one of the E. I. Co.'s principal settlements, or within 10 miles thereof, without special licence of E. I. C. or of the gov.-gen. or governors of such principal settlement, in writing first obtained; nor shall go to or continue beyond the aforesaid limits for any longer or other times than specified in his licence, on pain of dismissal and forfeiture of all salary and allowances due to him by the Co. and of his licence to reside in *India*, *id. s.* 98.

350. The duty of *5 per cent.* granted by *9 & 10 W. 3. c.* 44. *s.* 76. to the E. I. C. on imports of the produce of the E. I. brought into this kingdom by private trade, as well as that of *2 per cent.* usually charged by E. I. C. for unshipping, &c. the like goods, are taken away; and in lieu thereof shall be paid to E. I. C. a duty of *3 per cent.* on

the gross sale of all goods imported from E. I. in private trade, including in such value all duties payable in respect thereof, the same to be paid by the owners or otherwise detained by the Co. out of the proceeds of such goods, in satisfaction of the expences in unshipping, tonnage, cartage, warehouse-room, sorting, lotting, and selling, above the freight; and no other charge shall be made by E. I. C. in respect of the expences of the private trade; [this duty is also repealed, *53 G. 3. c. 155. s. 26. but see* the exception to such repeal, *id. s. 27. infra.* which adopts *s.* 100 of this act,] *53 G. 3. 155. s.* 99.

351. The court of directors shall frame such regulations for the future sales of raw-silk, sugar, cotton-yarn, wool, and other wool, skins, dying-woods, and drugs, and other articles of raw material, imported either in private trade or on the Co.'s own account, and lay the same before the board for their approbation, which shall then be deemed a bye-law of the Co., subject to alteration by the court of directors, with approbation of the board, *33 G. 3. c. 52. s.* 101.

352. All goods imported in private trade, as well raw materials as others, shall be secured in the Co.'s warehouses, and sold publicly by [inch of candle, *semb.* Rep. *53 G. 3. c. 155. s. 22.* or] public auction, and not otherwise, under order of the court of directors, on account of the owners; and the whole consignments bought in by the owners shall be delivered out to them with all convenient speed, after the sales, on payment of the freight duties, and other charges to which the same are liable, without actual payment of the sale-amount of the goods; which private trade and sales shall, in all respects, be conducted according to the bye-laws of the Co. for management of private trade, except as herein otherwise provided, *id. s.* 102.

353. All goods, &c. exported or imported under this act, by or on account of any private merchants, traders, or other persons, shall be subject to payment of the like customs and duties of import and export in *India* and *G. B.* to which goods of the same kinds belonging to the E. I. C. are liable, and to no other duties whatever, *id. s.* 104.

354. The Co. shall, by this act, be wholly exonerated from the claims of individuals to any compensation from them as carriers of goods for any embezzlement, loss or damages of any goods, during their being on board the Co.'s ships, or in any of their warehouses in *G. B.* or *India*, or in their transit to or from such ship, *id. s.* 105.

355. All deeds of covenant and other securities given by any of the E. I. Co.'s officers and servants entrusted by them with the custody, care, or management of goods, &c. whether at sea or on shore, for due execution of their trust, shall extend to the property of individuals as well as of the Co., and such officers, and all other persons, through whose want of care any embezzlement, loss, or damage shall be sustained, shall be liable at law to answer for the same in damages and costs to the parties grieved, who, if they are desirous of availing themselves of the benefit of such deeds and covenant so given as above, and shall give the indemnity required by the directors for securing the Co. from all costs and damages, shall sue on any such deed, &c. in the name of the Co., and take the full benefit of any judgment obtained therein, and issue execution thereon, *id. s.* 106.

356. The several governments and presidencies in *India* may from time to time grant bills of exchange on the court of directors payable in *G. B.*, at equitable rates of exchange, from time to time authorized by the latter, with approbation of the board of control, for the purposes of transferring and remitting the debts incurred by the Co. in defence of the *British* possessions in *India*, and now due by them in *India* to *G. B.* until reduced to 2,000,000*l.* sterling, and the said court shall be fully authorized to accept and discharge the same accordingly, besides such other bills as they might lawfully accept and pay if this act had not been made, *id. s.* 108.

357. If the creditors of the Co. in *India* shall decline to accept such bills in payment of their respective debts, or shall not accept the same to the amount of 500,000*l.* in any year, the gov.-gen. of *Bengal*, and the governors of *Madras* and *Bombay* respectively, by order of the former, may raise a sufficient sum whereby to make a remittance for such year to the amount by which the total of bills so accepted by the creditors shall fall short of 500,000*l.* by loans from any other persons willing to advance the same to the court of directors, at the equitable rates of exchange directed as above, and the money so raised in *India* shall forthwith, on payment thereof into the proper treasury there, be applied in liquidation of the debts of the said Co. in *India*, *id. s.* 109.

358. Nothing herein shall authorize any of the governments in *India* to grant bills of exchange for transferring such debts from E. I. to *G. B.* exceeding 500,000*l.* unless by special authority of the court of directors, *id. s.* 110.

359. *Ss.* 111—122. relating to the annual payment of 500,000*l.* by E. I. Co. into exchequer for the public service, and of their other surplus profits into the bank of *Eng.*, in order to the formation of a GUARANTEE FUND of 12,000,000*l.* for better securing to the E. I. Co. their capital stock, or its value, (such value being computed at 200*l.* for every 100*l.* capital stock,) in case of their own funds and assets being insufficient to discharge their debts, and make good their capital stock, or its value as above, at the expiration of their title to the exclusive trade, as in *s.* 115., and which was to be augmented with the increase of such capital stock, *37 G. 3. c. 31. s.* 8., are entirely Rep. by *53 G. 3. c. 155. s.* 61., and new regulations are made, *id. s.* 59. *pl.* 532. [It is said that no payment into exchequer of the 500,000*l. per ann.*, as in *s.* 111., has been made since *April*, 1794. See *Fairman* on the Funds, 98.]

360. The rights of the public, or of the Co., respecting the clear profits of the territorial acquisitions and revenues in *India*, shall not be affected by their appropriation to the guarantee fund beyond the further term by this act granted, *33 G. 3. c. 52. s.* 123.

361. [Recital, that on an account of the E. I. Co.'s profits to 1 *Mar.* 1781, there remained to them, after payment of 400,000*l.* to the public, a principal sum of 288,025*l.* 17*s.* 10*d.*, which by *21 G. 3. c. 65. s.* 12., they were authorized to apply in the payment of a dividend of 12*l.* 10*s. per cent.* to the proprietors of their capital stock, and that they have not made such dividend, but employed the above sum in their trading capital, suffering the interest to accumulate, the same forming the distinct article in their annual accounts of "*the Co.'s separate fund*," and amounting on *1st Mar.*, 1793, to 467,896*l.* 7*s.* 4*d.*, over and above 9750*l.* capital stock of the Co.'s part thereof.] The said *separate fund* shall continue in the hands of the E. I. Co., bearing interest, and employed in their trade, subject [after paying 500,000*l.* to the public, due under *s.* 111. of this act, now Rep.] to a dividend of 10*s. per cent. per ann.* which may be declared on the present or future amount of their capital stock, above the usual dividend thereon, and at the expiration of their term they may dispose of the residue of such separate fund, and its annual proceeds, as they think fit, *33 G. 3. c. 52. s.* 124., *and see 53 G. 3. c. 155. s.* 62. *continuing the provision* and increasing the dividend on the capital stock to 10*l.* 10*s. per cent.* on the exhaustion of such separate fund, *pl.* 535.]

362. No grant or resolution of the E. I. Co., or the court of directors, whereby the Co.'s funds may be chargeable with any new salary, or increase of salary, or any new establishment of officers or servants, or any new provision or increase thereof to any one person, exceeding 200*l. per ann.*, shall be available in law, unless approved by the board of control, attested by the hand of the president, *id. s.* 125.

363. It shall not be lawful for the E. I. Co., or court of directors, to charge the Co.'s funds with the payment of any gratuity to any officer, civil or military, or other person, exceeding 600*l.*, unless the grant thereof is sanctioned by the court of proprietors, and confirmed by the board of control: and copies of all warrants granting any salary, pension, or gratuity, shall be submitted to both houses in 1 month after such grant, or if they are not then sitting, in 1 month after their next meeting, *53 G. 3. c. 155. s.* 88.

364. The court of directors shall annually make up to the *1st May*, and present to both houses, within the *1st* 14 sitting days after that period, in every year, [*54 G. 3. c. 36. s.* 55.] an *account* of the annual produce of the revenues of the *British* territories in *India*, distinguishing them under the respective heads thereof, at each presidency or settlement, with the amount of their sales of goods and stores within their limits, and of all their annual disbursements therein, distinguishing their respective heads, with the latest estimate thereof, and also the amount of their debts abroad, with the rates and annual amount of interest thereon, the state of their effects at each presidency or settlement, and in *China*, *viz.* of cash and bills in their treasuries, goods, stores, and debts owing to E. I. Co., and a list of their several establishments in *India*, and other parts within their limits, and their salaries, &c.; and *another account* of the amount of the proceeds of the Co.'s sales, and of their commercial and other receipts, charges, and payments in *G. B.*, under their several heads, with an estimate of the same for the current year, and a statement of their bond and simple contract debts, with their rates and amount of interest, and the state of cash in their treasury, and other effects of the Co. in *G. B.*, or afloat; and if any new or increased salaries, establishments, or pensions payable in *G. B.*, have been granted within the preceding year, the particulars shall be specially stated at the foot of such account, *33 G. 3. c. 52. s.* 126., as Amd. by *54 G. 3. c. 36. s.* 55., and altering *28 G. 3. c. 8. s.* 5.

365. If any H. M.'s subjects belonging to *G. B.*, or *Guernsey*, *Jersey*, *Alderney*, *Sark*, or *Man*, or *Faro*, [*Qu. Ire.?*] or to any of H. M.'s colonies, islands, or plantations in *America* or the W. I., other than those licensed by the Co., or otherwise lawfully authorized, shall, at any times, before the determination of the Co.'s whole and sole trade, directly or indirectly, sail to visit, haunt, frequent, trade, traffic, or adventure to in or from the E. I., or parts within the said limits, contrary to this act, every such offender shall incur the forfeiture of all vessels belonging to or employed by him, with their guns and furniture, and all the goods, &c. laden thereon, or sent, acquired, or traded within the E. I., or parts aforesaid, and all the proceeds, and double the value thereof, to wit, 1-4th of such forfeiture to the party who shall seize, inform, or sue for the same, and the other 3-4ths to the use of the Co., they defraying thereout the charges of prosecution, *id. s.* 129.

366. Every such subject, as in *s.* 129., who shall go, sail, or repair to the E.I., or parts aforesaid, against the provisions of this act, shall be deemed to have unlawfully traded there, and incur the above forfeiture, 33 *G.* 3. *c.* 52. *s.* 130. [Con. 53 *G.* 3. *c.* 155. *s.* 40., *pl.* 507.]

367. Any such subject, not licensed or authorized, who shall go, sail, or repair to, or be found in the E.I. or limits aforesaid, is guilty of a high crime and misdemeanor, and liable on conviction to such fine or imprisonment, or both, as the court shall think fit, and any fine so imposed shall go one moiety to H.M. and the other to the prosecutor, whether it be the Co. or other person, 33 *G.* 3. *c.* 52. *s.* 131., Con. as in last *pl.*

368. The Co. may arrest such subjects who shall go, sail, or repair to, or be found in E.I., or parts aforesaid, against the provisions of this act, and him send or bring to *Eng.* to answer for his offence according to law; and on his arrival, any one or more justices, shall commit him to the next county gaol till sufficient security be given by natural born subjects or denizens for his appearance in the court in which he shall or may be prosecuted, and for his not going out of court, or of the kingdom, without leave of the court, *id. s.* 132.

369. The power hereby given to the E.I. Co. of arresting, remitting, or sending to *Eng.* any such persons, together with that of seizing any ships and effects, may be enforced in the name of the Co., by order of the gov.-gen. of *Bengal*, or governors of *Fort St. George* or *Bombay* respectively, or by any chief Co.'s officer resident at any other *British* settlement in E.I. respectively, or by order of the Co.'s council of supercargoes at *Canton*, within the factory and on the river of *Canton* or coast of *China*, and by such other persons as are specially authorized by the directors, 33 *G.* 3. *c.* 52. *s.* 133., Con. 53 *G.* 3. *c.* 155. *s.* 40.

370. If any person dismissed from or having voluntarily resigned the service of E.I.C., or any free merchant, mariner or other person whose covenants with the E.I.C. have expired, or whose licence to trade or reside in the E.I. or parts aforesaid, has determined, shall be found in the E.I., or parts aforesaid, after the expiration of the time allowed [*Qu. for removal*] by the governments, he shall be taken to have unlawfully traded in the said parts, and shall be subject to the penalties of this act, 33 *G.* 3. *c.* 52. *s.* 134. Con. as in last *pl.*

371. All goods, treasure and effects, shipped on board any vessel bound from *G.B.* to the E.I. (except the goods of the Co. or others lawfully shipping the same under this act, and except necessaries for such ship to perform the voyage, and also all goods taken out of any vessel in her homeward voyage before her arrival, shall be forfeited, with double value thereof, and the commander or other officers of such vessel knowingly suffering the same, shall forfeit 1000*l.*, and shall not be entitled to any wages soever from the Co.; but if such ship has been taken up by the Co. by charter-party or hire, they shall have an allowance in respect of such wages to their full amount out of the monies payable by them to the owners for the freight thereof; and every such officer convicted of such offence, shall be incapable of again acting in the Co.'s service, *id. s.* 135.

372. No such subject (as in *s.* 129.) shall procure, solicit for, obtain or act under any authority from any foreign prince or state soever to sail, go or trade in or to the E.I., or parts aforesaid, on penalty of 500*l.*, one half to the party suing, and the other to the Co., or if the latter prosecute, the whole shall belong to them, *id. s.* 136.

373. No gov.-gen. or govr. or member of council of the presidencies in *India* shall be concerned in any trade, except on the Co.'s account, nor shall any collector, supervisor or other person concerned in the collection of the revenues or administration of justice in *Bengal*, *Bahar* and *Orissa*, or their agents, servants or trustees, carry on or have any dealings by way of traffic within any of the provinces in *India*, or other parts, or shall buy any goods and sell the same or any part thereof again in that or any other such province, except on the Co.'s account, nor shall the judges of the supreme court of judicature [*viz.* at *Calcutta*] be concerned in any trade, nor shall any subjects in the provinces intermeddle or be concerned directly or indirectly in the inland trade in salt, betel-nut, tobacco, or rice, except on the account or with permission of the Co., on pain of forfeiture of all goods traded with, and treble their value in moieties to the Co. and party suing for the same, *id. s.* 137.

374. No such subject shall unduly send to Europe by way of *Suez*, or otherwise, the produce or manufactures of the E.I. or *China*, otherwise than by this act, on penalty of double the value thereof, *id. s.* 138. [*Semb.* Exp. since 53 *G.* 3. *c.* 155. *s.* 6.]

375. The last mentioned restrictions shall not preclude any of the Co.'s servants (other than those specially prohibited by law or order of the Co., or their governments abroad, and other than the inland trade in salt, betel-nut, tobacco and rice), or any 5 merchants licensed by the Co. to reside in *India*, or elsewhere within their limits, from buying goods in *India* and selling them again to the subjects of any foreign state, or from acting as agents or factors in the import or export, purchase or sale of goods in *India*, on account *bonâ fide* of any foreign company or merchants, *id. s.* 139.

376. All penalties, services, causes of seizure, crimes, misdemeanors and other offences incurred or committed against this act, shall be recovered and prosecuted in any of H.M.'s courts of record at *Westminster*, or in the supreme court at *Fort William* in *Bengal*, or in one of the mayor's courts [*semble* supreme court at *Madras* since 39 & 40 *G.* 3. *c.* 79. *s.* 4. *pl.* 431.] or *Bombay* respectively, as follows, *viz.* all pecuniary penalties and forfeitures of ships or goods shall be condemned and recovered by action, bill, suit or information, without essoin, &c. or more than one imparlance allowed; and all such seizures, whether of persons, ships or goods, shall be cognizable in suits which relate to the lawfulness or regularity of the seizure; and all offences punishable under this act by fine or imprisonment, or both, or hereby created without particular punishment, shall be prosecuted by indictment or information as misdemeanors, and punished by fine or imprisonment, or both, at discretion of the court: and if such prosecution be in any of the courts in E.I., the court may order such person to be conveyed to *G.B.* as part of or all his punishment, 33 *G.* 3. *c.* 52. *s.* 140.

377. Whenever any civil or criminal proceeding shall be had in any court at *Westminster* for any offence against this act, the offence shall be laid in *London*, or the county of *Middlesex*, at the option of the informer or prosecutor; and whether had in the above courts or in the supreme court of *Calcutta* [*semb. or that of Madras*, 39 & 40 *G.* 3. *c.* 79. *s.* 4.], or any mayor's court as aforesaid, shall be brought within 6 years next after the offence committed; a *capias* shall issue in the first process, and if it be for a penalty, it shall specify the sum; and the defendant shall, on such *capias*, give to the person to whom the same is directed, sufficient bail or security by natural born subjects or denizens for appearance in the court from which the *capias* issues, at the return thereof to answer such suit, and shall at such his appearance, give like bail or security to pay the penalties, &c. sued for on conviction, or to yield his body to prison; but if the prosecution be for a misdemeanor only, then the person against whom such *capias* issues, shall, on such arrest, be imprisoned and bailable as in other cases of misdemeanor, *id. s.* 141.

378. The attorney-general, either at relation of E.I.C. or by his own authority, may exhibit a bill in exchequer against any person for discovery of trading or adventuring to or from the E.I., and for recovering the duties due to the crown and damages to the Co. as hereinafter mentioned, so that such bill contain a waiver of the penalties incurred by such person for the matters contained therein; and such person shall answer and not plead or demur to the discovery sought, and shall pay to H.M. the customs and duties; and as a reparation in damages shall also pay the E.I.C. for the same at 30 *per cent.* on their value in *Eng.*, on paying which duties and damages he shall not be prosecuted under any other provision of this act for the same offence; and if such bill is dismissed by the exchequer, the Co. shall pay defendant his costs; but if a decree be obtained against the latter, he shall pay costs to H.M. and the relators respectively, *id. s.* 142.

379. If before suit or prosecution commenced for any penalty under this act by the attorney-general or Co., any common informer shall go to the court of directors and make known to them the offence committed, and instead thereof they elect to file bills of complaint in chancery or exchequer (as in *s.* 142.), 1-3d. of the single value of the interest and concern when recovered shall be paid to the informer; but if they elect to proceed by information or action, the informer may proceed at law, and shall not discontinue the suit without consent of the Co. or court of directors, *id. s.* 143. [and see a somewhat similar enactment, 7 *G.* 1. *st.* 1. *c.* 21. *s.* 7. *ante*, *pl.* 100.]

380. If the Co. shall first sue, then the share of the penalties otherwise given to any other persons who shall sue shall devolve on the Co., though such suit be commenced after lapse of the time limited as in (*s.* 141.) for the suit of the common informer, *id. s.* 144.

381. If before the determination of the Co.'s term any action is brought against them or any of their servants or agents for recovery of costs or damages for the unlawful arresting, imprisoning, sending or bringing to *Eng.* of any person as found in the E.I. or other parts aforesaid, within the Co.'s limits, or as not authorized to reside or traffic there, the defendant may plead the general issue, and give the special matter in evidence for his defence, and the proof shall lie on the plaintiff to prove at the trial that, at the times of arrest laid in the declaration, he was in H.M.'s military or marine service, or under covenant to serve the Co. in *India*, or that he was duly possessed of a licence in writing authorizing him to go to, reside and traffic, or to remain in *India*, &c. in failure of which proof the plaintiff shall be nonsuited, and in such or any other case of nonsuit, or in judgment against plaintiff on demurrer, or where verdict shall pass for defendant he shall have treble costs, *id. s.* 145.

382. So much of 9 & 10 *W.* 3. *c.* 44. as inflicts any penalty for illegally trading to E.I., 5 *G.* 1. *c.* 21.; so much of any acts as continues 5 *G.* 1. *c.* 44.; and so much of 7 *G.* 1. *c.* 21., as relates to punishment of persons illegally trading to the E.I., 9 *G.* 1. *c.* 26; so much of 3 *G.* 2. *c.* 14., and 27 *G.* 2. *c.* 17., as creates any penalty with reference to 7 *G.* 1. *c.* 1., for suing

&c. for the same; and so much of 10 *G.* 3. *c.* 47., as subjects illicit traders to, in, or from the E. I. to any penalty; so much of 13 *G.* 3. *c.* 63. as provides for delivery of advices, to the secretaries of state, &c.; so much of 21 *G.* 3. *c.* 65., as prohibits lending money to foreign companies, &c., 24 *G.* 3. *S.* 2 *c.* 25., except such parts as relate to the debts of the nabob of *Arcot*, or to the establishment of a new court of judicature, for trial of offences committed in *India* &c., and also 26 *G.* 3. *c.* 16., except so much as repeals former acts; and so much of 26 *G.* 3. *c.* 57. as makes offences against the law for securing the exclusive trade of the Co., &c. prosecutable in the E. I. are repealed, 33 *G.* 3. *c.* 52. *s.* 146.

383. But this repeal shall not extend to offences committed before passing this act; nor affect the powers given to the present board of commissioners, till a new board is appointed, *id. s.* 147, 148.; nor shall it affect the powers given by 28 *G.* 3. *c.* 8., and 31 *G.* 3. *c.* 10., concerning expences of additional forces in the E. I., *id. s.* 149.

384. But no defendant in any suit now pending, or hereafter to be brought in any court in *G. B.* or *E. I.*, shall plead or set up any act in the whole, or in part repealed by this act, in bar of such suit, *id. s.* 150.

385. The gov.-gen. in council of *Bengal*, by commission under the seal of the supreme court there, in the name of H. M., tested in the name of the C.J. of that court, may appoint such covenanted servants of the Co., or other *British* inhabitants, as the latter shall think properly qualified to act as justices, in and for the *presidency and its dependencies*, [Rep. as to appointment of justices for *Madras* and *Bombay*, by 47 *G.* 3. *S.* 2. *c.* 68. *s.* 6.]; and the said court, on requisition in writing from the gov.-gen. in council, shall supersede such commissions, and on like requisition issue new ones to other like persons, all of which shall be filed of record, in the courts of oyer and terminer of the province, &c. in which they are issued; but such justices shall not hold, or sit in any court of oyer and terminer and gaol-delivery, unless called upon by the justices thereof, in which case, they shall associate with them, and sit *pro hac vice* with a deliberate voice [being first specially authorized for that purpose, by order in council, 33 *G.* 3. *c.* 52. *s.* 151.; but see *s.* 155., omitting this latter condition,] *id. s.* 151. [see as to appointing justices of peace in *Madras* and *Bombay*, 47 *G.* 3. *S.* 2. *c.* 68. *s.* 5. *pl.* 459.]

386. All persons so appointed justices, may act as such, according to the tenor of their commissions, on taking and subscribing in any civil or criminal court of justice, within the provinces for which their commissions are issued, before any other justice, the oaths appointed to be taken by justices in *G. B.*, or as near to the tenor thereof, as the case will admit, which shall be approved by the said court, except the qualification-oath provided by 18 *G.* 2. *c.* 20.; and their subscriptions to such oaths shall be deposited with the records of the same courts in which they were administered, 53 *G.* 3. *c.* 155. *s.* 112., and 33 *G.* 3. *c.* 52. *s.* 152.

387. All convictions, judgments, orders, and other proceedings, had, made, or pronounced by or before any justices in any *British* settlements or territories in *India*, out of the court of oyer and terminer within the same, shall be removable by *certiorari* into the court of oyer, terminer, and gaol-delivery of the presidency, by the party grieved thereby, at any time within 6 months next after making thereof; and any justice of the latter court may, at the instance of such party, grant his fiat to the keeper of the rolls of the peace, &c. to award a writ of *certiorari* under the seal of the supreme court, when the matter shall arise in *Bengal*, *Bahar*, or *Orissa*; or if in *Madras* or *Bombay* presidencies, then under seal of the mayor's courts thereof, [or supreme courts of *Madras* since 39 & 40 *G.* 3. *c.* 79. *ss.* 5, 6., *pl.* 432, 3.] for removal of such conviction, &c. into the said latter court, which shall have full power to hear and determine the matter thereof, and to quash or affirm the proceedings on the merits only, and to pronounce judgment thereon as the K. B. may do, on *certioraries* from quarter sessions, *id. s.* 153.

388. Before granting such *certiorari*, the like recognizances shall be entered into, and the applicant shall be put under the same terms, as by law is provided, in case of *certioraries*, awarded for the removal of any conviction, &c. had before any one or more justices in *Eng.* into K. B., *id. s.* 154.

389. The gov.-gen. in council of *Bengal*, and the govrs. in council of *Madras* and *Bombay* may, by order in their respective councils, call any such justices (*s.* 151.) to sit and associate with them in council, for more speedy determining appeals, and they shall have deliberate voices in such appeals, *id. s.* 155.

390. The power of the supreme court of *Calcutta*, as a court of admiralty within *Bengal*, *Bahar*, and *Orissa*, given by the charter of justice of 26 *Mar.* 1774, is extended to the high-seas; and that court may hear, try, and determine by the oaths of *British* residents in *Calcutta*, of all treasons, murders, piracies, robberies, felonies, maimings, forestallings, extortions, trespasses, misdemeanors, offences, excesses, enormities, and maritime causes soever, according to the laws of admiralty of *Eng.* committed on any of the high seas, with like punishment as if they were committed within the limits of the charter, *id. s.* 156.

391. The gov.-gen. in council at *Fort-William*, and the govrs. in council at *Fort St. George* and *Bombay*, may, by orders in council, appoint so many coroners, being *British* subjects, as shall be limited by the court of directors, and may remove them in like manner; which coroners, on taking and subscribing in the supreme and mayor's courts aforesaid (as in *s.* 151.) the oaths of county coroners in *Eng.*, shall have all the powers within the presidency or settlement for which they are appointed, with the fees prescribed by the said government respectively, 33 *G.* 3. *c.* 52. *s.* 157.

392. The justices of peace in the presidencies of *Forts William*, *St. George*, and *Bombay*, respectively, or the major part of them, from time to time assembled at their general or quarter sessions, may appoint scavengers for cleansing the streets of the towns of *Calcutta*, *Madras*, and *Bombay*, and may order the watching and repairing the streets thereof; and for defraying the expences thereof may make assessments on the owners and occupiers of houses, buildings, and grounds, not exceeding 1-20th of the gross annual value thereof, respectively, unless a higher assessment is necessary in the judgment of such gov.-gen. or govs. in council, respectively, in which case the justices may make a further assessment, not exceeding one-half of the former, which assessments shall be levied in such manner as the justices shall direct; and when allowed under the hands and seals of 2 such justices, shall be levied by warrant of 2 of them, by distress and sale of the goods of the defaulter, in eight days after demand, rendering the overplus, deducting the necessary charges of making, keeping, and selling such distress, *id. s.* 158.

393. No person shall sell any arrack, or other spirits, within the town or factories of *Calcutta*, *Madras*, or *Bombay*, respectively, without a licence, under the hands and seals of 2 or more justices of the jurisdiction, and the powers vested by any laws now in force in *Eng.*, in any justices of peace for restraining the inordinate sale of spirituous liquors, shall extend to all unlicensed traders in spirits or spirituous liquors within those towns, by justices having jurisdiction therein; and if any questions shall arise as to the limits of *Calcutta*, they shall be inquired into by the gov.-gen. in council; and as to those of *Madras* and *Bombay*, by their govs. in council, respectively; and such limits as they shall by order in council declare, shall be deemed the true limits, *id. s.* 159.

394. The gov.-gen. in council of *Bengal*, may, from time to time, extend the limits of the town of *Calcutta*, and the govrs. in council of *Fort St. George* and *Bombay*, those of *Madras* and *Bombay*, respectively; which extended limits shall be held the true limits thereof, and all the powers, by statute, charter, or usage, regulated by the limits of the said towns, shall thenceforth be so regulated by the limits so extended, as above; but no orders for such extension shall be valid, till sanctioned by the court of directors, with approbation of the board of control, 55 *G.* 3. *c.* 84. *s.* 1.

395. Every person hereafter elected director of the E. I. Co., shall in 10 days after his election, and before taking that office on him (save the administering the oath), instead of all other oaths, shall take the following oath, to be signed by the person taking it, and administered by any 2 directors, who shall also sign and attest it; and if the same is not taken within the time aforesaid, his office as director is void, 33 *G.* 3. *c.* 52. *s.* 160., [Amd. 53 *G.* 3. *c.* 155. *s.* 76.]

'I *A. B.* do swear that the sum of 2000*l.* now standing in my name of the stock of the United Co. of Merchants of *Eng.* trading to the E. I., whereof I am elected to be a director, doth at this time belong to me in my own right, and not in trust for any other person or persons whomsoever; and I do further swear, that in case I shall at any time or times, whilst I shall continue to be a director of the said Co., have any dealings or business with the said Co. upon my own account separately, or in conjunction with any other person or persons, for or in any respect of buying for, or selling to, the said Co. any bullion or other goods soever, or in making any other bargain or contract soever by, to, or with the said Co., then and in every such case previous to any treaty or negociation upon such business or businesses, I will declare and record the same upon the proceedings of the court or committee, where the same is to be transacted, and that I will withdraw from such court or committee during the discussion thereof, and will not return thereto, until after such business or businesses shall be decided upon; and that I do further swear, that I am not directly or indirectly interested, or concerned as an owner or part-owner of, or in any ship or vessel, which at this time is hired or freighted, or is expected to be hired or freighted to or for the use of the said Co., and that during the time I shall continue to be a director of the said Co., I will not become an owner or part-owner of any ship or vessel, which is or shall be so freighted, except such ships, or shares of ships, as shall come to me by bequest, or marriage, or as next of kin of any person who shall die intestate; and that in all such cases I will forthwith give notice in writing to the court of directors of the said Co. of my being so interested; and I do hereby promise, that I will sell and dispose of my interest in such shipping within 12 months next after my interest shall accrue, or in default thereof, shall and will vacate my place and office of a director of the said Co.; and further do I swear, that I will not directly or indirectly accept or take any perquisite, emolument, fee, present, or reward whatsoever, for or in respect of the appointment or nomination of any person or persons to any place or office in the gift or appointment of the said Co., or of me as a director thereof, or for, or on ac-

count of stationing or appointing the voyage or voyages of any ship or ships in the said Co.'s employ, or for or on account of, or any ways relating to any other business or affairs of the said Co.; and I do further swear, that I will be faithful to the said Co., and, according to the best of my skill and understanding, give my best advice, counsel, and assistance, for the support of the good government of the said Co., and during my continuance in the said Co., will not at any time or times ship, lade, send, or direct, or cause to be sent from *Eng.*, or any other country to the E.I., or other parts within the limits wherein the said Co. may lawfully trade by virtue of their charter of incorporation, or bring from thence for my private account any goods, coins, or other merchandizes, contrary to an act of parliament made in the 53d year of the reign of his [late] majesty, K. *Geo. the 3d.* [*here insert title of the act as infra, pl.* 462. 53 *G.* 3. *c.* 155.]; and I do further faithfully promise and swear, that in the office of a director of the said Co., I will be indifferent and equal to all manner of persons, and will in all things faithfully and honestly demean myself according to the best of my skill and understanding.—So help me God.'

396. All suits for any thing done under this act, shall be commenced within 3 years after the cause of action has arisen, or if done in *G. B.* within 3 years after the return thither of the party grieved, 33 *G.* 3, *c.* 52. *s.* 162.

397. Those parts of this act, in respect whereof no particular commencement is appointed, shall commence in *G. B.* from the time of the royal assent, and in E.I. from 1 *Feb.*, 1794, *id. s.* 163.

398. FOR BETTER ADMINISTRATION OF JUSTICE AT *Calcutta* [*Madras, semb.* altered 39 & 40 *G.* 3, *c.* 72. *s.* 2. and *s.* 5.] and *Bombay*, and for preventing *British* subjects from being concerned in loans to the native princes in *India*, 37 *G.* 3. *c.* 142. [AMD. 39 & 40 *G.* 3. *c.* 79. *ss.* 8—10., (see rest of this act, *pl.* 428, &c.) and 55 *G.* 3. *c.* 84. *s.* 8.]

399. Immediately after the death, resignation, or removal, of any of the [*three*, 13 *G.* 3. *c.* 63. *s.* 13.] puisne judges of the supreme court of judicature at *Fort William* in *Bengal*, his office shall be suppressed, and the court shall then consist of a chief justice and 2 other judges only, who may exercise all the powers vested in the supreme court by 13 *G.* 3. *c.* 63., or any other statute, or by the charter of justice granted by H.M. under authority of the same, 37 *G.* 3. *c.* 142. *s.* 1.

400. After such suppression H.M. may authorize the payment of a competent yearly sum out of the territorial revenues in *India*, to be applied for the use of any chief justice, or other judge, who from age, infirmity, or other cause approved by H.M., shall return to *Europe*, *id. s.* 2.

401. H.M. shall not authorise the payment of any larger sum for the use of any chief justice so returning, than 2000*l. per ann.*, or of any other judge than 1500*l. per ann.*, nor unless such person has resided in *India* as judge of the said supreme court for 7 years, nor shall authorize the payment of any sum, which, with the sums already authorized to be paid at the date of such grant, shall, in the whole, exceed the salary of 1 of the above puisne judges, *id. s.* 3.

402. If the chief justice, or either of the puisne judges of such supreme court at *Madras*, shall return to *Europe* from age, infirmity, or other cause approved by H.M., the latter may, by warrant under the sign manual, authorize an allowance, not exceeding 1600*l. per ann.*, to the chief justice, and 1200*l. per ann.* to any puisne judge so returning; nor shall such allowance be made to any person who has not resided for 7 years as chief justice or puisne judge at *Fort William* nor *Madras*, nor shall any sum be paid, which with those already directed to be paid at the date of the grant, shall exceed the amount of the salary of 1 such puisne judge, 39 & 40 *G.* 3. *c.* 79. *s.* 8.

403. "To make provision respecting the above allowances in case of the promotion or removal of any such person from any such court to any other thereof, and in case of resignation with approbation of H.M., though the person resigning does not return to *Europe*," it is enacted, that where any person shall have resided in *India* 7 years, either as chief justice or judge of the supreme courts of *Fort William*, or *Madras*, or as recorder of *Bombay*, and shall from age, infirmity, or other cause approved by H.M., resign such office, H.M. may direct payment out of the territorial revenues to such person, of a yearly sum not exceeding the highest allowance limited by 37 *G.* 3. *c.* 142. *ss.* 2, 3. (21. *pl.* 421.) and 39 & 40 *G.* 3. *c.* 79. *s.* 8., to such one of the said offices as he has filled, provided he has filled the same for 4 years at least, and it shall be payable to him, though he shall not return to *Europe*, but shall cease on his re-appointment to any such office, 55 *G.* 3. *c.* 84. *s.* 8.

404. The supreme court at *Fort William*, in any case where the value of the matter in dispute does not exceed 1000 pagodas, may either direct the depositions of witnesses to be reduced into writing, and filed of record or not, as they shall think fit in the particular case, 37 *G.* 3. *c.* 142. *s.* 4.

405. The court of directors may direct the chief justice of the supreme court of *Fort William*, to issue a precept directed to all and each of the officers, clerk, and ministers of the supreme court of judicature at *Fort William*, calling on them to make a return on oath (administered by such chief justice or other judge of the above court,) of the amount of the salary received by them respectively, and a list of the fees to which they are entitled, with the amount thereof received by each officer for the 3 years next before date of precept, 37 *G.* 3. *c.* 142. *s.* 5.

406. Every clerk, &c. of the said supreme court shall pay due obedience to the said precept, and make a true return thereto within 20 days from the date; and if he makes a false return, or does not set forth therein the full amount of the emoluments received by him as in *s.* 5., he shall on conviction forfeit the same, and be incapable of holding office in such supreme court, or E.I.C.'s service, *id. s.* 6.

407. The chief justice and other judges of the said supreme court shall, as soon as convenient after receipt of the returns, take them into consideration, and report to the gov.-gen. in council, under their hands and seals, which of the said offices are in their opinion fit to be continued, the proper salary of each, and what proper retrenchment can be made therein, with their reasons for the same; and if they shall not agree respecting the report, then such of them as dissent from the majority, shall also report their opinion, and the reasons thereof; and in case the gov.-gen. in council shall agree with the majority of the supreme court concerning the extent of any retrenchment, they may alter or abolish such of the said offices and salaries, as they shall think fit, subject to the orders of the court of directors; but if such gov.-gen. and council disagree with the said report from the majority of the court, or from any part thereof, then such parts thereof as are the subjects of difference between them, shall be suspended from execution, but transmitted home for the ultimate decision of the court of directors; provided that all vacancies, which occur before the report made, shall be filled up provisionally only, until the report made, *id. s.* 7.

408. All regulations issued by the gov.-gen. in council at *Fort William*, affecting the rights, persons, or property of the natives, or others amenable to the provincial courts of justice, shall be registered in the judicial department, and formed into a regular code, and printed with translations in the country languages, with the grounds of each regulation prefixed to it, and all the provincial courts shall be bound to regulate their decisions by the rules and ordinances contained in those regulations, and the gov.-gen. in council shall annually transmit to the court of directors and board of control respectively, 10 copies of each regulation annually passed, *id. s.* 8.

409. H.M. may establish by charter a court of judicature at *Bombay*, [repealed as to *Madras* on establishment of a supreme court there, 39 & 40 *G.* 3. *c.* 79. *s.* 5.] consisting of the mayor and 3 of the aldermen resident at the settlement, to be selected as prescribed by the charter, together with 1 other person named by H.M., and being a barrister of *Eng.* or *Ire.* of not less than 5 years standing, to be the president of the court, and styled *the recorder of Bombay*, which court shall exercise all civil, criminal, ecclesiastical, and admiralty jurisdiction, and appoint all necessary ministerial officers, and establish such rules of practice, and for process of the court, and do all things necessary for the administration of justice, and due execution of the powers committed to such court by the charter, which court shall also be at all times a court of oyer and terminer and gaol-delivery for the town, island, limits, and factories, subordinate to *Bombay*, *id. s.* 9.

410. On a vacancy in the office of recorder at *Bombay*, if no person shall be on the spot appointed by H.M. to succeed thereto, as soon as the supreme court of *Madras* shall know it, the junior puisne judge of the latter shall proceed to *Bombay*, and take on himself and exercise the recordership in as ample a manner, and with the like allowances, and proportion of the recorder's salary [37 *G.* 3. *c.* 142. *s.* 23.] as if appointed recorder thereof by H.M., till a recorder appointed by H.M. arrives at the settlement, [by which acting as such recorder, he shall not vacate his appointment as judge, *id. s.* 24.]; but if the establishment of the supreme court at *Madras* is not full, and that of *Fort William* is full, the puisne judge of the latter shall proceed as above, 39 & 40 *G.* 3. *c.* 79. *s.* 10. and 37 *G.* 3. *c.* 142. *s.* 22, 23, 24.

411. The rights and authorities of fathers and masters of families, as the same may be exercised under the *Gentoo* or *Mahomedan* law, shall be preserved to them within their families respectively, nor shall the same be interrupted by any of the proceedings of the said courts, nor shall any act done in consequence of the rule of law, or cast, as far as respects members of the same family only, be deemed a crime, though not justifiable by the laws of *Eng.*, 37 *G.* 3. *c.* 142. *s.* 12. *and* 21 *G.* 3. *c.* 70. *s.* 18. a similar provision as to *Bengal*.

412. The court so erected shall have full power to hear and determine all actions against the inhabitants of [*Madras, semb. altered* 39 & 40 *G.* 3. *c.* 79. *s.* 5. *pl.* 432.] *Bombay*, as provided by the charter; nevertheless their inheritance and succession to lands, rents, and goods, and all matters of contract between party and party shall be determined in the case of *Mahomedans* by the *Mahomedan* laws, and where *Gentoos* by the *Gentoo* laws; and where 1 of the parties is a *Mahomedan* or *Gentoo*, by the laws of the defendant; and in all suits so to be determined by the laws of the natives, the court shall make such rules and orders for the conduct thereof, and frame such process for execution of their judgments, as shall be most consonant to the religions and manners of the

natives, to the said laws and usages, and the easy attainment of the ends of justice, and such means as are consistent with such usages, &c. shall be adopted to compel the appearance of witnesses, 37 *G.3. c.* 142. *s.* 13.

413. Such court may hear, try, and determine, all suits and actions, civil and criminal, which, by statute, may now be heard and determined by the mayor's court [a supreme court erected, 39 & 40 *G.3. c.* 79. *s.* 5. at *Madras*,] and *Bombay*, or by the courts of *oyer* and *terminer* and gaol-delivery there, and shall exercise all the powers of those courts; but nothing in this act shall subject the persons of the govr. or of any of the council, or of the recorder, to be arrested, or imprisoned in any action, or proceeding in such court: nor shall it exercise jurisdiction in any action against the govr. or any of the council of either settlement, on account of any act or order by them done or given in their public capacity, or acting as govr. and council; nor shall it exercise any jurisdiction in any matter of revenue under management of the govr. and council, either within or beyond the limits of the said *towns, forts, and factories*, or concerning any act done according to the usage of the country, and regulations of the govr. and council; and no person shall be subject to such jurisdiction for being a land-owner, landholder, or farmer of land, or land rent, or for receiving a pension in lieu of any title to the same, or for receiving any compensation, or share of profits for collecting rents payable to the public out of the lands actually farmed by himself or his under-tenants, or for exercising within them any local authority commonly annexed to the possession thereof, or for becoming security for payment of the rents reserved, or otherwise payable out of any lands or farms, or farms of lands within the dominion subject to the governments of *Madras* and *Bombay* respectively; and no person, by reason of his employment by the Co., govr., and council, or any person deriving authority under them, or by a native, or descendant of a native of *G. B.*, shall become subject to their jurisdiction in any matter of inheritance of goods, or lands, or of contract, except in actions for wrongs or trespasses only, *id. s.* 11.

414. The charter to be granted (under *s.* 9.), and the jurisdiction thereby established, shall extend to all *British* subjects resident within any of the factories dependent on the governments of *Madras* and *Bombay*, [*semb.* Rep. as to *Madras*, 39 & 40 *G.3. c.* 79. *s.* 5. *pl.* 432.], and the court thereby established shall hear and determine all complaints against H.M.'s subjects for any crimes, misdemeanors, and oppressions, and all actions against them, arising in territories subject to, or within any of the dominions of the native princes in alliance with above governments, or against any person who, when the cause of action arose, shall have been directly or indirectly in the service or employ of the Co., or of any of such subjects; but shall not be competent to hear or determine any indictment or information against the govr. or any of the council, not being for treason or felony, with the commission whereof within its jurisdiction they may be charged, *id. s.* 10.

415. No action for wrong or injury shall lie against any person exercising a judicial office in any county court, for any judgment, decree, or order thereof, or against any person for any act done by virtue of such order, and all informations against any such person shall be brought (according to 21 *G.3. c.* 70. *s.* 25.), *id. s.* 14.

416. A registry of the natives employed in the service of the Co., or of *British* subjects, or their partners, shall be established in the settlements of *Madras* and *Bombay* respectively, in the same manner, and to the like effect, extent, and purpose, and subject to the like penalties as the register established at *Calcutta* (by 21 *G.3. c.* 70. *s.* 11.), *id. s.* 15.

417. It shall be directed in the charter to be granted under this act, that any person aggrieved by any judgment of either of the courts of judicature at *Madras* or *Bombay* [*Qu.* if this is in force, as extending to the supreme court established at *Madras* by 39 & 40 *G.3. c.* 79. which provides (*s.* 5.) for a transfer of all the *powers* of the court by this act erected at *Madras* to the new court there] may appeal to H. M. in council, in such time, manner, and cases, as appointed by the charter, *id. s.* 16.

418. All the records and muniments of the mayor's courts, and courts of *oyer* and *terminer* and gaol-delivery at *Madras* and *Bombay* respectively, shall be delivered over for safe custody in the new courts of judicature to be erected under this act; and all parties concerned shall have resort to them, on application to the court, 37 *G.3. c.* 142. *s.* 17. [The *Madras* records, &c. here directed to be delivered over to the above courts, are to be transferred by the latter to the supreme court there, 39 & 40 *G.3. c.* 79. *s.* 4. *pl.* 431.]

419. So much of the charter of 8th *Jan.* 21 *G.2.* as confers any civil, criminal, or ecclesiastical jurisdiction on the mayor's courts of [*Madras* and] *Bombay*, or on the president and council as a court of appeal from the said courts, or on the courts of *oyer* and *terminer* and gaol-delivery at the said settlements, or their subordinates; and all the powers and authorities granted to them by statute shall, after publication of the charter herein mentioned, cease and determine, but the same may be exercised by the new courts erected by virtue of this act, 37 *G.3. c.* 142. *s.* 18. [The powers of the court, by this act erected at *Madras*, are transferred to that erected by 39 & 40 *G.3. c.* 79. *s.* 5. *pl.* 432.]

420. Whilst the settlements of *Madras* and *Bombay* remain in possession of the Co., the court of directors shall cause to be paid to the recorder of the said court of judicature at *Bombay* the yearly sum of 5000*l.* out of the [*territorial* omitted here, but inserted in 39 & 40 *G.3. c.* 79. *s.* 6. in settling the salaries of the supreme court of judicature at *Madras*] revenues of the settlement, at 2*s.* 6*d.* the *Bombay* rupee at *Bombay*, *id. s.* 19.

421. If the recorder of *Bombay* return to *Europe* from age, infirmity, or other cause, approved by H. M., after 5 years' service, he may, by warrant under sign-manual, direct an allowance, not exceeding 1200*l. per ann.* to be made him out of the territorial revenues, after 5 years service in *India*; but H. M. shall not direct the allowance of any sum to him, which, with the allowance already authorized at the date of such grant to be paid, either to such recorder, or any chief justice, or other judge of the supreme court at *Calcutta*, shall exceed the salary of one of the latter judges, *id. s.* 21.

422. The person so appointed recorder of *Bombay* shall not carry on, or be concerned in, any commercial transactions for his own use, or for that of any other person soever, *id. s.* 25.

423. All offences committed by, or charged on, such recorder shall be tried and determined, as in the case of any of the judges of the supreme court at *Calcutta*, *id. s.* 26.

424. All new forms of process, or rules and orders for execution thereof, shall be transmitted to the president of the board of control, to be laid before H. M. for his royal approbation, correction, &c.; and such process shall be used and rules observed till repealed or varied, and in the last case with the variation thereon, *id. s.* 27.

425. No *British* subject shall, (after 1st *Dec.* 1797,) by himself or any other, directly or indirectly employed for him, lend any money or valuable thing to any native prince in *India*, of any description, or be concerned therein, either in raising any money for such prince, or as being security for the same; nor shall lend any money, &c. to any other person, for the purpose of being lent as above; nor shall, by himself or other, directly or indirectly, for his use and benefit, take, receive, hold, enjoy, or be concerned in any bond, note, or other security or assignment granted by such native prince, for the loan or repayment of money, &c. without consent of the directors or of the gov. of one of the Co.'s governments in *India*, first obtained in writing; and every person acting or concerned in any transactions contrary to this act, shall be guilty of a misdemeanor at law, and may be tried and punished as such under this act, by any court of competent jurisdiction; and all bonds, &c. or other securities, taken or held for the use of any *British* subject are void, *id. s.* 28.

426. When any information shall be given to any of the E. I. Co.'s governments in the E. I. of any person having acted against this act, such government shall forthwith lay the case before the Co.'s law officers at the settlement where it arises, who shall consider and report their opinion thereon, whether it is a proper case for prosecution (with their reasons), which report shall be transmitted home to the court of directors by the first opportunity, *id. s.* 29.

427. The jurisdictions of the courts of requests, created by charter, 21 *G.2.* for the towns of *Patnam* and *Bombay*, [*semb.* altered as to *Madras* and *Calcutta*, 39 & 40 *G.3. c.* 79. *s.* 17. *pl.* 438.] are extended to the recovery of all debts and demands not exceeding 80 *current rupees* value respectively, for which purpose the commissioners of those courts shall have full power to hear and determine, and award execution in all such actions brought before them, *id. s.* 30.

428. For establishing further regulations for government of the *British* territories in *India*, and for better administration of justice therein, 39 & 40 *G.3. c.* 79. *ss.* 2—6., 13—17., 23—25. [*see s.* 1., *supra*, *pl.* 283.]

429. H. M., by charter or patent under the great seal of *G. B.* may erect a supreme court of judicature at *Madras*, to consist of such and the like number of persons, to be named by H. M., with full power to exercise such civil, criminal, admiralty, and ecclesiastical jurisdictions, both as to natives and *British* subjects, and to be invested with such powers for the better administration of the same and subject to the same restrictions within *Fort St. George* and *Madras*, and the limits thereof, and the factories subordinate and territories subject thereto, as the supreme court of judicature at *Fort William* in *Bengal*, within *Fort William* or the provinces of *Bengal*, *Bahar*, and *Orissa*, *id. s.* 2.

430. The governor and council of *Madras* and the gov.-gen. of *Fort William*, shall enjoy the same exemption from the authority of the supreme court of judicature to be there erected as is enjoyed by the gov.-gen. and council at *Fort William*, from the supreme court there established, *id. s.* 3.

431. When such supreme court at *Madras* is erected, all the records and proceedings soever, belonging to the late mayor's court there, or to the late court of oyer and terminer and gaol-delivery, which were di-

rected by 37 *G.*3. *c.*142., to be delivered over to the new courts erected by that act, and all the records of the latter shall be delivered over to be deposited for safe custody in the said new court of judicature, and all parties concerned may resort to the same on application to the court, 39 & 40 *G.*3. *c.*79. *s.*4.

432. So much of the charter of *Geo.*3. as relates to the appointment of a recorder, and to erecting new courts of judicature at *Madras*, shall be null and void, on the open publication at *Madras* of a new charter; and the powers granted by 37 *G.*3. *c.*142. *ss.*9—18. to the courts of the recorder at *Madras*, shall no longer be exercised by them but by the supreme court of judicature, to be erected under this act, *id. s.*5.

433. The court of directors of E. I. C, shall cause to be paid certain salaries to the chief justice, and each judge of such supreme court of judicature at *Madras*, *viz.* 6000*l. per ann.* to the chief justice; 5000*l. per ann.* to each of the judges; payable out of the territorial revenues of the *Madras* settlement at exchange of 8*s. per Madras* pagoda, *id, s.*6. [*When* salaries commence, see 33 *G.*3. *c.*155. *s.*89. *pl.*143., *and as to* pensions on retirement after 7 years service, *see s.*8., *ante*, *pl.*403, *&c.*]

434. When either of the judges of the supreme courts at *Fort William* or *Madras*, or the recorder of *Bombay*, shall respectively leave *India*, the salary payable to such judge or recorder shall cease, *id. s.*9.

435. The governor and council of *Fort St. George* may frame regulations for the provincial courts and councils within the provinces subject to the presidency in like manner, and subject to all the provisions touching the same, as the gov.-gen. and council at *Fort William*, by any statute, are authorised to do for the administration of justice in the provinces of *Bengal*, *Bahar*, and *Orissa*, *id. s.*11.

436. Where any person is convicted at any session of oyer and terminer or gaol-delivery, or any session of the peace holden for any of the presidencies of *Forts William* or *St. George*, or *Bombay*, of the crimes of perjury, grand or petit larceny, or of any other offence for which any person, *before passing this act*, would have been liable to be transported, the court before which any such person shall be so convicted, or any subsequent court of like authority, holden at any of the above presidencies respectively, may sentence such person to be transported to the eastern coast of *New South Wales*, or elsewhere, and for such term of years as they shall direct; and, where any person is convicted of any offence which by the laws of this realm, as extending to *British India* is excluded from the benefit of clergy, may, as they see fit, instead of awarding sentence of execution, order the offender to be transported for life or term of years at discretion; and the governor and council of the presidency shall take order for the due performance of all such sentences, but no such court shall order the transportation to *New South Wales*, of natives of *India*, not born of *European* parents, *id. s.* 13. [*Such natives* shall not be transported to any part beyond the seas more than 30 *deg. N.*, or 20 *deg. S.* of the line, 53 *G.*3. *c.*155. *s.*121. *pl.*569.]

437. If any offender so sentenced to transportation for life or years, shall return into any of the Co.'s territories, or come into any part of the U. K. before the end of such term, he shall be punished as a person attaint of felony, without clergy, and execution may be awarded against him accordingly, *id. s.*15.; but H. M. may extend his royal mercy to such offender, and allow of such return, *id. s.*16.

438. The gov.-gen. in council of *Fort William*, and the gov. in council of *Fort St. George*, may appoint in what manner the courts of requests in their settlements shall be formed, and to what amount in value not exceeding 400 *Sicca* rupees their jurisdiction shall extend; and may frame such new rules and orders, and establish such new modes of proceeding, as appear necessary for reforming the present constitution and practice of the said courts respectively, notifying the same by due proclamation, and after the time so notified for that purpose, the present court of requests, [see 37 *G.*3. *c.*142, *s.*30. *pl.*427.] as well as the proceedings now used therein, shall be abolished; and the new court and rules of proceeding, made by virtue hereof, shall be in force, 39 & 40 *G.*3. *c.*79. *s.*17. [*semble superseding* as to *Madras* and *Calcutta*, 37 *G.*3. *c.*142. *s.*30., extending the jurisdiction of the courts of requests at *Madras*, *Patnam*, *Bombay*, and *Calcutta*, from 5 pagodas to 80 current rupees.]

439. The authority of the supreme court of judicature of *Fort William*, as by this act established, and all regulations framed according to the powers and restrictions before provided, shall extend to the province of *Benares*, and to all the places now or hereafter subordinate thereto, or annexed to the presidency of *Fort William*, *id. s.*20.

440. The *judge* of the supreme courts of *Fort William* and *Madras*, respectively, and the court of the recorder at *Bombay*, may make such rules and orders as they think meet, for extending to the insolvent debtors in execution under process of their courts, or of any court previously established at such presidency, respectively, for sums under the amount prescribed by such orders, the relief intended by 32 *G.*2. *c.*28., (*the Lords' act*,) and may order what weekly sum the creditor, at whose suit the debtor stands charged in execution, shall allow him, in case he shall insist on detaining him in custody; and shall proportion such allowance, as well as the amount of the debt above-mentioned, to the general state of such debtors, whether natives or *Europeans*; and such courts of request shall proceed to act on the said orders, as such cases require, and shall make orders in the latter to carry them fully into effect, provided that such orders for prescribing the mode of administering such relief, shall be transmitted to the president of the board of control, to be laid before H.M, for his royal approbation, correction, or revision, and shall be observed till varied, and then with the last variation, 39 & 40 *G.*3. *c.*79. *s.*23.

441. All rules and orders hereafter to be made, previous to the notification of this act, in such presidencies, respectively, by any of the above-mentioned courts, or any court previously established, for the relief of such insolvent debtors, and all acts by them done, &c., in pursuance thereof, are confirmed, and all prosecutions for any thing done in obedience thereto, are void, *id. s.*24.

442. H. M, may appoint all or any of the judges of the supreme courts at *Fort William*, or *Madras*, or the court of the recorder at *Bombay*, either alone or jointly with other commissioners, to be commissioners for carrying into execution any commission for trial and adjudication of prize causes and maritime questions arising in *India*, *id. s.*25.

443 To REGULATE THE ADMINISTRATION OF THE EFFECTS of persons dying in the E. I. [Framed to shew the object of these sections.] 39 & 40 *G.*3. *c.*79. *ss.*21, 22., AMD. 55 *G.*3. *c.*84. *ss.*2—5.

444. Whenever any *British* subject shall die intestate, in either of the presidencies of *Forts William*, *St. George*, or *Bombay*, or the territories subordinate thereto, and on return of the citation to be issued from the proper ecclesiastical court, no next of kin or creditor shall appear, and satisfactorily make out their claim to administration of the intestate's effects, the registrar of the court shall apply for, and the court shall grant, letters *ad colligenda* or of administration at discretion; by virtue whereof, such registrar shall collect the assets of the deceased, and bring them for safe custody into such court, and account for the same as in cases where assets are vested in the hands of any officer of the court under its equitable jurisdiction, *id. s.*21.

445. When any next of kin or creditor, who at the time of return of the above citation, shall have been absent in *Europe* or elsewhere, shall establish their claim to administration of the intestate's goods, the letters *ad colligenda*, or of administration granted to the register, as in *s.*21., shall be recalled, and administration in due form granted to such next of kin or creditor, respectively, *id. s.*22.

446. When the executor or administrator lawfully appointed, or the person entitled to administration as next of kin, or residuary legatee, with the will annexed of any person deceased, whose effects are subject to the jurisdiction of any of the said courts, as to granting administration and not being resident within its jurisdiction, shall, by power of attorney, under seal or other sufficient authority shewn to the satisfaction of the court, appoint any person or persons resident within such jurisdiction to act for him, in collecting or administering the effects of the deceased, such appointee shall be entitled to obtain letters *ad colligenda*, or of administration, either general or special, as tenor of the authority or the case may require, in preference to the registrar, and all other persons to whom such executor or administrator, or persons entitled as aforesaid, would have had a preferable claim, if personally resident in the jurisdiction of the court, 55 *G.*3. *c.*84. *s.*2.

447. Where any such letters *ad colligenda*, or of administration, have been granted to such registrar, and application for their revocation is afterwards made, by any person so appointed as aforesaid, in order to grant other letters to such person; the letters so granted shall be revoked, unless it appear to the court that there has been unreasonable delay, either in transmission of the authority under which such application is made, or in making the same, provided that where such letters have been actually granted to the registrar, and shall be so revoked, the court may direct that the whole or part of any commission for administration of the assets, due by any reasonable custom obtaining within the jurisdiction, shall be allowed to the registrar out of the assets in his hands, regard being had to the trouble incurred, and the service rendered by the registrar in collecting the same; and provided that nothing in this act shall render necessary the taking out of letters *ad colligenda*, or of administration from any such court, by any such attorney, otherwise than before this act, and no claim to any such commission in respect of administration of effects shall be deemed to accrue to such attorney by reason of such letters, nor any other commission than that payable to him as agent, according to the usual rates of such an agency, or by special agreement, *id. s.*3.

448. Nothing herein shall affect the rights, actions, or appeals, of persons entitled as principals or attorneys to the probate of any will, codicil, or letters *ad colligenda*, or of administration of the goods, chattels, and effects, of any person who shall have died before this act passed; nor the rights of any persons, claiming the revocation of any such letters granted as to the effects of persons who have so died to such registrar, nor the rights of any persons claiming as executors, legatees, or next of kin to such persons, in any way relating to the property, &c., of such deceased, or to any acts of the registrar respecting such property, or under any letters *ad colligenda*, or of administration granted to him, nor

to entitle such registrar to any other commission for acts done by him in relation to the effects, &c. of such deceased, which he would not have been entitled to, if this act had not passed; but every claimant of any such probate or letters, or of any revocation of the latter, shall be entitled thereto, as if this act had not passed, *55 G.3. c.84. s.4.*

449. When the registrar is appointed administrator under 39 & 40 *G.3. c.79.*, then besides filing an inventory and account current, according to the tenor of the administration bond, and usual course of the ecclesiastical court, he shall enter in a book, kept for the purpose, separate accounts of each estate, and of all such monies, bonds, and securities, as shall come to his hands, or to those of any persons employed by or in trust for him, by virtue of any letters *ad colligenda*, or of administration granted to him under the above act, and of all payments made by him of the said estates on account, and of all debts due by or to the same, specifying the dates of such receipts and payments respectively, which book shall be kept in the registrar's office, and shall be open for inspection at office hours, on paying the reasonable fee fixed by the said courts; and such registrars shall, twice a year, on 1st *Mar., and 22d Oct.*, or on the first day of the courts sitting after those days, exhibit in open court a schedule of all money, bonds, or other securities, received on account of each estate under their charge, with the payments thereout, and the balances, and of all administrations of which the balances have been paid over to the parties entitled, since the period of exhibiting the last schedule, specifying the amount and receivers of such balances; which schedule shall be filed of record in such courts, and in 14 days after shall be published in the gazettes of the presidencies, by the registrar, who shall transmit copies in triplicate to the chief secretary at such presidency, to be transmitted by the respective governments there to the court of directors, who, on receipt thereof, shall publish the same in the *London Gazette, id. s.5.*

450. To AUTHORIZE THE E.I.C. TO MAKE THEIR SETTLEMENT at *Fort Marlborough* (*Bencoolen*), in the E.I., a factory subordinate to the presidency of *Fort William* in *Bengal*, under direction of the board of control, (*s.1.*) and to transfer the servants who shall be supernumerary at the reduction of the establishment to the presidency of *Fort St. George*, *42 G.3. c.29., title and ss.1, 2.* (PUBLIC *clause, id. s.6.*)

451. The court of directors subject to the above control, may order that all or any of the Co.'s civil servants, subject to the settlement at *Fort Marlborough* at the time of such reduction, and having become supernumeraries there, shall be transferred to the presidency at *Fort St. George*, with the rank they held at *Fort Marlborough;* but all the senior merchants so removed shall be youngest of the senior merchants at *Madras*, and so of the junior merchants, factors, and writers, to rise in the service till they attain the above fixed rank, provided that such servants who decline to accept such appointments, may retire on the salary of their respective ranks, exclusive of their official salary, *id. s.3.*

452. The Co.'s servants so transferred shall take rank and precedence and rise in the presidency of *Fort St. George*, according to the true intent of such orders, and shall be capable of being appointed to supply any offices there, as if they had originally belonged to the presidency, *id. s.4.*

453. But the civil servants not so transferred to *Madras* shall hold their offices in *Fort Marlborough*, in like manner as if it had not been reduced, *id. s.5.*

454. FOR BETTER GOVERNMENT OF THE SETTLEMENTS OF *Fort St. George* and *Bombay*, and for the regulation of public banks, *47 G.3. S.2. c.68.*

455. The respective governors in council of *Fort St. George* and *Bombay*, may, from time to time, make such regulations for the civil government of the towns of *Madras* and *Bombay*, and of the Co.'s settlements at *Fort St. George* and *Bombay*, and other places subordinate thereto, and may set and levy such reasonable fines, and order such reasonable corporal punishments for the breach or nonobservance thereof, as the gov.-gen. in council of *Fort William* in *Bengal*, may make for that settlement and its dependencies; but no such regulations shall be valid at *Madras* till registered and published in the supreme court of judicature there, in like manner and time as in the supreme court at *Fort William;* nor at *Bombay*, till so registered in the recorder's court there, *id. s.1.*

456. All regulations so made shall be subject to the power of appeal given by and the provisions of *13 G.3. c.63. and 39 & 40 G.3. c.79., id. s.2.*

457. The gov. and council at *Bombay* may, from time to time, frame regulations for the provincial courts and councils within the territories, &c. subject to that presidency in like manner and subject to all the regulations therein as the gov.-gen. and council at *Fort William* are authorised to do for the better administration of justice in that government, *id. s.3.*

458. The governor and members of the councils of *Fort St. George* and *Bombay* respectively, may act as justices of peace for the towns of *Madras, Bombay*, and their subordinate settlements and factories, and the said governors and councils shall respectively hold quarter-sessions four times in every year, which shall be courts of record, *47 G.3. S.2. c.68. s.4.*

459. The governors in council of *Fort St. George* and *Bombay* respectively, by commissions under the seal of the supreme court of the former, tested by the chief justice, and under seal of the recorder's court of the latter, tested by the recorder in the name of H. M., (which commissions those courts shall issue when required by warrant from the above governors in council respectively,) may appoint such and so many of the covenanted servants of the E.I. Co., or other *British* inhabitants as they respectively shall think qualified, to act as justices of peace within the said provinces and presidencies, and places subordinate thereto, and the latter shall act as such according to the tenor of their commissions; which may be suspended and new ones issued by the above courts, to the same or such other persons as above, on requisition from the respective governors in council; and shall be filed of record in the respective courts of oyer and terminer of the province, presidency, or place for which issued; and all such justices and their proceedings shall be subject to all the statute regulations to which those appointed by the gov.-gen., &c. of *Fort William* are subject, *id. s.5.*

460. The several governments in the E.I. may establish such public banks with perpetual succession, and the rights, franchises, and immunities incidental or usually granted to corporations, legally erected in *Eng.*, and subject to such conditions as they think fit; which incorporated persons and their heirs, executors, administrators, and assigns, shall have and be entitled to all such rights, &c. as well within as beyond the local limits of the jurisdiction of the above courts, according to the true intent of the acts by which such banks are established; but the establishment of such banks is not valid till approved by the court of directors, subject to approbation of the board of control, *id. s.8.*

461. All persons in the Co.'s service, and judges of the several courts of justice in *India*, may subscribe to and become members of any such bank, and the former may be elected directors thereof, *id. s.9.*, but no judge of any of the courts in *India* established by H.M.'s charter, shall be capable of holding that office, *id. s.10.*

462. FOR CONTINUING IN THE E.I. Co., FOR A FARTHER TERM the possession of the *British* territories in *India*, together with certain exclusive privileges; for establishing further regulations for the government of the said territories, and the better administration of justice within the same; and for regulating the trade to and from the places within the limits of the Co.'s charter, *53 G.3. c.155.* [COMMENCING (*10th April*, 1814,) *s.125.* AMD. *54 G.3. cc.34, 35. 134., 55 G.3. c.64., and c.84. ss.6—7. 9., 1 & 2 G.4. c.65.*]

463. The territorial acquisitions mentioned in *33 G.3. c.52.*, together with those since made on the continent of *Asia*, or in any islands situate north of the equator, now in possession and under the government of the E.I. Co., with the revenues thereof, shall continue in possession and under government of the Co., subject to such superintendance and control over the civil and military government or revenues of such territories, and to such further regulations as are provided by statute, for a further term, to be computed from *10th April*, 1814, until determined under the proviso in *s.3., 53 G.3. c.155. s.1.*

464. The exclusive right of trading to *China*, and in tea in, to, and from all places between the *Cape of Good Hope* and *Streights of Magellan* as lawfully enjoyed by the Co. under any act or charter now in force, [*viz.* under *Statute 9 & 10 W.3. c.44. s.61.*, and *Charter 5 Sept. 10 Will.3.*,] and all powers and rights, &c. soever granted to or vested in the said Co., by *33 G.3. c.52.* and *c.31.* (*Ir.*) or in any other act soever, shall continue during the further term granted, so far as not REP. or altered by, or repugnant to this act, *id. s.2.*

465. Provided that at any time, on 3 years' notice given by parliament after *10 April*, 1831, and on payment to the Co. of what shall or may be due to them from the public on the expiration of the 3 years, according to the intent of *33 G.3. c.47. s.7., pl. 53.* the term hereby granted to the Co., and all their right, title, and interest to an exclusive trade, under this act, shall cease, *id. s.3.*

466. Nothing in the proviso in *s.3.*, or in any proviso in *9 & 10 W.3. c.44.*, or in the charter of *5 Sept. 10 W.3.* or in any other act or charter contained, shall determine the corporation of the Co., or preclude them from carrying on at all times, after determination of their exclusive trade as aforesaid, a *free trade* to and from the E.I., and limits in the last-mentioned act or charter contained, with all or any part of their joint stock, in common with other subjects trading to or from the same, *id. s.4.*

467. Any notice in writing signified by the speaker of the commons by order of the house, shall be deemed a sufficient notice for the purposes of this act (as in *s.3.*), *id. s.5.*

468. Any of H.M.'s subjects, after *10th April*, 1814, may, in common with the Co. export in ships navigated according to law from any ports in U.K., to all places within the limits above referred to (except *China*), any goods, &c. which may be legally exported and may in like manner

import into U.K. any goods the produce of the countries within the said limits, which may be legally imported subject to the restrictions of this act, *53 G. 3. c. 155. s. 6.*

469. The E. I. Co. and any other H. M.'s subjects may, after *10th April*, 1814, carry on trade (in ships navigated according to law, and proceeding on any voyage from the U. K. to any places within the limits of the Co.'s charter,) to any intermediate places between U.K. and the said limits situate in *North* and *South America*, (except H.M.'s *American* colonies,) and to and at *Madeira*, the *Canaries*, *Cape de Verd Islands*, the *Island of St. Helena*, and *Cape of Good Hope*, and for that purpose may discharge the whole or any part of the cargo at any of the aforesaid places, and in the prosecution of any such circuitous voyage, may take on board any other goods which can be legally carried from any such intermediate places to places within the said limits; and in like manner may trade in any such circuitous voyage, from any place within the said limits to the U.K.; and H.M.'s subjects may trade in ships navigated according to law, directly and circuitously between all places within the said limits except *China;* but nothing herein authorizes any other such subjects, except the Co., to import any tea into U.K. or traffic in tea between any such places, *54 G. 3. c. 34. s. 1.*

470. From *2d July*, 1821, the E. I. Co. and any other of H.M.'s subjects may trade (in ships navigated according to law, or registered or trading under *55 G. 3. c. 116.*, and proceeding under authority of those acts, or any of them, on any voyage between the U. K. and any ports or places within the limits of the Co.'s charter,) to and at any intermediate ports or places situate between the U.K. and limits of the charter, and belonging to any state in amity with H.M., and in prosecution of such circuitous voyage out or homeward respectively, may discharge the whole or any part of the cargo thereof, at any such intermediate places, and take on board any other merchandize, *1 & 2 G. 4. c. 65. s. 1.*

471. The E. I. Co. and any other of H.M.'s subjects, may carry on (in ships navigated according to law, or registered as trading as in *s. 1.*) trade in any merchandize soever directly and circuitously between all ports or places within limits of the Co.'s charter, and any ports, &c. belonging to states in amity with H. M., any thing to the contrary in the Co.'s charter, or other statute notwithstanding; but nothing herein shall authorize any subjects other than the E.I. Co., or their licences, to carry on trade with the *Chinese* dominions, or to export or import from or to any such ports within or without such limits, or to import into U.K. any tea, or in any manner to trade in tea, between any of such ports as above, *id. s. 2.*

472. Nothing herein shall repeal or affect the provisions in *53 G. 3. c. 155.* as to the size of vessels allowed to clear out from or enter in at any port of U.K. or as to any licences, certificates, or lists by that act required, [or any provisions in that or any other act as to resort and residence of any persons in E. I., *1 & 2 G. 4. c. 65. s. 3.*] provided that all trade with all ports and places on the continent of *Asia* from the *Indus* to the town of *Malacca* inclusive, or any island under the Co.'s government lying north of the equator, or the Co.'s factory at *Bencoolen*, or its dependencies, shall remain subject to all the regulations of trade from time to time in force at any such ports, &c. under authority of any government of the Co. at their several presidencies in *India*, *54 G. 3. c. 34. s. 2.*, and *1 & 2 G. 4. c. 65. s. 3.* S.P.

473. The *Cape of Good Hope* shall, as to all trade allowed by this act to be carried on between ports and places within the said limits, be taken to be within the same, but this shall not affect any other trade now or hereafter allowed to be had between that settlement, and any other places whatever, *54 G. 3. c. 34. s. 3.* and *1 & 2 G. 4. c. 65. s. 6.* [Nothing in this act shall affect the power of H. M. in council given by *57 G. 3. c. 1.* as CON. *1 G. 4. c. 11.* to regulate the trade eastward of *Cape of Good Hope*, *1 & 2 G. 4. c. 65. s. 7.*]

474. No ship, other than those of the E. I. C. engaged in trade under authority of this act, shall clear out from any port or place belonging to any state in amity with H. M. where any consul or vice-consul of H. M. is resident for any place under H. M.'s or the E. I. C.'s government, situate more north than 11 degrees *S. Lat.* and between the 64th and 150th degree *E. Long.* from *London*, till the master or other person having command of such ship, shall have made out and exhibited to H. M.'s consul, &c. resident at such port of clearance, on oath to be administered by the latter, a true and perfect list in form from time to time settled by the court of directors, with approbation of board of control, specifying the names, capacities, and description of all persons embarked, or intended to be embarked on board such ship, and all arms on board, or intended to be put on board; and as soon as any such ship has been admitted to entry at any such port, &c. belonging to any state in amity with H. M. the commander shall, in like manner, make out and exhibit to H. M.'s consul, &c. then resident, on oath administered by latter, a like list of all persons on board, or having been on board such ship, from her sailing to her arrival, and of all arms then or which during that time have been on board her, and the several times and places at which such persons as have died or left such ship, or such arms as have been disposed of, have been so disposed of; provided that every such consul, &c. shall cause every such list so received at such port, &c. to be transmitted with reasonable dispatch to the court of directors, *1 & 2 G. 4. c. 65. s. 4.*

475. No ship engaged in any voyage under authority of this act, from any port or place in E. I. to any port, &c. belonging to any state in amity with H. M. and not destined to any port in U. K. may have on board any *Asiatic* seamen or lascars, but any government of E. I. C. in *India*, or any governor or lieut.-governor of any colony, territory, or island belonging to H. M. within limits of the charter, shall, within 10 days after application made by the owner or commander of any ship, and on having ascertained by due inquiry that sufficient *British* seamen cannot be procured for the crew of any ship sailing from *India*, certify the same, and licence her to sail with the proportion of lascars specified in the certificate and licence, and the gov.-gen. in council shall make regulations that all such *Asiatics* shall be duly supplied with provisions and clothing, and other necessary accommodation while absent from and till carried back to their respective countries, and for conveyance back of such *Asiatics*, within a reasonable time to be ascertained by such regulations; and no ship so licensed to take on board *Asiatic* seamen shall be permitted to clear out from any port or place within limits of E. I. C.'s charter, unless and until the owner or captain of such ship has first given security as directed by, and subject to *54 G. 3. c. 134. ss. 2, 3.* (*see post, this title*, V. SHIPPING, &c.) for their maintenance and conveyance back to *India*, *id. s. 5.*

476. H. M.'s subjects may import under this act, in ships navigated according to law, into U.K. from all places within the said limits (except *China*), any produce or manufacture of any country within the said limits, except tea, although the commodities be not of the produce or manufacture of the place from whence shipped, or have been brought from the usual port of shipping the same to such port, *53 G. 3. c. 155. s. 7.*

477. No person, except the Co., or such as obtain their special licence in writing, or under their authority for that purpose, shall ship within the said limits or import into U.K. or from any place soever, any tea, *id. s. 8.*

478. No person shall carry any military stores to any place on the continent of *Asia*, between the *Indus* and town of *Malacca* on the peninsula of *Malacca* inclusive, or to any island under the Co.'s government north of the equator, or to their factory of *Bencoolen*, in *Sumatra*, or its dependencies; except the Co. or such as have their special licence in writing, or under their authority for that purpose, *id. s. 9.*

479. No private person may export any goods to any place within the said limits, except in some ship to be cleared out from some port of U.K. or import goods from any place within the said limits, except only to such ports of U.K. as are provided with warehouses, together with wet docks or other securities as shall, in the judgment of the treasury, be proper for the safe custody of all such goods, as well as for collection of the duties thereon, and duly declared so to be by order of H. M. in council in *G. B.*, or lord-lieutenant in council in *Ire.*; provided that copies of such orders in council shall have been published at least 3 times in the *London* or *Dublin Gazette;* and copies thereof shall be laid before both houses in the session, after issuing the same respectively, *id. s. 10.*

480. No vessel engaged in private trade, under this act, shall proceed to any place within the said limits situate on the continent of *Asia*, from the *Indus* to the town of *Malacca* inclusive, or in any island under the Co.'s government north of the equator, or to the Co.'s factory at *Bencoolen* or its dependencies, without a licence from the court of directors; and no such vessel, unless specially authorised, as hereinafter mentioned, shall proceed to any place within those limits, except to some or one of the principal settlements of *Forts William* or *St. George*, *Bombay*, or *Prince of Wales's Island;* and when any application shall be made to the court of directors for a licence on behalf of any such vessel about to proceed from U.K., to any such principal settlements, the same shall be issued in the form settled by the directors, and approved by the board of control, *id. s. 11.*

481. When any application is made to the court of directors for a licence, specially authorising such vessel to proceed to any place or places on the continent of *Asia*, from the *Indus* to the town of *Malacca* inclusive, or in any island under government of the Co. north of the equator, except such principal settlements, or the factory at *Bencoolen*, &c., the court of directors, within 14 days from its receipt, (unless they comply therewith,) shall transmit the same to the board of control, with any representation on the subject thereof; and if the board thinks fit to direct any such licence to be issued, the directors shall issue the same, on conditions approved by the board; provided that the special circumstances inducing the board to give such direction shall be recorded in their books, *id. s. 11.*

482. No vessel engaged in private trade, under this act, clearing out from any port in U K., shall proceed to any place situate more north than 11 *deg. S. Lat* ,and between 64*th and* 150*th deg. E. Long.* from *Lon-*

don, (except places on the continent of *Asia*, from the *Indus* to the town of *Malacca* inclusive, or in any island under Co.'s government, north of the equator, and the factory of *Bencoolen*, &c.), without a licence from the board of control, who shall, from time to time, publish regulations for granting the same; and where granted, otherwise than according to such regulations, the special circumstances under which such licence was granted shall be recorded in the books of the said board, and communicated to the directors, 53 *G.*3. *c.*155. *s.* 12.

483. No vessel, the registered measurement whereof is less than 350 tons, other than the Co.'s packets, shall clear out from any port in U.K. for any place within the said limits, or be admitted to entry at any port of U. K. from any such place, *id. s.*13.

484. No vessel engaged in private trade, under this act, shall clear out, or be admitted to entry at any place within U. K. or the above limits, till the commander has exhibited a true and perfect manifest of the cargo thereof to such person, subject to such form and regulations as may be prescribed by any act passed for that purpose, *id. s.*14.

485. No vessel engaged in private trade, under this act, shall clear out from any port of U. K., or any place under the government of H. M. or the Co., situate more north than 11 *deg. S. lat.*, and between the 64*th and* 150*th deg. of E. long.* from *London*, till the commander shall have exhibited to the principal officer of customs, or other person authorized by government, at such port of clearance, on oath, (administered by the latter), a true and perfect list (in form settled by the directors, and approved by the board of control) of the descriptions of all persons and arms embarked or intended to be embarked therein; nor shall any such vessel be admitted to entry at any port in U. K., or within the said limits, until the commander shall have made out such list, specifying the descriptions, &c. of all persons on board, or who shall have been on board thereof, from her sailing to her arrival, and all arms on board then or during that time, and the several times and places at which any persons have died or left the vessel, and where any such arms have been disposed of, *id. s.*15.

486. Copies of all such lists received in *Eng.* shall be transmitted to the secretary of the court of directors, and copies of those received in any port or place within the said limits, to the chief secretary of the government to which such port, &c. is subject, *id. s.* 16.

487. No articles of silk, hair, or cotton wool, or any mixture thereof, imported, under this act, from any place within the above limits, shall be entered or taken out of any warehouse, except for exportation, unless brought into the port of *London*, and deposited in the Co.'s warehouses; and in order to ascertain the duties payable on all articles so deposited, the same shall be publicly sold by inch of candle or auction, by order of the directors, on account of the proper owners, and when bought in by the owners, the same shall be delivered to them with all convenient speed after the sales, on payment of the duties and other charges, but without payment of the gross prices or sale-amount thereof; and all such articles so imported, deposited, and sold, shall be subject to the bye-laws of the Co., and the regulations of 33 *G.*3. *c.*52., *id. s.*17.

488. The treasury may permit any such articles (as in *s.* 17.) imported under this act into any part of U.K. other than the port of *London* to be removed to *London* for sale for home consumption, under the regulations of removing warehoused goods from port to port under 50 *G.*3. *c.*64. *s.* 1. and all articles so removed shall be deposited in the Co.'s warehouses, and sold as if originally imported into *London* and deposited therein, *id. s.* 18.

489. All such articles (as in *s.* 17.) imported under this act from any place within the said limits, and entered and taken out of any warehouse for exportation, shall be charged with duties according to their value under the regulations and penalties of 27 *G.*3. *c.* 13., *id. s.* 19.

490. Nothing herein shall prevent the making, during the further term by this act granted to the Co., any further necessary provisions by statute for authorizing private trade as well between places without and within the said limits, (except *China*,) as between the said U.K. and the last mentioned places, except as above, but without prejudice to any provisions in this act as to the resort to or residence of any persons in the E. I. and parts aforesaid, *id. s.* 20.

491. So much of 31 *G.* 3. *c.*42. (*s.*7. and *s.* 11—12.) as requires the Co. to put up certain quantities of saltpetre at their sales, or to deliver the same into H. M.'s stores at certain rates, is Rep., *id. s.*21.

492. So much of 9 *&* 10 *W.*3. *c.* 44. (viz. *s.*69.) as requires that all goods belonging to private traders to the E. I. imported into *Eng.* or *Wa.* shall be sold publicly by inch of candle, is Rep. (*s.*22.) and the several restrictions contained in 33 *G.* 3. *c.*52. *ss.* 83. 85. 87. 89. 92, 93. and 103. are Rep., *id. s.*23.

493. All goods and merchandize of the Co. exported or imported from or into any ports or places under their government in the E. I., or elsewhere within the said limits, shall be subject to payment of the like duties of import and export as those of the same kinds or sorts exported or imported in private trade under this act, *id. s.* 24.

494. No new duties imposed in *India* on the export, import, or transit of any goods soever made by authority of the gov.-gen., or govr. in council of any of the Co.'s residencies in the E. I., or parts aforesaid, shall be valid, until sanctioned by the court of directors, with approbation of the board of control, to be signified to the said governments respectively by some public dispatch from the court of directors describing each regulation for the said purposes, which shall be sanctioned by its title at full length, and expressing that the same is so sanctioned; and all such regulations, when promulgated in the E. I., shall contain express mention of the sanction of the court of directors, and approbation of the board of control, which mention shall be conclusive evidence thereof, 53 *G.*3. *c.*155. *s.*25.

495. The duty of 3 *per cent.* to the Co. on goods imported in private trade imposed by 33 *G.*3. *c.*52. *s.*99. *ante*, *pl.*350, is Rep., *id. s.*26.

496. But nothing herein extends to release the payment of the duty of 3*l. per cent.* on any articles of silk, hair, cotton, wool, or any mixture thereof, which being brought into the port of *London* by private traders, may be deposited in the Co.'s warehouses, *id. s.*27. [nor like payment to E.I.C. of the 5*l.* or 2*l. per cent.* duty imposed, 9 *&* 10 *W.*3. *c.*44. *s.*76. and Rep. *ante*, *pl.*350.] on any goods imported in any of the Co.'s ships, or in their service from *China*; nor shall affect any of the Co.'s engagements now or hereafter to be made by them with the commanders of their ships, or any other their servants, 33 *G.*3. *c.*52. *s.*100. Conf. 53 *G.*3. *c.*155. *s.*27.

497. The rates and duties granted to the E. I. dock company by 43 *G.*3. *c.* cxxvi. *s.*91., and 46 *G.*3. *c.* cxiii. *s.*36. shall be paid before the goods are delivered to the owners or consignees, *id. s.*28.

498. If the cargo is cleared from any vessel before the E. I. (dock) Co.'s rates are discharged, the latter may cause it to be deposited in their warehouses, and sold under authority of the directors on account of the owners, and the said rates and reasonable expences of deposit thereof shall be deducted and paid to the E. I. (dock) Co. under (43 *G.*3. *c.*cxxvi.) *id. s.*29.

499. Vessels fitted and clearing out conformably to the *Southern Whale Fishery* act (35 *G.*3. *c.*92.) may sail for that purpose in all the seas east of the *Cape Good Hope*, and west of the streights of *Magellan*, but not further north than 11 *deg. S. Lat.*, and between 64*th* and 150*th deg. E. Long.* from *London*, without licence from the board of control; and no such vessel of less than 350 tons registered measurement, shall sail in any of the seas east of *Cape Good Hope*, or west of the streights of *Magellan*, without such licence, nor shall go to touch or stay at any place on the continent of Asia from the *Indus* to the town of *Malacca*, inclusive, or at any island under the Co.'s government north of the equator, nor their factory at *Bencoolen*, &c. nor at *China*, without a licence from the court of directors, *id. s.*32.

500. When application is made to the court of directors for permission to go to the E. I., they shall (unless they comply therewith) transmit every such application within one month to the board of control, who, if they do not see a sufficient objection, may direct the applicant to be permitted at his own expence to proceed to any of the Co.'s principal settlements, and to be furnished by the court of directors with a certificate, signifying the directors sanction of his so proceeding, and all such certificates shall entitle the parties to the countenance and protection, &c. of the Co.'s governments in their respective pursuits, subject to all restrictions on persons residing in *India*, *id. s.*33.

501. Nothing herein shall restrict the directors from making any representations to the board of control respecting such applicants, *id. s.*34.

502. All persons proceeding to the E. I. shall, on their arrival at any place within the said limits, be subject to all regulations in force within the same, *id. s.* 35.

503. If any person having obtained a certificate or licence from the directors to proceed to the E. I., shall at any time so conduct himself as in the judgment of the gov.-gen. or govr. of the presidency within which he is found, to have forfeited his claim to the countenance, &c. of the government thereof, such govr. may, by order, declare such certificate, &c. void, from a day named in such order, after which day such person shall be taken to be resident in the E. I. without licence, and may be sent forthwith to the U. K.; but no person whose certificate or licence has been so vacated by order of any of the Co.'s governments, shall be liable to any prosecution for residing in the E. I. without licence, &c. until two months after notice to such person of the order, either served on him personally, or at his dwelling-house, or by publication in the *Presidency Gazette*, *id. s.*36.

504. None of the Co.'s governments shall sanction the residence at any place within the limits of any such government of any subject of H. M. who shall go thereto after 10*th April*, 1814, unless previously furnished with a licence or certificate from the court of directors, or otherwise authorised by law to reside therein, provided that any gov.-gen. or govr. of any presidency for extraordinary reasons entered on council minutes, may by special licence authorise his residence in any place under his government, until the pleasure of the court of directors is known; and if such pleasure is to the contrary, notice thereof shall be

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served formally on such person, or by leaving it at his dwelling-house, or published as in *s.*36., provided that a copy of such licence, and of the reasons for granting it, with an application for a licence from such court of directors, shall be transmitted to them forthwith after the granting thereof, *53 G.3. c.155. s.* 37.

505. The board of control may, by licence in writing for that purpose, on such terms as they think fit, authorize any persons to proceed to and reside at any place situate more north than 11° *S. Lat.*, and between 64° and 150° *E. Long.* from *London*, and not being on the continent of *Asia*, between the *Indus* and town of *Malacca* inclusive, nor in any island under the Co.'s government lying north of the equator, nor at their factory at *Bencoolen*, or its dependencies, nor in *China*, *id. s.*38.

506. Any subjects of H.M. may proceed to and reside at any place situate more south than 11° *S. Lat.*, or more west than 64°, or more east than 150° *E. Long.* from *London*, for any lawful purposes, without any licence soever, *id. s.*39.

507. Every subject of any of H.M.'s dominions, situate without the E I., and limits of the Co.'s charter, other than those licensed by the Co., or otherwise lawfully authorized, who shall, during the further term by this act granted, directly or indirectly sail to, visit, haunt, frequent, or trade to, in, or from the E. I., or parts aforesaid, or go, sail, or repair thereto, or be found therein, any otherwise than allowed by this act, or by the conditions of any licence granted by virtue thereof, shall be taken to have unlawfully traded thither; and they, and all vessels found in their custody, or engaged in such unlawful trade, shall be subject to the like penalties, disabilities, and methods of suit as are contained in *33 G.3. c.52.* (*ss.*129, 130.) or *33 G.3. c.31.* (*Ir.*) *s.*25, 26., all the powers of which acts shall be in force, and apply to such unlawful trade as aforesaid, *id. s.*40.

508. Where the governments in *India* do not think proper to prosecute unlicensed persons resident in *India* for a misdemeanour, or to send them to the U. K., then, on information by the advocate-gen. at any of the presidencies in the courts, in *s.*99., respectively enumerated, that any subjects of H.M.'s has been found in any part of the E. I. or parts aforesaid, within the jurisdiction of the court, without due licence or authority for his residence, &c. there; the court shall cause such person to be arrested and brought before them, and on due proof there, of the substance of the information, he shall produce his licence, or other authority, for his residence, resort to, or being in the E.I., or place where he is proved to have been; and on such production of such licence, &c. or failure to account for the same, or if the court decide that his residence, &c. is not within the meaning of such licence, &c. the court may convict and order him to pay a fine, at discretion, not exceeding 2000 rupees, and imprison him for not exceeding 2 months, unless it be sooner paid; and if he is a second time convicted of a like offence before the same, or any other court, they may impose a fine not exceeding 4000 rupees, and commit the offender to gaol for not more than 4 months, unless sooner paid; but nothing in this act shall prevent unlicensed residents from being prosecuted for misdemeanors, or sent home under former acts; provided that no person, convicted as above, shall be prosecuted for a misdemeanor, in respect of any such residence previous to the date of his conviction, *id. s.*101. [*As to British* subject residing in *India by licence* changing his residence, &c. *see s.*108. *&c. infra, pl.* 357.]

509. The gov.-gen., or in his absence the vice-president, the govr. of any of the Co.'s presidencies, the chief Co.'s officer resident at any *British* settlement in the E.I. or limits aforesaid; the council of supercargoes at *Canton*, and on the river of *Canton*, or other part of the coast of *China*, and other persons specially authorized by the court of directors, may respectively arrest and send to the U.K., on board any ship in the Co.'s service bound thither, all persons found in the E. I. or limits aforesaid, without licence or lawful authority: and the commanders shall safely keep them till landed in U.K.; provided that any such person may be discharged in such port therein, where the ship is safely moored, as they think fit, *id. s.*104.

510. The gov.-gen. in council, and the govr. in council, or chief officer of any presidency or place not subordinate to any presidency under government of the E. I. Co., may cause notice in writing to be given to any person not being a native of the *British* territories in *India*, or within the limits of the Co.'s charter, (other than natural born subjects lawfully resorting to, or residing in the E.I.,) to remove himself from such presidency, or from all or any part of the *British* territories in the E.I., and if he disobeys the same, may cause him to be apprehended and brought before the court of civil or criminal judicature, having the local jurisdiction; and on proof on oath to satisfaction of such court by any credible witness swearing to his knowledge or belief, stating grounds of his belief that such person is an alien, and that such notice has been served as above, either personally, or by leaving it at his dwelling-house, unless he shall prove himself within the above exceptions, (for which proof reasonable time shall be given by the court,) such person shall be remanded into the custody of the gov.-gen. &c. who shall cause him to be removed, in a manner suitable to his rank, by the first convenient opportunity, to his own country, if willing, or, if not, to any other country at discretion of the above authorities, having regard to his convenience, and to the security of the *British* E.I. territories, of the allies of H.M., of the E. I. Co., and of the neighbouring princes or states: and he may be detained in any custody which such authority shall deem necessary, with as little inconvenience to him as possible: and if, after such removal, he shall again wilfully return without consent of the government of the place, the above authorities may apprehend and detain him till he be discharged out of custody on such terms at they shall deem sufficient for the above objects, *55 G.3. c.84. s.6.*

511. It shall be lawful to execute any warrant for the apprehension, detention, or removal of any such person as aforesaid, notwithstanding their delivery to bail, or in execution on any civil process, and notwithstanding any licence or privilege soever; but no *British* subject, or native of the *British* territories in *India*, or within the limits of the Co.'s charter, shall be apprehended, detained, or removed by virtue of any provisions herein, nor shall this act affect any statute by which a *British* subject may resort, or is restrained from resorting to the E. I., nor extend to the apprehension, &c. of the subject of any foreign state, under this act, in any way inconsistent with any treaty with H.M. or the E. I. Co., *id. s.*7.

512. No action or suit shall be commenced against the Co., or any person soever, for any thing done under colour of this act, till after 20 days notice thereof given, or after sufficient satisfaction or tender thereof made to the party grieved, nor after 3 years next after the cause of complaint arisen; and defendant may plead the general issue, and give this act, and the special matter in evidence, and that it was done in pursuance of this act; and if it appear to be so done, or that such tender has been made before commencement of the action, or that it hath been commenced after the time of limitation, or any otherwise than above directed, plaintiff shall be nonsuited; and in that or any other case of nonsuit, or if plaintiff discontinue after appearance, or have judgment against him on demurrer, or where a verdict or judgment shall pass for defendant, he shall have treble costs, *id. s.*9.

513. If any vessel shall, by stress of weather, or inevitable accident, be driven more north than 11° *S. Lat.*, and between 64° and 150° *E. Long.* from *London*, and being driven or so forced, shall return within the said limits as speedily as the ship's safety will admit, such vessel shall not, nor shall any of the effects on board, nor shall the owners, master, or crew thereof, be liable to the forfeitures (in *s.*40. *pl.*507.), but the proof of the above circumstances shall lie on the party claiming the benefit of the exemption, *53 G.3. c.155. s.*41.

514. The board of control have full power to superintend, direct, and control all orders soever, relating to any regulations of the Co.'s colleges at *Calcutta* or *Fort St. George*, or of any other seminaries established under their authority, *id. s.*42.

515. The gov.-gen. in council may direct that out of any surplus remaining of the rents, revenues, and profits arising from the territorial acquisitions, after paying the expences of the military, civil, and commercial establishments, and the interest of the debt, not less than 1 lack of rupees, shall be yearly applied to the revival of literature and encouragement of the learned natives of *India*, and for promoting a knowledge of the sciences among the inhabitants of *British India*, and any institutions for such purposes, founded in *India* under this act, shall be governed by the regulations of such gov.-gen. in council, subject to the board of control; provided that all appointments in such institutions shall be made by the governments within which they are situate, *id. s.*43.

516. The civil college and military seminary in *Eng.* shall be maintained by them during their further term, and the court of directors shall, from time to time, frame regulations for their good government, to be revised and altered at discretion by the board of control, which shall then be effectual in all matters relating to the same; but the directors may make any representation which they think fit respecting alterations or additions by the board, *id. s.*44.

517. The bishop of *London* shall exercise such visitatorial power and jurisdiction over all such persons and things as relate to the said college, and are established by the regulations thereof, *id. s.*45.

518. The court of directors shall not appoint or send to the presidencies of *Forts William*, or *St. George*, or *Bombay*, any person as a writer, unless he be duly entered and resident for 4 terms at such college, and shall produce to the court of directors a certificate, by the principal, of such his residence and conformity to the rules thereof, *id. s.*46.

519. No order for the establishment of any office or appointment of any person to be principal of the college, or head-master of the military seminary shall be valid, until approved by the board of control, *id. s.*47.

520. Every spiritual person holding the situation of principal or professor in the said college, and actually performing the duties thereof, is exempted from parochial residence, *id. s.*48.

521. If a bishopric shall be founded for the whole of the *British* territories in E.I., with 1 archdeaconry for the presidency of *Fort William*, a 2d for that of *Fort St. George*, and a 3d for that of *Bombay*, and a bishop and archdeacons shall be appointed thereto, the court of directors shall cause to be paid, out of the *Fort William* revenues, to the bishop 5000*l. per ann.*, at exchange of 2*s.* for the *Bengal* current rupee, to the archdeacon of *Fort William* 2000*l. per ann.*, at a like exchange, and 2000*l.* to the archdeacon of *Fort St. George*, out of the *Fort St. George* revenues, at an exchange of 8*s.* per pagoda at *Madras*, and 2000*l.* to the archdeacon of *Bombay* out of the *Bombay* revenues, at 2*s.* 3*d.* the *Bombay* rupee, 53 *G.*3. *c.* 155. *s.* 49.

522. These salaries shall commence on such persons taking office, [*Qu.* see *s.* 89. of this act, *pl.* 144, "from taking on them the execution of their offices;" but this is applied to the "officers *therein before* mentioned," which does not include the bishop and archdeacon, &c.; but outfit is allowed them with the officers there alluded to, *id. ibid.*] and continue while their functions continue to be exercised, and shall be in lieu of all fees and emoluments of office soever, which are forbidden to be taken by any such persons, *id. s.* 50.

523. Such bishop shall not have any jurisdiction, or exercise any episcopal functions soever, either in E.I. or elsewhere, except as limited to him by H.M.'s letters patent, *id. s.* 51.

524. H.M. may by patent grant to such bishop such ecclesiastical jurisdiction, and the exercise of such episcopal functions within the E.I. and limits aforesaid, as are necessary for administering holy ceremonies, and superintending the church establishment there, *id. s.* 52.

525. H.M.'s warrant for the letters patent respecting such bishopric, or archdeaconries, or any appointments thereto, shall be countersigned by the president of the board of control, *id. s.* 53.

526. H.M. by warrant under sign manual, countersigned by the chancellor of exchequer, may grant to any such bishop and archdeacons, who shall have exercised their offices in the E.I., &c. for 15 years, these pensions, *viz.* 1500*l. per ann.* to such bishop, 800*l. per ann.* to each such archdeacon, payable quarterly by the Co. as part of their political charges, *id. s.* 54.

527. During the possession of the said territorial possessions and revenues in the Co., the revenues thereof after defraying the expenses of collection, shall be applied in the following order of preference; 1*st*, in defraying all the expences of the forces, *European* and native, military, artillery, and marine, garrisons, warlike and naval stores on the establishments in the E.I.; 2*dly*. in paying interest on the *Indian* debt, including that part of it for which bills shall be demanded payable in *Eng.*, and for which provision shall be made by consignments or remittances to *Eng.*, as the court of directors with approbation of the board of control, shall direct; 3*dly*, in defraying the civil and commercial establishments of the Co. at their several settlements there; 4*thly*, towards liquidating the territorial debts of the Co., or of the bond-debt at home, or as the directors, with approbation of the board of control, shall direct, *id. s.* 55.

528. A sum equal to the actual payments made from the commercial funds at home, on account of territorial charges for the preceding year, after deducting the charges of the commercial establishments, and charges in *India* paid from the territorial revenues in the same year, shall in every year be issued in *India*, for the purpose of the Co.'s *India* or *China* investment, or of remittance to *Eng.* on the Co.'s account at the option of the court of directors; provided that any excess so issued in any year for investment beyond the Co.'s actual payments in *Europe*, for territorial charges, shall go in diminution of the sum so applied in the year following, *id. s.* 56.

529. During the term granted as in *s.* 3., the net proceeds of their sales of goods at home, with the duties and allowances of private trade, and all their commercial profits and receipts in *G.B.*, shall be applied thus, *viz.* 1*st*, in paying bills of exchange accepted by the Co.; 2*dly*, in providing for the current payment of other debts, (the principal of the bond-debt in *Eng.* always excepted) as well as interest and the commercial expences of the Co.; 3*dly*, in paying a dividend at 10 *per cent. per ann.* on the amount of their capital stock, for such time as the *Co.'s separate fund* shall be sufficient to pay a dividend of 10*s.* for every 100*l. per ann.* on the amount thereof, and after its exhaustion, then in payment of a dividend of 10*l.* 10*s. per cent. per ann.* on the capital stock, than which no larger dividend shall be paid; 4*thly*, in reduction of the principal of the debt in the E.I., or parts aforesaid, or to the bond-debt at home, as the said court of directors, with approbation of the board of control, shall direct, *id. s.* 57.

530. The net proceeds of sales of goods and other commercial profits of the Co. in *G.B.*, shall not be liable to the liquidation of any charge on account of the territorial or political government of *India* payable in *Eng.*, or of any bills or certificates drawn on account thereof, till after the dividend on the Co.'s capital stock is first provided for, (except bills, &c. paid in *India* from the territorial funds and consignments made thereof to *Eng.* for liquidation of such bills, &c. (and except the interest and sinking fund on the loan advanced to the Co. under 52 *G.*3. *c.* 155. *ss.* 7—8.,) which shall be accounted for as a territorial charge, 53 *G.*3. *c.* 155. *s.* 58.

531. If the above home-fund is insufficient, after paying such dividend, to discharge all such bills as shall be drawn for the interest of any loan in *India*, contracted for before 10*th April*, 1814, they shall be paid as parliament shall direct; provided that monies received by the Co. at home on the credit of bills drawn on territorial funds, or for advances made in *India*, shall be applied to defray the territorial, &c. charges of the Co. in *Europe*, the excess thereof being subject to the further appropriations to which territorial revenues are liable under this act; but a deficiency of commercial profits at home in any year to pay the dividend, shall be made good out of the surplus territorial revenues, *id. s.* 58.

532. When the principal debt of the Co. bearing interest in *India* is reduced to 10,000,000*l.*, calculated at the exchange of 2*s.* for the *Bengal* current rupee, 8*s.* for the *Madras* pagoda, and 2*s.* 3*d.* for the *Bombay* rupee, and the bonded debt in *G.B.* is reduced to 3,000,000*l.*, then shall the surplus proceeds of territorial revenues and home-profits be applied to the more speedy repayment of the capital of any public funds or securities created for the Co.'s use, the charges of which have been borne by the Co. under statute, and any further surplus shall be paid into exchequer, to be applied by parliament without interest to the Co.; but all such sums so paid, and not exceeding 12,000,000*l.*, shall be a guarantee fund for the capital stock, and dividend of 10*l.* 10*s. per cent. per ann.* on the same; and of any excess above 12,000,000*l.* 1-6th shall remain to the Co., and the remaining 5-6ths shall belong to the public at disposal of parliament, *id. s.* 59.

533. If the Co.'s debts in *India* shall, after such reduction, be again increased beyond that amount, or if their bond-debt in *G.B.* after its reduction to 3,000,000*l.*, shall be again increased beyond that sum, the surplus proceeds in (*s.* 59.) shall be appropriated to the reduction of the new debts respectively, until the whole *Indian* debt is again reduced to 10,000,000*l.*, and the *English* bonded debt to 3,000,000*l.*, *id. s.* 60.

534. So much of 33 *G.*3. *c.* 52. (*viz. s.* 111.) as relates to the payment of a sum not exceeding 500,000*l.* in every year, into the receipt of H.M's exchequer, at disposal of parliament or to the recovery thereof, (*viz. s.* 119.) from the E.I.C. or their successors, by action or otherwise, in case of failure of payment, or to payment (*viz. s.* 111.) to the bank of *Eng.* of money to be placed to the account of the commissioners of national debt, under 26 *G.*3. *c.* 31, or to the account to be raised by the bank, to be entitled "The account of the guarantee fund of the E.I.C." or to the said guarantee fund, (*viz ss.* 113—118., 120—121.) or to an account to be made by the bank relating thereto, (*viz. s.* 116.) are repealed, *id. s.* 61.

535. A dividend of 10*s. per cent.* on the present or future amount of the capital stock of the Co. shall be paid out of the separate fund till its exhaustion, and the residue of any dividend, to the entire payment of which it may be unequal, shall be paid out of the net proceeds of the Co's profits arising as in *s.* 59., *id. s.* 62. [*s.* 63. repeals so much of 57 *G.*3. *c.* 31. *s.* 9., as directs the 10*s.* dividend on the stock created by that act, to be paid out of the annual profits.]

536. The court of directors shall order the Co.'s accounts abroad and at home, to be so kept as to exhibit the receipts, disbursements, debts, and assets connected with the territorial and political departments separately from those connected with their commercial affairs, and a plan for such an arrangement of the Co.'s accounts prepared by the directors, and approved by the board of control, who may, from time to time alter the same, shall be carried into execution, *id. s.* 64.

537. The accounts required to be laid before parliament by 33 *G.*3. *c.* 52. *s.* 126. *pl.* , shall be arranged conformably to this principle of separation, *id. s.* 65.

538. The court of directors shall annually lay before both houses, with the accounts by 33 *G.*3. *c.* 52. *s.* 126. *pl.* 364. required, one copy of all the regulations of their several *Indian* governments transmitted to them under 37 *G.*3. *c.* 142. *s.* 8., 39 & 40 *G.*3. *c.* 79. *s.* 23. *pl.* 440., and 47 *G.*3. *S.*2. *c.* 68. *s.* 1. *pl.* 445., *id. s.* 66.

539. All export and import duties charged in E.I. or elsewhere, under the Co's government, shall in the Co.'s accounts be debited to the commercial branch, and all customs duties so charged on the Co.'s goods, or received by them in the E.I. or parts aforesaid, on the goods of any private trader, shall be credited to, and deemed part of the territorial revenues, and subject as such to the board of control, *id. s.* 67.

540. The board of control has full power to direct and control all orders soever, relating to the amount of appropriation to any investment or other commercial purposes of any part of the territorial revenues, except the sums issued in *India* under *s.* 56., for making good home-payments on account of territorial charges, or the proceeds of any loan raised in the E.I., or of any securities issued by any of the Co.'s governments, *id. s.* 68.

541. The court of directors of the Co. shall deliver to the said board

copies of all minutes, orders, resolutions, and proceedings of all courts of proprietors and directors within 8 days of holding them, and of dispatches received by the directors or any committee of them from the E. I., or any settlements or factories within the said limits, or from any of their servants at *St. Helena*, *Bussora*, *Suez*, *Aleppo*, or elsewhere, relating to the commercial investment of any part of such territorial revenue; or of any monies raised by loan, or securities issued by any of the Co.'s governments immediately after their receipt, *53 G. 3. c. 155. s.* 69.

542. No orders relating to the investment of the last enumerated monies, shall be sent to *India* by the court or committee of directors, until approved by the said board, and copies thereof shall be laid before the board for that purpose; and after receipt thereof, the latter shall, in not exceeding 2 months, return the same to such directors, certified by order of the board under the hand of their chief or assistant-secretary; or if they disapprove the same, shall return their reasons at large for such alteration with their instructions to the directors therein, who shall dispatch the same in the form approved by the board, unless on any representation by the directors, the board shall alter the same, and the directors shall be bound by the instructions they receive from the latter touching such appropriation, *id. s.* 70.

543. No question in any general court, or court of directors, shall be carried, but by a majority of votes, and an equality of votes shall be a rejection of the proposition on which the question is put; but in cases of such equality, in favour of 2 or more candidates, the election may be determined by lot, as in the charter of *5 Sept.* 10 *W. 3. c.* 44., *id. s.* 77.

544. The board of control shall not order to be allowed out of the territorial revenues, in respect of H. M.'s forces in the E. I., or parts aforesaid, for security of the said territories, any sum of money, for more than 20,000 men, including officers, unless sent out at requisition of the directors, *id. s.* 87.

545. The court of directors may make allowances, superannuations, &c. to the servants of the Co. in *Eng.*, subject to the following restrictions: if such servant, being under 60, shall be incapable by infirmity of mind or body, to discharge his office, and has faithfully served the Co. for 10 years, the court may grant him an annuity, not exceeding 1-3d. of his official salary and emoluments; if above 10, and less than 20 years, not exceeding one-half; if above 20, not exceeding 2-3ds.; and if he be above 60 years old, having served 15 years or upwards, he may be allowed (without proof of infirmity) not exceeding 2-3ds.; if 65 years of age, or upwards, and having served 50 years or more, not exceeding the whole of such salary, &c. to be charged in the Co.'s accounts, to that branch of their affairs to which such servants belong, *id. s.* 93.; and an account of all such allowances, &c. shall be annually laid before parliament, in 15 days from its next meeting, *id. s.* 94.

546. Nothing herein shall affect the sovereignty of the crown of H. M. over the said territorial acquisitions, or preclude the Co. at the determination of the term, from the enjoyment of any immunities, &c. to which they may be entitled, *id. s.* 95.

547. The gov.-gen. and govrs. in council, at *Fort-William*, *Fort St. George*, *Bombay*, and *Prince of Wales's* Island, in the towns of *Calcutta*, *Madras*, *Bombay*, and *Prince of Wales's* Island, may impose such customs and other taxes, and on all residents and property within the jurisdiction of courts established by the king's charter, as are within the authority of the said respective governments; but no such duty, or tax, in the above-mentioned towns, shall be valid till sanctioned by the directors, *id. s.* 98.

548. The gov.-gen. and govrs. in council shall respectively make laws and regulations, respecting such duties and taxes, and impose penalties for breach or nonpayment; all which laws shall be recognized, without being specially pleaded in all the courts in the *British* territories, and all indictments, &c. or suits whatever, to enforce, or arising from the same, may be maintained in the supreme courts and recorder's court at *Bombay*, and court of judicature at *Prince of Wales's* Island respectively, *id. s.* 99.

549. The advocate-gen. or other principal law officer of the Co., at the several presidencies of *Forts William*, *St. George*, *Bombay*, and *Prince of Wales's* Island, may exhibit to the 4 courts recited in *s.* 99., against any person in their jurisdiction, any information for any breach of the revenue-laws of any of the said governments, or for any penalty or debt incurred or due by such person, in respect of any such regulation, the proceedings in which suit, shall as much as possible resemble those in exchequer informations; and all penalties and debts recovered shall belong to the E. I. Co., and be credited in their accounts to their territorial revenues, *id. s.* 100.

550. All H. M.'s courts of criminal jurisdictiction, within the Co's presidencies, shall 4 times, at least, in every year, hold their sessions for the taking cognizance of all matters relating to pleas of the crown, *id. s.* 102.

551. The advocate-gen. or other principal law officers of the Co., at their several presidencies, in all cases of misdemeanor, alleged to have been committed by any *British* subject, at more than 100 miles distance from the presidency, within the limits whereof the offence is laid, may file an information *ex officio* in either of the supreme courts, at *Fort-William*, *Madras*, or *Bombay*, as the case may be, and prosecute the same, as in K. B. in *Eng.*, *53 G. 3. c. 155. s.* 103.

552. "Recital, that H. M.'s *British* subjects resident in *India*, without the towns of *Calcutta*, *Madras*, and *Bombay*, are subject only to the jurisdiction of the courts at those towns, respectively, and not to the courts established by the Co. in *India*, to which all other inhabitants without the towns aforesaid are subject." Any native of *India*, resident in the E. I., or parts aforesaid, and *without the said towns*, in case of any assault, forcible entry or injury accompanied with force, alleged to have been done against his person or property by a *British* subject, not amounting to felony, may complain thereof to the magistrate of the *Zillah* or district where the offender is resident, or in which the offence is committed, who shall have power to take cognizance of the complaint, to hear parties, examine witnesses, and having taken in writing the substance of the complaint, defence, and evidence, to acquit or convict the accused; and in case of conviction, to inflict a suitable punishment by fine, not exceeding 500 rupees, to be levied in case of nonpayment, by his warrant, on any property of the party convicted, found within the district; and if no such property is found, commit him by his warrant, to some fit confinement in the district, or in default thereof, to the gaol of the presidency, for not exceeding 2 months, unless it is sooner paid, and the magistrate may award the whole, or a portion of such fine to the party grieved, as a satisfaction for the injury, *id. s.* 105.

553. Provided, that in all such convictions, the magistrate shall transmit copies of the conviction, depositions, and proceedings, to the government to which the place is subordinate, and all such fines shall be paid in the first instance to the convicting magistrate, and the amount (after making such satisfaction to the party grieved) if any, shall be transmitted by such magistrate to the clerk of the crown, or other officer, who may receive fines in H. M.'s court of oyer and terminer and gaol-delivery for the province, and shall be disposed of as other fines imposed by the latter court; provided, that such conviction may be removed by *certiorari* into the said courts, subject to *33 G. 3. c. 52*, *ss.* 153, 154.; and nothing herein shall prevent any magistrate from committing or holding to bail any *British* subject charged before him with any such offence, as if this act had not been passed, where the offence shall appear to him so aggravated as to deserve prosecution in any of H. M.'s courts to which the offender is amenable, *id. ibid.*

554. In all cases of debt, not exceeding 50 rupees, alleged to be due from any *British* subject to any native of *India*, resident in the E. I., or parts aforesaid, and without the jurisdiction of the courts of request at *Calcutta*, *Madras*, and *Bombay*, the magistrate of the district where the defendant is resident, or the debt contracted, may take cognizance of such debts, and examine witnesses on oath, and in a summary way decide between the parties with all the powers of levy and commitment in default of payment, in *s.* 105. provided as to fines, *id. s.* 106.

555. All *British* subjects, who shall reside or carry on trade, or be in possession of any immovable property, in any part of the *British* territories in *India*, at more than 10 miles distance from the several presidencies, shall be subject to the jurisdiction of all courts having cognizance of civil suits or matters of revenue, either originally or by way of appeal, within the districts in which they shall so reside, &c. in all civil actions and matters of revenue, in like manner as the natives of *India*, and other persons not *British* subjects are subject to such courts; but no *British* subject shall be sued in any such court, in respect of *residence*, unless he reside within the jurisdiction at the time the proceeding commenced, or unless the cause of action has arisen within such jurisdiction, and the suit is commenced within 2 years after it has so arisen, and within 6 months after the defendant ceased to reside in the jurisdiction; nor in respect of *immoveable property*, unless it be situate within the jurisdiction of the court, and such suit shall be brought to recover the possession thereof, or for rent, or other demand arising out of the possession thereof, by him, *id. s.* 107.

556. Provided, that where by the laws in force within the provinces respectively, subject to the governments of *Forts William*, or *St. George*, and *Bombay*, appeal would be from a final judgment of any subordinate court of judicature, to the *Sudder Dewanny Adawlut*, or other court of highest appellate jurisdiction, in civil suits, it shall be competent for *British* subjects, in suits commenced against them under this act, to appeal to the supreme courts at *Calcutta*, *Madras*, and *Bombay* instead, according as the suit may have been commenced within the provinces of either presidency; which court shall have the same power to suspend or allow execution of the judgment appealed against, and as to taking security for costs, or for performances of such judgment, as such *Sudder* court would have had, and shall make rules of practice for the same; but all *British* subjects may still be sued in the supreme courts of judicature, at *Fort William*, or *St. George*, and *Bombay*, instead of suing in the above provincial courts; but nothing herein, shall authorize the holding land or other immoveable property beyond the limits of the presiden-

cies, by any *British* subject, otherwise than under the permission of their governments, *53 G.3. c.155. s.107.*

557. Every *British* subject of H.M., not in H.M. or Co.'s service, who shall go to and reside in any part of the *British* territories in *India* more than 10 miles distant from its presidency with permission of the government thereof, or who shall change his residence from one part thereof to another, distant as aforesaid, with such permission, shall procure from the chief secretary or other officer duly authorized a certificate signed by him expressing that he has the government's permission for residence, and specifying whether at their pleasure or for a limited time; which shall be deposited by the resident in the civil court of the district within 1 month of taking up his residence there, and shall be kept among the records of the court; of which certificate so deposited a true copy attested by the judge or other authorized officer shall be given to the depositor, and shall be deemed good evidence thereof; and no *British* subject not in either service as above, going to to reside in any such part of the E.I., or changing his residence as above shall be allowed, while he so resides, to maintain any civil action (other than an appeal) in any court of civil jurisdiction in *British India*, till he have filed therein a copy of such certificate signed as above, or a satisfactory affidavit to account for not filing the same; and if it be proved to the court that such person is so resident without such certificate, or after its revocation or expiration, or otherwise than according to the provisions contained therein, he shall be nonsuited, *id. s.* 108.

558. All natives of *India* employed in the service of H.M., E.I.C., or any of H.M.'s subjects, are subject to all provincial courts of competent jurisdiction for all crimes and misdemeanors, actions and suits soever within their cognizance, [*as*, not in the statute] if they had not been in the above service; but this does not oust the supreme courts of *Calcutta*, *Madras*, and *Bombay* of their lawful jurisdiction over the natives of *India*, but they shall have a concurrent jurisdiction in the above cases, *id. s.* 109.

559. H.M.'s courts at *Calcutta*, *Madras*, and *Bombay* exercising admiralty jurisdiction, may take cognizance of all crimes perpetrated on the high seas by any persons soever in as ample a manner as any other court of admiralty established in any colony or settlement of the crown, *id. s.* 110.

560. The advocate general or other principal law-officer of the Co. at each of their presidencies respectively, shall for and on behalf of H.M. exhibit to the respective supreme courts at *Calcutta* and *Madras*, the recorder's court at *Bombay*, and court of judicature at *Prince of Wales's Island*, any information in the nature of an action at law or bill in equity against any person resident within or amenable to their respective jurisdictions for any cause of action, debts, demands, stores, goods, or other things soever, as fully as the attorney-general may exhibit the same in courts of law or equity in this realm, and the same proceedings shall be had thereon, *id. s.* 111.

561. The courts of *Sudder Dewanny* and *Nizamut Adawlut*, or other provincial courts of the highest jurisdiction, may execute on all persons subject thereto all lawful process of arrest in the same manner within as without the respective limits of the towns of *Calcutta*, *Madras*, and *Bombay*, provided that all process executed within the limits aforesaid shall be in writing, and have annexed a translation thereof in the *English* language, signed by a judge of the court, *id. s.* 113.

562. Every person within the local limits of the criminal jurisdiction of any of H.M.'s courts at *Forts William*, *St. George*, *Bombay*, or *Prince of Wales's Island*, or personally subject to the jurisdiction of any of them, at any place in E.I. or between *Cape of Good Hope* and the *Streights of Magellan*, where the company have any establishment, who shall steal or take by robbery any bond, bill of exchange, promissory, treasury, or banker's note, order, acknowledgment, or other security or warrant for payment of money, or entitling any person to the payment of money, being the property of any other person or corporation, though deemed in law a *chose in action*, shall be guilty of felony of the same nature and with like punishments, and with or without benefit of clergy, as if he had stolen or taken by robbery any other goods of like value with the money due on such bond, &c., or secured thereby and remaining unsatisfied, *id. s.* 114., [and see 12 *G.*1. *c.*32. *s.*9. tit. FORGERY.]

563. If any person within the local limits of, or personally subject to the jurisdiction of the above courts, at any of the above places in *s.*114. mentioned, shall falsely make, forge, counterfeit, or alter, or cause to be so made, &c. or aid and assist in the false making, &c. any deed or written instrument for conveyance of any property or interest in any land, house, or goods, or for securing the payment of money, or any will, bond, writing, obligatory bill of exchange, promissory note, for payment of money, or any acceptance of any bill, or any receipt either for money or goods, or any accountable receipt of any note, bill, or security for payment of money, or any warrant or order for payment of money, or delivery of goods with intent to defraud any person or corporation soever, or shall utter or publish as true, or sell, offer, dispose of, or put away within the limits aforesaid, any false, &c. deed, &c. (*enumerated as above*), the court may order him to be transported beyond the seas, and for such term of years as they shall direct, *53 G.3. c.155. s.115.*

564. Every person within the local limits of, or personally subject to the jurisdiction of the above courts, at any of the places in *s.*114. mentioned, who shall counterfeit or procure or assist in counterfeiting any of the gold or silver coins of the *British* government in *India*, or usually current in any part thereof, the court may, on his conviction, adjudge him such term and place of transportation beyond the seas, as they think fit, *id. s.*116.

565. Every person within the local limits of, or personally subject to the jurisdiction of the above courts, at any of the places in *s.*114. mentioned, who shall knowingly utter or tender in payment, or sell or give in exchange, or pay or put off to any persons any such counterfeit coin as aforesaid, shall suffer 6 months imprisonment, and hard labour during the term, at discretion of the court, and find sureties for his good behaviour for 6 months more; for a 2nd offence shall suffer 2 years imprisonment with hard labour during the term, and find sureties for his good behaviour for 2 years more; and for a 3rd offence shall be transported for life to such place beyond the seas as the court shall direct, *id. s.*117.

566. If any person convicted of any offence by virtue hereof shall again be prosecuted in any court other than that wherein he has been before convicted, whereby he would be liable to increased punishment, the clerk of the crown, or keeper of records of the court where the conviction is had, shall, at the request of any person on H.M.'s behalf, certify the same by writing under his hand in a few words, containing the substance and effect thereof, with a fee of one rupee, which certificate shall be good proof of such conviction, *id. s.*118.

567. If any person within the local limits of or personally subject to the jurisdiction of the above courts, at any of the places in *s.*114. mentioned, shall have in his custody, without lawful excuse, (the proof whereof shall lie on the accused,) any more than 5 pieces of such counterfeit coin, he shall, on conviction on the oath of one or more witnesses before a justice, or (if no justice is qualified to act) before one of the judges of H.M.'s court there, forfeit the same, which shall be destroyed by order of the justice, and forfeit for every offence not more than 40 nor less than 20 sicca rupees local currency, for every piece of counterfeit coin so found in moieties to the informer and poor of the presidency, &c. or place, and if not forthwith paid, such justice or judge may commit him to the common gaol or house of correction to hard labour for 3 calendar months, or until payment, *id. s.*119.

568. Every person within the local limits of, or personally subject to the jurisdiction of the above courts at any of the places in *s.*114. mentioned, who shall counterfeit, erase, alter, or falsify any licence authorising any vessel to proceed to any place in the E.I., or parts aforesaid, or any licence or certificate authorizing any person to reside there, or any attested copy thereof, or who shall knowingly utter as true any such counterfeited, &c. licence, certificate, or attested copy, shall, on conviction, suffer not exceeding one year's imprisonment, and pay such fine not exceeding 1000 sicca rupees local currency, as the court shall direct, *id. s.*120.

569. The governments of the said presidencies and settlements respectively, shall take order for the due performance of all sentences of transportation pronounced by any of the said courts under this act, but no native of *India* not born of *European* parents, shall be transported to any part beyond the seas situate more than 30 deg. N., and 25 deg. S. of the line, *id. s.*121.

570. Any person convicted of making a false oath in matters by this act required to be testified on oath, shall be deemed guilty of perjury and liable to the penalties thereof, by any law in force in *Eng.*, and the same of subornation of perjury in such matters, *id. s.*122.

571. In any action against the Co. or their servants, or any person acting by their authority for recovery of any costs or damages for the unlawful arresting, imprisoning, sending, or bringing into U.K., of any person found in the E.I. or other parts within the said limits, or as unauthorized to receive or traffic there, defendant may plead the general issue, and give the special matter in evidence, and the proof shall lie on the plaintiff on trial of the issue to show that at the time of the arrest laid in the declaration, the person so arrested was in his H.M.'s military or marine service, or under covenant to serve the Co. in *India*, or the parts aforesaid, duly possessed of a licence or certificate for their residence, &c.; or that such person not being in H.M.'s service, was at the time of the arrest authorized by stipulations of the licence, &c. to remain in *India*, &c.; in failure of which proof plaintiff shall be nonsuited, and in case of suchor any other nonsuit, or of judgment against plaintiff on demurrer, or where a verdict shall pass for defendant, he shall have treble costs from the plaintiff, *id. s.*123. *26 G.3, c.57. s.37. S.P.*

572. Prosecutions for any thing done under this act shall be commenced within 3 years from the cause of complaint, or if done in U.K. in the absence of any person beyond sea aggrieved thereby, then within 3 years after his return to the U.K., *id. s.*124.

573. TO REMOVE DOUBTS AS TO THE DUTIES AND TAXES hereto-

fore imposed and levied under authority of the several governments in the E. I., *54 G.3. c.105.*

574. All duties of customs and other taxes heretofore imposed as well on *British* subjects as foreigners, and other persons whomsoever, by the orders or under authority of the gov.-gen. in council of *Fort William* in *Bengal*, the govrs. in council of *Fort St. George*, of *Bombay*, and *Prince of Wales's Island*, within the respective towns of *Calcutta* and *Madras*, the town and island of *Bombay* and *Prince of Wales Island*, and on all residents therein, and in respect to all goods soever being therein, and on all persons soever, whether *British* or foreigners resident in any place within the authority of the said governments, and in respect of all goods, &c. and property soever, being in such country or place, and all orders for levying the same, and all fines and penalties levied by authority of such gov.-gen. and governors in council respectively, are hereby confirmed, and shall be deemed valid according to the true intent of the several orders and usages under which levied, as fully as if imposed under *53 G.3. c.155.*, and all arrears of duties so imposed, and regulations relating thereto, shall be recovered under that act, as fully as if imposed, &c. after the passing thereof, *id. s.1.*

575. All such orders, regulations, usages, duties, taxes, fines, and penalties shall remain in force till varied by any regulations made and passed under *53 G.3. c.155.*, and all persons concerned are indemnified for any acts done according to the true intent and meaning of such customs, &c. but nothing shall confirm any proceeding or indemnify any person in respect of any act done without the authority or contrary to the true intent of any such order, &c. *id. s.2.*

576. TO REGULATE THE TRADE TO AND FROM THE PLACES within the limits of the E. I. C.'s charter, and certain possessions of H. M. in the *Mediterranean*, *57 G.3. c.36.*

577. The said Co., and any other H.M.'s subjects, may carry on trade, in ships navigated according to law, directly and circuitously between *Malta* and its dependencies, or *Gibraltar*, and all ports and places within the limits of the said Co.'s charter, except *China*; but the latter shall not trade to or at any port or place without the limits of the said Co.'s charter, other than those with which trade is permitted by *54 G.3. c.34.*: but nothing herein shall authorize any subjects, other than the Co., or persons licensed by them, to export or import from or to any such places, within or without such limits, or to import into U. K. any tea, or in any manner to trade or traffic in tea between any such places, *id. s.1.*

578. The *Cape of Good Hope* shall be deemed within the limits of the Co.'s charter for the purposes of this act: but this shall not prevent any other trade which now may, or may hereafter be allowed to be carried on between the said settlement and any other places, *id. s.2.*

579. No vessel, under the provisions of this act, shall clear out, the registered measurement of which is under the burden prescribed by *53 G.3. c.155. s.13. pl.483*, within the limits of the E. I. C.'s charter, *id. s.3.*

580. The governors and lieutenant-governors of *Malta* and *Gibraltar* shall grant licences to vessels so proceeding from the said island or port, under the same regulations as are under *53 G.3. c.155. s.11. pl.483.* applicable to licences granted by the court of directors and board of commissioners: but shall not grant any licence authorizing any ship to proceed to any place on the continent of *Asia* from the *Indus* to the town of *Malacca*, except the Co.'s principal settlement, and shall conform to the rules of the board of control in regard to the licences granted by that board, *id. s.4.*

581. Such governor or lieutenant-governor shall transmit to one of the secretaries of state annual lists of all such licences, and of all licences refused, with his reasons for refusal, *id. s.5.*

582. No ship, other than ships of the Co., shall be permitted to clear out from *Malta* or *Gibraltar* for any place under government of H. M. or the Co., situate more to the northward than 11 deg. *S. Lat.* and between 64th and 150th deg. *E. Long.* from London, until the master shall have made out and exhibited to the officer of customs at the port of clearance, upon oath, a true list, in form settled by the court of directors, setting forth the names, capacities, and descriptions of all persons embarked, and all arms on board; nor shall any such vessel be admitted to entry till the master has in like manner made out and exhibited to the officer of customs, on oath, a true list, in form to be settled as aforesaid, specifying the names, capacities, and descriptions of all persons on board, or who have been on board, from the time of the sailing to that of arrival, and of all arms on board during that time, and the several times and places at which such persons as may have died or left the ship, or such of the said arms as have been disposed of have been so disposed of, *id. s.6.*

583. Such governors or lieutenant-governors shall cause every such list to be transmitted with all dispatch to the court of directors; and all such ships shall, on arrival at any port under government of the Co., be subject to all the regulations prescribed by *53 G.3. c.155.*, and all trade with all ports upon the continent of *Asia*, from the river *Indus* to the town of *Malacca*, or any island under the government of the Co. lying to the north of the equator, or their factory at *Bencoolen*, shall remain subject to all such regulations as shall be in force in relation to trade, at any such ports under the authority of any of the governments of the Co. at their several presidencies, *57 G.3. c.36. s.7.*

584. The Co., and any other H. M.'s subjects, may trade (in ships navigated according to law) to the island of *Malta* and port of *Gibraltar*, and may discharge the whole or any part of the cargo at such island or port, and in prosecution of such circuitous voyage may take on board any other goods, which can be legally carried from such ports within the limits aforesaid, to such island or port; and in like manner may trade in any such ship, in any voyage from the U. K. to any ports within the limits aforesaid, to the said island of *Malta* and port of *Gibraltar*; but all such ships shall be subject to all the regulations to which ships carrying on trade circuitously, between U. K. and the limits of the Co.'s charter, are by *53 G.3. c.155.* and *54 G.3. c.34.* liable, *id. s.8.*

585. All goods so imported into *Malta* or *Gibraltar*, from any ports within the limits of the Co.'s charter, may be re-exported to the U. K., and imported at any of the ports where they may lawfully be imported, *id. s.9.*; and for the purposes of this act, *Malta* shall be deemed to be in *Europe*, *id. s.10.*

586. Nothing in this or any other act shall prevent the introduction (under the provisions of this act) into *Malta* or *Gibraltar*, of any articles of the growth, produce, or manufacture of any of the countries between which and the said island and port trade is allowed to be carried on by this act, which may now be imported into U. K. *id. s.11.*

587. No ship engaged in any voyage under this act, from any port in the E. I. to *Malta* or *Gibraltar*, and not destined to any port in the U. K., shall take on board any *Lascars*, or other *Asiatic* seamen: but any of the governments in *India*, or any governor of any colony or island belonging to H. M., within the limits of the charter, on application made by the owner or commander of any ship, and after having ascertained that a sufficient number of *British* seamen cannot be procured for the crew, may within 10 days from such application, certify the same, and license such ship to sail with suce proportion of Lascars or *Asiatic* seamen as may be specified in such licence; and the gov.-gen. in council at *Fort William* shall make rules, that all such sailors shall be duly supplied with provisions and clothing, and other necessary accommodation, while employed, until they shall be carried back, and for their conveyance back within a reasonable time, to be specified in the bond, or ascertained by such rules, *id. s.12.*

588. And no ship so licensed shall be permitted to clear out from any port within the limits of the charter until the owner or captain shall have first given security by bond, as directed by *54 G.3. c.134.* (*this tit.* V. SHIPPING, &c., *pl. 659, &c.*) for the maintenance and conveyance back to *India*, or for the conveyance to *Eng.*, and maintenance while in *Eng.* and return to *India* of such *Lascars* or *Asiatic* seamen, *id. s.3.*

589. TO EXEMPT THE TERRITORIES WITHIN THE LIMITS of the E. I. C.'s charter, from certain of the navigation laws, *57 G.3. c.95.*

590. Nothing in *12 C.2. c.18.*, *15 C.2. c.7.*, *22 & 23 C.2. c.26.*, *25 C.2. c.7.*, *7 & 8 W.3. c.21.*, *4 & 5. A. c.5.*, and *8 G.1. c.18.*, shall extend to, or in any way affect, the importation or exportation by the Co., or by any other subjects in *British* registered vessels navigated according to law, or in vessels registered or trading under *55 G.3. c.116.* [*infra this tit.* V. *pl. 662, &c.*] of any goods at, into, or from any port within the limits of the charter of the Co., or to affect the importation or exportation at, into, or from any place soever in such vessels as aforesaid, of any goods of the growth, produce, or manufacture of any place within the limits aforesaid, or to require that any bond for the exportation or importation shall be given, in respect of any such vessels, bound to or from any place situate within the limits aforesaid, *id. s.1.*; and no person shall be liable to be sued for any penalty, nor any ship, vessel, goods, wares, or merchandise liable to be seized by reason of any trading contrary to such prohibition as aforesaid, *id. s2.*

591. But nothing herein shall extend to alter or affect the provisions of *53 G.3. c.155.*, *54 G.3. c.34.*, *55 G.3. c.116*, or *57 G.3. c.36.*, or to alter or affect the laws now in being relative to the trade of foreign nations in amity with H.M, with the said *British* territories under government of the Co. in the E.I., *id. s.3.*

592. The *Cape of Good Hope* shall, for the purposes of this act, be deemed to be within the limits of the charter of the Co., *id. s.4.*

593. It shall be lawful to import into any island or territory within the limits of the Co.'s charter, not under government of the Co., in vessels belonging to any state in amity with H. M. (not being an *European* state), and lying within the said limits, any articles of the growth, produce, or manufacture of any such state, and to export in any such vessel any goods legally imported into such islands or territories, *id. s. 5.*

IV. *Army.*

594. For punishing mutiny and desertion of officers and soldiers in the service of the E. I. C., 27 *G.* 2. *c.* 9. [Amd. by 1 *G.* 3. *c.* 14., 50 *G.* 3. *c.* 87., 52 *G.* 3. *c.* 122. See 27 *G.* 2. *c.* 9. *s.* 13., and 1 *G.* 3. *c.* 14. *s.* 2., *supra*, *pl.* 157, and see 21 *G.* 3. *c.* 65. *s.* 32., and 39 *G.* 3. *c.* 109., *infra*, *pl.* 613.]

595. If any person mustered, or in pay as an officer, or listed, or in the Co.'s pay as a soldier, in any of their settlements, or in *St. Helena*, shall, in their principal settlements, and in the said island of *St. Helena*, and within his term of service, excite or join in any meeting or sedition in any company, troop, or regiment in the Co.'s service, or shall not use his utmost endeavours to suppress the same, or give information to his commander of any meeting begun or intended, or shall desert the Co.'s service, or being listed in any regiment, troop, or company, shall list himself in any other regiment, &c., without a discharge in writing from the commander-in-chief of the regiment in which he last served, or shall be found sleeping on his post, or leave it before relieved, or hold correspondence, at land or sea, with any rebel or enemy of H. M. or the Co., or give them intelligence in any manner soever, or treat or enter into any condition with them, without licence of the Co. or the Co.'s president and council at any of their principal settlements, or of their govr. and council at *St. Helena*, or of the chief commander of the Co.'s forces, or shall strike, use violence against, or disobey the lawful command of his superior officer, he shall suffer death, or such other punishment as a court martial shall inflict, 27 *G.* 2. *c.* 9. *s.* 1.

596. H.M. may grant a commission or warrant under his sign manual to the court of directors, who, by virtue thereof, may by seal of the Co. authorize their president and council at their principal settlements, or a majority of them, and their govr. and council at *St. Helena*, or the majority of them from time to time to appoint courts martial, and to empower the commander-in-chief of any detachment of any of the Co.'s troops to appoint courts martial for trial, under this act, of any soldiers under their commands, *id. s.* 2. [Ext. to *Bencoolen*, 1 *G.* 3. *c.* 14. *s.* 1. *infra*, *pl.* 607.]

597. As long as any of H. M.'s forces are employed to act in defence of any of the Co.'s settlements, or to assist against any of their enemies in the E. I., the commander-in-chief of H. M.'s forces, shall appoint courts martial, or authorize their appointment over such of the Co.'s soldiers, as belong to the the principal settlement, where or from whence such persons are employed, *id. s.* 3.

598. Such courts martial, may by their sentence inflict corporal punishment on any soldier for immoralities, misbehaviour or neglect of duty, *id. s.* 4.

599. No such general court martial having power to sit under any provisions of this act, *viz. s.* 2., &c., shall consist of less than 9 commissioned officers; and the president shall neither be the commander-in-chief of the garrison where the offender is tried, nor under the degree of a captain; and no general court martial so appointed by the govr., &c. at *St. Helena* (as in *s.* 2.) shall consist of less than 5 commissioned officers; and the president shall neither be the commander-in-chief as above, nor under the degree of lieutenant; and such courts martial shall take and administer such oaths, and proceed as H. M. shall direct by orders under his sign manual; and no sentence of death shall be pronounced, unless two-thirds of the officers present concur, and no trial shall be had, but between 8 *a. m.* and 3 *p. m.*, except where immediate example is required, *id. s.* 5.

600. The officiating judge-advocate, at any such general court martial, shall transmit with all reasonable expedition the original proceedings and sentence thereof to H. M.'s commander-in-chief, if held by his warrant, or to the president and council of such of the Co.'s principal settlements, by whose warrant the same is held, or to the govr. and council at *St. Helena*, if held within their jurisdiction to be carefully preserved, *in order* that the persons entitled thereto, may obtain copies. [*Qu. if expressly enacted?*] *id. s.* 6.

601. No officer or soldier, being acquitted or convicted of any offence, shall be tried for the same a second time, by that or any other court martial, and no sentence by a court martial signed by the president, shall be revised more than once, *id. s.* 7.

602. H.M. may make articles of war for the better government of the Co.'s forces, and for bringing offenders against the same to justice, and may erect courts martial, with powers to try and determine offences, and inflict penalties by judgment of the same, as well within the Co.'s limits of trade as in *St. Helena*, *id. s.* 8. [Ext. to *Bencoolen*, 1 *G.* 3. *c.* 14. *s.* 1. *infra*, *pl.* 607.]

603. No person shall suffer punishment extending to life or limb, by the said articles in time of peace, except for the crimes so punishable by this act, *id. s.* 9.

604. No person acquitted or convicted of any capital crimes or offences by the civil magistrate, shall be punished by court martial, except by cashiering, *id. s.* 10.

605. If any officer, non-commissioned officer or soldier shall be accused of any capital crime, or of any offence against the person, estate, or property of any of H. M.'s subjects, which is punishable by the known laws of the land, the commanding officer of every regiment, &c. (as in *s.* 1.) or party, shall use his utmost endeavour to deliver over the accused to the civil magistrate, and shall aid the officers of justice in apprehending him in order to trial; and if he neglect or refuse so to do, and is convicted thereof before two or more justices of the settlement or place where the fact is committed, by the oath of two credible witnesses, he shall be cashiered, and disabled to hold military employment in the Co.'s service in E. I.; provided that the conviction is affirmed at the next quarter sessions for the settlement, and a certificate thereof transmitted to the president and council of such principal settlement, who shall certify the same to the next court-martial, 27 *G.* 2. *c.* 9. *s.* 11.

606. Officers and soldiers of artillery are included herein, *id. s.* 12.

607. The powers of 27 *G.* 2. *c.* 9. *s.* 2. are extended to authorize the Co.'s govr. and council at their settlement of *Fort Marlborough*, near *Bencoolen*, in *Sumatra*, or a majority of them, and their govr. and council at every other principal settlement of which they are possessed, within the Co.'s limits of trade, and wherein the holding of courts of judicature shall be authorized by any charter, &c. hereafter granted by H. M., from time to time to appoint courts martial, in which all the offences in 27 *G.* 2. *c.* 9., or in the articles of war made pursuant to that act, committed within *Fort Marlborough*, or its districts, or within any other such principal settlement may be tried, and the sentences passed on such offenders executed, with all the powers, and subject to all the regulations of that act, and articles of war, 1 *G.* 3. *c.* 14. *s.* 1. [27 *G.* 2. *c.* 9. *s.* 13., and 1 *G.* 3. *c.* 14. *s.* 2., which are *in pari materiâ* with 13 *G.* 3. *c.* 63. *s.* 39., are on that account placed *ante*, *pl.* 157.]

608. For recruiting the military forces of the E. I. C., 21 *G.* 3. *c.* 65. *s.* 17. [Altered in part, 33 *G.* 3. *c.* 52. *s.* 128.]

609. The Co. shall pay to H.M. in the E.I. 2 lacks of current rupees *per annum*, for each regiment of 1000 men, to be sent by H. M. to the E. I. on the Co's requisition, above the extraordinaries now borne by them, such payment being computed from the time of embarkation of such forces, and shall be paid until the return of the said regiments to *G. B.*, or for so long as the Co. is possessed of the territorial revenues in *Bengal*, *Bahar*, and *Orissa*, which payment shall be thus made; *viz.* The subsistence of such forces there shall be paid to the orders of the officers commanding each regiment, [and the remainder of such allowances according to the regulations settled between the paymaster-general, secretary at war, and directors; *quære*, *see next placitum*], *id. ibid.*

610. All sums issued by the paymaster general of H.M.'s forces on account of such forces serving in *India*, or for raising recruits for the same, shall be repaid by the Co., and the actual expences only of their support and maintenance shall be borne by the Co., notwithstanding 21 *G.* 3. *c.* 65. *s.* 17., 33 *G.* 3. *c.* 52. *s.* 128.

611. For removing doubts respecting the powers of the board of control under 24 *G.* 3. *S.* 2. *c.* 25. *s.* 6. to direct that the expence of raising, transporting and maintaining such troops as shall be necessary for security of the *British* possessions in E.I. should be defrayed out of the revenues arising therefrom, and for limiting their application, 28 *G.* 3. *c.* 8. *title and s.* 1. [Amd. 31 *G.* 3. *c.* 10., Both acts Conf. 33 *G.* 3. *c.* 52. *s.* 149.]

612. Such direction shall not be made for payment of more of H.M.'s forces than 8045 men, including officers, [increased to 20,000, 53 *G.* 3. *c.* 155. *s.* 87. *ante*, *pl.* 544.] or of more of the European forces of the E.I.Co. than 12,200 men, including officers, 28 *G.* 3. *c.* 8. *ss.* 1, 2. [2682 additional men sent to *India* before 25*th March*, 1792, to be paid as above, 31 *G.* 3. *c.* 10. *s.* 1.]

613. For better recruiting the forces of the E.I.C., 21 *G.* 3. *c.* 65. *s.* 32. [Amd. 39 *G.* 3. *c.* 109., (Public *clause*, *s.* 22.) 50 *G.* 3. *c.* 87., 52 *G.* 3. *c.* 122., and *see* 27 *G* 2. *c.* 9., 1 *G.* 3. *c.* 14. *ante*, *pl.* 157.]

614. The Co. may, by licence from H. M. for that purpose, enlist such number of his subjects, and of such ages, and for such time as shall be therein expressed to serve them as soldiers in the E.I., and may keep such men, not exceeding 2000 in war and 1000 in peace [*see* 39 *G.* 3. *c.* 109. *s.* 8. *pl.* 622.], at any place in H. M.'s European dominions, approved by H. M. till they can be sent to *India*; and in case any person so enlisting, after signing an agreement for service, and declaring before a magistrate 24 hours at least from his first enlistment, that he freely signed the same, and is willing to serve the Co. as a soldier in the E.I., shall desert from the place of residence appointed for him till his embarkation, or shall refuse to perform such agreement, he may be apprehended and taken before a magistrate, who shall, on proof of the case, commit him to gaol for safe custody and maintenance at the Co.'s expence till sent to *India*, and he may be conveyed on board for that purpose in custody, 21 *G.* 3. *c.* 65. *s.* 32.

615. H. M. may order any of his officers to raise such number of men as from time to time he shall think fit for the special purpose of serving

in the E.I., either in H.M.'s troops, or in the Co's forces, and the recruits so specially raised, instead of the usual oath of fidelity, shall swear faithfully to serve and obey H.M. and his officers, and the company and their officers if appointed to serve the latter, 39 *G.*3. *c.*109. *s.*1. [The form of oath prescribed by this section is repealed, and another substituted by 50 *G.*3. *c.*87. *s.*1.]

616. On such recruits being carried before a justice in pursuance of the mutiny act, he shall administer such oath, and the same, if taken by them, shall be so expressed in the justice's certificate given under that act, *id. s.*2.

617. H.M., on petition of the court of directors, may cause any number of such soldiers so raised as above to be transferred to their service by delivery of them by H.M.'s commander, at a place appointed by H.M. to the person appointed by the Co. to receive them, *id. s.*3.

618. The Co. shall not be obliged to receive into their service any recruit or soldier being an invalid, or afflicted with bodily infirmity, *id. s.*4.

619. The Co. shall pay to the person appointed for that purpose by the treasury, such sums of money as shall from time to time be agreed on between one of H.M.'s principal secretaries of state and the court of directors, to reimburse the expence of raising such soldiers as shall be so transferred into their service as above, as well as the expence of their subsistence from their enlistment to their delivery to the Co., *id. s.*5.

620. The Co. may pay, maintain and exercise in the use of arms the men engaged in their service under 21 *G.*3. *c.*65. *s.*32. or transferred as above in any of H.M.'s garrisons, or at any other place in *G. B.*, *Guernsey* or *Jersey*, approved by H.M., and may draft abroad noncommissioned officers and soldiers from them *id. s.*6.

621. The court of directors, with H.M.'s approbation, signified by hand-writing of a principal secretary of state, may appoint from amongst the Co's officers in *Eng.* on furlough or leave of absence from *India*, or who have retired from the Co.'s service, and hold commissions from H.M. as well as the Co. one commanding officer and other commissioned officers necessary for training the men till they are sent abroad; and they may appoint from the latter the necessary serjeants, corporals, drummers and fifers, *id. s* 7.

622. The Co. shall not enlist, have in pay or train at any one time by virtue of this act any more than 2000 noncommissioned officers and privates, nor shall the court of directors appoint a larger number of commissioned officers than that force requires, nor shall the latter continue in such command longer than they hold a commission from H.M., and no greater number than 3000 men so specially enlisted as above, and not transferred by H.M. to the service of the Co. shall be maintained at one time in this realm; nor a greater number maintained than are specially included by the mutiny act, *id. s.*8.

623. The Co., with H.M.'s approbation signified (as in *s.*7.) may appoint the quarter and paymasters, and other persons necessary for training and taking care of the men so enlisted and transferred, above the number of commissioned officers in *ss.*7—8., whether the former are in their service or not, *id. s.* 9.

624. The Co. shall not allow greater pay to the commissioned, nonmissioned and staff-officers appointed to raise, receive and train the said men than 10*s. per day* to each captain, 5*s. per day* to each subaltern above their pay during their being in this country on furlough, leave or retirement; nor than 5*s. per day* to each quarter-master, 120*l. per ann.* to each paymaster, 2*s. per day* to each serjeant, 1*s.* 6*d.* to each corporal, 5*s. per day* to each surgeon, and 100*l. per ann.* to one chaplain, to be the full allowance to such officers, except regimental pay and barrack allowances usually given to officers in H.M.'s service, *id. s.*10.

625. Such pay shall be in full of all emoluments; and the clothing and all other necessaries for the men, or for the place of keeping the latter, shall be provided by the Co. as appears best to the court of directors, *id. s.*11.

626. In case the men so enlisted or transferred into the Co's service shall be kept at any of H.M.'s garrisons or barracks, they and the commissioned and non-commissioned officers commanding or employed in training them, shall be subject to the orders of the officer commanding such garrison or barracks, and shall partake in the duties to be performed therein, *id. s.*12.

627. All orders by the Co. or their court of directors to their officers so stationed (as in *s.*12.), shall be given through such commanding officer, *id. s.*13.

628. If any person enlisted under 21 *G.*3. *c.*65. *s.*32. or transferred into the Co.'s service under *s.*3. *pl.* 617., shall afterwards desert, or be found wandering, or otherwise illegally absenting himself from the Co.'s service, any constable, headborough or tythingman of the place where such suspected deserter is found may apprehend him; and every constable, &c. justice, magistrate and gaoler shall proceed and confine him as in cases of deserters from H.M.'s service, which gaoler shall receive his full subsistence while he remains in his custody, *id. s.*14.

629. Nothing herein shall entitle any person to any other reward for apprehending deserters from the E.I.C.'s service than is voluntarily offered by the latter, 39 *G.*3. *c.*109. *s.*15.

630. All officers and soldiers raised by virtue hereof shall, till embarkation, be subject to the mutiny-act then in force in *G. B.*, and after their embarkation for the places whither they are sent in the Co.'s service, shall be adjudged to be in the actual service of the Co. within 27 *G.* 2. *c* 9. [E. I. mutiny-act,] and be subject to all the regulations of that act, and of the Co.'s settlement to which they are sent, *id. s.*16. and see 50 *G.* 3. *c.* 87. *s.* 2. *pl.* 44.

631. H. M. may from time to time grant a commission for holding general courts martial, for the trial of offences by officers or soldiers in the E. I. C.'s service, during the time of their employ, training, and exercising under this act; which courts martial may either consist of officers appointed to train such men, or of such other officers in the Co.'s service, holding commissions from H. M., as may be in *G. B.* on furlough, or by leave of absence, or officers in H. M.'s service in *G. B.*, in such proportions as H. M. shall think fit, with the powers of court martials respecting H. M.'s forces, *id. s.*18.

632. Regimental courts martial, or courts martial composed of officers of different corps, with powers of the former, may be convened for enquiring into any disputes or criminal matters, touching any non-commissioned officers or soldiers in the Co.'s service, whilst so employed and trained as aforesaid, and for awarding corporal or other punishments for small offences, with powers as in *s.*18., *id. s.*19.

633. Every such officer or soldier, at his arrival at his destination abroad, may be tried and punished under 27 *G.*2. *c.*9. for every offence committed after his embarkation, and before his arrival, *id. s.*20.

634. The court of directors shall, twice a year, make out a report of the number of men levied and subsisted, and of all the orders and proceedings issued and had under this act, and shall transmit one copy thereof to a principal secretary of state, and another to the commander in chief of the forces, *id. s.*21.

635. To AMEND 39 *G.*3. *c.*109. and 27 *G.*3. *c.*9., 50 *G.*3. *c.*87. [AMD. 52 *G.*3. *c.*122. EXT. to *Ire.* 52 *G.*3. *c.*122.]

636. H. M. may order and cause any of his officers to raise such a number of men, either for life or limited service as, from time to time, he shall think fit, not exceeding the 3000 men, in 39 *G.*3. *c.*109. (*s.*8. *pl.*622.) for the special purpose of *serving in the* E. I. Co.'s *forces only*, who instead of taking the oath of fidelity appointed by 39 *G.*3. *c.*109. &c. shall take that in *sched.* (A.) and instead of the oath of service prescribed in the mutiny act, that in *sched.* (B.) of this act; which oaths shall be administered by all justices, &c. attesting such recruits, and the certificate given thereon shall be drawn as in *sched.* (C.) 50 *G.*3 *c.*87. *s.*1.

637. All soldiers enlisted into the service of the Co. shall be trained and disciplined and subject to such command and regulations, and shall at all times and until embarkation, be subject to all the provisions of any mutiny act, and after their embarkation to those of 27 *G.*2. *c.*9. as prescribed by 39 *G.*3. *c.*109. (see *s.*16. *pl.*630.) all the powers of which are extended to the soldiers enlisted under this act, *id. s.*2.

638. The provisions, regulations, and penalties in any act in force for the time being, relating to the quartering, billeting, and provisioning of, and allowances in respect of such quartering, &c. of soldiers and officers in H. M.'s service, and to providing carriages for the latter, shall extend to all soldiers enlisted for or transferred into the Co.'s service, *id. s.* 3. altering 39 *G.*3. *c.*109. *s.*17.

639. Any person enlisting for limited service in the Co.'s service may enlist for 12 years, if he be 18 years of age at the time of enlistment, and if under 18 years of age, then for a further period beyond 12 years, equal to the difference between his age and 18 years, *id. s.*4.

640. All persons, on expiration of their term of service, may re-enlist for a further period appointed by any order of the gov. gen. in council in *Bengal*, *id. s.*5.

641. Any local militiaman may enter into the Co.'s service, in such time and manner as into H.M.'s forces, *id. s.* 6.

642. All courts martial for trial of offences by the Co.'s troops, shall take and administer such oaths, and try offences in such manner as H. M. shall from time to time direct, *id. s.*7.

643. The three governments of *Forts William*, *St. George*, and *Bombay*, shall be taken to have authority to make such laws, regulations, and articles of war, as they think fit for the discipline of all native *Indian* soldiers in their services, and for the administration of justice by courts martial on them, which shall be made and promulgated in like manner as other regulations affecting the rights of natives or other persons amenable to the provincial courts are directed to be made by 37 *G.*3. *c.*142. *s.*8. 53 *G.*3. *c.*155. *s.*96.

644. All former laws, regulations, and articles of war made by any of the said governments, and all established usages respecting native troops, their discipline, and courts martial are confirmed, *id.* s.97.

645. To REGULATE THE APPROPRIATION OF THE UNCLAIMED SHARES

of prize-money belonging to soldiers or seamen in the E.I. Co.'s service, 1 & 2 *G.*4. *c.*61. [For the provisions of this act see Index, E.I.C. tit. PRIZE.

V. *Shipping and Seamen.*

646. FOR MORE EFFECTUALLY SECURING A QUANTITY OF OAK TIMBER for use of the Royal Navy, 12 *G.*3. *c.*54. PUBLIC clause, *id. s.*6.

647. After 18*th March*, 1772, the E.I.C., or any person employed by the said Co. or any of their directors, or any of them, shall not build, or begin to build, or cause any person to build, *&c.* any new ship, (except those now building) for the service of the said Co. until the tonnage of all the ships employed in their trade on freight to and from the E.I. shall be reduced to 45,000 tons builders' measurement, on pain that the said Co. and every other person so offending, shall for every ship forfeit 5000*l.* one moiety to H.M. and the other with costs for the use of such person who shall sue by action of debt or information in any court of record at *Westminster*, in which action no essoin, &c. or more than one imparlance shall be allowed, *id. s.*1.

648. Until the tonnage is reduced to 45,000 tons, builders' measurement, the said Co. *&c.* shall not in any manner soever, charter, contract for, or hire any ship for their use, unless the same has been built or begun to be built before 18*th March*, 1772, on pain that they and every other such offender shall, for every ship chartered, &c. forfeit 5000*l.*, one moiety to H.M., and the other with costs to the person who shall sue, as in *s.*1. *id. s.*2.

649. Nothing herein shall prohibit the said Co. from building, contracting for, or hiring, during the continuance of this act, any ships in *India* or in *America*, or from building, contracting for, or hiring within this kingdom any ships not exceeding 6 in number in the whole, nor in burthen 300 tons respectively to be employed as packets or advice boats in their service, and all such ships so built in *India*, or in H.M.'s colonies in *America* shall be deemed *British* built ships; *id. s.*3. [on condition of registry, 55 *G.*3. *c.*116. *s.*1.]

650. Where any person is sued for any penalty hereby imposed, it shall be sufficient for the plaintiff to declare that the defendant is indebted to him in 5000*l.* being forfeited by an act passed in 12 *G.*3. (reciting the title,) *id. s.*4.

651. Actions against persons for any thing done in pursuance of this act, shall be commenced within 6 months, and laid in the county where the cause arises, and such persons may plead the general issue, and if upon trial a verdict shall pass for deft. he shall have treble costs, *id. s.*5.

652. REGULATIONS AFFECTING H.M.'S SHIPS AND SEAMEN employed in E.I.C.'s service, 21 *G.*3. *c.*65. *ss.*19. 23. & 25.

653. RESPECTING E.I.C.'s ships, *id. s.*23.

654. After the close of the present war the Co. shall provide and supply all victualling for H.M.'s ships in *India*, and for the sick and hurt seamen at their own expence, *id. s.*19.

655. The Co., so long as they remain in possession of the territorial acquisitions and revenues in the provinces of *Bengal*, *Bahar*, and *Orissa*, shall furnish at their own costs such naval and military stores as shall be necessary and required for the use of such of H.M.'s ships, as shall, at their request remain on service in the E.I. in the time of peace with the *European powers*, for which certificates shall be granted by the officers commanding such ships; and all certificates so granted for such stores, shall be sent to the court of directors, and shall be by them transmitted to the commissioners of treasury: and such certificates so transmitted, shall be sent to the commissioners of the navy and office of ordnance, who shall put the same in charge against the officers receiving such stores, *id. s.*23.

656. The commissioners of the navy, of victualling, and of sick and wounded seamen, and office of ordnance, and the court of directors shall establish rules for providing stores, and paying the expences thereof; which shall be observed, as well by the servants of the Co. as by the officers of the navy; and the accounts of such supplies and expences shall be returned, examined, checked, and passed, as by the rules established: and if it appears on the examination of such accounts, that any monies or stores, received by any of H.M.'s officers, shall not be accounted for, the amount thereof shall be recovered from such offices, by ways agreeable to the usage of the navy, which money so recovered shall be paid to the Co., *id. s.*24.

657. All rights now vested in the Co., not hereby expressly taken away, or varied, shall continue, *id. s.*25.

658. All ships belonging to the Co. whether built or purchased by them, shall be deemed *British* ships within 12 *C.*2. *c.*18. *id. s.*33. [and see 57 *G.*3. *c.*95. *s.*2. *ante*, *pl.* 590.]

659. FOR BETTER MAINTENANCE AND CARE OF *Lascars* and other *Asiatic* seamen arriving in this kingdom, 54 *G.*3. *c.*134. *ss.*2,3. [see as to *Asiatic* seamen engaged in circuitous and intermediate voyages, 1 & 2 *G.*4. *c.*65. *s.*5., *ante*, *pl.* 475.

660. No vessel having on board any *Asiatic* sailors, *Lascars*, or natives of any places within the said limits, shall clear out from any port or place in any country, island, &c. under government of E.I.C. or belonging to H.M. within the said limits, on any voyage to the U.K. or to any place beyond the said limits, or shall be admitted to entry in any port, &c. within U.K. until the owner or captain shall have first given security, by bond, to the person and in the sum and form appointed by the directors, and approved by the board of control, that all such *Asiatic* sailors, *&c.* shall be supplied with provisions, clothing, and other necessary accommodation, while absent from, and till carried back to the country from which they are brought, which reconveyance shall be made within a reasonable time specified in the bond, or ascertained by such regulation, and every such bond executed by either the captain or any owner, shall be taken to be the joint and several bond of all the owners, and may be stated as such, and shall bind each of them jointly and severally, as if duly executed by all, 54 *G.*3. *c.*134. *s.*2.

661. If any *Asiatic* sailors, &c. (as in *s.*2.) having been brought to the U.K. on board any vessel not being a king's ship of war, shall be found within U.K. in distress, for want of food, clothing, &c. (as in *s.*2.) the Co. may relieve and maintain them till sent on board some ship bound for some place within the said limits; and all sums paid for such relief or maintenance, shall constitute a debt due to the Co. from the owners of the ship on board which such person was brought into U.K. and shall be recoverable with costs of suit as money paid for the use of the former, in any courts of U.K. or in the E.I. (if the owners are resident there) which debts may be recovered by action, *id. s.*3.

662. TO MAKE FURTHER REGULATIONS FOR THE REGISTRY of ships built in *India*, 55 *G.*3. *c.*116.

663. Any collector of duties to E.I.C. at any port, or any other person their service of the rank of senior merchant, or of 6 years standing in the same, being appointed to act in execution of this act by any of the governments of the Co. in *India* in any ports where there is no collector of customs, may register and grant certificates of the registry of all vessels built in any places under the Co.'s government, or belonging to such ports respectively, and by 26 *G.*3. *c.*60., 27 *G.*3. *c.*19. *and* 34 *G.*3. *c.*68. required to be registered; and shall do every thing in relation to such registry, certificates and transfers of property of such vessels, and all other *British* registered ships, by those statutes required to be done by any customs officers in *G.B.* and the governments of the E.I.C., and all governors of places belonging to H.M. within the limits of their charter shall do all things and make all orders in relation to registry of such vessels, to the ports at which registered, the transfer of property therein, and all other matters relating to such registry as the commissioners of customs are by those acts authorized to do; and their powers, and those of the revenue officers under those acts as to any penalties or their application, and as to seizing any vessels forfeited for want of certificates of registry, shall be put in execution in relation to all vessels built within the above limits; which ships shall, when so registered, be taken to be *British* built ships lawfully registered and entitled to privileges of ships built in U.K. and registered as such, except as in *ss.*4, 5., *id. s.*1.

664. No vessel trading between *India* and the U.K., or within limits of the E.I.C.'s charter, shall be forfeit for want of registry until after 1*st July*, 1816, unless she shall after 1*st Jan.*, 1816, and before 1*st July*, 1816 have returned to the port where she shall belong, and afterward departed from thence without due registry, *id. s.*2.

665. Nothing in this or any other act shall subject any vessel built within the limits of the Co.'s charter, and not being of 350 tons burthen, nor any vessel built within those limits, and now the property of any H.M.'s subjects within the same, and employed in trade solely within the same, including the *Cape of Good Hope* ,or any vessel building before 1*st Jan.*, 1816 solely for the latter trade, to forfeiture for want of registry, and not being *British* built, or affect the property or any transfer thereof in any such vessel, *id. s.*3.

666. No vessels *India* built (as in *s.*1.), and registered under this act as *British* built, and owned by subjects of H.M. and navigated according to law, shall be entitled to the privileges of *British* built ships owned, registered and navigated according to law, in any voyages or trade beyond the limits of the Co.'s charter, except those specified in 53 *G.*3. *c.*155. and 54 *G.*3. *c.*34. *id. s.*4.

667. Nothing in this act shall affect the privileges of any vessel already registered as *British* built, or affect the right of any vessel now built or building to registry as *British* built, *id. s.*5.

668. No *Asiatic* sailors, *Lascars* or natives of places within the limits of the E.I.C.'s charter, shall be deemed *British* sailors within 34 *G.*3. *c.*68. nor any other act of navigation for the purpose of entitling any vessel to be deemed a *British* ship legally navigated, with the privileges of *British* ships, having the master and 3-4*ths* of the mariners *British* subjects; Provided that H.M. by proclamation on commencement of hostilities may permit all trading vessels and privateers to be manned wholly or in specified proportions with such *Asiatic* sailors, *id. s.*6.

669. Every vessel duly registered, and carrying on trade to and from *India* and the U.K. as aforesaid, and manned in part with *Lascars*, or natives of *India* commanded by a *British* master, navigated by 7

British seamen as part of the crew for every 100 tons, and so in proportion for less, shall be deemed navigated according to law, although such number be not equal to 3-4*ths* of the whole crew of the vessel, 55 *G.*3. *c.*116. *s.*7. [reciting the inferior strength of *Asiatic* seamen, which would oblige ships either to carry more *British* seamen or fewer *Asiatics*, if 3-4*ths* were to be *British*.]

670. Any of the E.I.C. governors in *India*, or any governor of any place belonging to H. M. within the limits aforesaid, on application by the owner or commander of any vessel, and after ascertaining that a sufficient number of *British* seamen cannot be procured for the crew of any vessel sailing from *India*, may, within 10 days, certify the same, and license her to sail with less proportion of *British* seamen than required by law; and such ship having such licence aboard, shall be deemed legally navigated notwithstanding such deficiency; but on her voyage back from *U. K.* shall have full 7 *British* seamen to every 100 tons, *id. s.*8.

671. Nothing in this or any other act shall extend to require any number of *British* seamen to be on board as part of the crew of any vessel employed in trade only between ports and places within the limits of the Co.'s charter including *Cape of Good Hope*, or to prevent the same while so employed being navigated wholly or in any proportion as to *Asiatic* or other *Indian* sailors, *id. s* 9.

672. To AUTHORISE THE COURT OF DIRECTORS OF THE E.I.C. to make extraordinary allowances in certain cases therein mentioned to the owners of *certain ships* in their service named in *s.*1., 57 *G.*3. *c.*120. [A like provision, *id. s.*16. These enactments are not given at length, as being personal in their nature.]

673. To AMEND AND REDUCE INTO ONE ACT THE SEVERAL LAWS relating to the manner in which the E.I. Co. are required to hire ships, 58 *G.*3. *c.*83.

674. The 39 *G.*3. *c.*89., 50 *G.*3. *c.*86., and 51 *G.*3. *c.*75. *s.* 6. relating to the hiring of ships, are hereby repealed; but the repeal shall in nowise affect any contract made under the said acts, but the same shall be carried into execution, *id. s.*1.

675. After the passing of this act, the Co. shall not hire on freight any ship or ships, other than such as are contracted for thus; *viz.* whenever the Co. has occasion to contract for the hire of any ships to be built for their service, the court of directors shall give notice thereof by public advertisement, and therein state the burthen, the dimensions or scantlings of timbers and planks, number of guns, manner of building, providing, furnishing and storing such ships, the time to be allowed for building (which shall be as long as reasonably may be), and other particulars necessary to enable persons to judge of the expence, and proper rate of freight for such ships, or shall refer to printed terms to be delivered by their proper officer; and such advertisement shall fix a time, not less than four weeks from the publication thereof, for receiving proposals in writing, sealed up, for building and freighting the same to the company, such proposals to specify the lowest rates of freight for each voyage in time of peace required for such ships, for such number of voyages, not less than six, as the said court shall see fit from time to time to fix, to and from *India* or *China*, or elsewhere, within the limits of the charter, to be employed in trade and warfare, or otherwise, as thought proper by the Co., if the said ships shall so long be fit for service; and all tenders or proposals shall be put into a box, locked and sealed, which shall not be opened except publicly in a court of directors, and the contents thereof shall be entered in a book, and those offering the lowest peace freight shall be accepted without favour, subject to the provisions of this act; and if more ships than shall be wanted at the time of considering such proposals, are tendered to be built at the same low freight, then the court shall determine by lot which proposals shall be accepted, and they shall be accepted accordingly, subject to the provisions in this act, *id. s.*2.

676. The court of directors may advertise for proposals for any such ships which have performed the contracts by which they were built, again to be tendered for the service; and may again take up any such ships for an additional voyage, or such number of additional voyages, to and from *India* or *China*, or elsewhere, as the said court shall see fit, after performance of the voyages for which such ships have been engaged by any prior contract; provided that all such ships shall be capable of being repaired and made fit to serve for such additional voyage or voyages; but the peace freight and additional allowance to be paid for any such ships to be taken up for any additional voyage or voyages shall not exceed the rate of peace freight under the last contracts, together with such additional allowance as she might eventually be entitled to under this act, in respect of any voyage for which she might be afloat to proceed upon in time of peace, *id. s.*3.

677. Besides the peace freight, the court of directors shall be at liberty to make such allowances to the owners, in respect of additional charges arising in time of war, or preparations for war, as the court shall think right, *id. s.*4.

678. The court shall cause to be prepared, once in every year, by the master attendant, or other proper officer, tables of the average current prices for the building and outfit of ships, and tables of the probable costs of such building and outfit, distinguishing the probable expence of each voyage of ships of the different sizes engaged, which tables, when signed by the master attendant, or other proper officer, and when approved by the court of directors, shall be fairly transcribed and signed by the secretary or assistant secretary of the Co. by order of the court, and shall be left or hung up in some public office in the E.I. house, for the perusal of all persons, with liberty for them to take copies thereof; and such tables shall be made from time to time between 1*st June* and and 1*st Oct.* in every year, 58 *G.*3. *c.*83. *s.*5.

679. After the conclusion of any war, when any ship shall come afloat, to proceed on any voyage in execution of any such contract in time of peace, then the court shall cause, as to all ships now in the service, the tables first to be allowed as before mentioned; and as to all ships which hereafter shall be contracted for in time of peace, the tables allowed before such ships have been contracted for; and as to all ships which hereafter shall be contracted for in time of war, or preparations for war, the tables allowed next before the commencement of war, or such preparations for war, to be compared with the tables next before such ships shall come afloat in time of peace to proceed on such voyage; and if it appears on such comparison that the probable cost of the outfit exceeds the amount estimated by the tables by one-tenth part of such amount, then the owners shall be entitled, for that voyage, to an additional allowance upon the chartered tonnage equal to such probable excess, to be determined finally by order of the court; but if on such comparision the probable cost of outfit shall be found to fall below the amount estimated by the tables by one-tenth, then the court shall be at liberty to make an abatement from the freight at a rate which, calculated upon the chartered tonnage, shall be equal to such diminution of cost of outfit, to be in like manner determined finally by the court; but the owners of ships already in the service of the Co., under contracts made since 20*th Nov.* 1815, shall not be entitled to any such additional allowance, nor subject to any such abatement, until after a war has taken place and been concluded; also the owners of ships hereafter to be contracted for in time of peace shall not be entitled to any such allowance, nor subject to any such abatement, in respect of any voyage to be performed during the peace; also owners of ships hereafter to be contracted for in time of war shall be entitled to a comparison of the costs of outfits, and to any additional allowance for every voyage which they shall come afloat to proceed upon in time of peace; provided that no additional allowance shall be payable in time of peace to the owners for any voyage, in respect of which they shall be entitled, under this or any former act, to any payment in respect of additional charges arising in time of war, or preparations for war or hostilities; also any time when owners shall not be so entitled shall be deemed a time of peace within this act; also the additional charges (if any) incurred by reason of any ship being built during a time of war, or preparations for war, shall be paid to the owners, although she may come afloat to proceed on her first voyage in time of peace. *id. s.*6.

680. In cases of unforeseen exigency the court of directors, or any one of their governments abroad, may hire any ship or ships which can be procured to answer such exigency; provided that public notice shall be given by advertisement 14 days previous to the taking up the same; and the proposals to be made shall be put into a box, locked and sealed, which shall not be opened except publicly in a court of directors, or by the governor and council or chief agents of the company; and then the lowest tender shall be accepted, without favour, if reasonable, and if on survey the ships tendered appear fit for the service required; but their employment shall not extend beyond the duration of the particular service, *id. s.*7.

681. The court or their said governments, in cases of unforeseen and pressing exigency may take up by private contract, with or without advertising, any ships soever for any particular purpose, provided that no such ship shall be taken up for more than one voyage, and the reasons be stated in the minutes of the court, and reported to the court of proprietors next after such taking up; and the reasons for taking up any such ships abroad be stated in the minutes of the proceedings of the government, and communicated to the court of directors as soon as conveniently may be, *id. s.*8.

782. The court of directors may take up by private contract, without advertising, any ships engaged in H. M.'s transport or other service, to carry convicts or stores to *New South Wales*, the *Cape of Good Hope*, or *Ceylon*, or elsewhere within the limits of the charter of the company, for the purpose of bringing cargoes from *China* or *India*, at such rate of freight and demurrage as they shall judge reasonable, so as no such ship shall be taken up for more than one voyage, *id. s.*9.

683. The court of directors may advertise for and take up for trade and warfare, and any other service, or for trade only, or any specific service, any ships, whether built expressly for the service of the Co. or any other service, and whether new ships or ships before employed, so as the registered measurement is not more than 800 tons for one voyage, or for

a voyage out, or a voyage home, as the court shall think proper, to and from any port or place, except *China*, 58 *G.*3. *c.*83. *s.*10.

684. Nothing in this act shall authorize the employment of any vessel, the registered measurement of which shall be under that prescribed by 53 *G.*3. *c.*155. or by any act hereafter to be passed, for vessels carrying on trade between the U. K. and places within the limits of the Co.'s charter, *id. s.*11.

685. In case any ship engaged in the service of the Co. under a contract for 6 voyages, hath been or shall be lost or captured before completion of her 5th voyage; if, on investigation, the commander and owners are acquitted from all imputation of neglect or misconduct, in the opinion of 18 directors at a court specially assembled, (so that such resolution be reported to a general court of proprietors, and confirmed by ballot by 3 parts in 4 of the proprietors assembled in court specially convened for that purpose, whereof 8 days' previous notice shall be given in the *London Gazette*,) then, if such commander shall be then living, or if dead, then if the chief officer shall be living (having already performed one voyage at least as chief or second officer), and should have exerted himself honourably for the defence and safety of the lost ship, either in fight or distress at sea, and shall be acquitted as above, the court of directors may enter into an agreement with the owners, or their representatives; or if the latter should omit or decline for 3 calendar months after the vote of acquittal to enter into such agreement, then the court may enter into an agreement with any persons of sufficient responsibility, who shall be nominated in writing under the hand of the commander of such lost ship, if living and able to serve, and if not, then with any person of sufficient responsibility, and able to give security, who shall be nominated in writing under the hand of the chief officer, if living and able to serve, to build another ship of such size as the Co. shall have occasion for, to be employed by them for 6 or more voyages, at the lowest rate of peace freight, with such other allowances as are permitted by this act to be paid, which shall be payable in respect of the ship of a similar size, or as near as may be of a similar size, to the ship about to be built, which shall have been contracted for, for 6 voyages at least, last before the contract for the ship instead of such lost ship shall be entered into: Provided that such ship so to be built instead of such lost ship shall be commanded in the first instance by the captain of the lost ship, if living and able to serve, and failing him, by the chief officer living and able to serve; and unless the commander or chief officer shall be living and able to serve when the contract shall be entered into, it shall not be lawful for the Co. to enter into any agreement for building a ship instead of such lost ship, otherwise than by public competition as before mentioned, *id. s.*12.

686. Nothing herein shall oblige the court of directors, or any of the governments abroad, to accept any tenders which they deem unreasonable, and for performance of which reasonable security shall not be given; or to enter into any agreement therein, although such tenders may be the lowest; nor shall this act vest in the owners of any ships, or persons offering any tenders, any right which they would not have had, if this act had not passed, *id. s.*13.

687. Nothing herein shall extend to any of the ships belonging to the marine war establishment of the Co.; but the Co. and their servants abroad may hire vessels for those purposes only, as they shall see fit; nor shall this act prevent the Co. or any of their officers or servants, from causing goods to be carried on their account on board any private ship or vessel, though not in the service of the Co. *id. s.*14.

688. All the bye-laws, rules, and regulations of the Co. and court of directors now in force and hereafter to be made, not repugnant to the provisions hereby enacted, shall remain of force and effect, *id. s.*15.

ELECTIONS (ECCLESIASTICAL).

(STATUTE *repealed.*)

TO AUTHORIZE H. M. TO MAKE BISHOPS BY HIS LETTERS PATENT, 31 *H.*8. *c.*9. [REP. 1 & 2 *P. & M. c.*8. *s.*18. *semble* not REV. 8 *El. c.*1.]

(STATUTES *in force.*)

1. NO GREAT MAN, NOR OTHER, SHALL BY FORCE OF ARMS, OR threats, disturb any free election to be made, on pain of great forfeiture, 3 *E.*1. *c.*5. (*West. Prim.*)

2. IF ANY DIGNITY BE VACANT WHERE ELECTION IS TO BE MADE, the latter shall be freely made according to the statutes. 9 *E.*2. *c.*14. *Art. Cler.*

3. ELECTIONS OF ARCHBISHOPRICS, BISHOPRICS, DEANERIES, &c. shall be free, saving to H. M. his prerogatives, 9 *H.*4. *c.*9. [see as to bishops, 25 *H.*8. *c.*20. *tit.* BISHOP, *pl.*21—24.]

4. AGAINST ABUSES IN THE ELECTION OF SCHOLARS, AND presentation to benefices, 31 *El. c.*6. and recital in *s.*1.

5. If any person, bodies politic or corporate, which have election, presentation or nomination, or voice or assent in the election, &c. of any fellow, scholar, or other person to have room or place in any cathedral or collegiate churches, colleges, schools, hospitals, halls, or societies, shall receive or take any money, fee, or other reward, or any promise, agreement, covenant, bond, or other assurance, to receive any money, &c. either to themselves, or their friends, for their voices in such election, &c. the place or office which such offender shall then have in any such church, &c. shall be void, and may be filled up by H. M., or the person to whom the presentation, donation, gift, election, or disposition thereof belongs, as if such offender were dead, 31 *El. c.*6. *s.*2.

6. If any fellow, officer, or scholar, of any such church, college, &c. or other person having place therein, shall receive, contract, or agree to receive any money or profit for resigning his place for another to be put in the same, he shall forfeit double the value of money, or thing taken or agreed to be taken, and every person by or for whom any money, &c. shall be given, or agreed to be paid, shall be incapable of such place for that turn, and shall not be taken to be a lawful fellow, &c. of any such churches, &c. or to have place there, and they to whom it appertains may elect, present, and nominate another, as if such person by or for whom such money, &c. was received or agreed so to be, was dead or had resigned, *id. s.*3.

7. At the time of such election, (as in *pl.*5.) this act, and the orders and statutes of the same place concerning such election, &c. shall be publicly read, on pain, in case of default to forfeit 40*l.*; all which forfeitures may be recovered in any court of record by any person that will sue for the same, by action of debt, wherein no essoin, &c. the one moiety to the informer, and the other to the use of the college, &c. where the offence was committed, *id. s.*4.

8. And to avoid simony, if any persons, bodies politic or corporate, shall for money, reward, gift, or profit, or for any promise, agreement, grant, bond, covenant, or other assurance of or for any money, &c. present, or collate any person to any benefice with cure of souls, dignity, prebend, or living ecclesiastical, or bestow the same for such corrupt consideration, such presentation, collation, gift, and bestowing, and every admission, institution, investiture, and induction thereof shall be void, and H. M. may present or collate unto or bestow such benefice, dignity, &c. for that turn only, and every person or body, giving or taking such money, &c. or taking or making such promise, &c. shall forfeit double the annual value of such benefice, &c. and the person corruptly taking, &c. such benefice, shall be incapable to enjoy the same, *id. s.*5.

9. If any person shall, for any money or profit, (or other than the lawful fees,) or by reason of any promise, &c. of any money, &c. admit, institute, instal, induct, invest, or place any person to any benefice, with cure, dignity, prebend, or other living ecclesiastical, he shall forfeit double the annual value thereof; and after such investing, &c. such benefice, &c. shall be merely void, and the patron or person to whom the advowson, gift, presentation, or collation appertains, shall dispose of the same as if such party so installed, &c. were dead, *id. s.*6.

10. Provided no title to confer or present by lapse shall accrue upon any voidance under this act, but after 6 months notice thereof by the ordinary to the patron, *id. s.*7.

11. If the incumbent of any benefice, with cure of souls, shall corruptly resign or exchange the same, or corruptly take for such resignation or exchange any pension or benefit, then the giver and taker thereof shall lose double the value of the sum so given; one moiety thereof, as well as one moiety of such annual value shall go to H. M. and the other to him that will sue for same by action of debt, &c. or information in any court of record, in which no essoin, &c. *id. s.*8.

12. This act shall not take away or restrain any punishment prescribed by the law ecclesiastical for such offences, *id. s.*9.

13. Every person who shall receive or take any money or profit, or any promise, agreement, &c. (as in *pl.*5.) to take money, &c. either to himself or his friends (lawful fees excepted) to procure the ordaining of any minister, or the giving of any licence to preach, shall forfeit 40*l.*, and the party so ordained 10*l.*; and if the party so ordained shall within 7 years afterwards accept any promotion ecclesiastical, then after induction, &c. the same shall be merely void; and the patron or person to whom the advowson, &c. (as in *s.*6.) belongs, shall present and collate, and dispose of the same, as if such party so inducted were dead; one moiety of all which forfeitures shall go to H. M. and the other to the party suing by action of debt, &c. or information in any court of record, wherein no essoin, &c. *id. s.*10.

EMBEZZLEMENT.

1. TO PROTECT MASTERS AGAINST EMBEZZLEMENTS BY THEIR clerks or servants, 39 *G.*3. *c.*85. [*See* as to *Ire.*, 51 *G.*3. *c.*38.]

2. If any servant or clerk, or any person employed for the purpose in the capacity of servant or clerk to any person or body corporate or politic soever, shall, by virtue of such employment, receive or take into

his possession any money, goods, bond, bill, note, banker's draft, or other valuable security or effects for, or in the name, or on the account of his master or employer, for whose use, or in whose name, or for whose account the same was delivered to, or taken into possession of such servant, &c. although such money, &c. were no otherwise received into such his possession, and every such offender, his procurer, aider, or abettor, being convicted or attainted thereof, shall be liable to transportation to such place beyond the seas, as H.M., by advice of privy council, shall appoint, for not exceeding 14 years, in the discretion of the court before whom such offender shall be convicted or adjudged, 39 *G.*3. *c.*85. *s.*1.

3. FOR MORE EFFECTUALLY PREVENTING THE embezzlement of money or securities for money belonging to the public by any collector, receiver, or other person entrusted with the receipt, care, or management thereof, 50 *G.*3. *c.*59.

4. If any person to whom any money, or securities for money, shall be issued for public services, shall embezzle, or in any manner fraudulently apply the same to his own use or benefit, or for any purpose except for public services, then on conviction in any part of the U.K., he shall be adjudged guilty of misdemeanor, and shall be sentenced to transportation beyond sea, or to receive other legal punishment at discretion of the court, *id. s.*1.

5. If any such officer, collector, or receiver so entrusted with the receipt, custody, or management of any part of the public revenues, shall knowingly furnish false statements of the sums of money collected by him, or entrusted to his care, he shall on conviction be adjudged guilty of misdemeanor, shall be punished by fine and imprisonment at discretion of the court, and shall be disabled from holding office under the crown, *id. s.*2.

6. FOR MORE EFFECTUALLY PREVENTING THE embezzlement of securities for money, and other effects left or deposited for safe custody, or other special purpose, in the hands of bankers, merchants, brokers, attornies, or other agents, 52 *G.*3. *c.*63.

7. If any person with whom (as banker, merchant, broker, attorney, or agent of any description,) any ordnance debenture, exchequer, navy, victualling, transport, or other bill, warrant, or order for payment of money, state-lottery ticket or certificate, seaman's ticket, bank receipt for payment of any loan, *India* or other bond, or any deed, note, or other security for money, or for any share or interest in the national stocks of this or any other country, or in the stock or fund of any corporation, company, or society established by statute or royal charter, or any power of attorney for the sale or transfer of such stock, or fund, or share therein, or any plate, jewels, or other personal effects shall have been deposited or shall remain for safe custody, or other special purpose, without any authority, general, special, conditional, or discretionary, to sell or pledge the same, *shall* sell, negociate, transfer, assign, pledge, embezzle, or in any manner apply to his or their own use or benefit, any such debenture, &c. (*enumerating as above*) in violation of good faith, and contrary to the special purpose for which the same were deposited, or remained with such person, with intent to defraud the owners, he shall, if offending within the U.K., be guilty of a misdemeanor, and on conviction shall be transported for not exceeding 14 years, or shall receive such other legal punishment as the court shall adjudge, *id. s.*1.

8. Any banker, &c. (*enumerating as in s.*1.) or other agent, in whose hands any sum of money, bill, note, draft, cheque, or order for payment of any sum of money is placed with any order in writing, and signed by the party so placing the same, to invest such sum of money, or the sum of money to which such bill, &c. shall relate in the purchase of any stock or fund, or on government or other securities, or in any other way or purpose specified in such order, who shall (within U.K.) apply to his own use and benefit any such sum of money or bill, &c. contrary to good faith, and to the special purpose specified in the above order in writing, with intent to defraud the owner of such money or order for payment thereof, shall be deemed guilty of a misdemeanor and punished (*as in s.*1.), *id. s.*2.

9. Nothing herein shall prevent any persons hereinbefore mentioned from receiving any money actually due and payable on, or by virtue of any of the above instruments or securities herein before mentioned, *id. s.*3.

10. The penalty by *s.*1. annexed to the commission of any offence intended to be guarded against by it, shall not extend to any partner or other person belonging to any partnership, society, or firm, except only such partner or person as shall actually commit or be privy to the commission of such offence, *id. s.*4.

11. Nothing herein, and no conviction or proceeding hereon, shall hinder or impeach any remedy at law, or in equity, which any party grieved, by any offence against this act, would have been entitled to, had it not been made, nor any proceeding had thereon; but nevertheless the conviction of any offender against this act shall not be received in evidence in any action at law, or suit in equity against him; and no person shall be liable to conviction under this act, if (previous to his indictment) he shall have disclosed such matter on oath, under any compulsory process of any court of law or equity in any action, suit, or proceeding in, or to which he has been a party, and *bonâ fide* instituted by the party grieved by the act committed by such offender, 52 *G.*3. *c.*63. *s.*5.

12. Nothing herein shall extend to or affect trustees under a marriage settlement, will, deed, or other instrument, or mortgages of any property soever, whether real or personal, in respect of any acts done by them in relation to the trust or mortgaged property, *id. s.*6.

13. Every person who shall commit in *Scot.* any offence against this act thereby made a misdemeanor, shall be punished by fine and imprisonment, or either of them, or by transportation, for not exceeding 14 years, at discretion of the court which shall convict, *id. s.*7.

14. Nothing herein shall restrain any banker, &c. (*enumerated as in s.*1.) from selling, negociating, transferring, or otherwise disposing of any securities, property, or other effects in his custody, on which he has any lien or demand by law entitling him to dispose thereof, unless such sale, transfer, or other disposal shall extend, to a greater number or part of such securities, property, or other effects than is necessary to satisfy such lien or demand, *id. s.*8.

EMIGRATION.

(STATUTES *repealed.*)

1. AT DOVER AND OTHER PASSAGES men shall pay no more for their fare than they had wont to do, 4 *E.*3. *c.*8. [REP. 21 *J.*1. *c.*28. *s.*1.]

2. PILGRIMS SHALL PASS AT DOVER ONLY, 9 *E.*3. *st.*2. *c.*8. [REP. 21 *J.*1. *c.*28. *s.*9.]

3. AT WHAT PORTS PERSONS going beyond sea, shall embark, 13 *R.*2. *st.*1. *c.*20. [REP. 21 *J.*1. *c.*28. *s.*9.]

4. FOR COMPELLING PERSONS to take passage and land at *Dover* in *Kent*, 4 *E.*4. *c.*10. [REP. 21 *J.*1. *c.*28. *s.*11.]

(STATUTES *in force.*)

1. FOR SETTLING THE RATES FOR THE CARRIAGE OF PASSENGERS and goods for hire to and from the *Isle of Wight*, 24 *G.*3. *S.*1. *c.*19. [*This act* will be found analyzed in the index.]

2. FOR REGULATING THE VESSELS CARRYING PASSENGERS from the U.K. to H.M.'s plantations and settlements abroad, or to foreign parts, with respect to the number of such passengers, 43 *G.*3. *c.*56. [Vessels carrying passengers to and from the fishery at *Newfoundland*, EXEMPTED 44 *G.*3. *c.*44. (*but see* 56 *G.*3. *c.*83. *post*, *pl.*31.) AMD. as to ascertaining the tonnage of foreign passage vessels. Vessels in the *Hudson's Bay* company's service are EXEMPTED under certain conditions, 53 *G.*3. *c.*36. *pl.*27. *British* passage vessels put on the same footing as foreign vessels with respect to passengers to and from the *United States*, 56 *G.*3. *c.*114. REP. as to so much (*s.*4.) as requires the attendance of magistrates on board passage vessels, 58 *G.*3. *c.*89. AMD. as to *s.*7. with respect to surgeons, 59 *G.*3. *c.*124. and REP. as to the bonds in *s.*10. required, 1 *G.*4. *c.*7. Passage vessels going to *North America* exempted from 43 *G.*3. *c.*56. by 57 *G.*3. *c.*10.]

3. No master or other person having the command of any *British* ship or vessel, which shall clear out from any port or place in U.K., shall have on board, at or after being cleared out, at any one time, or convey, carry, or transport, from any place in such kingdom to any parts beyond sea, a greater number of persons, whether adults or children, including the crew, than in the proportion of one person for every 2 tons of the burthen of such vessel; and every such vessel shall be deemed to be of such tonnage as is described in the certificate of its registry, granted in pursuance of the several acts in force relating to such certificates; and if any such vessel shall be partly laden with goods, then such master or other person shall not receive on board a greater number of persons, including the crew, than in the proportion of one person for every 2 tons of that part of such vessel remaining unladen; and such goods, &c. with which such vessel may be partly laden, shall, at the sight and under the direction of the collector or other officer of customs, at the port where such goods shall be taken on board, be stowed in such manner as to leave wholesome accommodation for the proportion of persons hereby allowed in such case to be received on board, 43 *G.*3. *c.*56. *s.*1.

4. If any such master or other person shall take on board, or if he, or the owners of any such vessel, shall engage to take on board a greater number of persons than in the proportion allowed by this act, such master or other person shall forfeit 50*l.* for each person exceeding such proportion; and moreover every such vessel so having on board, conveying, &c. one or more persons beyond such proportion, shall be seized and detained by the collector, &c. or officer of the customs, until such penalty is paid, or until such master or other person, or the owners of such vessel, shall give good bail for the payment thereof, *id. s.*2.

5. Every such vessel bound to any port or place in *North America*, shall be stored and furnished with at least 12 weeks provisions and

wholesome water, sufficient to afford an allowance *per* day during the voyage, of not less than half a pound of meat, 1 pound and a half of bread, biscuit, or oatmeal, with half a pint of molasses, and 1 gallon of water, to each person on board, whether adult or child; and the master or other person having the command of such vessel, shall give out to each person on board at least the allowance herein directed each day of the voyage, under the pain of 20*l.* for each neglect; and any person demanding a clearance for any such vessel which shall not be so stored with provisions and water, shall forfeit 50*l.* for each person for whom there shall not be a quantity of provisions and water sufficient to afford such allowance, 43 *G.*3. *c.*56. *s.*3. [*but see as to Canada, Nova Scotia New Brunswick, and Prince Edward's Island*, 57 *G.*3. *c.*10. *post, pl.* 43.]

6. Before receiving a clearance or sufferance for any such vessel, such master or other person shall deliver to the officer of the customs from whom such clearance, &c. is demanded, a muster roll, distinguishing the passengers from the crew, and specifying the names, age, and sex of the persons to be received on board, and the conditions upon which such persons severally are to be so received, and the places to which they have severally contracted to be conveyed; and every person delivering a false muster roll, shall forfeit 50*l.* for each person omitted, or falsely stated or described therein; and the collector, &c. of customs of the place at which any such vessel shall be cleared out, or in the absence of such collector, &c. the resident officer of the customs at the port, together with any justice of the peace or other magistrate, if such justice or magistrate can be found at such place, or within a convenient distance thereof, and such collector, or resident officer, [Rep. 58 *G.*3. *c.*89. *pl.* 7.] shall muster the passengers and crew on board every such vessel immediately before sailing, and compare the persons found on board with the persons specified and described in such muster roll delivered by such master or other person, and search and inspect every such vessel; and if it appear that a false muster roll has been delivered, or if more persons be found on board than in the proportion in *s.*1. allowed, or if the vessel shall not be stored and provided with provisions and water sufficient to afford the allowance in *s.*1. directed, then such collector, &c. or the principal officer of the customs, may seize and detain such vessel, and such master or other person, until he or the owners find good bail for the penalties hereby imposed for exceeding the proportion of persons to be received on board, and for demanding a clearance for such vessel without being stored with provisions and water, as in *s.*1. directed, and for delivering a false muster roll; and no clearance shall be given by any officer of the customs, until such collector, &c. shall have mustered the persons on board, and searched and inspected the vessel, and provisions and water; and if, upon such inspection, the regulations of this act have been complied with, a copy of such muster roll so delivered shall be certified by such collector or principal officer of the customs, to be delivered to such master or other person, and shall be preserved by him on board such vessel; and the original muster roll delivered by such master, or other person, shall remain and be preserved at the custom-house where the clearance or sufferance is granted, *id. s.*4.

7. So much of 43 *G.*3. *c.*56. *s.*4. as requires the attendance of a justice of the peace, or other magistrate, to muster the passengers and crew on board of such vessels, or any other thing to be done by them in regard to such vessels and the passengers and crew on board, shall be Rep., and the collector or other proper officer of customs may execute all things required by such act to be done by such justice, &c. 58 *G.*3. *c.*89.

8. If upon any such muster, or otherwise, any passenger, or person who has entered into any contract for such voyage (other than the crew) shall signify to such collector or other officer of the customs, that he is desirous of being relanded, or of not proceeding on any such voyage, such collector or other officer of the customs, shall take such person out of the vessel, and set him free from his engagement, reserving to either party any legal claim which may arise in consequence thereof, 43 *G.*3. *c.*56. *s.*5.

9. No passenger shall be received on board of any such vessel, unless at a port or place where a custom-house is established, or officers of customs stationed; and if any passengers be taken on board at any other port, the master or other person having the command of such vessel, shall forfeit 500*l.*; and such vessel shall be seized and detained by any officer of customs, until such penalty is paid, or such master or other person, or the owners of such vessel, shall find good bail for the same, *id. s.*6.

10. No such vessel carrying 50 persons or upwards, including the crew, shall be cleared out, unless provided with a surgeon, who shall produce to the officer of the customs required to give the clearance or sufferance, a certificate of his having passed his examination at surgeons hall, in *London*, or at the royal college of surgeons of *Edinburgh* or *Dublin*, [or before the medical faculty at *Glasgow*, 59 *G.*3. *c.*124.] 43 *G.*3. *c.*56. *s.*72., 59 *G.*3. *c.*124. *s.*1. *See pl.* 30.

11. Such surgeon shall have a medicine chest properly stored with medicines, in proportion to the number of persons on board, of the kind and according to the assortment used for such voyages on board of H. M.'s ships of war; and before any such vessel is allowed to be cleared out, shall specify upon oath, before the collector or other chief officer of the customs, at the place from whence such vessel is to clear out, the contents of such medicine chest, and further make oath that the medicines are of good quality, to the best of his belief, which oath such collector, or other chief officer shall administer; and the affidavit of such surgeon shall be deposited and preserved in the custom-house where the clearance or sufferance of such vessel shall be granted, and the master or owner of every such vessel failing to provide a medicine chest of such description, and such surgeon neglecting to make such oath, shall forfeit 50*l.*, 43 *G.*3. *c.*56. *s.*8.

12. The bedding of every passenger on board any such vessel shall be aired by exposure upon deck, when the weather will permit, once a day during the voyage, and such ship shall be fumigated with vinegar at least twice a week during the voyage; and such master or other person, shall forfeit 20*l.* for each failure herein, *id. s.*9.

13. No clearance or sufferance shall be granted to any such vessel, unless such master or other person, as in *s.*1., and also the surgeon thereof, where a surgeon is hereby required, shall have given bond to H. M., such bond to be taken by and left with the collector or other principal officer of customs at the port whence such vessel shall clear out, in 100*l.*, with condition as therein mentioned, [but Rep. *as to giving bond*, 1 *G.*4. *c.*7. *s.*1.,] *viz.* to keep a journal of the number of persons on board at one time, and of the provisions and water on board; of the daily allowance thereof; the airing of the bedding, and of the deaths of any of the passengers, and the cause thereof; and such master or other person, and such surgeon, shall deliver their journals to the collector or other officer at the first port of the U.K. where such vessel shall arrive after returning from such port of destination, and shall severally make oath to the truth thereof, before such collector or other officer, who shall administer such oath; and such collector or other officer shall deliver to such master or other person, and to such surgeon, copies of such oaths, and also of such journals, which copies shall be attested as true under the hand of such collector or other officer; and duplicates of such copies so attested, shall be transmitted by such collector or other officer to the commissioners of H.M.'s customs in *London*, *Edinburgh*, or *Dublin*, according as such journal shall be delivered and such oath made, in *Eng. Scot.* or *Ire.*; and if such master or other person, or surgeon, shall act contrary hereto, they shall, for each such offence, severally forfeit 100*l.*, *id. s.*10. [*See post, s.*17. *pl.*22.]

14. No master or other person, having the command of any vessel, other than a *British* vessel, owned, navigated, and registered according to law, clearing out from any place in the U.K., shall have or take on board a greater number of persons, including the crew, than in the proportion of 1 person for every 5 tons of the burthen of such vessel; and every such vessel shall be deemed to be of such tonnage as shall be ascertained by the oath of such master or other person, taken before the collector or other chief officer of the customs, at the port whence such vessel is cleared out, which oath such collector or chief officer shall administer; and such collector or chief officer may muster the passengers and crew, and search and inspect every such vessel, and if more persons be found on board than in such proportion, such master or other person shall forfeit 50*l.* for every person so taken on board beyond such proportion, 1 moiety whereof shall go to H.M., and the other to such collector or other officer who shall seize and detain such vessel, until such penalties be paid, *id. s.*11.

15. If the collector or other chief officer of customs at the port of clearance shall have any doubt as to the tonnage of such vessel as sworn to by such master or other person, or is required by any person having such doubt, such collector, &c. may cause such vessel to be admeasured in the manner a *British* ship is for the purpose of registry, and such vessel shall be deemed to be of the tonnage thereby ascertained notwithstanding such oath, 53 *G.*3. *c.*36. *s.*1.

16. All the regulations and penalties in the 43 *G.*3. *c.*56. *s.*11., contained with respect to foreign vessels carrying passengers, and no other, shall be applied to *British* vessels carrying passengers from the U.K. to the *United States* of *America*, as fully as if here repeated, 56 *G.*3. *c.*114.

17. Nothing in this act shall extend to vessels in the service of H. M. or the postmaster-general, or of the customs and excise in *G.B.* and *Ire.* respectively, or of the *E. I.* Co., 43 *G.*3. *c.*56. *s.*12.

18. If, after any such vessel shall have been cleared out, any master or other person having the command thereof shall permit or suffer to be unshipped or relanded, any provisions or water, he shall forfeit 200*l.*, *id. s.*13.

19. If any passengers who may be desirous not to proceed on such voyage shall be relanded, or shall not proceed as before (*s.* 5. *pl.* 8.) di-

rected, then such master or other person may unship or reland under the inspection of the officer of the customs at the place from whence such vessel cleared out, a quantity of provisions and water, not exceeding the proportion sufficient for the allowance of such passengers so relanded, 43 *G.*3. *c.*56. *s.* 14.

20. An abstract of this act shall be prepared by direction of the commissioners of customs in *Eng.*, *Scot.*, and *Ire.*, and a copy thereof hung up in the custom-house of every port of the U. K., and another copy, and a copy of such muster roll, as in *s.*4., affixed to the most public place of every vessel carrying passengers under this act; and the master or other person, as in *s.*13. *pl.*18., shall cause such copies to be renewed, so that they may be at all times accessible to every person on board, upon pain that every such master or other person, who shall neglect to affix or renew the same, shall forfeit 20*l.*, *id. s.* 15.

21. All captains and officers commanding H.M.'s ships of war or revenue cutters, who shall meet any such vessels at sea, may call for such muster-roll as in *s.*6. *pl.*9. and search such vessel; and if any more or other persons shall be found on board than are specified in such roll, or if provisions shall not be found on board sufficient to afford to each person the daily allowances in *s.*3. *pl.*5. directed during the remainder of the voyage, unless it shall appear that such vessel has been detained on her passage, after leaving the place at which the passengers embarked, beyond the time for which the quantity of provisions hereby required are directed to be provided, or if such allowances shall not have been dealt out in the preceding part of the voyage as herein directed, may seize and detain such vessel, until good bail be given at the place to which such vessel may be carried by their order, who may put hands on board to take charge of her for that purpose; and if the state of such vessel and the provisions on board will permit, may send back such vessel to the port from whence she was cleared out, or otherwise carry her into such port as the state of the provisions on board, or the supply which such captains or officers can afford, will permit, *id. s.*16.

22. No such vessel shall be cleared out, unless the owners, or the master or other person having the command thereof, shall have given bond to H.M., to be taken by and left in the hands of the collector, or other proper officer of the customs in the port from whence such vessel cleared out, in an amount equal to 20*l.* for each passenger on board such vessel, with condition that such vessel is sea-worthy, and that every such passenger, if alive, shall be landed at the port to which they have contracted to be conveyed, *id. s.*17. [*See ante*, *s.* 10. *pl.*13.]

23. If any officers of the customs shall knowingly sign or give out any clearance or sufferance for any such vessel, contrary to this act, he shall forfeit his employment and 50*l.*, *id. s.*18.

24. All money, penalties, and forfeitures in this act mentioned, shall be calculated and paid within *G.B.*, in lawful money of *G.B.*, and within *Ire.* in *Irish* currency; and any penalty, &c. inflicted by this act may be sued for, and recovered by action of debt, &c. or information, in any court of record at *Westminster* or *Dublin*, or in the court of exchequer, or in the court of session in *Scot.*, in the name of H.M.'s attorney-gen. for *Eng.* or *Ire.*, or H.M.'s advocate for *Scot.*, or in the name of any person whatsoever, wherein no essoin, &c. or more than one imparlance shall be allowed; and in every action or suit, the person against whom judgment shall be given for any penalty under this act, shall pay double costs; and such action or suit may be brought at any time within 3 years after the offence committed, and one moiety of every such penalty shall go to H.M., and the other to such person as shall first sue for the same, after deducting the charges of prosecution from the whole, *id. s.*19.

25. Every person taking any oath by this act authorized to be taken who shall thereby commit wilful perjury, or shall unlawfully procure or suborn any person to take any such oath, whereby such person shall commit wilful perjury, shall suffer the like pains as are by law inflicted upon persons committing wilful perjury, or subornation of perjury, in *G.B.* and *Ire.*, *id. s.*20.

26. Every action or suit for any thing done in pursuance of this act, shall be commenced within 3 calendar months after the fact committed, and shall be brought in the county or place where the cause of action shall arise; and the defendant may plead the general issue, and give this act and the special matter in evidence, and that the same was done in pursuance hereof; and if it appear to be so done, or if any such action or suit is brought after the time limited, or in the wrong county, or place, the jury shall find for the defendant; and upon such verdict, or if the plaintiff is nonsuited, or discontinues, or has a verdict or judgment upon demurrer against him, the defendant shall recover double costs, with usual remedy to recover the same, *id. s.*21.

27. The 43 *G.*3. *c.*56. shall not extend to any vessel in the *Hudson's Bay* Co.'s service, provided such vessel shall not carry more than 20 passengers, besides the crew; and if such vessel shall carry more, provided a licence shall be granted by H.M. in council, as herein directed, to carry more than 20, specifying the number and description of such passengers. But any such vessel may sail without such licence, subject to the provisions of 43 *G.*3. *c.*56., 53 *G.*3. *c.*36. *s.*2.

28. When it is intended that any such vessel shall carry a greater number than 20 passengers, that Co. shall lay before H.M. in council, a plan of the interior of such vessel, with a statement of the dimensions of that part of the vessel which is to be allotted to the passengers, and the manner in which it is fitted up, as also the number and description of passengers to be received on board; and thereupon a licence by H.M. in council shall be granted, to put on board and convey to the settlements of the Co. the number of passengers so described; provided that such passengers being full grown men, do not exceed the number of infantry usually conveyed by transports for a similar voyage, on board of a vessel having similar accommodation, or if not full grown men, are of such description, that the number may be equally well accommodated in the space required by such number of infantry; and on such licence granted, such number may be put on board such Co.'s vessels, without being subject to such act, 53 *G.*3. *c.*36. *s.*3.

29. Nothing in this act shall extend to repeal, alter, or affect any law now in force in the U.K. for the restriction or regulation of artificers and others, going to parts beyond the seas, or to regulate vessels conveying them, or the masters or persons having the charge of such vessels; but all such laws, &c. shall remain in force as before this act, 43 *G.*3. *c.*56. *s.*22.

30. The powers, provisions, penalties, &c. of 43 *G.*3. *c.*56. shall extend to this act, 59 *G.*3. *c.*124. *s.*2.

31. FOR REGULATING THE CARRYING OF PASSENGERS to and from the island of *Newfoundland*, and the coast of *Labrador*, 56 *G.*3. *c.*83. [REP. *as to the bond* hereby required, 1 *G.*4. *c.*7.]

32. Before the sailing of any vessel from any port or place in the U.K. to *Newfoundland*, or the coast of *Labrador*, with passengers, the master or other person commanding such vessel and the owner, shall [give bond to H.M. REP. 1 *G.*4. *c.*7. *s.*1.] previous to leaving such port, deliver to the principal officer of customs there, a list of his passengers, with their names, ages, and descriptions, to be registered at such port, together with a copy of the same, which copy shall be certified by such officer to be a true one, and be delivered to such master or person, to be kept on board his vessel, and subject to the inspection of any of H.M.'s ships of war, or vessels in the service of the excise or customs during his voyage; and on the arrival of such ship at either of such places, such master or other person shall deliver such copy to the govr. or person acting for him, or the naval officer, or chief officer of the customs at the port of arrival, or to the nearest justice of peace, who shall examine the passengers within 24 hours afterwards, and no passenger shall be allowed to land until such list is compared with the passengers by the governor, or other person acting for him, or some person authorized by either of them, 56 *G.*3. *c.*83. *s.*1.

33. Every such master or person who shall take or have on board his vessel, and every owner thereof who shall engage to take on board any more persons than the number allowed, shall forfeit 10*l.* for each person so taken or engaged to be taken, *id. s.*2.

34. No ship or vessel from any place in the U.K. or from *Guernsey* and *Jersey*, shall carry to *Newfoundland* or the coast of *Labrador*, more passengers than in the proportion following, *viz.* any *British* ship, having a second deck, may take passengers at the rate of one for every unoccupied space of 6 feet by 2 feet, and being of the full height between the 2 decks; or having only one deck over her hold, may take passengers at the rate of one for every space between the cargo stowed in the hold and the deck, being 6 feet by 2, and of the height of 5 feet perpendicular, above the cargo, and being independent, in either case, of the space requisite for the stowage of the water, provisions, and baggage, and the full space aforesaid shall be allotted for each passenger taken on board, *id. s.*3.

35. Every such vessel shall be furnished, at the time of her departure to commence the voyage, with 10 weeks supply of good water, so as to furnish 5 pints *per* day to each passenger, exclusive of the crew, and such water shall be stowed below the deck; and further shall be supplied with so much provisions as will afford to each passenger, exclusive of the crew, for 10 weeks, 1lb. of bread or biscuit, 1lb. of beef, and ¼lb. of pork *per* day, and also 2lbs. of flour, 3lbs of oatmeal, or 3lbs. of peas, or pearl barley, and half a pound of butter weekly, the weekly allowance to commence the day the vessel puts to sea, *id. s.* 4.

36. Every such master or person (as in *s.*1.) failing to give such allowance of provisions and water, shall forfeit 10*l.* for each neglect, *id. s.*5.

37. An abstract of this act, stating the number of passengers allowed, and the daily and weekly allowance of water and provisions, shall be exposed in some conspicuous part of the vessel to which the passengers have access, in failure of which such master or person shall forfeit 10*l.*, *id. s.*6.

38. The master or person having the command of any such vessel, engaging to take on board passengers from *Newfoundland*, or the coast of *Labrador* for the purpose of returning thence to the U.K., shall conform to the regulations aforesaid as to the number of passengers, and be liable to the like penalties in case of breach thereof, as in the case

of vessels proceeding from hence to *Newfoundland* or the coast of *Labrador*, 56 *G.* 3. *c.* 83. *s.* 7.

39. Every such vessel so returning to the U. K. with passengers, shall be furnished, at the time of her departure to commence the voyage, with the like supply of water and provisions, and make such allowance to each passenger as in *s.* 4., but calculated for 7 weeks instead of 10 weeks, *id. s.* 8.

40. And such master or person, who shall fail to give out such allowance of provisions and water, shall forfeit 10*l.* for each neglect, *id. s.* 9.

41. All penalties and forfeitures incurred under this act shall be recovered in a summary way, on oath of 1 witness, before 1 justice of peace for any county, city, or place in the U. K. where such vessel shall depart from or come into during such voyage, or in a summary way in any surrogate court or courts of session, having jurisdiction in *Newfoundland*; and such penalties as shall be recovered in *Newfoundland* shall be paid to the governor, or the person acting for him, to be applied under his direction, for defraying the passage home of such person as ought to be sent to his own country, *id. s.* 10.

42. This act shall not extend to the conveyance of any person on board of any such vessel, whether fishermen, youngsters, or others, being hired servants to be employed on the establishment of their respective hirers in the *Newfoundland* or coast of *Labrador* fisheries, *id. s.* 11.

43. To REGULATE THE VESSELS CARRYING PASSENGERS FROM THE U. K. to certain of H. M.'s colonies in *North America*, 57 *G.* 3. *c.* 10. [REP. as to so much as requires bond to be given, 1 *G.* 4. *c.* 7. *s.* 1.]

44. The 43 *G.* 3. *c.* 56. shall not apply to any *British* vessel carrying passengers to the provinces of *Upper* or *Lower Canada*, *Nova Scotia*, *New Brunswick*, *Cape Breton*, or *Prince Edward's Island*, 57 *G.* 3. *c.* 10. *s.* 1.

45. No vessel shall sail with passengers from any port in the U. K. to any port in *Upper* or *Lower Canada*, &c., unless the master or other person having the command thereof, shall, before sailing, enter into security by bond to H. M., in the penalty of 500*l.*, with condition not to take on board any more passengers than herein permitted, and that every passenger shall be landed at the port to which he contracted to be conveyed; which bond shall be taken by and deposited with the collector or principal officer of customs at the port from whence such vessel shall sail; and the master, previous to his leaving such port, shall deliver to such collector, &c. a list containing the number of passengers, with their names, ages, and descriptions, and the places to which they are to be conveyed, for the purpose of being registered at such port, together with a copy of the same, which copy shall be certified by such officers as being true, and delivered to the master, to be by him kept on board, and subject to the inspection of any of H. M.'s ships of war or vessels in the service of the customs or excise during his voyage; and upon arrival at either of such colonies, such master shall deliver such copy to the governor or person acting for him, or to the naval officer or chief officer of customs at the port of arrival, or to the nearest justice of the peace, who shall be required to examine the passengers within 24 hours after their arrival; and no such passenger shall be allowed to land until such list is compared with the passengers by such governor, &c. *id. s.* 2. [REP. *as to taking bond*, 1 *G.* 4. *c.* 7. *s.* 1.]

46. If such master, &c. take or have on board, or if the owner of such vessel shall engage to take on board more persons than the number allowed, they shall respectively forfeit 50*l.* for each person, *id. s.* 3.

47. No vessel from any place in the U. K., or from *Guernsey* and *Jersey*, shall carry to any port in *Upper* or *Lower Canada*, &c. a greater number of passengers than in the proportion of 1 adult or of 3 children under 14 years of age for every ton and a half burthen of such vessel; and every such vessel shall be taken to be of such tonnage as is described in the certificate of registry. And if any such vessel shall be partly laden with goods, &c., then the master shall not receive a greater number of persons than in the proportion of 1 adult or 3 children under 14 years of age for every one ton and a half remaining unladen, *id. s.* 4.

48. Every such vessel shall be furnished, at the time of her departure, with at least 12 weeks supply of good water, so as to furnish 5 pints of water *per* day for every passenger, exclusive of the crew; and such supply shall be stowed below the deck; and every such vessel shall also be furnished with such a supply of provisions as will afford an allowance for every such passenger, exclusive of the crew, during such 12 weeks, of 1 pound of bread or biscuit, and 1 pound of beef or three quarters of a pound of pork *per* day, and also 2 pounds of flour, 3 pounds of oatmeal, or 3 pounds of pease or pearl barley, and half a pound of butter weekly; the weekly allowance to commence on the day the vessel puts to sea, *id. s.* 5.

49. The master failing to give out the allowance of provisions and water before specified, shall forfeit 10*l.* for each neglect, *id. s.* 6.

50. An abstract of this act, stating the number of passengers allowed to be taken, and the daily and weekly allowance of water and provisions, shall be exposed in some conspicuous part of the vessel to which the passengers have recourse; in failure of which the master shall forfeit 10*l.*, *id. s.* 7.

51. All penalties incurred under this act shall be recovered in a summary way, on the oath of one witness before one justice of any county or place in the U. K. where such vessel shall depart from or come to; or in a summary way in any court of session having jurisdiction in the port at which such vessel shall arrive; and one moiety shall go to H. M., and the other to the use of such person as shall first sue for the same, 57 *G.* 3. *c.* 10. *s.* 8.

52. Nothing in this act shall extend to repeal, alter, or affect, any law now in force for the restriction or regulation of artificers and others from going from any part of the U. K. to parts beyond sea, or to regulate the vessels carrying such artificers, or the masters having charge of such vessels; but all such laws shall remain in full force, *id. s.* 9.

ENTRY. (*See* DISSEISIN.)

1. THE PENALTY WHERE ANY DOTH ENTER INTO LANDS where it is not lawful, or with force, 5 *R.* 2. *stat.* 1. *c.* 8. [CON. and AMD. 15 *R.* 2. *c.* 2., 8 *H.* 6. *c.* 9. (and recital in *s.* 1.) EXPL. 31 *El. c.* 11. and recital in *ss.* 1—2. and AMD., and giving power of restitution for copyhold and other tenants, 21 *J.* 1. *c.* 15.]

2. None shall enter on lands but where entry is given by law, and in such cases not by force, but in a peaceable manner; and persons doing contrary hereto shall be imprisoned at H.M.'s will, 5 *R.* 2. *stat.* 1. *c.* 8.

3. At all times that forcible entries be made, and complaint thereof comes before the justices of peace, one justice may take the power of the county and go to the place where such force is made, and if he find any that hold such place forcibly after such entry made, they shall be put to gaol, there to abide convict by the record of such justice, until they make fine to H. M.; and all they of the county, as well the sheriff as others, shall be attendant upon the same justices, and assist them to arrest such offenders on pain of imprisonment, and to make fine to H. M. And so it shall be done concerning those who make such forcible entries in benefices and offices of holy church, 15 *R.* 2. *c.* 3.

4. If any make forcible entry into lands, or do hold them forcibly after complaint made to a justice or justices for the county, by the party grieved, such justice shall execute 15 *R.* 2. *c.* 2. at the costs of the party grieved, 8 *H.* 6. *c.* 9. *s.* 2.

5. Though such persons making such forcible entry be present, or else departed, the justices, &c. (as in last *pl.*) nevertheless may, in some convenient place, enquire by the people of the county, as well of them that make such forcible entries into lands and tenements, as of them which the same hold with force; and if it be found before them that any do contrary hereto, the justices, &c. shall cause the tenements so entered or holden to be re-seized, and put the party so put out in full possession; and if any person, after such entry, make a feoffment or other discontinuance to any lord or other person, to have maintenance, to defraud the possessor of his recovery, and if afterwards in assize or other action thereof, by due enquiry thereof, such feoffments and discontinuances may be duly proved to be made for maintenance, the same shall be void, *id. s.* 3.

6. When such justice or justices shall make such inquiries, he or they shall make warrant and precepts to the sheriff of the county, to cause to come before them sufficient men dwelling about the tenements so entered, to inquire thereof, whereof every man so impanelled shall have lands of 40*s.* yearly value; and the sheriff shall return issues upon them for every day of the first precept returnable, 20*s.*; second day, 40*s.*; third time, 100*s.*; and every day after, double; and if any sheriff or bailiff within a franchise, having return of H.M.'s writ, make not execution of such precepts, he shall forfeit to H. M. 20*l.* and make fine and ransom to H. M., *id. s.* 4.

7. As well the justices aforesaid as the justices of assize, at their coming to take assizes in any county, may hear and determine such defaults of such sheriffs and bailiffs, as well by bill at the suit of the party grieved, for himself, as by indictment for H. M.; and if the sheriff or bailiff be attainted by indictment or by bill, he which sueth shall have one moiety of the 20*l.* with his costs, and the same process shall be made against such persons indicted, or sued by bill, as against persons indicted, or sued by writ of trespass with force and arms, *id. s.* 5.

8. If any person be disseised of lands, &c. by force, or put out peaceably, and afterwards holden out with a strong hand, or after such entry any feoffment or discontinuance thereof be made to defraud the right of the possessor, the party grieved shall have an assize of *novel disseisin* or writ of trespass against such disseisor, and if the party grieved recover, and if it be found by verdict or otherwise that the defendant entered by force, or after entry withheld by force, the plaintiff shall recover treble damages, and the defendant shall make fine and ransom to H. M.; and mayors or justices of peace, sheriffs, and bailiffs of cities, towns, and boroughs, having franchise, shall have therein like powers to remove such entries as justices and sheriffs in counties, *id. s.* 6.

9. Provided that they which keep possession with force in any lands, &c., whereof they or their ancestors, or they whose estate they have in such lands, &c., have continued in possession for 3 years, be not hereby damaged, *id. s.* 7

10. No restitution upon any indictment for forcible entry, or holding with force, shall be made, if the person indicted hath had the occupation, or been in quiet possession for 3 years together, next before the day of such indictment found, and his estate therein not determined, which the party indicted may allege for stay or restitution, and restitution to stay until that be tried, and restitution shall stay until that be tried, if the other will traverse the same; and, if after such allegation be tried [*or* found] against the person so indicted, then he shall pay such costs and damages to the other party as shall be assessed by the judges or justices before whom tried, the same to be recovered and levied as is usual in other actions, 31 *El. c.* 11. *s.* 3.

11. Such judges and justices of peace as are by any act authorized or required to give restitution of possession to tenants of any estate of freehold of their lands, &c., entered upon or withholden by force, shall (upon indictment of forcible entry, and withholdings found) give like restitution to tenants for years, by copy of court roll, guardians by knights service, tenants by *elegit*, statute merchants, and staple of lands or tenements, by them so holden, which shall be entered upon or holden from them by force, 21 *J.* 1. *c.* 15.

12. A SPECIAL ASSIZE SHALL BE MAINTAINABLE against a disseisor with force, 4 *H.* 4. *c.* 8.

13. If any man shall make any forcible entry in his own or another's right, to his own or another's use, by way of maintenance, or do, take, or carry away any goods, after such forcible entry, from the possessor of the freehold, if the party grieved, or another in his name, will make affiance [*Qu.* affidavit] that the entry was made in such forcible manner, the chancellor shall grant a special assize without suing to H. M.; and if the disseisor shall be attainted thereof, he shall be imprisoned one year, and restore double damages to the party grieved; and if he be convict by the assize, that he had taken such goods, the justices shall award damages: and in every such assize, one of the justices of either bench, or the chief baron of exchequer, if he be a man of law, shall be named, and no writ of *supersedeas* shall be granted contrary to such special assize, *id, ibid.*

ERROR.

1. HOW ERRONEOUS JUDGMENTS IN EXCHEQUER shall be examined, 31 *Ed.* 3. *c.* 12. [AMD. 31 *El. c.* 1. *s.* 1., 16 *C.* 2. *c.* 2, and 20 *C.* 2. *c.* 4.]

2. In all cases touching H. M. or other persons, where a man complains of error in process in exchequer, the [*lords*, as to the addition *lords*, *see* 4 *Inst.* 105. chancellor and treasurer, *see their* attendance dispensed with, by 31 *El. c.* 1. *s.* 1.] shall cause to come before them in any chamber of council near the exchequer, the record of the process, taking to them justices and other sage and fit persons, and shall call before them the barons of exchequer to hear the causes of their judgments, and thereupon shall duly examine the business; and if any error be found therein, shall correct and amend the rolls, and send them into exchequer to make proper execution thereof, *id. ibid.*

3. AGAINST DISCONTINUANCES OF WRITS OF ERROR in exchequer and K. B., 31 *El. c.* 1. and recital in *s.* 1.

4. FOR PREVENTING ABATEMENTS OF WRITS OF ERROR on judgments in exchequer, 16 *C.* 2. *c.* 2., (and recital in *s.* 1.)

5. FOR PROCEEDING TO JUDGMENT ON WRITS OF ERROR brought in exchequer, 20 *C.* 2. *c.* 4.

6. The not coming of the lord chancellor or lord treasurer, or of either of them, at the adjournment day, [or return day, 16 *C.* 2. *c.* 2. *s.* 2.] in any suit or writ of error, brought under 31 *E.* 3. *S.* 1. *c.* 12., shall not cause abatement or discontinuance thereof; but if both the chief justices, *or* either of the above great officers, shall come to the exchequer chamber, and there be present at such adjournment day, it shall *be no abatement* or discontinuance, and the suit shall proceed, 31 *El. c.* 1. *s.* 1., 16 *C.* 2. *c.* 2. *s.* 2.

7. But no judgment shall be given in any such writ of error, unless both the lords chancellor [*and treasurer*, REP. in case of the vacancy of that office, 20 *C.* 2. *c.* 4.] are present, 16 *C.* 2. *c.* 2. *s.* 3.

8. Judgment may be given in any writ of error brought in exchequer in presence of the lord keeper of the great seal, [or lord chancellor, see 5 *El. c.* 18.] notwithstanding the vacancy of the lord treasurer's office, 20 *C.* 2. *c.* 4. *s.* 1.

9. HOW A WRIT OF ERROR OR ATTAINT MAY BE MAINTAINED by a reversioner, 9 *R.* 2. *c.* 3.

10. If tenant for life, in dower, by the curtesy, or in tail after possibility of issue extinct be impleaded, and plead to an inquest, and lose by the oath [*verdict*] of 12 men, or by default, or in any other manner, the person having the reversion at the time of judgment given, shall have an attaint, if the verdict is false, and also a writ of error, if error be found as well in the life as after the death of the particular tenant; and if such false oath be found, or erroneous judgment reversed, the tenant that lost by the first judgment, if alive, shall be restored to his possession, with the issues in the mean time; and the party suing to any arrears of rent due for the same; and if such tenant be dead, possession of the tenements, with their issues, after his death, and any arrears of rents due in his lifetime, shall be restored to the party suing, 9 *R* 2. *c.* 3. *s.* 1.

11. But though such tenant is alive, yet if the party suing will allege that he was of covin and assent with the demandant, who recovered, that such tenements should be lost, then restitution shall be made to the party suing with the issues and arrears as above, saving to such tenant his *scire facias* on such judgment of reversal, or judgment given on the writ of attaint, if he will traverse the covin and assent as aforesaid, and not otherwise, *id. s.* 2.

12. AGAINST DELAY OF EXECUTION UPON WRITS OF ERROR, and to give costs, 3 *H.* 7. *c.* 10. [CONF. 19 *H.* 7. *c.* 20.]

13. If any defendant or tenant, or other that shall be bound by a judgment, sue, before execution had, any writ of error to reverse the same error in delay of execution; if judgment be affirmed, or writ of error discontinued in default of the party, or if the person that sueth any writ of error be nonsuited, the person against whom such writ of error is sued shall recover his costs, and damages for his delay, at discretion of the justices afore whom such writ is sued, 3 *H.* 7. *c.* 10.

14. FOR REDRESS OF ERRONEOUS JUDGMENTS IN K. B. 27 *El. c.* 8. and recital in *s.* 1. [AMD. 31 *El. c.* 1. *s.* 2.]

15. Where any judgment shall be given in K. B. in any action of debt, detinue, covenant, account, action on the case, *ejectione firmæ*, or trespass, first commenced there, (except where H. M. is party,) the plaintiff or defendant against whom judgment is given, may, at election, sue forth out of chancery a special writ of error, to be devised therein, directed to the chief justice of K. B., commanding him to cause the said record, and all things concerning the said judgment, to be brought before the justices of C. P. and barons of exchequer, into the exchequer chamber, there to be by them examined; which justices and such barons as are of the coif, or 6 *of them at least*, [3 justices or barons sufficient, 31 *El. c.* 1. *s.* 2.] shall examine the errors assigned in such judgment, and shall reverse or affirm the same, other than for errors concerning the jurisdiction of K. B., or for want of form in any writ, return, plaint, bill, declaration, or other pleading, process, verdict, or proceeding soever; and after affirmance, or revisal, the said record, &c. shall be brought back into K. B. for further proceedings thereon, for execution or otherwise, as shall appertain, 27 *El. c.* 8. *s.* 2.

16. Such reversal or affirmance shall not be so final but that the party grieved therewith may sue in parliament for further examination of the judgment, as is now used on erroneous judgments in K. B. *id. s.* 3.

17. If the full number of justices and barons by 27 *El. c.* 8. *s.* 2. authorized, come not at the day or time of return or continuance of any such writ of error, any 3 of them, at every of the said days and times, may receive writs of error, award process thereupon, and make and prefix days, from time to time, for the continuance of all writs of error there returned, certified, or depending, 31 *El. c.* 1. *s.* 2.

18. No judgment shall be given in such suit or error, unless by such full number of the said justices and barons, as in *s.* 15. appointed, *id. s.* 3.

19. The plaintiff or defendant against whom judgment is given in K. B. may, at his election, sue in parliament for removal thereof, as heretofore used, [see 27 *El. c.* 8. *s.* 3. *pl.* 16.] *id. s.* 4.

20. No execution, in any personal action, shall be stayed in any court of record at *Westminster*, or in the counties palatine, or court of great sessions, by writ of error, or *supersedeas* thereupon, after verdict and judgment thereupon, unless a recognizance, conditioned under 3 *J.* 1. *c.* 8., be first acknowledged in the court where the judgment is given; and in writs of error on any judgment after verdict in dower, or *ejectione firmæ*, unless plaintiff in error shall be bound to such plaintiff in dower, &c. in the sum assessed by the court of error, with condition to pay costs, if the judgment is affirmed, or the writ of error discontinued by plaintiff in error, or that the plaintiff be nonsuit in such writs of error, that then such plaintiff shall pay such costs, damages, and sums of money as shall be awarded on such judgment affirmed, or discontinuance, or nonsuit had, *id. s.* 3.

21. The court wherein such execution ought to be granted on such affirmation, discontinuance, or nonsuit, shall issue a writ to enquire as well of the mesne profits as of the damages by any waste committed after the first judgment in dower, or *ejectione firmæ*, on the return whereof judgment shall be given, and execution awarded for such mesne profits and damages, and also for costs, *id. s.* 4.

22. But this act shall not extend to any writ of error to be brought by any executor or administrator, nor to any action popular, or other action on any penal law, (except for not setting forth tithes,) nor to any indictment, presentment, information, or appeal, *id. s.* 5.

23. ON QUASHING WRIT OF ERROR sued for variance from the original record, or other defect, the defendant in error shall recover his costs, as if the judgment had been affirmed, 4 & 5 *A. c.* 16. *s.* 25.

24. FOR AMENDMENT OF WRITS OF ERROR, and for further preventing the arrest or reversal of judgments after verdict, 5 *G.* 1. *c.* 13.

25. All writs of error wherein there shall be any variance from the

original record or other defect, may and shall be amended and made agreeable to such record, by the respective courts where they are returnable; and where any verdict is given in any action, &c. in any court of record at *Westminster*, or in any other court of record in *Eng.* or *Wa.*, the judgment thereon shall not be staid or reversed for any defect in form or substance, in any bill, writ, original or judicial, or for any variance in such writs, from the declaration or other proceedings, 5 *G.* 1. *c.* 13. *s.* 1.

26. Nothing herein shall extend to any [appeal of felony or murder, REP. 59 *G.* 3. *c.* 46. *s.* 1.] process on any indictment, presentment, or information, of or for any offence or misdemeanor, *id. s.* 2.

ESCHEAT AND ESCHEATOR.

(STATUTES *repealed and expired.*)

1. IN WHAT CASE AN *amoveas manum cum exitibus*, or *ouster le main*, shall be granted, 29 *E.* 1. [*semb.* REP. virtually by 12 *C.* 2. *c.* 24. *s.* 2. see 2 *Bla. Comm.* 68.]

2. HOW FAR ESCHEATORS SHALL ANSWER TO H. M. FOR MESNE profits, in case of *ouster le main*, 28 *E.* 3. *c.* 4. [*semb.* EXP. and virtually REP. by 12 *C.* 2. *c.* 24. *ss.* 1—2.]

3. PARTIES SHALL BE ADMITTED TO TRAVERSE OFFICES OF escheators, in case of alienation, without leave of H. M., or death of tenant, by knight's-service, his heir being within age, 34 *E.* 3. *c.* 14. [REP. virtually, 12 *C.* 2. *c.* 24. *ss.* 1. & 2.]

4. CONCERNING OFFICES AND INQUISITION FOUND within the counties palatine, 18 *El. c.* 13. [*semb.* EXP. since 12 *C.* 2. *c.* 24. *ss.* 1—2.]

(STATUTES *in force.*)

1. WHERE THE ESCHEATOR OR SHERIFF HAVE SEISED OTHER men's lands into H. M.'s hands, and it is after found that there was no cause of seiser, the profits taken in the mean time before H. M. has removed his hand [*ouster le main*] shall be fully restored to him to whom the land ought to remain, and who has sustained the damage, 28 *E.* 1. *c.* 19. [*Qu. if not virtually* REP. 12 *C.* 2. *c.* 24. *s.* 1. which repeals charges arising by reason of *ouster le main*, or by *s.* 2., which repeals wardships incident to tenure by knight's service?]

2. H. M. SHALL HAVE ESCHEATS OF LANDS of the freeholders of archbishops and bishops, when attainted for felony, committed in time of vacation, while their temporalties were in H. M.'s hands, to be given at his pleasure, for ever, saving the service therefore belonging to such prelates, 17 *E.* 2. *st.* 2. *c.* 14.

3. OF THE APPOINTMENT OF ESCHEATORS AND CORONERS, 14 *E.* 3. *S.* 1. *c.* 8.

4. There shall be as many escheators assigned, as were when H. M. did take the governance upon him; to be chosen by the chancellor, treasurer, and chief baron of exchequer, taking to them the chief justices, if they be present, in manner as the sheriffs; and no escheator shall tarry in his office above a year. And no coroner shall be chosen, unless he have land in fee sufficient in the county, 14 *E.* 3. *S.* 1. *c.* 8. [*see* CORONER. *pl.* 1.]

5. Every escheator shall take his inquests of his office of people which be sufficiently inherited, and of good fame, and of the same county where the inquiry shall be, which inquests so taken shall be indented betwixt the escheators and jurors; and if otherwise done, shall be void; and such inquests shall be taken in good towns, openly and not privily, 34 *E.* 3. *c.* 13., 23 *H.* 6. *c.* 16. *s.* 1., 1 *H.* 8. *c.* 8. *s.* 3.

6. LANDS SEIZED INTO H. M.'S HANDS SHALL BE SAFELY KEPT without waste. And the escheator shall have no fee of wood, fish, venison, nor other thing, but shall answer to H. M. of the issues and profits yearly; and if he do otherwise, and be attainted thereof, he shall be ransomed at H. M.'s will, and yield treble damages. And if any man will claim the lands seised, the escheator shall send the inquest into the chancery within one month after the lands seised; and a writ shall be delivered to him, to certify the cause of his seizure into the chancery; and there the party shall be heard without delay to traverse the office, or otherwise shew his right, and from thence be sent before H. M. to make a final discussion. And in case any come before the chancellor and shew his right by good evidences, the chancellor shall let the lands in debate to the tenant, yielding thereof to H. M. the value, if it pertain to H. M., so that he find surety that he shall do no waste nor destruction till it be judged. And the escheators shall take such inquests in the good towns, and of good people, and that openly and by indentures, to be made betwixt the escheators and them of the inquest; and if any escheator do the contrary, he shall have 2 years imprisonment, and be ransomed at H. M.'s will, 36 *E.* 3. *c.* 13.

7. QUALIFICATION AND DUTY OF ESCHEATORS, 42 *E.* 3. *c.* 5. [CONF. and AMD. 12 *E.* 4. *c.* 9. 1 *H* 8. *c.* 8. *s.* 1.]

8. No man made escheator shall take on him the office, unless he have [20*l.* of land in fee, at the least, or more, 42 *E.* 3. *c.* 5. *semble altered; viz.*, lands or rents, in fee-simple, fee-tail, or for life, of the yearly value of 20*l.*, 12 *E.* 4. *c.* 9., *also semb. altered*] lands, tenements, or hereditaments, of the yearly value of 40 *marks*, [*viz.* 26*l.* 13*s.* 4*d.*, on pain of 20*l.*, 1 *H.* 8. *c.* 8. *s.* 1., see *infra*, *pl.* 16.], within the counties whereof he is escheator; and shall not sell or set to farm such office, nor make any deputy, but such for whom he will answer, 12 *E.* 4. *c.* 4. [altering 42 *E.* 3. *c.* 5., which obliged them to do their offices in person.] The names of the deputies shall be certified by the escheator by his letters patent to the treasury and barons of the exchequer, within 20 days after such deputation made. And no such deputy shall take on him to occupy in the office of escheatorship, except he have lands or rents to the aforesaid value. And any person doing contrary to the premises, shall forfeit 40*l.*, one-half to H. M., the other to any person who will sue for the same by action of debt, &c. wherein like process, costs, and damages, shall be had as in other actions of debt. And the justices of peace shall have power to enquire, hear, and determine every such forfeiture on presentment in their sessions; in which like process shall be had, as on indictments of trespass with force and arms against H. M.'s peace; but this does not extend to the escheator of any city, borough, or town, having authority to make, or be escheator within itself, by letters patent, 12 *E.* 4. *c.* 9. amending 42 *E.* 3. *c.* 5.

9. FOR REGULATING INQUESTS OF OFFICE BY ESCHEATORS AND OTHERS, and grants of lands seized thereon, 8 *H.* 6. *c.* 16. [AMD. 1 *H.* 8. *c.* 10. 18 *H.* 6. *c.* 6. & *c.* 7.]

10. No escheator nor commissioner shall take inquests but of people returned and impanelled by the sheriffs; and if he take inquests of men not returned by the sheriff, and thereof, at suit of the party, be convict, for every inquest so taken he shall incur the pain of 40*l.*, one half to H. M., and the other to the party grieved, at whose suit convicted; and no tenements seised into H. M.'s hands upon such inquests shall be let to farm, till the inquests and verdicts be returned into chancery or exchequer, but shall remain in the hands of H. M. [3 months, 1 *H.* 8. *c.* 10.] until the inquests and verdicts be returned, and a month after the return. If the parties grieved by such inquests, or put out of their lands, come into chancery and proffer to traverse their inquests, and offer to take the lands to farm; then the lands shall be committed to them, as under 36 *E.* 3. *c.* 13. by the chancellor, [and the treasurer, 18 *H.* 6. *c.* 7.] if they shew good evidence, proving the traverse to hold until the issue taken upon the traverse be discussed, and to render to H. M. the yearly value, if it be discussed for H. M. And if any letters patent of the lands be made to the contrary to any other person, [or be made before inquest taken, 18 *H.* 6. *c.* 6. & *c.* 7.] or let to farm within the month after the return, they shall be void. And the escheators and commissioners, on pain of 20*l.*, half to H. M. and half to the party at whose suit he shall be convict, [with damages to H. M., 18 *H.* 6. *c.* 7. *and see* 1 *H.* 8. *c.* 8.] shall return the inquests into the chancery or exchequer within a month after taking the same; and every man which will sue for H. M. shall have the suit in his behalf, 8 *H.* 6. *c.* 16.

11. AFTER OFFICE FOUND BEFORE ANY ESCHEATOR OR commissioner put into chancery or exchequer, if any person will traverse the said office, and desires to have the lands to farm and find surety, and sheweth evidence to the chancellor, according to 8 *H.* 6. *c.* 16., and comes into chancery within 3 months after the office so put into chancery or exchequer, he shall be by the chancellor thereto admitted, and all other grants thereof be void, 1 *H.* 8. *c.* 10. *s.* 3.

12. In case any escheator take any office, and return not the same in chancery or exchequer, in the month after the taking, he shall incur the pain of 40*l.* forfeit by 8 *H.* 6. *c.* 16., and shall be bound to pay H. M. as much as he is damaged, because of not returning of such office, 18 *H.* 6. *c.* 7.

13. WHEN AND WHERE AN ESCHEATOR SHALL TAKE INQUEST of office, and his fee, 23 *H.* 6. *c.* 16.

14. Every escheator shall take his inquests of office, by virtue of any writs, whether of *diem clausit extremum*, or other within *the month*, [*another month* given, 1 *H.* 8. *c.* 8. *s.* 4.] after their delivery, and in good towns and open places [*viz.* according to 34 *E.* 3. *c.* 13. 1 *H.* 8. *c.* 8. *s.* 3., &c.]; and none of them shall take for execution of such writs in one county, above 6*s.* 8*d.*, or 13*s.* 4*d.*, or above, where his labour and costs require the same, so that the sum taken, do not exceed in all 40*s.* for execution of any such writ in one county; and if he do contrary, he shall forfeit 40*l.*, one half to H. M. and the other to him that will sue, [*and see* 1 *H.* 8. *c.* 8. *s.* 3. *infra*, *pl.* 18.]; and if a man traverse any office, taken before any escheator or commissioner, and hath *scire facias* thereof against any patentee, no protection shall be allowed, and as to any lease to be made to any person, which shall traverse any such office, the statutes, *viz.* 36 *E.* 3. *c.* 13. 8 *H.* 6. *c.* 16. 18 *H.* 6. *c.* 6., shall be observed, *id. ibid.*

15. AGAINST ESCHEATORS AND COMMISSIONERS, for making false returns of offices and commissions, 1 *H.* 8. *c.* 8. [MADE PERP. 3 *H.* 8. *c.* 2.]

16. If any escheator or commissioner return into any H. M.'s courts any inquisitions or offices concerning hereditaments, not found by the

oaths of 12 men, and indented and sealed, he shall forfeit for every such office, &c. 100*l.* to the party grieved; and no man shall sit by virtue of any commission to enquire of hereditaments, except he have lands, tenements, and hereditaments of 40 marks *per ann.* [*viz.* 26*l.* 13*s.* 4*d.*] above reprises, on pain of 20*l.*; and all persons not sufficient of freehold at the time of any such commission to them delivered, may refuse to sit and enquire by virtue of the same, 1 *H.*8. *c.*8. *s.*1.

17. Upon process against them out of exchequer by virtue of such commission, they shall be discharged on their oaths, for their non-sufficiency, without fine or fee, *id. s.*2.

18. Every escheator and commissioner shall sit in open places, according to the statutes, [23 *H.*6. *c.*16. *s.*1., 34 *E.*3. *c.*13.] and shall suffer every person to give evidence openly to such inquests as shall be taken before them, upon pain of 40*l.*, *id. s.*3.

19. No person, who ought to return writs or precepts, shall return before escheators or such commissioners, any person to enquire of any lands, except every of the jury so returned have lands of the yearly value of 40*s.* within the shire, on pain of forfeiture for every person 100*s.*; and the jury, sworn before any escheator or such commissioners to enquire of lands, shall receive the counter*pain* [or counterpart] of the inquisition sealed by the escheator or by such commissioner, to rest in the possession of the first person sworn in the jury, on pain of every of the said persons that shall be sworn 20*s.*; and after a jury sworn is ready to give their verdict, the escheators or commissioners shall receive the same without delay, upon pain of 100*l.* and deliver the counter*pain* of the indenture to the jury, upon like pain; and if the clerk of the petty-bag will not receive such inquisition, and put it on the files within 3 days after it is returned or offered to him, he shall forfeit 40*l.*, and the commissioners or escheators shall be discharged of the penalty of 40*l.*, limited by 23 *H.*6. *c.*16. *pl.*14. for non-returning the same within the month; and the like law to charge the officers of exchequer, who ought to receive inquisitions; and the commissioners or escheators shall be discharged of the penalty for non-returning of the inquisitions, so that they after the month, within another month return the said inquisition; and the clerk of the petty-bag shall certify the transcript of every such inquisition to the exchequer in the term following the receipt thereof, upon pain of forfeiture of 100*s.*; and no man shall be compelled to exercise the office of an escheator by any one patent over one year; and he that is once escheator shall not be made escheator again within 3 years; and if any be made escheator to exercise his office by one patent over the time of one year, or be made escheator within 3 years after, then after the said year ended, his patent shall be void; and the party grieved may recover the said forfeitures of 100*l.* by action of debt; and of the residue of the other forfeitures in this act, H. M. shall have 1 moiety, and the party that will sue the other, *id. s.*4.

20. Provided that this act concerning escheators for exercising their offices over a year, and letters patent made to any escheator, extend not to any escheator in any city or town corporate, or in the duchies of *Lancaster*, *Cornwall*, and the counties palatine of *Lancaster*, *Chester*, *Durham*, or *Ely*, or to any other county palatine, or to any escheator made by any persons having authority by reason of any franchises to make such escheator, *id. s.*5.

21. Provided that this act, as to any penalty concerning the sufficiency of the escheator and jurors, extend not to any escheator in city or town corporate, nor to any other escheator made by any persons having privilege to make escheators, nor to any sheriff or bailiff for returning any person before any of the said escheators of less value; the escheators of the counties palatine of *Lancaster* and *Chester* in this proviso only excepted, *id. s.*6.

22. Provided that this act extend not to any justices of peace, for any thing concerning the commission of the peace, *id. s.*7.

23. Touching finding of offices before the escheator, 2 & 3 *E.*6. *c.*8. (and recital in *ss.*1—2.)

24. Where any office or inquisition is found, omitting any title for term of years by copy of court roll, or other interest, every lessee or copyholder, and every person having any interest to any rent, common, or profits *apprender* out of any lands contained in such office or inquisition, shall enjoy their leases and interests, rents, &c. as they might have done in case there had been no such office or inquisition found, and as they ought to have done in case such lease, &c. had been found in such office, &c. *id. s.*3.

25. If any person be untruly found lunatic, idiot, or dead, every person grieved by such office, &c. shall have his traverse as in other cases of traverse on untrue inquisition or office, *id. s.*6.

26. Where it is untruly found, that any person attainted of treason, felony, or *præmunire*, is seised of any lands, tenements, or hereditaments, at the time of such treason, &c. committed, or after, whereunto any other person hath just title, every person grieved thereby shall have his traverse, or *monstrans de droit*, without petition of right, with like remedy and restitution, as in other cases of traverse, though H. M. is entitled to any such lands, &c. by double matter of record, *id. s.*7.

27. In all traverses pursued under this act, writs of *scire facias* may be issued against all such as have interest by H. M. or his patentees, as in traverses heretofore pursued, and the same pleas may be had as in any other writs of *scire facias* heretofore awarded against any patentee, and on every traverse pursued by virtue of this act, in a case where by the common law the party should have been put to sue by petition to H. M., two writs of search shall be granted as usual on such petitions, 2 & 3 *E.*6. *c.*8. *s.*13.

28. If, after judgment given on any traverse made under this act, it appears that H. M. hath any other title, the same shall be saved to him, notwithstanding such traverse and judgment, *id. s.*14.

29. Concerning the disposition of escheats to the crown, 39 & 40 *G.*3. *c.*88. (*s.*12. *only.*) [Amd. 47 *G.*3. *S.*2. *c.*24. 59 *G.*3. *c.*94.]

30. H. M. by warrant under the sign manual, or under seal of duchy of *Lancaster*, may direct the execution of trusts of lands, tenements, or hereditaments, escheated to him in right of the crown or duchy, either for want of heirs, or by forfeiture, or purchase by, or for the use of, or in trust for, any aliens, and may grant the same, or any parts thereof, or any rents due to him in respect thereof, to any trustees for execution of any such trusts, or for restoring the same to the family, or for carrying into effect any intended grant or devise thereof, or for rewarding or making grants of such lands, &c. to the discoverers of such escheat, or of H. M.'s right thereto, or being of the family of any alien, or to any person whose property the same lands, &c. have been; or to any other persons unconditionally, or in consideration of money either paid at the time of the grant, or charged on the lands, &c. granted, or to a trustee to sell; and H. M. may direct the rents, and money arising by sales, &c. thereof, to be applied in payment of costs for finding the title of H. M., and in rewarding discoverers, or in discharging the whole or any part of any debts due from persons, whose property any such hereditaments have been, 59 *G.*3. *c.*94. *s.*1. 47 *G.*3. *S.*2. *c.*24. *s.*1. 39 & 40 *G.*3. *c.*88. *s.*12.

31. Purchasers, or persons paying sums of money under this act, are not answerable for application of the purchase-money, 59 *G.*3. *c.*94. *s.*2.

32. The surplus shall be paid to the commissioners of the land-revenue for application by them, as the produce of the sale of any of H. M.'s lands or hereditaments, is to be applied by the several acts, [*viz.* 57 *G.*3. *c.* 97., &c. Crown Property, *pl.*160., &c.] 59 *G.*3. *c.*94. *s.*3.

ESSOIN.

1. After any one puts himself on any inquest, [*or* when issue is joined, 2 *Inst.* 126.] he shall have but one essoin or one default, so that if he come not at the day given to him by the essoin, or make default the 2d day, the inquest (issue) shall be taken by his default; but if such inquest be taken in the county before the sheriff or coroners, it shall be remitted to H. M.'s justices at a certain day, and if defendant come not on that day, upon his default, another day shall be assigned him; and it shall be commanded to the sheriff, that at that day he cause him to come to hear the judgment, if he will, according to the inquest (issue), and on his default, they shall proceed to judgment; and so if he come not at a day given to him by his essoin, 52 (or 54) *H.*3. *c.* 13. *Stat. Marlb.* [Amd. virtually, 13 *E.*1. *c.*27. *West. Sec.*]

2. After such time as any hath put himself on an inquest, [or when issue is joined, 2 *Inst.* 126.] one essoin shall be allowed at the next day, but at the other days the taking the inquest shall not be delayed by essoins, whether he were essoined before or no, nor shall any essoin be allowed after day given *prece partium*, or where the parties consent to come without essoin, 13 *E.*1. *c.*27. *West. Sec.*

3. In counties, hundreds, courts baron, or other courts, [this extends to superior courts, 2 *Inst.* 137.] none shall need to swear to warrant his essoin, 52 *H.*3. *c.*19. *Stat. Marlb.*

4. For relief of juries in writs of assize, attaints, and *juris utrum*, after the tenant hath once appeared, he shall be no more essoined, but shall make his attorney to sue for him, if he will, and if not, the assize or jury shall be taken through his default, 3 *E.*1. *c.*42. [Ext. to demandant in *assizes*, 13 *E.*1. *c.*28.]

5. Parceners, or many jointly enfeoffed, shall not have essoin but at one day, and no more than one sole tenant should have; so that from henceforth they shall no more fourch, but have only one essoin, 3 *E.*1. *c.*43. [Ext. to husband and wife, 6 *E.*1. *c.*10., and see *Termes de la Ley*, Fourcher.]

6. Essoin of *ultra mare* shall not be wholly allowed, if demandant challenge it, and is ready to aver that the tenant was in *Eng.* the day of summons and 3 weeks after, but shall be adjourned in this form; that if the demandant be ready at a certain day by averment of the country or otherwise, as the court shall award, to prove that the tenant was within the 4 seas the day he was summoned and 3 weeks after, so that he might be reasonably warned by the summons, the essoin shall be turned

into a default, and this is to be understood only before justices [of the king, 2 *Inst.* 251.] 3 *E.* 1. *c.* 44.

7. IN THE JUSTICES' CIRCUIT AN ESSOIN *de malo lecti* shall not be henceforth allowed for lands in the same shire, unless the tenant be sick indeed; for if the demandant except that he is not sick nor unable to come before the justices, his exception shall be admitted, and if it can be proved by inquest, the essoin shall be turned to a default; and no such essoin shall lie in a writ of right between 2 claiming by one descent, 13 *E.* 1. *West. Sec. c.* 17.

8. STATUTE OF ESSOINS, 12 *E.* 2. *st.* 2. 1. 8*vo ed.* 350. [*semb.* AMD. *Stat. de visu terræ et essonio de servitio domini regis, Incert. temp. Stat. No.* xxiv.]

9. Here it is declared, how many ways essoins may be challenged, and in what cases they lie and what not; *viz.* essoin lies not where the land is taken into H. M.'s hand, nor where the party is distrained by his lands or chattels, nor where any judgment is given thereupon if the jurors do come, nor where the party was seen in court; essoin of *ultra mare* lies not where another time the party has been essoined *de malo veniendi*, nor where the party hath essoined himself another day, nor where the sheriff was commanded to make the party appear; essoin *de servitio regis* lies not where the party is a woman, unless she be a nurse, a midwife, or commanded by writ of *ad ventrem inspiciendam*, nor in a writ of dower, nor where the plaintiff has not found pledges to prosecute, nor where the attorney was essoined, nor where the party has an attorney in his suit, nor where the essoinor confesses he is not in H. M.'s service, nor where the summons is not returned or the party not attached, because of *non est inventus* returned, nor where the party was essoined another time *de servitio regis*, to wit, such day, and puts not the same in his warrant, [nor in writ of *novel disseisin*, or of dower, or of *darrein presentment*, and appeal of death of a man (*taken away*, 59 *G.* 3. *c.* 46. *s.* 1.) *Stat. de visu terræ et essonio de servitio domini regis, incert. temp. No.* xxiv. 8*vo. ed. Stat.* i. 414.] nor where he was re-summoned in assize of *mort d'auncestor* or *darrein presentment*, nor because he is not named in the writ, nor where the sheriff has a precept to distrain the party to come by his lands and goods, nor where the bishop was commanded to cause the party to appear, nor after the term is passed; an essoin *de servitio regis* is allowed after the grand and petty cape, and after distresses taken on lands and goods, *id. ibid.*

ESTATES (LIFE).

1. FOR REDRESS OF INCONVENIENCES BY WANT OF PROOF OF the deceases of persons beyond the seas, or absenting themselves on whose lives estates do depend, 19 *C.* 2. *c.* 6., and recital in *s.* 1.

2. If persons for whose lives any estates are granted shall absent themselves 7 years, and no proof be made of their lives, then in any action commenced for recovery of such tenements by the lessors or reversioners, the persons on whose lives such estates depended shall be accounted as dead, and the judges shall direct the jury to give their verdict as if the person absenting himself were dead, *id. s.* 2.

3. In any action wherein the life or death of such person shall come in question between the reversioner and the tenant in possession, the former may except to any of the jurors that the greatest part of his real estate is held by lease or copy for lives who on proof thereof shall be set aside, *id. s.* 3.

4. If any person is evicted out of any lands by virtue of this act, and afterwards such person upon whose life such estates depend shall return again, or shall, on proof in any action to be brought for recovery of the same, be made appear to have been living, the lessee may reenter and enjoy the lands in his former estate so long as the said person lives, and also shall recover for damages the profits of the land, with interest for the time that they were ousted of the same, *id. s.* 5.

5. ANY ESTATE *PUR AUTER VIE* SHALL BE DEVISABLE BY WILL in writing, signed by the devisor, or by some other person in his presence and by his express directions, attested and subscribed in his presence by 3 or more witnesses; and if no such devise be made, the same shall be chargeable in the hands of the heir, if it shall come to him by reason of a special occupancy, as assets by descent, or in case of lands in fee simple, and in case there be no special occupants, it shall go to the executors of the party having the same by grant, and shall be assets in their hands, 29 *C.* 2. *c.* 3. *s.* 12.

6. Estates *pur auter vie*, in case there be no special occupant thereof, in which no devise shall have been made as above, or so much thereof as shall not have been so devised, shall be distributed in the same manner as the personalty of the testator or intestate, 14 *G.* 2. *c.* 20. *s.* 9.

7. FOR MORE EFFECTUAL DISCOVERY OF THE DEATH of persons pretended to be alive to the prejudice of those who claim estates after their death, 6 *A. c.* 18.

8. Any person having any claim to any remainder, reversion, or expectancy, in any estate after the death of any person within age, married woman, or other person, on affidavit made in chancery by the persons claiming such estate, of his title, and that he hath cause to believe that such minor, married woman, or other person is dead, and that the death is concealed, may once a year move the lord chancellor to order such guardian, trustee, husband, or other person, suspected to conceal such person, to produce to such persons (not exceeding 2) as shall in such order be named by the party prosecuting, such minor, married woman, or other person; and if they neglect to produce such minor, &c. on whose life such estate doth depend, according to the directions of the order, the court of chancery is required to order such guardian, &c. to produce such minor, &c. in court or before commissioners, as the court shall direct, 2 of which commissioners shall be nominated by the party prosecuting; and in case such guardian, &c. shall neglect to produce such minor, &c. in court or before such commissioners, whereof return shall be made by the latter, and filed in the petty bag office, the said minor, &c. so concealed shall be taken to be dead; and any person claiming title after the death of such minor, &c. may enter upon such lands as if such minor, &c. were dead, 6 *A. c.* 18. *s.* 1.

9. If it appears to the court by affidavit that such minor, &c. for whose life such estate is holden, is at some certain place beyond seas, the party prosecuting such order may send over the persons appointed by the said order to view such minor, &c. and in case such guardian, &c. shall neglect to produce to them a personal view of such minor, &c. they shall make return of such neglect, which return shall be filed in the petty bag, and thereupon such minor, &c. shall be taken to be dead, *id. s.* 2.

10. But if it afterwards appears on proof in any action, that such minor, &c. were alive at the time of such order made; such minor, &c. or other person having any estate determinable upon such life, may re-enter upon the said lands, and maintain an action against those who received the profits, or their executors or administrators, and therein recover damages for the profits received, *id. s.* 3.

11. If any such guardian, &c. having any estate determinable on the life of any other person, shall to the satisfaction of the court make appear, that they have used their utmost endeavours to procure such minor, &c. to appear in court or elsewhere, according to the order; and that they cannot procure such minor, &c. to appear, and that such minor, &c. were living at the time of such return made and filed; such person may continue in possession of such estate, *id. s.* 4.

12. Every person who as guardian or trustee of any infant, and every husband seised in right of his wife, and every other person having any estate determinable upon any life, who after the determination of such particular estates, without the express consent of those next entitled thereto shall hold over and continue in possession of any lands, shall be adjudged trespassers; and every person, his executors and administrators, who shall be entitled to such lands upon the determination of such particular estates, shall recover in damages against every person so holding over, and his executors and administrators, the value of the profits received during such wrongful possession, *id. s.* 5.

ESTATES (TAIL).

1. OF GIFTS UPON CONDITION, 13 *E.* 1. *West. Sec. c.* 1.

2. Where any giveth his land to any man and his wife, and the heirs together of the bodies of the same, with such condition expressed, that if such man and wife die without heirs of their bodies between them begotten, the land shall revert to the giver or his heir; also where one giveth lands in free marriage with a condition annexed, though not expressed in the deed of gift, *viz.* that if the husband and wife die without heirs of their bodies begotten, the land so given shall revert to the giver or his heir; also where one giveth lands to another, and the heirs of his body issuing, yet the will of the giver was not observed; wherefore it is provided, that the will of the giver, according as in the deed of gift expressed, shall be observed, so that they, to whom the land was so given, shall not aliene the same, whereby it shall fail to remain with the issue after their death, or revert in case of failure of issue to the giver. Neither shall the second husband of such woman have any thing in the land so given after the death of his wife by the law of *Eng.*, nor shall the issue of such second husband succeed in the inheritance; but on the death of the husband and wife it shall revert to their issue, or the giver or his heir, *id. ss.* 1, 2.

3. This manner of writ shall be granted to the party that will purchase it.

Præcipe A. *quod juste, &c. red.* B. *manerium de* F. *cum suis pertinentiis, quod* C. *dedit tali viro et tali mulieri, et heredibus de ipsis viro et muliere exeuntibus*; or thus, *quod* C. *dedit tali viro in liberum maritagium cum tali muliere, &c. et quod post mortem prædictorum viri et mulieris prædicto* B. *filio eorundem viri et mulieris descendere debeat per formam donationis prædictæ, ut dicit, &c.* or *quod* C. *dedit tali et heredibus de corpore suo exeuntibus, et quod post mortem illius talis prædicto* B. *filio prædicti talis descendere debeat per formam, &c. id. s.* 3.

4. The writ whereby the giver shall have his recovery, when issue fails, is common in chancery, and is to wit, that this statute shall hold touching alienation of land, contrary to the gift hereafter to be made; and if a fine be levied hereafter upon such lands, it shall be void; neither shall heirs or reversioners, though they be of full age, or within *Eng.* and out of prison, need to make their claim, 13 *E.* 1. *West. Sec. c.* 1. *s.* 4.

5. FOR RELIEF OF PERSONS ENTITLED TO ENTAILED ESTATES to be purchased with trust monies, 39 & 40 *G.* 3. *c.* 56. [*See similar* act for *Ire.*, 58 *G.* 3. *c.* 56.]

6. Where money, under the control of any court of equity or of or to which any individuals as trustees are possessed or entitled, shall be subject to be invested in the purchase of freehold or copyhold hereditaments, or both, to be settled in such manner, that it would be competent in case such money had been invested in the purchase of real estates, for the person who would be tenant of the first estate in tail, either alone or together with the person who would be owner of the particular preceding estate therein, if any, by deed, fine, or common recovery, or other lawful act, in case of freehold hereditaments or by surrender and recovery, or other lawful act, in case of copyhold hereditaments, to bar the first estate tail, and the rights and interests of all in remainder, such money need not be actually invested in lands, &c. in order to bar such estates tail and remainders over; but the court of chancery, or other court of equity, having control over such money; and in the case of trustees the court of chancery may, in a summary way, upon the petition of the person who would be the first tenant in tail, and of the person who would be owner of the antecedent particular estate, if any, in the lands, &c. in case the same were purchased, such petitioners being adults, and if *femes covert*, they being first separately examined in court, or on a commission, and consenting, order the monies subjected to such trusts to be paid to the petitioners, or to be paid and applied as such petitioners shall appoint, and the court approve, 39 & 40 *G.* 3. *c.* 56. *s.* 1.

7. In all cases where monies subjected to be laid out in the purchase of hereditaments, to be settled as aforesaid, shall be invested in government, real, or other securities, such securities shall, for the purposes of this act, be considered as money, and shall be accordingly assigned and disposed of under an order of such courts, made in a summary [*way*] on such petition, and with such examination and consent where necessary as aforesaid, in the same manner as money subjected to be laid out in the purchase of such hereditaments, to be so settled, are herein before authorized to be paid, applied, and disposed of, *id. s.* 2.

8. TO RESTRAIN ALL TRUSTS AND DIRECTIONS IN DEEDS OR WILLS, whereby the profits or produce of real or personal estate shall be accumulated, and the beneficial enjoyment thereof postponed beyond the time therein limited, 39 & 40 *G.* 3. *c.* 98.

9. No person or persons shall, by any deed, surrender, will, codicil, or otherwise settle or dispose of any real or personal property, in such manner that the rents, issues, profits, or produce thereof shall be wholly or partially accumulated for any longer term than the life or lives of such grantor or grantors, settler or settlers, or the term of 21 years from the death of such grantor, settler, devisor, or testator, or during the minority of any person who shall be living, or *in ventre sa mère* at the time of the death of such grantor, devisor, or testator, or during the minority only of any person who under the uses or trusts of the deed, surrender, will, or other assurances directing such accumulations, would for the time being, if of full age, be entitled unto the rents, profits, or annual produce so directed to accumulate; and all directions of accumulation, other than as aforesaid, shall be void; and such rents, &c. shall go and be received by such person as would have been entitled thereto, if such accumulations had not been directed, *id. s.* 1.

10. This act shall not extend to any provision for payment of debts of any grantor, settler, or devisor, or other person, or to any provision for raising portions for any child or children of any grantor, &c., or of any person taking any interest under such conveyance, settlement or devise, or to any direction touching the produce of timber, or wood, upon any lands, &c., but the same may be made as before this act, *id. s.* 2.

11. This act shall not extend to any disposition respecting heritable property in *Scot.*, *id. s.* 3.

12. This act shall take effect with respect to wills and testaments made before the passing hereof, in such cases only where the devisor or testator shall be living, and of sound and disposing mind, after 12 calendar months after the passing this act, *id. s.* 6.

ESTREATS.

1. A STATUTE OF ESTREATS. *Stat. incert. Temp.* No. XII. *Stat.* 8vo. *ed.* i. 402. [*semb. circa* 10 *Ed.* 1.]

2. Estreats into exchequer shall be made as follows: first shall be entered the common fines: *viz.* for issuing writs, and wherein the sum of money is expressed; and all these fines of every county, for the year, shall be written by themselves in regular order of priority, as entered, and the date of making the fine shall be entered on the estreat delivered into exchequer, *id. ibid.*

3. After those fines, shall be entered by counties severally, charters, letters, patents, or commissions, for which any farm or yearly rent is due to H. M., or whereof any accompts are to be made, *id s.* 2.

4. After these, the homages and fealties whereof reliefs are to be demanded, [*Qu.* REP. 12 *Car.* 2. *c.* 24. *ss.* 1, 2.] and the writs of *Diem clausit extremum*, and other things whereof the sum is not expressed, nor yearly demand made, and in the same estreat (*s.* 3.) shall then be entered the other charters of [*crown*] gifts from which H. M. is entitled to service, *id. ss.* 4, 5.

5. Then in the same estreat shall be entered the names of those assigned to inquire, or do any thing whereby fine or amerciament or other profit appertaining to the king might arise, *id. s.* 5.

6. In the end of the estreat the redisseisins and surcharging of pastures, *id. s.* 6.

7. The ordinance of the exchequer shall be kept, and by writ commanded to the justices of both benches, and the warden of the forest on this side of *Trent*, and beyond, *id. s.* 7.

8. The steward of H. M.'s house shall be commanded to deliver yearly to the treasurer of the exchequer his estreats of the fines, amerciaments, issues, forfeitures, and other profits arising to H. M., by reason of the pleas holden before the steward and marshal, twice in the year, *viz. Easter* and *Michaelmas*, *id. s.* 8.

9. Charge shall be given to the clerk of the market and of measures, that he deliver his estreats in form abovesaid, *id. s.* 9.

10. "WHERE IN THE GREEN WAX IT IS SENT TO THE SHERIFFS to levy H. M.'s debts, and they levy the same by rolls and other remembrances, and do not shew the estreats under the seal of the exchequer, so that that which is once levied cometh another time in demand, because that they do not charge themselves fully of that that is levied;" it is ordained that men shall see the estreats sealed, and that the same which is paid be totted and the estreats sent to the sheriffs upon the receipt. And if any sheriffs or their ministers do to the contrary, they shall answer to the party which will complain, and yield him treble damages, and make fine to H. M.: and he shall have his suit as well before justices of peace as before other justices. And the sheriffs shall account by the same estreats so totted and by none other; and the same estreats shall not be copied out by them, but the copy of the estreats in how much they touch the franchises of lords, shall be delivered to the bailiffs of the franchises under seal of the sheriffs: and the same bailiffs shall yield their account to the exchequer by the copies so delivered, 42 *E.* 3. *c.* 9.

11. CLERKS OF THE COURTS OF K. B. AND C. P., OF ASSIZE, and of the peace, town-clerks, clerks of sewers, clerks of the market, and others to whom it belongeth to make returns of the estreats into the exchequer, shall upon delivery of such estreats take this oath following, administered by any baron, or all the barons of exchequer, 4 *W. & M. c.* 24. *s.* 5.

'You shall swear, that these estreats, now by you delivered, are truly and carefully made up and examined, and that all fines, issues, amercements, recognizances and forfeitures, which were set, lost, imposed or forfeited, and in right and due course of law ought to be estreated in the court of exchequer, are, to the best of your knowledge and understanding, therein contained; and that in the same estreats are also contained and expressed all such fines as have been paid into the court from which the said estreats are made, without any wilful or fraudulent discharge, omission, misnomer, or defect whatsoever. So help you God.'

12. Besides the penalties of 22 & 23 *C.* 2. *c.* 22. (*tit.* FINES and AMERCIAMENTS,) and 4 & 5 *W. & M. c.* 24. *s.* 5. (last *pl.*) the barons of exchequer may from time to time amerce the officers, (in 4 & 5 *W. & M. c.* 24. *s.* 5. mentioned) for neglect of duty in returning the said estreats according to those acts, and shall cause such amerciaments to be levied as other amerciaments set in that court have been used to be done, 3 *G.* 1. *c.* 15. *s.* 12.

EVIDENCE. (*See* WITNESSES.)

1. EXEMPLIFICATIONS OF INSTRUMENTS OF DEEDS DESTROYED IN the late insurrection shall be of like force as the original deeds, 6 *R.* 2. *st.* 1. *c.* 4., *and* 5 *R.* 2. *st.* 1. *c.* 9.

2. TO AVOID THE DOUBLE PAYMENT OF DEBTS, 7 *J.* 1. *c.* 12. [CON. indefinitely, 3 *C.* 1. *c.* 4. *s.* 22., 16 *C.* 1. *c.* 4.]

3. No tradesman, or handicraftsman keeping a shop-book, his executors or administrators shall be admitted to give the same in evidence in any action for money due for wares delivered or work done above one year before such action brought, except they have gotten a bill of debt, or brought some action for such debt, wares, or work done, within one year after the same was due, *id. s.* 1.

4. This act shall not extend to any intercourse of trading between merchants and tradesmen for any thing directly falling within the compass of their mutual trades, *id. s.* 2.

5. To amend the laws respecting the attestation of instruments of appointment and revocation made in exercise of certain powers in deeds, wills, or other instruments, 54 *G.*3. *c.*168.

6. Every deed or other instrument already made with intention to exercise any power, authority, or trust, or to signify the consent or direction of any person whose consent, &c. may be necessary to be so signified shall, (if duly signed, executed, and otherwise duly attested,) be from the date thereof; and so as to establish derivative titles, if any, of the same and no other validity and effect at law and in equity, and proveable in like manner as if a memorandum of attestation of signature, or being under hand had been subscribed by the witness thereto, which attestation, expressing the fact of sealing, or of sealing and delivery, without expressing the fact of signing, or other form of attestation, shall not exclude the proof or presumption of signature, *id. s.*1.

7. This act extends to all deeds and other instruments already made in exercise of powers and trusts of sale, exchange, partition, selection, nomination, discretion, leasing, jointuring, raising portions, and other charges, and for appointing new trustees, and to all other powers and trusts soever, or made for evidencing assent, request, direction or other like circumstance in reference to the execution thereof, *id. s.*2.

8. The act has no retrospective operation on any appointment, revocation, or assurance heretofore made, as far as avoided by entry or claim, by suit at law or equity, or by other legal or equitable means, nor shall it affect any suit now pending for avoiding any appointment, &c, *id. s.*3.

9. If any person who has made any such entry or claim, or who has brought or defended any suit for avoiding any such appointment, &c. should release the benefit of such entry, &c. within 6 months after passing this act, such entry, &c. shall not avoid any such appointment, &c. but the same shall remain in force as if no such entry or claim had been made, or suit brought or defended, *id, s.*4.

10. The act shall not affect the validity of or respecting any instrument not within the above provisions, and which may want any formality in the attestation of any witness thereto, *id. s.*5.

EXCEPTIONS (BILL OF).

1. Of a bill of exceptions and proceedings therein, 13 *E.*1. (*West. Sec.*) *s.*31.

2. When one impleaded before any of the justices doth allege an exception and prayeth its allowance, which is denied, if he who alleges such exception do write it and require the justices to put their seals to it in testimony thereof, the justices shall so do, and if one will not let another of the company do so [*apponat alius de societate*, associated], and if H. M. on complaint of justices cause the record to come before him, and such exception be not in the roll, and the plaintiff shew the exception written with the seal of the justice thereto, the latter shall be commanded to appear at a certain day, either to acknowledge or deny his seal, and if he cannot deny it, they shall proceed thereon to determine whether it ought to be allowed or not, *id. ibid.*

EXCOMMUNICATION.

1. All those who maliciously deprive the church of her right, or violate the church liberties, or old approved customs of the realm, and chiefly the liberties and free customs contained in *Magna Carta* and *Carta de Foresta*, by deed or counsel, and all those who make or observe statutes, or bring in or observe customs brought in against the same; and the writers of such statutes, with their counsellors and executors, and all persons judging according, or wittingly committing any of the above offences shall incur the sentence of excommunication on the deed done, and those who commit the same ignorantly, and are admonished thereof, except they reform themselves within 15 days, and make satisfaction at will of the ordinary, shall be joined in the same sentence, as well as all those who perturb the peace of H. M. and the realm, 37 *H.*3. *Sententia lata super Cartas.* [Translated from Ruffhead's Edit.: *sed Qu.* if not virtually Rep., 53 *G.* 3. *c.*127. *s.*1. taking away all excommunication, except as in *s.*3.]

2. H. M.'s letter directed to ordinaries who have wrapped their subjects in the sentence of excommunication, that they should assoil them by a certain day, or else appear and shew the causes of such excommunication, shall not go forth but where it is found that H. M.'s liberty is prejudiced by the excommunication, 9 *E.* 2. *c.*7. *Art. Cler.* [excommunication taken away, 53 *G.*3. *c.*127. *s.*1. except as in *s.*3.]

3. If any of H. M.'s tenure [*see* 2 *Inst.* 631.] be called before their ordinaries out of the parish where they dwell, if they be excommunicate for contumacy, and after 40 days the ordinary writes that they may be taken, and they pretend privilege that they ought not to be cited out of the town and parish where their dwelling is, H. M.'s writ for taking them never was nor shall be denied, 19 *Ed.*2. *c.*12. [see note to last *pl.*]

4. For due execution of the writ of *excommunicato capiendo*, 5 *El. c.*23. and *s.*1. [*excommunication* is taken away by 53 *G.*3. *c.*127. *s.*1. *supra* Courts (Ecclesiastical), *pl.*33. except in definitive sentences, or interlocutory decrees having the effect of them when pronounced as spiritual censures for offences of ecclesiastical cognizance, *id. s.*2. and the writ *de contumace capiendo*, appears substituted in all other cases for that of *excommunicato capiendo*, but subject to the provisions of 5 *El. c.*23. affecting the latter.]

5. All writs of *excommunicato* [see the last *pl.*] *capiendo* awarded out of chancery against any person within the realm of *Eng.* shall be made in the term, and returnable in K. B. in the term next after *teste* thereof, and shall contain at least 20 days between the *teste* and return: and after such writ is sealed, it shall be delivered of record in presence of the justices of K. B. to the sheriff or his deputy, to be executed: and if it be not duly returned, or any default be made in its non-execution, such justices may amerce the sheriff at discretion, and estreat the same into exchequer, *id. s.*2.

6. The sheriff shall not be compelled to bring up the body of the excommunicate into court on the return day, but shall only return the writ into K. B. with declaration briefly how he hath served and executed the same in order that the justices may proceed according to this act, *id. s.*3.

7. If the sheriff returns *non est inventus*, K. B. shall award one *capias* against the person named in the *excommunicato capiendo*, returnable in term time, 2 months at least after the *teste*, with a proclamation to be contained within the writ, that the sheriff in the full county court, or else at the assize, or gaol-delivery, or at a quarter sessions, shall make proclamation at least 10 days before the return, that the party shall within 6 days next after yield his body to the gaol of the sheriff, on pain of forfeiture of 10*l.* after which proclamation had, and 6 days expired, the sheriff shall make return into K. B. of all that he hath done, and whether the party have yielded his body to prison or not, *id. s.*4.

8. If it appear on his return that the party has not yielded his body as in the proclamation, he shall forfeit 10*l.* to H. M. to be estreated into exchequer, *id. s.*5.

9. A second writ of *capias* shall then be issued, with a like proclamation, and a penalty of 20*l.* mentioned therein, and the sheriff shall execute same, as in *s.*4. and if he return on the second *capias* that he hath made the proclamation, and that the party hath not yielded his body to prison, the party shall forfeit 20*l.* as in *s.*5., *id. s.*6.

10. A third writ of *capias* shall then be awarded, with proclamation, and on pain of forfeiture, as contained in the second *capias*, and shall be executed as in *s.*4.; if like return be made to the third writ the party shall forfeit other 20*l.* to be estreated as in *s.*5: and therefore the justices of K. B. shall award one writ of *capias*, with like proclamation, and like pain of forfeiture of 20*l.*, and shall have authority infinitely to award such process of *capias*, with like proclamation, and pain of forfeiture of 20*l.*, until such time as by return of some of the said writs it appears that the party has yielded himself to the sheriff, *id. s.*7.

11. Every person yielding his body to the sheriff, on any of the said writs of *capias*, shall remain in prison, as if he had been apprehended on the *excommunicato capiendo*, *id. s.*8.

12. Every sheriff or other officer making an untrue return on any of the said writs, that the party hath not yielded his body on the proclamations, shall forfeit 40*l.*, which the party grieved shall recover by action in any of H. M.'s courts of record, without essoin allowed to defendant, *id. s.*9.

13. Saving to all archbishops and bishops, and others having authority to certify any person excommunicated, like authority to receive the submission of the person excommunicated, and him to absolve, and the same to signify to H. M. into chancery, and thereupon to have such writs for deliverance of the person absolved as heretofore, *id. s.*10.

14. Provided that in *Wa.*, the counties palatine, and county of *Ely*, and in the cinque ports, after any *significavit* being of record in chancery, the tenor of such *significavit*, shall be sent by *mittimus* to the head officers of the county in *Wa.*, counties palatine, and places exempt, within whose jurisdiction the offender shall be resident, *viz.* to the chancellor or chamberlain for the counties of *Lancester* and *Chester*; and for the cinque ports to the lord warden; and for *Wa.* and *Ely*, and the county of *Durham*, to the chief justice or justices there, and the said officers may make like process returnable before the justices there, at their next sessions or courts, two months at least after the *teste* of such process, so as they shall proceed in their session and courts as the justices of K. B. are limited in terms to do, *id. s.*11.

15. No person, at the time of any such *capias* awarded, being in prison, or beyond the seas, or within age, or *non sanæ memoriæ*, or *feme coverte* shall incur the above forfeitures, and the party grieved may plead every

such matter in bar, upon the distress or other process that shall be made for levying the said forfeitures, 5 *El.* c. 23. s. 12.

16. If the offender against whom such writ of *excommunicato capiendo* shall be awarded, shall not, in the same writ, have a sufficient addition according to the statute of 1 *H.* 5. c. 5., or if in the *significavit* it be not contained that the excommunication doth proceed upon some cause or contempt of some original matter of heresy, or refusing to have his child baptized, or to receive the communion, or to come to divine service, or error in matters of religion or doctrine, incontinency, usury, simony, perjury in the ecclesiastical court, or idolatry, then all forfeitures limited against such persons shall be void, and by way of plea to be allowed to the party grieved, *id.* s. 15.

17. And if the addition is with a *nuper* of the place, then one writ of proclamation, without any pain expressed, shall be awarded into the county where the offender shall be most commonly resident at the time of awarding of the first *capias*, with pain, returnable the day of the return of the first *capias*; and if such proclamation be not made in the county where the offender shall be most commonly resiant, he shall sustain no forfeiture for not yielding his body, *id.* s. 14.

EXECUTION.

1. OF EXECUTION IN PERSONAL ACTIONS (*Elegit* Statute), 13 *E.* 1. c. 18. (*West Sec.*)

2. When a debt is recovered or knowledged in H. M.'s court, or damages awarded, it shall be *in the election* of the plaintiff to have a *fieri facias* to the sheriff to levy the debt on the lands and chattels of the debtor, or that the sheriff shall deliver to him all the debtor's chattels, except his oxen and beasts of plough, *and the one half of his land*, till the debt be levied according to a reasonable price or extent; and if he be put out of that estate, he shall recover by a writ of *novel disseisin*, and after by a writ of *redisseisin* if necessary, *id. ibid.*

3. PROCESS OF EXECUTION ON MATTERS OF RECORD, 13 *E.* 1. c. 45. (*West Sec.*)

4. The things found enrolled before the chancellor and justices that have record, or contained in fines, whether they be contracts, covenants, obligations, services, or customs knowledged, or other things soever enrolled, whereunto H. M.'s court may give authority, shall have such force that it shall not be needful to plead for them, but when the plaintiff comes to the court, if the recognizance or fine levied be fresh, *viz.* levied within the year, he shall forthwith have execution; and if the recognizance were made, or the fine levied of a further time passed, the sheriff shall be commanded to give knowledge to the party, that he be before the justices at a certain day, to shew cause against the execution of the matters inrolled or contained in the fine; and if he do not come at the day, or comes but can say nothing, the sheriff shall be commanded to cause the thing enrolled in the fine to be executed; in like manner shall the ordinary [*see* 2 *Inst.* 472.] be commanded in his case, observing, nevertheless, what is before said of a *mesne*, [see 13 *E.* 1. *West Sec.* c. 9. *tit.* MESNE.] which by recognizance or judgment is bound to acquit, *id. West Sec.* c. 45.

5. FOR CONTENTATION OF DEBTS UPON EXECUTION, 32 *H.* 8. c. 5.

6. If any lands, tenements, and hereditaments delivered in execution, are lawfully diverted and evicted out of the possession of the person holding same by such execution, without fraud or default of such tenants, before he has levied the whole debt and damages, then such recoverer, obligee, and recognizee shall have a writ of *scire facias* out of the same court from whence the former execution proceeded, against such persons as such execution was first pursued against, their heirs, executors, or assigns of such lands, &c. as were then charged with the execution, returnable 40 days after the date; at which day, if defendant, being lawfully warned makes default, or appears and does not shew sufficient cause, (other than acceptance of such lands, &c. by former execution,) the lord chancellor or justices before whom such *scire facias* is returnable, shall make new writs out of the former record of judgment, statute merchant, or staple, or recognizance of the like effect with the former writ, to levy the residue of such debt and damage, *id. ibid.*

7. FOR AVOIDING UNNECESSARY DELAYS OF EXECUTIONS, 3 *J.* 1. c. 8. and 13 *C.* 2. *S.* 2. c. 2. s. 8. [MADE PERP. 3 *C.* 1, c. 4. s. 4. and *semb.* VIRTUALLY AMD. 13 *C.* 2. *S.* 2. c. 2. ss. 9—11.]

8. No execution shall be staid or delayed by any writ of error or *supersedeas* to be sued thereupon, for reversing any judgment in any action of debt on any single bond for debt, or on any obligation conditioned for payment of money only, or on action of debt for rent or on any contract sued in any court at *Westminster*, or in the counties palatine, or of great sessions in *Wa.*, unless plaintiff in error shall, with two sufficient sureties, be bound by recognizance to the defendant in error, in double the sum recovered by him, to prosecute such writ of error with effect, and also (if judgment is affirmed) to pay all the debt, damages and costs to be adjudged on the former judgment, and the costs and damages to be awarded for delay of execution, (*viz. double costs*, 13 *C.* 2. *S.* 2. c. 2. s. 9. next *pl.*) 3 *J.* 1. c. 8.

9. No execution shall be stayed in any of the courts aforesaid by any writs of error, or *supersedeas* thereon, after verdict and judgment thereon obtained in any action of debt for not setting out tithes on 2 & 3 *E.* 6. c. 13., nor in any action of *assumpsit* to pay money, or of trover, covenant, detinue, and trespass, unless the recognizance under 3 *J.* 1. c. 8. is first acknowledged in the court where such judgment is given, 13 *C.* 2. *S.* 2. c. 2. s. 9.

10. Defendant in error shall have double costs for delay of execution, where judgment is affirmed after verdict in any such court, *id.* s. 10.

11. Nothing herein extends to actions popular or penal, (except debt for not setting out tithes,) or to any indictment, presentment, inquisition, information, or appeal, *id.* s. 11.

12. FOR RELIEF OF CREDITORS AGAINST PERSONS DYING in execution, 21 *J.* 1. c. 24., and recital in ss. 1, 2.

13. The party at whose suit or to whom any person stands charged in execution for any debt or damages recovered, his executors or administrators, may, after the latter's death, have new execution against the lands and tenements, goods or chattels, or any of them of the deceased, as if he had never been taken in execution, *id.* s. 2.

14. This act shall not give liberty to any party, their executors or administrators, at whose suit such deceased was, and died in execution, to have new execution against any lands, tenements or hereditaments of such deceased, which at any time after such judgment have been *bonâ fide* sold by him for payment of any of his creditors, and the money produced by such sale paid or secured to any of the latter, with their privity and consent, in discharge of due debts, or part thereof, *id.* s. 3.

15. TO PREVENT DELAYS IN EXTENDING JUDGMENTS, statutes-merchant and staple, and recognizances, 16 & 17 *C.* 2. c. 5. [MADE PERP. 22 & 23 *C.* 2. c. 2. AMD. 29 *C.* 2. c. 3. s. 16.]

16. When any such judgment, &c. is extended, the same shall not be avoided or delayed because any part of the lands extendible are omitted out of such extent; saving always to the parties whose lands shall be extended, and their heirs, executors or assigns, their remedy for contribution against such persons whose lands are omitted, *id.* s. 2.

17. This act shall not give any extent or contribution against any heir within age during his minority in respect of any lands descended, *id.* s. 3. and extends only to statutes-merchant, &c. for payment of monies, and to extents made within 20 years after the statute, recognizance or judgment had, *id.* s. 4.

18. No *fi. fa.*, or other writ of execution, shall bind the property of goods but from the time of delivery of such writ to the sheriff to be executed, and the sheriff shall, on such receipt, without fee, indorse on the back thereof the day of the month whereon he received the same, 29 *C.* 2. c. 3. s. 16.

19. TO REGULATE THE SALE OF FARMING STOCK taken in execution, 56 *G.* 3. c. 50.

20. No sheriff or other officer in *Eng.* or *Wa.* shall, by virtue of any process, carry off or sell, or dispose of, for the purpose of being carried off from any lands let to farm, any straw threshed or unthreshed, or any straw of crops growing, or any chaff, colder, or any turnips, manure, compost, ashes or sea-weed in any case soever; nor any hay, grass or grasses, whether natural or artificial, nor any tares or vetches, roots or vegetables, being the produce of such lands, in any case where, according to any covenant or written agreement entered into for the benefit of the landlord, such hay, grass or grasses, tares and vetches, roots or vegetables, ought not to be taken off from such lands, or which, by the tenor of such covenants ought to be used thereon, and of which such sheriff or officer shall have received a written notice before the same, *id.* s. 1.

21. The tenant, on having knowledge of such process, shall give a written notice to the sheriff or officer of such covenants, and also of the name and residence of the landlord; who shall forthwith, and before sale, send a notice by the general post to the landlord, and also to his known steward or agent, stating the fact of possession having been taken; and such sheriff or officer shall, in all cases of the absence or silence of such landlord or his agent, postpone the sale until the latest day he lawfully can, *id.* s. 2.

22. But the sheriff or officer may dispose of any crops hereinbefore mentioned to any person who shall agree in writing with them to use the same on such lands, in such manner as accords with the custom of the country; and in cases where any covenant or agreement is shewn, then according to the same; and after such sale, so qualified, such persons may use all such necessary barns, stables, buildings, outhouses, yards and fields, for the purpose of consuming the crops, as such sheriff or officer shall allot to them for that purpose, and which such tenant would have been entitled to have used for the like purpose, *id.* s. 3.

23. And such sheriff or officer shall, on request of any landlord grieved by any breach of such agreement, permit him to bring any action in the

name of the former for the recovery of damages, such landlord having indemnified such sheriff, &c. against costs, *56 G.3. c.50. s.4.*

24. Such sheriff or officer shall, before sale, make due enquiry within the parish, as to the name and residence of the landlord, *id. s.5.*

25. In all cases where any purchaser shall have entered into any agreement with such sheriff or officer, the landlord shall not distrain for rent, on any corn, hay, straw, or other produce severed from the soil, and sold, subject to such agreement by such sheriff or officer; nor on any turnips, whether drawn or growing, if sold according to this act; nor on any horses, sheep, or other cattle, nor on any beasts soever, nor on any waggons, carts, or other implements of husbandry which any person shall employ or use for the purpose of threshing out, carrying or consuming any such produce under this act, and the agreement between the sheriff or officer and the purchasers of such produce, *id. s.6.*

26. No sheriff or officer shall sell any clover, ryegrass, or artificial grass soever, newly sown, and growing under any crop of standing corn, *id. s.7.*

27. But this act shall not extend to any straw, turnips or other articles which the tenant may remove from the farm consistently with some contract in writing, *id. s.8.*

28. Where an action is brought against such sheriff or officer, no plaintiff shall recover any damages, unless it be proved that the breach or omission was wilful, *id. s.9.*

29. No sheriff or under-sheriff, nor any of their deputies, agents, bailiffs or servants, nor persons purchasing any hay, straw, chaff, turnips, grasses or other produce before mentioned under this act, shall be deemed a trespasser by reason of coming upon or remaining in possession of any barns or other buildings, yards or fields, for the purpose of threshing out or consuming any straw, hay, turnips or other produce under this act, or for doing any thing necessary, though done after the return of the process, *id. s.10.*

30. No assignee of any bankrupt, or of any insolvent debtor's estate, nor any assignee under any bill of sale, nor any purchaser of the goods, chattels, stock or crop of any person engaged in husbandry on any lands let to farm, shall take, use or dispose of any hay, &c. (as in *s.10.*) in any other manner than such bankrupt, insolvent debtor, or person engaged in husbandry, ought to have taken, used or disposed of the same, *id. s.11.*

EXECUTORS AND ADMINISTRATORS.

(STATUTES *repealed and expired.*)

1. THE EXECUTORS OF THOSE SLAIN [that were of the same quarrel] shall have action to recover their testator's goods; all assurances made to certain rebels by duress shall be void, *1 Ed.3. st.1. c.3.* [*Semb.* EXP. and personal in part.]

2. FOR REGULATING THE EXPENCE OF PROVING testaments, *3 H.5. c.8.* [REC. *21 H.8. c.5. s.1.*, but EXP.]

(STATUTES *in force.*)

1. THE ORDINARY SHALL BE BOUND TO PAY THE DEBTS of the intestate, as his executors would have been if he had made a will, *13 Ed.1. c.19. West.Sec.* [*but see 31 Ed.3. c.11. s.1. pl.7.* by which the ordinary is bound to appoint administrators.]

2. EXECUTORS SHALL HENCEFORTH HAVE A WRIT OF ACCOMPT, and the same action and process thereby as their testator might have had, *13 Ed.1. (West. Sec.) c.23.*

3. EXECUTORS FOR TRESPASSES TO THEIR TESTATORS, as of their goods and chattels carried away in their life, shall have action against the trespassers, and recover damages as their testators might have done, *4 Ed.3. c.7.*

4. IN WRIT OF DEBT AGAINST DIVERS EXECUTORS, they shall have but one essoin before appearance, *viz.* at the summons or attachment, and the same after appearance, so that they shall never, in either case, fourch [*see Termes de la Ley*] by essoin; and though the sheriff answer at the summons that any one of them has nought wherewith to be summoned, yet there shall be an attachment awarded upon him; and if the sheriff answer *nulla bona*, the great distress shall be awarded, so that at its return they that first appear shall answer to plaintiff, and though some have appeared and make default at the day that the great distress is returned upon the others, yet they that first appeared as above shall answer; and if judgment pass for plaintiff, he shall have judgment and execution against those who have pleaded, and against all the others named in the writ of the testator's goods, as if they had all pleaded; and if any in such case will sue after the law heretofore used, he may do it, *9 Ed.3. st.1. c.3.*

5. EXECUTORS OF EXECUTORS SHALL HAVE ACTIONS OF DEBTS, accounts, and goods of the first testator's carried away, and execution of his statutes merchant, and recognizances in court of record made to the first testator in the same manner as he would have had if alive; and the said executors of executors shall answer to others for as much as they have recovered of the goods of the first testator, as the first executors should do if living, *25 E.3. S.5. c.5.* [*and see 4 & 5 W. & M. c.24. s.12. pl.41.*]

6. TO WHOM THE ORDINARY MAY COMMIT THE ADMINISTRATION of the goods of him that dieth intestate, *31 E.3. c.11.*

7. Where a man dies intestate the ordinary shall depute of his next and most lawful friends to administer his goods, and they shall have action to demand and recover his debts in H.M.'s court, and shall answer therein to others to whom he was holden and bound in like manner, and shall be accountable to the ordinaries as executors, *id. s.1.* [*and see now 22 & 23 C.2. c.10. pl.27.* &c.]

8. FOR REDRESSING EXTORTION IN BISHOPS' OFFICERS in proving wills *31 E.3. c.4.* [RECITED *21 H.8. c.5. s.1.* and AMD. by that act.]

9. H.M. shall cause his justices to enquire of such oppressions and extortions, and to hear and determine them as well at suit of H.M. as of the party, *31 E.3. c.4.*

10. CONCERNING FINES [FEES] AND SUMS OF MONEY to be taken by the ministers of bishops and other ordinaries for probate of testaments, *21 H.8. c.5.* and recital in *s.1.*

11. Nothing shall be taken by any bishop, archdeacon, chancellor, or other person having power to take probate of wills by themselves or registers, apparitors, or other ministers for the probate of any will, or for writing, sealing, appraising, or registering fines, making inventories, and giving acquittances, or for other cause concerning the same, where the goods of the testator, or person dying, do not clearly amount above the value of 100*s.* sterling, except 6*d.* only to the scribe for writing the probate in the latter case; and 6*d.* for commission of administration to a person dying intestate in like case: and such bishop, &c. shall not refuse to prove such will lawfully tendered to them in writing for that purpose, whereof the goods of testator amount not above 100*s.*, being ready to be sealed, with wax thereunto affixed, and the same being lawfully proved before such ordinary, before the sealing, to be true, whole, and the last will of the testator, in the usual form in that behalf, *id. s.2.*

12. Where the testator's goods amount to more than 100*s.* clear value, but do not exceed 40*l.*, no bishop, &c. (*as in s.2.*) shall take for the probate of any will, &c. (*as in s.2.*) above 3*s.* 6*d.*; 2*s.* 6*d.* of which shall go to the bishop or ordinary for him and his ministers, and 12*d.* residue to the scribe for the registering the same; and where the goods of the testator, or person so dying, amount above that value, then 5*s.*; 2*s.* 6*d.* of which shall go to the bishop, &c. as above, and 2*s.* 6*d.* to the scribe for registering the same, or else the latter to refuse the 2*s.* 6*d.* and have 1*d.* for writing of every 10 lines thereof, each line being 10 inches long; and every such bishop or ordinary shall approve, seal, and register such bills, and deliver them sealed with the official seal to the executors named in the will for the above sum without delay (*id. s.3.*); and where any person dies intestate, or where executors refuse to prove a will, the ordinary shall grant administration to the widow of the deceased, or to his next of kin, or both at discretion, taking surety of them for true administration of the goods, chattels, and debts which he shall be authorized to administer; and where divers persons, equal in degree to the testator or deceased, claim administration as next of kin, or where only one person claims administration as next of kin, where many have equality of kindred, the ordinary shall be at his election to accept any one or more making request; so where but one or more of them, and not all equal in degree, do make request, the ordinary shall admit the widow, and him or them only making request, or any one at his pleasure, taking nothing for it, unless the goods of the deceased amount to 100*s.*: and if they amount to more, and not above 40*l.*, the bishop, &c, (*as in s.2.*) and his officers shall only take 2*s.* 6*d.*, *id. s.3.*

13. The executors, or such person to whom administration is committed, taking to them 2 persons at least to whom the deceased was indebted or made any legacy, and on their absence 2 other persons next of kin to the deceased, and on their default 2 other honest persons, and in their presence, and by their discretions, shall make a true inventory of all the goods, moveable and immoveable, of the deceased, and shall cause the same to be indented, whereof one part shall by such executors or administrators upon their oath taken before the bishop, &c. that it is good and true, be delivered to the keeping of such bishop, &c. and the other shall be kept by themselves; and no bishop, &c. (*as in s.2.*) shall, under the penalty (*in s.7.*) refuse to take such inventory to him delivered or tendered as above, *id. s.4.*

14. If the deceased will any lands or hereditaments to be sold, the money thereof arising, or the profits of the lands for any time to be taken, shall not be accounted as any of the goods of the deceased, and such bishop or ordinary shall, on delivery of the seal and sign of the testator, cause the same to be defaced and redeliver it to the executors without claim therefore: and if any person require a copy of the will proved, or inventories made, the ordinary, or his minister, shall without delay, and with all convenient speed, deliver a true copy thereof to the person demanding it, taking for the search and for making the copy only the fee allowed for registering the will (*s.2, 3.*), or the scribe may

take 1*d.* for every 10 lines, of 10 inches long each, at his election, 21 *H.* 8. *c.* 5. *s.* 5.

15. Where any person having power to grant probates or administration as above, has used to take less than the above sums, he shall continue to take the same, and not above, *id. s.* 6.

16. Every bishop, ordinary, and other person having authority to take probate of testaments, their registers, and other ministers, shall forfeit for every time they do, or attempt, or cause to be done, &c. any thing against this act, to the party grieved, so much money as he shall take contrary to this act, and 10*l.* besides, to go in moieties to H. M. and party grieved, who will sue for the same by action of debt or information, without essoin, &c. allowed; and every bishop, and other such person, who shall incur such penalty, shall be charged only separately for his own act, *id. s.* 7.

17. This act shall not prejudice any ordinary or other person having authority to grant probates, but he may convent before him all persons named executors of any will, and do every thing therein as before this act for the fees limited herein, *id. s.* 8.

18. A REMEDY FOR EXECUTORS AGAINST SERVANTS who embezzle their master's goods after his death, 33 *H.* 6. *c.* 1.

19. After full information to the chancellor by the executors of any such lord or person, or 2 of them, of any such riot, taking, and spoil made by the household servants of testator after his death, the chancellor, by advice of the chief justices of both benches, and of C. B. of exchequer, or 2 of them, may make so many and such writs, to be directed to such sheriffs, by their discretion, as to them seems necessary in that behalf, to make open proclamation in such places 2 market days within 12 days next after delivery thereof, as to the chancellor, with the above advice, shall seem reasonable that the offenders shall appear before H. M., or his heirs, in his bench at a day limited by the said writ, so that the last proclamation be made by 15 days before such appearance day, and if any such writ be returned at the day therein contained, and be executed so that proclamation be thereupon had according to the above ordinance: and then if the parties summoned by such proclamation make default at the day specified in such writ, and do not appear, they shall be attainted of felony, *id. s.* 1.

20. And if they do appear, the judges of K. B. may commit them to prison, there to remain at discretion of the bench until they answer to the executors in action by bill or writ, for the riot, taking, and spoiling aforesaid, which action must be pursued with effect, and not slackly, with intent to keep the parties in prison, *id. s.* 2.

21. If such persons be set at liberty by the justices then they must find sufficient sureties to be bound with them in recognizances to the executors at discretion of the justices, to keep such days as they shall have by the same court; and if the keeper of the prison to which they are committed suffer them to go at large, without order of such justices, he shall forfeit 400*l.* to the executors; and no protection shall be allowed in any action on the said ordinance, *id. s.* 3.

22. CONCERNING EXECUTORS OF LAST WILLS AND TESTAMENTS, 21 *H.* 8. *c.* 4.

23. Where part of the executors named in any will of lands, tenements, or other hereditaments, to be sold by them after testator's death, refuse to administer, and the residue of them take on them the charge of the will, then all bargains and sales of such lands, &c. made by the latter only, shall be as effectual, as if all had joined in making the bargain and sale, *id. s.* 1.

24. But this act shall not empower any executors to bargain, or put to sale, any hereditaments, otherwise than by common law, *id. s.* 2.

25. AGAINST FRAUDULENT ADMINISTRATION OF INTESTATE'S goods, 43 *El. c.* 8.

"*Forasmuch as for* defrauding creditors, the intended administrators of persons dying intestate, will not accept administration, but procure it to be granted to some stranger of small estate, who grants them deeds of gift, and authorities by letters of attorney, to obtain intestate's property into their hands, without their being subject to pay his debts; whereupon the creditors either cannot find the administrator, in order to arrest him, or if they find him, he hath no goods to satisfy them," *id. s.* 1.

26. Every person who shall reserve any goods or debts of any intestate, or a release of any debt that belonged to him, on any such fraud as above, or without such valuable consideration as amounts to the value of the same goods or debts, (except in satisfaction of some principal debt of like value owing to him by intestate,) shall be chargeable, as executor *de son tort*, only so far as such goods and debts will satisfy, deducting allowance of all just principal debts owing to him by intestate, and of all other payments which executors, &c. ought by law to make, *id. s.* 2.

27. FOR BETTER SETTLING OF INTESTATE'S ESTATES, 22 & 23 *C.* 2. *c.* 10. [*Statute of Distributions*, CON. 30 *C.* 2. *S.* 1. *c.* 6. 1 *J.* 2. *c.* 17. *s.* 5. AMD. 29 *C.* 2. *c.* 3. *s.* 25. 1 *J.* 2. *c.* 17. *ss.* 6—8.]

28. All ordinaries and ecclesiastical judges shall, on granting administration of intestate's goods, take bonds, with 2 or more able sureties, respect being had to the value of the estate, in the name of the ordinary, with condition, "That the administrator shall make a true and perfect inventory of all goods, chattels, and credits of the deceased, and exhibit the same, into the registry of — before —; and such of them as shall come to his, or to the hands and possession of any other person for him, shall truly administer according to law, and make a just and true account of his administration, at or before —; and the rest of the goods, &c. found remaining on the account, the same being first examined and allowed by the court, shall deliver and pay to such person, as the judge by decree, pursuant to the intent of this act shall appoint;" and if it after appears, that any will was made, and the executor therein made exhibits the same in court, requesting that it should be allowed and approved, and being so approved, the administrator being thereunto required, shall deliver up the said letters of administration in court, 22 & 23 *C.* 2. *c.* 10. *s.* 1.

29. Such ordinaries, &c., may call such administrators to account, and order distribution of what remains (after debts, funerals, and just expences of all sorts first deducted) according to the laws in such case, and the rules and limitations hereafter set down, saving to parties grieved the right of appeal, *id. s.* 3.

30. NO ADMINISTRATOR SHALL BE CITED TO ANY OF THE COURTS in 22 & 23 *C.* 2. *c.* 10. *s.* 1. *pl.* 28. to render account of the personal estate of his intestate, otherwise than by inventory thereof, unless at instance of some person in behalf of a minor, a creditor, or next of kin; nor shall be compellable to account before any ordinaries or judges empowered by *ss.* 1.—3. of that act to take the same, otherwise than as above, 1 *J.* 2. *c.* 17. *s.* 6.

31. Nothing in this act shall prejudice the customs of the city of *London* and [province of *York*, but see, as to the latter, WILLS] 22 & 23 *C.* 2. *c.* 10. *s.* 4.; but this provision does not extend to such part of intestate's estate, as any administrator, by virtue only of being such, by pretence of any custom, may claim to exempt from distribution; but such part in his hands shall be liable to distribution, as in other cases within that act, 22 & 23 *C.* 2. *c.* 10. *s.* 8.

32. The surplusage shall be thus distributed: one-third thereof to the wife; all the residue equally among his children and their legal representatives, if any be dead, other than such children, not heirs at law, who shall have any estate by intestate's settlement, or who have been advanced by intestate in his life-time, by portion equal to the share allotted to the other children under such distribution; and children, other than heirs at law, advanced by settlements, or portions not equal to the other children's shares, by such distribution, shall have so much of the surplusage, as shall make the estate of all to be equal; but the heir at law shall have equal share in distribution with the other children, notwithstanding any land had by descent or otherwise from intestate, *id. s.* 5.

33. If there are no children or representatives of them, then one moiety shall go to the wife, and the residue, equally to next of kin in equal degree, and their representatives, *id. s.* 6.

34. No representation shall be admitted among collaterals, after brothers' and sisters' children; and if there is no wife, all shall be distributed equally among the children; and if no child, then to the next of kin, as in *s.* 6. *id. s.* 7.

35. If after death of a father, any of his children die intestate without wife or children, in life-time of the mother, every brother and sister and their representatives shall have an equal share with her, 1 *J.* 2. *c.* 17. *s.* 7.

36. For having due regard to creditors, no distribution shall take place, till one year fully expired after intestate's death; and every person, to whom any share, &c. shall be allotted, shall give bond with sureties in the said courts, that if debts afterwards appear, he shall refund to the administrator his rateable part thereof; and of the administrator's costs of suit by reason of such debts, out of the share so allotted to him, in order to enable the administrator to pay the debts so discovered, after distribution made, as above, 22 & 23 *C.* 2. *c.* 10. *s.* 8.

37. The ordinary shall continue to grant administration, *cum testamento annexo*, where it is usual so to do; and the will of the deceased shall be observed, as if this act had not been made, *id. s.* 9.

38. 22 & 23 *C.* 2. *c.* 10. does not extend to the estates of *feme-coverts* dying intestate; but their husbands may have administration of their personal estates, and recover and enjoy the same as before that act, 29 *C.* 2. *c.* 3. *s.* 25.

39. TO ENABLE CREDITORS TO RECOVER THEIR DEBTS of the executors, and administrators of executors in their own wrong, 30 *C.* 2. *S.* 1. *c.* 7., and recital in *s.* 1. [CON. 1 *J.* 2. *c.* 17. *s.* 14. MADE PERP. and AMD. 4 & 5 *W.* & *M.* *c.* 24. *s.* 12]

40. All executors and administrators of any person, who, as executor in his own wrong or administrator, shall waste or convert any goods, chattels, estate, or assets of any person deceased, to their own use, shall be liable in the same manner as their testator or intestate would have been if living, 30 *C.* 2. *S.* 1. *c.* 7. *s.* 2.

41. Every executor or administrator of such executor or administrator of right who shall waste or convert to his own use goods, chat-

tels, or estate of his testator or intestate, shall be liable in the same manner as his testator or intestate should have been, 4 & 5 *W. & M. c.* 24. *s.* 12.

42. EVERY PERSON WHO SHALL ADMINISTER THE PERSONAL estate of any person, without proving the will of the deceased, or taking out letters of administration within 6 calendar months after the death of the party dying, shall forfeit 50*l.*, to be recovered in the court of exchequer at *Westminster*, or in *Scot.* by action, bill, plaint, or information, and one moiety shall, if sued for within 6 calendar months, be to H. M., and the other to the person who shall sue, 37 *G.* 3. *c.* 90. *s.* 10. [*And see* further penalty of 100*l.*, and 10*l. per cent.* on the stamp-duty payable on such probate, 55 *G.* 3. *c.* 184. *s.* 27., STAMPS.]

43. FOR ADMINISTRATION OF ASSETS WHERE THE EXECUTOR to whom probate has been granted is out of the realm, 38 *G.* 3. *c.* 87. [EXT. as to *ss.* 6, 7. to *Ire.* by 58 *G.* 3. *c.* 81. *ss.* 1, 2.]

44. At the end of 12 calendar months from testator's death, if the executor to whom probate of the will has been granted, is then residing out of the jurisdiction of the courts of law and equity, the ecclesiastical court having granted probate thereof, shall, on application of any creditor, next of kin, or legatee, grounded on the affidavit mentioned in *s.* 2., grant special administration on paper or parchment only, stamped with one 5*s.* stamp, [but this *duty* appears REP. by 44 *G.* 3. *c.* 98. *s.* 1., and lastly by 55 *G.* 3. *c.* 184. *s.* 1.]

45. The party applying to the said court to grant such administration, shall make an affidavit in the following words, or to the effect following, *viz.*

'I *A. B.* of — do swear that there is due and owing to me on bond or simple contract, [*or*, on account unsettled, *as the case may happen to be*, (*in which latter case he shall swear* to the best of his belief *only*,)] from the estate and effects of — deceased, the sum of —, and that *C. D.*, the only executor capable of acting, and to whom probate hath been granted, hath departed this kingdom, and is now out of the jurisdiction of H. M.'s courts of law and equity, and that this deponent is desirous of exhibiting a bill in equity in H. M.'s court of — for the purpose of being paid his demand out of the assets of the said testator,' *id. s.* 2.

46. And the administration to be granted pursuant to this act shall be in the form annexed to this section, *id. s.* 3.

47. And the court of equity in which the suit is depending may, if needful, appoint any person to collect in any outstanding debts or effects due to such estate, and to give discharges for the same, such persons giving security in the usual manner duly to account for the same, *id. s.* 4.

48. The accountant-general of chancery, or the secretary or deputy-secretary of the bank of *Eng.* may transfer, and the bank may suffer a transfer to be made of any stock belonging to the estate of such deceased person into the name of the accountant-general in trust for such purposes as the court shall direct in any suit in which the person to whom such administration hath been granted, shall be a party, but if the executors capable of acting as such shall return to and reside within the jurisdiction of any of the said courts pending such suit, they shall be made parties to the suit, and the costs incurred by granting such administration and proceeding in such suit against such administrator, shall be paid by such person, or out of such fund as the court shall direct, *id. s.* 5.

49. Where an infant is sole executor, administration with the will annexed shall be granted to his guardian, or to such other person as the spiritual court shall think fit, until such infant has attained the full age of 21 years, at which period, and not before, probate shall be granted to him, *id. s.* 6. [EXT. to *Ire.*, 58 *G.* 3. *c.* 81. *s.* 1.]

50. And the person to whom administration shall be granted, shall have the same powers vested in him as an administrator *durante minore ætate* of the next of kin, *id. s.* 7. [EXT. to *Ire.*, 58 *G.* 3. *c.* 81. *s.* 2.]

EXTENT.

1. TO MAKE THE LANDS, TENEMENTS, GOODS, AND CHATTELS of tellers, receivers, &c. liable to the payment of their debts, 13 *El. c.* 4. [EXT. to under-collectors of tenths, 14 *El. c.* 7. *pl.* 13., &c. EXPL. as to the sale of lands, and liability of heirs after the death of the accountant, 27 *El. c.* 3. *pl.* 15.; these two last acts REP. 39 *El. c.* 7., (which is EXP.) and REV. 1 *J.* 1. *c.* 25. *ss.* 30, 31., and these acts further AMD. as to the sale of such lands, 25 *G.* 3. *c.* 35. *pl.* 22—23.]

2. All lands, tenements, profits, and hereditaments which any treasurer or receiver in the court of exchequer or duchy of *Lancaster*, treasurer of the chamber, cofferer of the household, treasurer for the wars, treasurer of any fort, town, or castle where any garrison is kept, treasurer of the admiralty or navy, treasurer or other person accountable of the mint, treasurer or receiver of any money imprest, or otherwise, for the use of H. M., or for provisions of victual for the fortifications or works, or for any other provisions to be used in the offices of ordnance, artillery, armory, wardrobe, tents and pavilions, or revels, customer, collector, farmer of customs or other duties within any port, collector of the tenths, collector of any subsidy or fifteen, receiver-general of the revenues of any county answerable in the receipt of the exchequer or the duchy of *Lancaster*, or clerk of the hamper, shall have, whilst they remain accountable, shall, for satisfaction to H. M., of their arrear determined upon their account, be liable to the payment thereof, and be put in execution for such arrears or debts, in as large manner as if the same treasurer, &c. had, the day he became officer or accountant, stood bound by writing obligatory, having the effect of a statute staple to H. M., for the same arrears or debts, 13 *El. c.* 4. *s.* 1.

3. If any treasurer or other accountant before-mentioned, chargeable with money or treasure of H. M., shall, upon his account, or by reason of any farm as aforefaid, be found in arrear unto H. M., and shall not within 6 months after his accounts finished or debt known pay such money, H. M. may make sale by letter patent of so much of the lands of such accountant or debtor as may suffice for their debt or arrearages, all due petitions being allowed; *id. s.* 2. [*Such sale is good* after the death of the accountant, 27 *El. c.* 3. *s.* 2. *pl.* 15.]

4. If any overplus be had upon such sale, the same shall be paid to the accountant or his heirs, by the officer that shall receive the money, *id. s.* 3.

5. The sales made by H. M. shall be good against the debtor and his heirs, and against H. M., notwithstanding any former charge or incumbrance to H. M., by the persons for whose debt the same was sold, *id. s.* 4.

6. If any person accountant or indebted as aforesaid, purchase lands, and cause the assurance to be made in the name of any other, where the same is intended to the use or behoof of such person accountant or indebted, or of any other, and the manner of purchasing and secret uses shall be found by office or inquisition, all lands so purchased shall be taken for satisfaction of the arrearages and debt, as though the person indebted were thereof seised, and all sales thereof shall be of like effect as in last *pl.*, *id. s.* 5.

7. No bishop having the collection of any subsidy or tenths, or his lands in right of his bishoprick, shall be charged in any other manner than he might lawfully have been before this act, *id. s.* 9.

8. This act shall not charge any treasurer, receiver, teller, customer, collector, or accountant aforesaid, having any yearly receipt, nor their lands, whose yearly receipt, or whose whole receipt from the beginning of his charge, shall not be above 300*l.*, otherwise than he might lawfully have been charged before, *id. s.* 10.

9. "Forasmuch as sundry accountants are by order of their offices, after their accounts ended, to disburse the debt remaining, in such charges as are necessarily to be provided in their offices;" this act shall not give power to make sale of any lands for any such debt, unless H. M. on the ending of their accounts require present payment, or a new account of the same debt, which, or any part whereof is found owing and unexpended, and remains unpaid 6 months after such request, *id. ss.* 11—12.

10. This act shall not charge any sheriff, escheator, or bailiff of liberties, nor their lands, &c. for any thing touching their office, otherwise than they might have been charged before, *id. s.* 13.

11. Every person, whose lands shall by any office or inquisition be found to be fraudulently conveyed as in *s.* 5., *pl.* 6. shall have his traverse to such office or inquisition; and if it be found with the party that tendereth the traverse, he shall have the lands out of H. M.'s hands, without any petition, livery, [or *ouster le main*, taken away 12 *C.* 2. *c.* 24. *s.* 1.] or any other suit, *id. s.* 14.

12. If H. M. shall by sale of lands be satisfied of the debt or arrear of such accountant or debtor, the sureties of such accountant or debtor shall be discharged of so much, *id. s.* 15.

13. The statute 13 *El. c.* 4. shall extend to all under-collectors of tenths and subsidies of the clergy, and to their lands, &c. and goods, &c. of what yearly sum soever the charge of their collection shall be, 14 *El. c.* 7. *s.* 1.

14. Every such under-collector shall, on process out of the court of exchequer, be chargeable to account for his receipt of such tenths and subsidies, as any receiver immediately accountant to H. M. ought to be; and every archbishop and bishop, and dean and chapter (*sede vacante*), to whose charge the collection of such tenths or subsidies shall appertain, shall be discharged of so much as shall be satisfied by the lands or goods of such under-collector, without any other warrant, *id. s.* 2.

15. The act 13 *El. c.* 4. touching the power to make sale of lands, shall be expounded as well in case where the sale is made after the death of such accountant or debtor, as where it is made in his life-time; and also as well where the account is made, or the debt known, within 8 years after the death of such accountant or debtor, as where the same account is made, or the debt known in his life-time, 27 *El. c.* 3. *s.* 2.

16. Provided, that after the death of such accountant and debtor, and before any lands descended unto the heir shall be sold, a *scire facias* shall be awarded out of the court of exchequer unto the sheriff of the county where such lands lie, to garnish the heir, to shew cause why the lands should not be put to sale; whereupon, if the heir do not within a convenient time, upon a garnishment or two *nichils* returned, shew to

such court that the executors or administrators of such accountant or debtor have sufficient which ought to answer for the debt or farm, then after 10 months after 2 *nichils*, &c. returned, the lands shall be sold by H.M., 27 *El. c.*3. *s.*3.

17. The said recited act, and this statute of explanation also, shall not extend to any lands, which any person before any *scire facias* awarded shall purchase *bonâ fide*, and upon good consideration, *id. s.*4.

18. This act of explanation shall extend only unto tellers, receivers, treasurers, customers, cofferers of the household, farmers of impost, collectors, bailiffs, victuallers, and other officers of receipts and accounts to H. M., *id. s.*5.

19. In cases where any account ought to be made, or any debt shall be owing, in the court of the duchy of *Lancaster*, after the death of such accountant or debtor, and before any of the lands descended unto the heir be sold, process shall be awarded, *viz.* first a privy seal commanding the heir to make personal appearance, to shew cause as in the writ of *scire facias* to be awarded out of the exchequer is appointed; and if the heir shall make default at the return of the privy seal, upon affidavit that the privy seal was duly served either upon the person of the heir, or left at the place of his abode, an attachment with proclamation shall be awarded, and shall be proclaimed in some market-town in the county where the heir was last dwelling, 20 days before the return; and if upon return the heir make default, all things shall be done for sale of the lands, as is appointed where default is made upon a garnishment, or 2 *nichils*, returned upon a *scire facias* out of the exchequer, *viz. pl.* 16. *id. s.*6.

20. If the heir of any accountant or debtor before-mentioned shall be within the age of 21 years when such process shall be awarded, then during his nonage this act shall not be executed, as touching the selling of the lands: and after such heir shall accomplish the age of 21 years, the lands shall, during 8 years then next ensuing, be liable to be sold for the payment of H. M., *id. s.*7.

21. This act shall not extend to the sale of the lands of any such heir for any account, debt, or farm, whereof such debtor or accountant shall have a *quietus* or discharge in his life-time, *id. s.*8.

22. The court of exchequer, on application of H. M.'s attorney-general in a summary way, by motion, may order that the right and title, estate and interest, of any debtor to H. M., and the right, title, estate, and interest of the heirs and assigns of such debtor, in any lands, tenements, or hereditaments which shall be extended under a writ of extent, or *diem clausit extremum*, or so much thereof as shall be sufficient to satisfy the debt for which the same shall have been extended, shall be sold in such manner as the court shall direct; and when a purchaser shall be found, the conveyance of the lands, &c. decreed to be sold, shall be made to the purchaser, by the remembrancer in such court, or his deputy, under the direction of the court, by a deed of bargain and sale, to be inrolled in the same court; and after such conveyance, and the inrolment thereof, the bargainee shall have and enjoy the lands, &c. therein comprised, for his own use, not only against the extent of the crown, but also against such debtor of the crown, or the sureties for such debtor, and all persons claiming under such debtor, or the sureties, unless by a title paramount to, and available in law against such extent; and all monies payable from such purchaser, shall be paid, accounted for, and applied towards the discharge of the debt due to the crown, and of all costs incurred by the crown in enforcing the payment of such debt, in such manner as such court shall order; and if, after payment of the whole debt to the crown, and of all costs, there shall be any surplus of the monies arising from such sale, the same shall belong to the same person as would be entitled to the lands, if there had not been a sale thereof, and shall accordingly be paid to such person, under the order of such court, upon motion or petition to such court, to be made upon such notice to the crown, and to be supported by such affidavits or proofs, as to the said court shall seem reasonable, 25 *G.*3. *c.*35. *s.*1.

23. The court of exchequer may make order touching the production, delivery, and custody of title-deeds and writings, in the same manner as if a decree had been made by the said court for a sale of the lands of a crown debtor, in execution of a trust created for payment of debts by such crown debtor himself, *id. s.*2.

24. To regulate the issuing of extents in aid, 57 *G.*3. *c.*117.

25. On the issuing of every extent in aid on behalf of any debtor to H. M., the court, the chancellor or chief or other baron of exchequer at *Westminster*, granting the fiat for issuing the same, shall cause the amount of the debt due to H. M. to be stated therein; and where the debt found due to the debtor to H. M. *shall be equal to or exceed* the debt so stated, the amount of debt so stated in the fiat shall be indorsed on the writ, which being so indorsed, shall be the authority to the sheriff or other officer who shall execute such writ, in making his levy and executing the same, as to the amount to be levied under the same; and where the debt found due to the debtor to H. M. *shall be of less amount* than that stated in the fiat, the amount of such debt so found due shall be indorsed on the writ, which being so indorsed, shall be authority to the sheriff as to the amount to be levied under the writ; and the money levied under every such extent in aid shall, by order of court, be paid over to H. M.'s use towards satisfaction of the debt so due to him as above, 57 *G.*3. *c.*117. *s.*1.

26. Where the sum produced by sale of any lands, goods, or chattels, or by the receipt of any money by a sheriff under any such extent, shall be more than sufficient to satisfy the sum so indorsed on the writ, the overplus shall be paid into exchequer, with the sum so indorsed, and the court shall, on any summary application, make such order for the return, disposal, or distribution thereof, as they think proper, *id. s.*2.

27. But nothing herein shall affect, either at law or in equity, any demand of the person to whom such debt shall have been due when seized into H. M.'s hands, or his assignees, executors, or administrators, as to the remaining part thereof, or as to suing any person against whom such writ shall have issued, or whose lands or goods shall have been seized under any such writ for the residue of such debt, or as to the recovery of the residue of any debt so seized or in part levied, or any other debt seized or sued for under such extent, but still unpaid either in the whole or in part; but any person, or his assignee, executors, &c. may demand, sue for, and recover the remainder, or any other debts, by the like process as if no such extent in aid had issued, *id. s.*3.

28. No persons indebted to H. M. by simple contract only, or by bond, for answering any particular duties or sums of money becoming due to H. M. in the course of their particular trades or businesses; nor any subdistributor of stamps having given bond to H. M.; nor any person having given bond to H. M. either jointly or separately, as a surety only for some other debtor, until such surety shall have proved a demand made on him on H. M.'s behalf, for nonperformance, by the principal, of the conditions of the bond, and then only to the amount of that demand, may sue out any extent in aid on account of such debt to H. M., for recovery of any debt due to such persons, or subdistributor of stamps, or surety as aforesaid; and all commissions to find debts, extents in aid, and other proceedings so issued at the instance of or for such simple contract or bond debtors; and all proceedings thereon shall be void; but nothing herein shall prevent any persons becoming debtors to H. M. by simple contract only by the collection or receipt of any money arising from H. M.'s revenue, from applying for and suing out any commission or extents in aid, in case one or more of such persons shall be bound to H. M. by bond or specialty of record in exchequer, for answering or accounting to H. M. for the particular duties or sums which shall constitute the debt so due from such persons to H. M., *id. s.*4.

29. No extent in aid shall be issued on any bond given by any persons, as sureties for paying any duties which may become due to H. M. from any society incorporated, or otherwise carrying on the business of insurance against any risks of fire, or of any other kind, *id. s.*5.

30. Any perons now or hereafter imprisoned under extents in aid, may apply to the barons of exchequer, or to any baron in vacation, for their discharge, on giving one month's previous notice in writing to the persons to whom they owed the debt, stating the ground of such application, and an enumeration of all the property, debts, and effects soever in their own possession, or in that of other persons, for their use; and the said court or baron may order such persons to be brought before them, to be examined on oath; and if a full disclosure of all their property and effects is then made, to the satisfaction of the said court, &c., or it shall otherwise appear reasonable that they should be no longer imprisoned, the latter may order a *supersedeas quoad corpus* to be issued for their liberation from imprisonment, but which shall not be deemed to satisfy such extent in aid, except as to such imprisonment, or the debt seized by virtue of such extent, *id. s.*6.

FALSE JUDGMENT. (*See* ERROR.)

1. None but H. M. shall hold in his court any plea of false judgment given in the court of his tenants, for such pleas specially belong to his crown and dignity 52 (or 54) *H.*3. *c.*20.

2. An averment of the good country, and of those who were present in court when record was made, if they come with the others of the country by the sheriff's return, shall be received against a record of court coming into H. M.'s court by writ of false judgment, 1 *E.*3. *S.*1. *c.*4.

3. Against a record of court which cometh into H. M.'s court by writ of false judgment, in case where the party alleges that the record is otherwise than the court records the same, an averment shall

be received of the good country, and of those present in the court where the record was made, if such come with others of the country by the sheriff's return; and if not, the inquest shall be taken by the good country, 1 *E.* 3. *S.* 1. *c.* 4.

FEES.

1. THE FEES of marshals and chamberlains in fee, 13 *Ed.* 1. *West. Sec. c.* 42.

2. The marshal of every earl and baron, holding an entire barony, shall be contented with one palfrey, or the price of it, so that if he took such fee when doing homage, he shall take nothing when he is made a knight; and if he took nothing at doing his homage, when he is made a knight, he shall take. Of abbots holding an entire barony, when they do homage or fealty, he shall have one palfrey, or the price of it, and this shall be observed of archbishops or bishops; of such as hold a part of a barony, whether religious or secular, he shall take in proportion to the part held; and of religious men, that hold in free alms, and not by a barony, or part of one, the marshal shall take nothing, but may demand more, if he can show right. H. M.'s chamberlain shall have, of archbishops, bishops, and other persons spiritual, of earls and barons holding an entire barony, a reasonable fine when they do homage or fealty; and if they hold part of a barony, a fine in proportion; other persons spiritual or temporal shall not be distrained to make fine, but the chamberlain shall have the upper garment, or the price thereof, *id. ibid.*

3. THE FEES of porters bearing verges before the justices, and of cirographers, clerks, &c., 13 *E.* 1. (*West. Sec.*) *c.* 44.

4. Porters bearing verge before justices of the bench in the circuit, shall take for every assize and jury they keep, 10*d.*; and for cirographs nothing; of such as recover their demands by default, confession, or otherwise, by judgment without assize and jury, nothing; of such as go without day, nothing. If any recover his demand against many by one writ and by recognizance of jury, 4*d.*; and if many named in one writ do recover by recognizance of assize or jury, 4*d.*; of such as do homage to the bench, they shall take their upper garments. Of great assizes, attaints, prizes, and battle waged, they shall take 12*d.* only; of such as be called before justices to sue or defend their plaints, they shall take nothing: at pleas of the crown, for every dozen [*Qu.* jury], 12*d.* shall be taken; of every prisoner delivered, 4*d.*; of every one whose peace is proclaimed, 12*d.* only; of finders of men slain, and others of a town attached, 4*d.*; of tithingmen, nothing; cyrographers, [*see* 2 *H.* 4. *c.* 8. FINES] for making a cyrograph, shall have 4*s.*; clerks writing writs original and judicial, shall have 1*d.*, *id. s.* 1.

5. All justices, if such officers offend herein, on complaint made, shall punish them; for a second offence, a greater punishment; and for a third, they shall lose their fee in their offices, or avoid H.M.'s court, *id. s.* 2.

6. FOR TAKING AWAY DAMAGE CLEAR, 17 *C.* 2. *c.* 6. (and recital in *s.* 1.)

7. No damage clear shall be taken in any action sued in any court in *Eng.* or *Wa.* but the same shall wholly cease and be abolished; and if any prothonotory, or other officer of such courts, shall exact any sum in the name of damage clear, or any thing in lieu thereof, or shall refuse or delay to sign judgment until damage clear be paid, such officer shall forfeit treble the sum so taken, to be recovered by bill, plaint, or information in any of such courts, wherein no essoin, &c. allowed, *id. s.* 2.

FELONS AND FELONY.

1. HOW LONG FELONS' LANDS SHALL BE HOLDEN BY H. M. 9 *H.* 3. *M. C. c.* 22. [EXPL. and AMD. 17 *E.* 2. *st.* 2. *c.* 16. EXPL. *as to felons' chattels, Stat. Incert. Temp.* No. xviii. *as to estreats* of felons' goods, 31 *E.* 3. *c.* 3. as to levying such goods, 31 *E.* 3. *c.* 14. as to seizing goods of persons suspected of felony, 1 *R.* 3. *c.* 3. *s.* 2. (*See the rest of* 1 *R.* 3. *c.* 3. BAIL.) *and as to forfeiture* of goods in case of killing a thief, 24 *H.* 8. *c.* 5.]

2. We will not hold the lands of those convict of felony, but for 1 year and a day, and then such lands shall be delivered to the lord of the fees, 9 *H.* 3. *M. C. c.* 22.

3. H. M. shall have all the goods of felons attainted, and of fugitives, and their freehold shall be taken into H. M.'s hands, who shall have the issues thereof for a year and a day, and the land shall be wasted, and then restored to the lord of the fee, but in the county of *Gloucester*, by custom, after such year and a day, such lands shall go to the next heir, and in *Kent*, in gavelkind, the father to the bough, the son to the plough; there all the heirs-male shall divide the inheritance, and likewise the females, but they shall not make partition with males: and a woman after the death of her husband shall be endowed of a moiety; and if she commit fornication, or is married again, she shall lose her dower, 17 *E.* 2. *S.* 2. *c.* 16.

4. Nullus captus pro morte hominis vel pro alia felonia, pro qua deberet imprisonari disseisietur de terris et tenementis vel catallis suis quousque fuerit convictus de felonia: Sed quam cito captus fuerit, per visum custodum placitorum corone nostre et per visum vic' vel aliorum ballivorum nostrorum, et legalium hominum videantur tenementa et catalla predicta et inbrevientur, et salvo custodiantur per ballivos ipsius capti; qui securitatem nobis invenerint ad respondendum coram justiciariis de catallis vel de pretio si ab eis exigantur; salvis tamen ipsi capto et familie sue necessariis suis quam diu fuerit in prisona et rationabili estoverio; ut cum idem captus fuerit convictus tunc residuum catallorum ultra estoverium suum nobis remaneant cum termino unius anni et unius diei; et si se defendere poterit de felonia sibi imposita tunc catalla sua sibi remaneant quiete, *Stat. Incert. Temp.* No. xvii.

5. If any man or town be charged in the exchequer by estreat of justices of the chattels of fugitives and felons, and will allege in discharge of him another which is chargeable, he shall be heard, and right done, 31 *E.* 3. *c.* 3.

6. The escapes of thieves and felons, and the chattels of felons and fugitives, and also escapes of clerks convict out of their ordinaries' prison, from henceforth to be judged before H. M.'s justices, shall be levied as they fall, 31 *E.* 3. *c.* 14.

7. JUSTICES OF PEACE SHALL INQUIRE IN THEIR SESSIONS, OF all escapes of every person arrested and imprisoned for felony, 1 *R.* 3. *c.* 3. *s.* 1.

8. NO SHERIFF, UNDER-SHERIFF, NOR ESCHEATOR, BAILIFF OF any franchise, or other person, shall take the goods of any person arrested or imprisoned for suspicion of felony, before he is lawfully convicted or attainted thereof, or else the same be otherwise lawfully forfeited, upon pain to forfeit double the value of goods so taken to the party grieved, to be recovered by action of debt, with the usual process thereon, wherein no essoin, &c. shall be allowed, *id. s.* 2.

9. If any person shall be indicted or appealed of or for the death of any person attempting to murder, rob, or burglariously to break mansion-houses, such person so indicted, &c. and of the same by verdict so found [guilty], shall not lose or forfeit his lands or goods, but shall be discharged of the same as if he had been acquitted, 24 *H.* 8. *c.* 5.

10. A CLERK CONVICT OF FELONY shall not [*but see the contrary*, 18 *El. c.* 7. BENEFIT OF CLERGY, *pl.* 20. 23.] depart without purgation, 3 *E.* 1. *West. Prim. c.* 2.

11. NOTORIOUS FELONS OPENLY OF EVIL NAME, and who will not put themselves in inquests so that they may be charged before the justices, shall have hard imprisonment; but this is not to be understood of such prisoners as be taken of like suspicion, 3 *E.* 1. *West. Prim. c.* 12. [*See* 2 *Inst.* 177. 12 *G.* 3. *c.* 20.]

12. PROCESS AGAINST THOSE THAT BE APPEALED, indicted or outlawed in one county and remain in another, 5 *E.* 3. *c.* 11. [*See* 2 & 3 *E.* 6. *c.* 24. *post, pl.* 37, &c.]

13. Where some persons appealed or indicted of divers felonies in the county, or outlawed in the same, have been dwelling in another, and so could not be attached, the justices assigned to hear and determine such felonies, shall make their writs through all the counties in *Eng.* where need be, to take such persons, *id. ibid.*

14. PROCESS SHALL BE AWARDED AGAINST HIM that is indicted of felony, 25 *E.* 3. *S.* 5. *c.* 14. [*See* 22 *H.* 8. *c.* 14. *s.* 5, 6. *post, pl.* 27, 28.]

15. After any man is indicted of felony before the justices in their sessions of *oyer* and *terminer*, the sheriff shall be commanded to attach his body by a *capias*; and if the sheriff return that the body is not found, another *capias* shall be made returnable in 3 weeks after, and in it shall be comprised that the sheriff shall seize and safely keep his chattels till the return; and if the sheriff return that the body is not found, and the indicted cometh not, the *exigend* shall go, and the chattels be forfeit; but if he come, or be taken, the chattels shall be saved, *id. ibid.*

16. FOR THE APPREHENSION AND PUNISHMENT of fugitive felons, 2 *H.* 5. *S.* 1. *c.* 9. [MADE PERP. and AMD. 8 *H.* 6. *c.* 14. *and recital in s.* 1.]

17. If any do come into chancery and complain that any offender by murder, manslaughter, robbery, battery, assemblies of the people in manner of insurrection, and of other rebellions and riots, hath fled into secret places, a bill shall be made for the king; and chancellor, on the bill delivered to him duly verified, shall award a *capias* at the suit of H.M., directed to the sheriff of the county where such murders, &c. were supposed by the bill to be done, returnable in chancery at a day certain; and if such offenders be taken by the sheriff, or yield themselves to the chancery, they shall be put to prison or mainprize in the discretion of the chancellor, and it shall be commanded to enquire of such offences as the law requires; and if the sheriff return that he cannot take such offenders, and they do not yield themselves, then the chancellor shall make a writ of proclamation, directed to the same sheriff, returnable in K. B. at a certain day, that he make proclamation in two county courts that such offenders come at such day into K. B. to answer such bill, on pain to be convict of the matters therein comprized; and in such writ of proclamation the substance of such bill shall be contained; and if they come not at such day, they shall be deemed convict or attainted, and if they do come, it shall be enquired of and done as aforesaid, *id. s.* 1.

18. Provided that the suggestions of such riots be certified to the chancellor by letters under the seals of two justices of peace, and the

sheriff of the county before such *capias* granted, in which *capias* the matter comprised in such bill shall be expressed; and if a case happen in the county palatine of *Lancaster*, or elsewhere, in franchises, where there is a chancellor and seal, then the chancellor of *Eng.* shall cause to be written by H. M.'s writ to the chancellor of such county or franchise all such suggestions in such bill, commanding him to do execution, as in *s.* 1., so as H. M.'s writ out of chancery run not in such county or franchise, save as in times past, 2 *H.* 5. *S.* 1. *c.* 9. *s.* 2.

19. Provided it be certified by two justices of the peace of the counties where such riots happen, that the common fame and voice runneth thereof before *capias* granted; provided that if a case happen in the county palatine of *Lancaster*, or elsewhere, in a place enfranchised, where there is a chancellor and seal, then such chancellor, after complaint made, and duly certified by a justice or lieutenant of a justice, and the sheriff of such county palatine or place enfranchised as aforesaid, shall award a *capias* and writ of proclamation, as the chancellor of *Eng.* might, 8 *H.* 6. *c.* 14. *s.* 2.

20. CONCERNING FELONS AND MURDERERS, 6 *H.* 8. *c.* 6.

21. The justices of K. B. may remand, as well the bodies of all felons and murderers removed before H. M. in his bench, as their indictments into counties where such offences were done, and may command the justices of gaol delivery, justices of peace, and other justices and commissioners, to proceed and determine the same, as if it had never been brought into K. B., *id. ibid.*

22. FOR RESTITUTION TO BE MADE OF GOODS OF SUCH as shall be robbed by felons, 21 *H.* 8. *c.* 11.

23. If any felons do rob any money, goods or chattels from H. M.'s subjects, from their person, or otherwise, and thereof be indicted, and after arraigned and found guilty thereof, or otherwise attainted by evidence given by the party robbed, or owner of such money, &c. or by any other by their procurement, then the party robbed, or owner, shall be restored to his money, &c.; and the justices of gaol delivery, and other justices afore whom such felon is so found guilty, or otherwise attainted, shall award writs of restitution for such money, &c. as though felons were attainted at suit of the party in appeal, *id. ibid.*

24. CONCERNING POWDIKE IN *Marshland*, 22 *H.* 8. *c.* 11. [REP. 1 *E.* 6. *c.* 12. *ss.* 4—8. *but* REV. 2 *& 3 P. & M. c.* 19.]

25. Every malicious cutting down and breaking up of any part of the dikes, or any bank being parcel of the road, and uttermost part of the new powdike in *Marshland*, in the county of *Norfolk*, and the *Oldfield* dike by *Marshland*, in the isle of *Ely*, by any person otherwise than in working on such banks or dikes for mending the same, shall be adjudged felony, and the offenders, felons, and the justices of peace within the county of *Norfolk* and the isle of *Ely*, at their sessions, shall inquire of such offences, and award process against the offenders, with like judgment and execution, if found guilty, as on other felonies at common law, 22 *H.* 8. *c.* 11.

26. FOR THE MORE SPEEDY TRIALS OF MURDERS AND FELONIES, 22 *H.* 8. *c.* 14. *s.* 5, 6. [This title is framed from the preamble to *s.* 5., *and* the rest of this act relating to the sanctuary is REP. by 1 *J.* 1. *c.* 25. *s.* 34., 21 *J.* 1. *c.* 28. *s.* 6, 7.] [CON. 28 *H.* 8. *c.* 1. MADE PERP. 32 *H.* 8. *c.* 3., CONF. 1 *E.* 6. *c.* 12. *s.* 11.]

27. All foreign pleas triable by the country, pleaded by any persons arraigned by indictment for petty treason, murder, or felony, shall be forthwith tried before the same justices, before whom such person is arraigned, and by the jurors of the same county, that shall try such petit treason, &c. in whatever county or place the matter of the pleas is alleged, 22 *H.* 8. *c.* 14. *s.* 5.

28. No person arraigned for petit treason, murder, or felony, shall be admitted to any peremptory challenge of above 20, *id. s.* 6.

29. FOR THE CERTIFICATE OF CONVICTS TO BE MADE INTO K. B., 34 *& 35 H.* 8. *c.* 14. *and recital in s.* 1. [*See* 3 *W. & M. c.* 9. *s.* 7. BENEFIT OF CLERGY, *pl.* 32.]

30. The clerk of the crown, clerks of the peace, and clerks of assize, where any attainder, outlawry, or conviction shall be had, shall certify a transcript, briefly containing the tenor and effect of such indictment, outlawry, or conviction, and clerk attainted before them, *viz.* the surname and addition of such person so indicted, and thereupon outlawed or convicted, or clerk attainted, and the certainty of the offence, and the day, place of such outlawry, &c. and offence, to K. B. at *Westminster*, there to remain of record within 40 days after such attainder, &c. had, if it be term, and if not, then within 20 days after the beginning of the then next term, and shall also deliver a like transcript to the ordinary to whom the body of such person shall be so committed, such ordinary paying for the same 12*d.*, upon pain that every such clerk, who shall neglect so to do, shall forfeit 40*s.*, one moiety to H. M. and the other to him that will sue for the same by action of debt, &c. or information in any court of record wherein no essoin, &c.; and the clerk of the crown in K. B. shall receive such transcripts and certificates, without taking any thing for the same, on pain of 40*s.*, *id. s.* 2. [*See note* to last *pl.*]

31. If there be any more persons contained and named in such indictment, other than those attainted, convicted, or outlawed, such clerks shall certify the transcript of such indictment, &c. only concerning such persons so indicted, attainted, outlawed, or convicted into K. B., which transcript, so certified, shall be as good against such persons as if the very record itself were then present, 34 *& 35 H.* 8. *c.* 14. *s.* 3.

32. The clerk of the crown in K. B., at such times as the justices of gaol delivery, and the justices of peace within *Eng.* write unto him for the names of all persons so attainted by outlawry, or clerks attainted or convict and certified into K. B., shall certify such names, with the cause why they were convict or attainted, on pain to forfeit 40*s.* for each name omitted, *id. s.* 4.

33. Nothing herein shall extend to such clerks or prenotaries within *Wa.*, *Chester*, *Lancaster*, and *Durham*, to make any such transcript, but the records shall remain in their keeping as at this day, *id. s.* 5.

34. REPEALING CERTAIN FELONIES AND PRÆMUNIRE, 1 *E.* 6. *c.* 12. *ss.* 4. 8., 1 *M. S.* 1. *c.* 1. *s.* 5.

35. All offences made felony [or limited within the case of *præmunire*, 1 *M. S.* 1. *c.* 1.] by any act made since 1 *H.* 8. not being felony before, [nor within the case of *præmunire*, 1 *M. S.* 1. *c.* 1.] and all pains and forfeitures concerning the same shall be REP., 1 *E.* 6. *c.* 12. *s.* 4., 1 *M. S.* 1. *c.* 1. *s.* 5.

36. This act shall not extend to repeal any act concerning the counterfeiting or forging of coin, or the bringing of bad coin into the realm, nor to 27 *H.* 8. *c.* 2. for counterfeiting H. M.'s sign manual, 1 *E.* 6. *c.* 12. *s.* 8.

37. FOR THE TRIAL OF MURDERS AND FELONIES in several counties, 2 *& 3 E.* 6. *c.* 24. *and recital in s.* 1. [*See* 5 *E.* 3. *c.* 11., *ante*, *pl.* 12, 13., *and* 5 *& 6 E.* 6. *c.* 10. *tit.* BENEFIT OF CLERGY, *pl.* 12., *whereby* clergy is taken away from offenders robbing in one county and flying into another: *and as to* the trial of felonies committed on the boundaries of counties, and in stage coaches, waggons, &c. 59 *G.* 3. *c.* 96. *s.* 1., *post*, *pl.* 107.]

38. Where any person shall be feloniously stricken or poisoned in one county, and die of such stroke or poisoning in another county, an indictment found by jurors of the county where the death shall happen, shall be as effectual as if the stroke or poisoning had been committed in the same county, 2 *& 3 E.* 6. *c.* 24. *s.* 2.

39. The justices of gaol delivery, and *oyer* and *terminer*, in the county where such indictment shall be taken, and also the justices of K. B., after the indictment shall be removed before them, may proceed upon the same, as they should in case such felonious stroke and death, &c. had grown all in one county: and such party, to whom appeal of murder shall be given may sue such appeal in the same county where the party shall die, as well against the principal as against every accessary, in whatsoever county the accessary shall be guilty; and the justices before whom such appeal commenced within the year and a day after the murder and manslaughter done, shall proceed against all such accessaries in the same county where the appeal shall be taken, as if they had committed such offence in such county, as well concerning the trial by the jurors of such county as otherwise, *id. s.* 3. [*but* appeals of death taken away, 59 *G.* 3. *c.* 46.]

40. Where any murder or felony shall be committed in one county, and another shall be accessary in any other county, an indictment found against such accessary in the county where such offence of the accessary is committed, shall be as effectual as if the principal offence had been committed within the same county; and the justices of gaol delivery, or *oyer* and *terminer*, or 2 of them, in such county where the offence of such accessary shall be committed, shall write to the *custos rotulorum* where such principal shall be convicted, to certify them whether such principal be convicted or discharged of such principal felony; who, upon such writing, shall make certificate, under his seal, whether such principal be convicted or discharged; and the justices of gaol delivery, &c. shall proceed upon such accessary in such manner, as if both the principal offence and accessary had been committed in the county where the offence of the accessary was done; and such accessary, and other such offender, shall answer on their arraignment, and receive such trial and judgment, and execution, and suffer such forfeitures, &c. as in other cases of felony, *id. s.* 4.

41. TO TAKE EXAMINATION OF PRISONERS SUSPECTED of manslaughter or felony, 2 *& 3 P. & M. c.* 10. *s.* 1. [*See also* 1 *& 2 P. & M. c.* 13. BAIL, *pl.* 7.]

42. Every justice of peace before whom any person is brought for manslaughter or felony, or for suspicion thereof, shall before he commits such prisoner, take his examination, and the information of those that brought him, of the fact; and so much thereof as is material to prove the felony shall be put in writing within 2 days after such examination; and shall certify the same in such manner as if such prisoner had been bailed, upon the pain in 1 *& 2 P. & M. c.* 13. [*see* BAIL, *pl.* 7., &c.] limited; and such justices may bind, by recognizance or obligation, all such as do declare any thing material to prove such manslaughter or felony against such prisoner so committed, to appear at the next general gaol delivery holden within the county, city, &c. where the trial is had, to give evi-

dence against the party, and shall certify such bonds in like manner, and upon like penalty, as in 1 & 2 *P. & M. c.* 13. (*s.* 5.) mentioned, 2 & 3 *P. & M. c.* 10. *s.* 1.

43. To BRING CERTAIN OFFENDERS [*viz. lodgers* stealing furniture from their lodgings] to punishment, 3 *W. & M. c.* 9. (*ss.* 4, 5. *See the rest of this act*, SHIPPING,) [AMD. as to receivers of stolen goods, and to punish accessaries to felonies, 1 *A. S.* 2. *c.* 9. (*s.* 1, 2. *and as to* receivers of stolen goods, 5 & 6 *A. c.* 31., *ss.* 5, 6. *pl.* 46, 47.) *as to receiving* stolen jewels, and gold and silver plate, in the case of burglary and highway robbery, 10 *G.* 3. *c.* 48., *and as to the* punishment of accessaries before the fact, 43 *G.* 3. *c.* 113. *s.* 5. (*Eng.*) *and c.* 79. *s.* 5. (*Ire.*) *See as to taking* money for helping to stolen goods, 4 *G.* 1. *c.* 11. *s.* 4., *and as to* advertising with no questions asked, 25 *G.* 2. *c.* 36. *s.* 1., *and* buying or receiving stolen goods declared in some cases a misdemeanor, 22 *G.* 3. *c.* 58., OFFENCES.]

44. Every person who shall buy or receive any stolen goods, knowing the same to be stolen, shall be deemed accessary to such felony after the fact, and incur the same punishment as such accessary, 3 *W. & M. c.* 9. *s.* 4.

45. Any person may be prosecuted and punished who buys or receives stolen goods, knowing them to be stolen, as for a misdemeanor to be punished by fine and imprisonment, although the principal felon be not before convicted of such felony, which shall exempt the offender from being punished as an accessary if the principal is afterwards convicted, 1 *A. S.* 2. *c.* 9. *s.* 2. [see 5 & 6 *A. c.* 31. *s.* 6. *post*, *pl.* 47.]

46. If any person shall receive or buy any goods or chattels that shall be feloniously stolen, knowing the same to have been stolen, or shall receive, harbour, or conceal any burglars, felons, or thieves, knowing them to be so, he shall be taken as accessary to such felonies, and on conviction, by one or more witnesses, shall suffer death as a felon convict, 5 & 6 *A. c.* 31. *s.* 5.

47. If any such principal felon cannot be taken, so as to be prosecuted and convicted for any such offence, yet, nevertheless, such person buying or receiving the goods stolen by such principal, knowing the same to be so stolen, may be prosecuted as for a misdemeanor, to be punished by fine and imprisonment, or other corporal punishment, as the court shall think fit, although the principal is not convict of such felony, and which shall exempt such accessary from punishment, if such principal felon is afterwards taken, *id. s.* 6. [see 1 *A. S.* 2. *c.* 9. *s.* 2. *pl.* 45.]

48. Every person who shall take away, with intent to steal, embezzle or purloin, any chattel, bedding, or furniture, which by agreement he is to use, or which shall be let to him to use in any lodging, such taking away shall be adjudged larceny and felony, and offender shall suffer as in case of felony, 3 *W. & M. c.* 9. *s.* 5.

49. If any principal offender shall be convicted of any felony, or shall stand mute, or peremptorily challenge above 20 persons, any accessary, either before or after the fact, may be proceeded against, in the same manner as if such principal had been attainted thereof, notwithstanding such principal is admitted to his clergy, pardoned, or otherwise delivered before attainder; and such accessary shall suffer the same punishment, if he be convicted, or shall stand mute, or peremptorily challenge above 20 jurymen, as if the principal was attainted, 1 *A. S.* 2. *c.* 9. *s.* 1.

50. In all cases in which any person shall hereafter procure, direct, counsel, or command any other person to commit, or shall abet another in committing any felony, or shall in any wise become an accessary before the fact to any felony, whether committed within the body of any county in the realm, [within *Ire.* 43 *G.* 3. *c.* 79. *s.* 5.] or on the high seas, and whether such procuring, &c. and abetting, or otherwise becoming accessary before the fact is committed within the body of any county, within this realm, [in *Ire.* 43 *G.* 3. *c.* 79. *s.* 5.] or on the high seas; then the offence of the person so procuring, &c. or abetting such felony, or so becoming accessary before the fact to such felony, shall be tried and adjudged (in case such principal felony was committed within the body of any such county) by the course of common law of *Eng.* [of *Ire.*, 43 *G.* 3. *c.* 79. *s.* 5.] either within the county wherein such principal felony was committed or within that wherein the offence of becoming accessary before the fact, was committed; and if the principal felony was committed on the high seas, then the offence of becoming an accessary before the fact, shall be inquired of by such court, and as in 28 *H.* 8. *c.* 15. appointed, [or in *Ire.* as in 11, 12 & 13 *J.* 1. *c.* 2. (*Ir.*) and 23 & 24 *G.* 3. *c.* 4. *s.* 4. (*Ir.*) directed,] provided that no person so once tried and acquitted, or convicted of such offence of becoming accessary before the fact to such felony, whether at common law or under 28 *H.* 8. *c.* 15. [or in *Ire.* at common law, or under the above *Irish* acts,] shall be liable to further prosecution for the same offence, 43 *G.* 3. *c.* 113. *s.* 5. and 43 *G.* 3. *c.* 79. *s.* 5. *Ire.*

51. Every person who shall buy or receive any stolen jewels, gold or silver plate, or watches, knowing the same to have been stolen, shall, where such jewels or plate shall have been feloniously stolen, accompanied with a burglary actually committed in the stealing the same, or shall have been feloniously taken by a robbery on the highway, be liable, as well before conviction of the principal felon, whether he be in or out of custody, as after; and if convicted, shall be adjudged guilty of felony, and be transported for 14 years, 10 *G.* 3. *c.* 48.

52. FOR BETTER APPREHENDING, PROSECUTING, AND PUNISHING of felons that commit burglary, housebreaking, or robbery in shops, warehouses, coach-houses, or stables, or that steal horses, 10 & 11 *W.* 3. *c.* 23. [AMD. and REP. as to so much (*viz. s.* 6.) which directs persons allowed their clergy to be burnt on the left cheek, by 5 & 6 *A. c.* 6. *s.* 1. and AMD. as to certificates granted under such act, 58 *G.* 3. *c.* 70. *s.* 2. REP. as to so much (*viz. s.* 1.) as takes away the benefit of clergy from certain offenders, 1 *G.* 4. *c.* 117. *s.* 2. *pl.* 55.]

53. All persons that shall, at any times, by night or day, in any shop, warehouse, coach-house, or stable, privately and feloniously steal any goods, wares or merchandizes, being of the value of 5*s.* or more, (although such shop, &c. be not actually broke open by such offenders, and although the owners of such goods, or other persons be not in such shop, &c. to be put in fear,) or shall assist, hire, or command any person to commit such offence and being thereof convicted or attainted by verdict, or confession, or being indicted thereof, shall stand mute, or not answer to the indictment, or peremptorily challenge above 23 persons returned to be of jury, shall be debarred their clergy, 10 & 11 *W.* 3. *c.* 23. *s.* 1. [but see *pl.* 55.]

54. The 10 & 11 *W.* 3. *c.* 23. *s.* 1. shall be REP. as to privately and feloniously stealing any goods, &c. under the value of 15*l.*, 1 *G.* 4. *c.* 117. *s.* 1.

55. Every person who shall privately and feloniously steal any goods, &c. of the value of 5*s.* or more, but under the value of 15*l.* in any shop, warehouse, coach-house, or stable, or who shall assist any person to commit such offence, shall be transported for life, or for such term not less than 7 years as the court trying the offender shall adjudge; or shall in the discretion of such court be imprisoned only, or imprisoned and kept to hard labour in the common gaol, house of correction, or penitentiary, for not exceeding 7 years, *id. s.* 2.

56. All persons who shall apprehend any persons guilty of such felonies and prosecute them to conviction, shall for their reward forthwith have upon such conviction, without fee, a certificate under the hand of the judge or justices before whom such conviction had, certifying such conviction, and also within what parish or place such felony was committed, and also that such felon was discovered and taken, or discovered or taken by the person so doing; and in case of disputes between such apprehenders touching their right or title to such certificates, then such judge or justice shall in the certificate direct it to be divided into so many shares as he thinks fit, which certificate may be once assigned over and the original proprietor of such certificate [or the assignee of the same, but see next *pl.*] shall by virtue thereof and of this act, be discharged from all manner of parish and ward offices within the parish wherein such felony was committed; which certificate shall be enrolled with clerk of peace of the county in which granted, on payment of 1*s.* and no more, 10 & 11 *W.* 3. *c.* 23. *s.* 2.

57. No certificate granted, pursuant to 10 & 11 *W.* 3. *c.* 23. to any person who shall apprehend and prosecute to conviction any person guilty of any of the felonies therein mentioned, to discharge such person from parish and ward offices, shall be assignable over; nor shall it exempt from parish or ward offices any other than the person to whom originally granted, 58 *G.* 3. *c.* 70. *s.* 2.

58. Such certificate shall not be assigned, after being once made use of by the person to whom originally granted, 10 & 11 *W.* 3. *c.* 23. *s.* 3. [*semb.* EXP. since last *pl.*]

59. If any person is slain by any such house-breaker, horse-stealers, or other such felon, by endeavouring to apprehend, or in pursuing him, then the executors or administrators of the party slain shall have such certificate without fee, *id. s.* 4.

60. If any person shall commit any burglary, house-breaking, or felony, in stealing any horse, or money, wares, or goods, from whom the benefit of clergy is hereby taken away, and being out of prison, shall discover, or cause to be discovered and apprehended 2 or more persons, who have committed any such felonies, who shall be convicted, he shall have H. M.'s pardon for all such felonies which he has committed before such discovery made, and which pardon shall bar all appeals for the same, *id. s.* 5.

61. No clerk of assize, or of the peace, or other person, shall take any fee of any person who is bound by a justice to appear to give evidence against any traitor or felon for the discharge of any recognizance for such appearance, nor shall take more than 2*s.* for drawing any bill of indictment against such felon, on pain to forfeit 5*l.* to the party grieved with full costs, *id. s.* 7.

62. If any clerk of assize, of the crown, of the peace, or of the indictments, or other officer, shall draw any defective bill [of indictment,] they shall draw new bills without any fee, or forfeit 5*l.* with full costs; such forfeitures shall be recovered by action of debt, &c. or information in any court of record, wherein no essoin, &c. allowed, *id. s.* 8.

63. In all cases where any person is convicted of any theft or larceny, and shall have the benefit of this act, [which repeals the punishment of

burning in the cheek, inflicted by 10 & 11 *W.* 3. *c.* 23. *s.* 6.] or ought by the laws in force before that act to be burned in the hand for such offence, he shall be burnt in the hand, and the judge or justices before whom he is tried and convicted, shall also in their discretion give judgment, that he shall be committed to some house of correction or public workhouse within the county, city, or place, where conviction had, for not less than 6 months nor more than 2 years, and an entry thereof shall be made of record, pursuant to such judgment; and he shall there be kept to hard labour, and duly corrected if he refuses to work, 5 & 6 *A.* *c.* 6. *s.* 2.

64. In case any such offender shall, after such judgment, escape out of prison, he shall, on being retaken, be brought before a judge, or 2 justices of peace, (whereof one to be of the quorum) of the county, &c. where offender was retaken, who shall commit him to the house of correction or public workhouse within such county, city, or place, where so retaken, for not less than one year nor more than 4 years, counting from the time of such retaking, there to be kept to hard labour and receive due correction; and in case any master or keeper of any house of correction or public workhouse shall neglect his duty herein, any judge or justice of assize or gaol-delivery shall, on complaint and proof on oath of one witness, remove such person from his office, *id.* *s.* 3.

65. FOR THE ENCOURAGING THE DISCOVERY AND APPREHENDING of house-breakers, 5 & 6 *A.* *c.* 31. [AMD. *G.* 1. *c.* 23. *ss.* 10, 11. REP. as to rewards for convicting offenders against this act, 58 *G.* 3. *c.* 70. *s.* 1. and AMD. 58 *G.* 3. *c.* 70. see FELONY, *pl.* 96, &c. EXT. *to the county palatine of Durham*, 14 *G.* 3. *c.* 46. *See* COUNTIES PALATINE (*Durham*).]

66. Every person who shall apprehend any person guilty of burglary, or the felonious breaking and entering of any house in the day-time, and prosecute him to conviction, shall besides the rewards by 10 & 11 *W.* 3. *c.* 23. given, receive 40*l.* within one month after such conviction, to be paid by the sheriff of the county where such felony was done without fee, such person rendering a certificate to such sheriff under the hands of the judge or justices before whom such felon shall be convicted, certifying such conviction, and in what parish the offence was committed, and also that such felon was taken by the party claiming the reward; and in case any dispute shall arise between the parties apprehending such felons, touching their right to such reward, such judge or justices shall in such certificate direct it to be paid in such proportion as they deem proper; and if such sheriff shall die or be removed before the expiration of one month after such conviction, and demand made of such reward, the succeeding sheriff of the same county shall pay the same within one month after demand and certificate brought, and sheriffs making default herein, shall forfeit to the persons claiming such money double the money due, to be recovered by him, his executors, or administrators, in any courts of record at *Westminster*, by action of debt, &c. or information, wherein no essoin, &c. or more than one imparlance shall be allowed, with treble costs, 5 & 6 *A.* *c.* 31. *s.* 1.

67. So much of 5 & 6 *A.* *c.* 31. *s.* 1. as gives such rewards to persons apprehending such felons, REP. 58 *G.* 3. *c.* 70. *s.* 1. [*but see where* the court trying such offenders may assign a reward to such parties, 58 *G.* 3. *c.* 70. *s.* 4—5. *pl.* 98—99.]

68. The 40*l.* for apprehending and convicting burglars shall be paid without deduction for every offender apprehended and convicted of such crime, 6 *G.* 1. *c.* 23. *s.* 10. [but see last *pl.*]

69. In case any watchman or other person shall be killed by any such burglar or house-breaker, endeavouring to apprehend, or in making pursuit after him, then his executors or administrators, or such person to whom the right of administration of his personal estate shall belong, upon certificate delivered under the hands and seals of the judge or justices of assize of the county where the fact was committed, or the 2 next justices, of such person being so killed, which certificate such judge or justices, on proof before them made, shall grant without fee, shall receive 40*l.* from the sheriff of such county; and on failure of payment by the sheriff, double the sum, to be recovered against him with treble costs, as in *s.* 1., *pl.* 66., 5 & 6 *A.* *c.* 31. *s.* 2.

70. All sheriffs, their executors or administrators, on producing such certificates and receipts for the money paid by them in pursuance of this act, may deduct upon their accounts all monies, other than double the sums and treble costs, which they shall so disburse; and if on account of any sheriff, there shall not be money sufficient in his hands so to reimburse him the money paid under this act, such sheriff shall be repaid the same by the treasury out of the crown-revenues on certificate of the clerk of the pipe to that effect, 5 & 6 *A.* *c.* 31. *s.* 3. [*The sheriff* may apply immediately to the treasury, 3 *G.* 1. *c.* 15. *s.* 4. *see* SHERIFF.]

71. If any person being out of prison shall commit any such burglary or felony, as in *pl.* 66. and shall afterwards discover 2 or more persons, who shall commit any such burglary or felony, so as 2 such persons may be convicted, such discoverer shall himself have the like reward of 40*l.* hereby promised, and all other advantages given to such taker and prosecutor, and be entitled to H. M.'s pardon for all burglaries, robberies, and felonies, (except murder and treason) by him committed before such discovery made; and such pardon shall be a good bar to any appeal for he same, 5 & 6 *A.* *c.* 31. *s.* 4. [*see ss.* 5—6. *ante*, *pl.* 46—47.]

72. The judge or justices (before whom such felons and house-breakers are convicted,) shall determine the rights and shares of persons to the certificate herein directed to be given, and shall, on request, cause to be made out and deliver such certificate without fee to the persons entitled to the same, before the end of the assizes or sessions wherein such conviction had, 5 & 6 *A.* *c.* 31. *s.* 7.

72 (*a*). No sheriff of *London* or *Middlesex* shall take gratuity, &c. of his under-sheriff for execution of his place, or force him to be at any expence in that his office, which has been usually paid by the high-sheriff, except the above rewards, and the fees of passing the sheriff's accounts in exchequer, and the other disbursements usually made by the under-sheriff, *id.* *s.* 8.

73. EVERY PERSON WHO SHALL WILFULLY AND MALICIOUSLY assault any person in the public streets or highways, with intent to tear, spoil, cut, burn, or deface the garments or clothes of any person, shall be deemed guilty of felony, and suffer as in case of felony, and the court trying such offenders, may transport them for 7 years, as in this act and 4 *G.* 1. *c.* 11. directed, 6 *G.* 1. *c.* 23. *s.* 11.

74. TO MAKE IT FELONY TO STEAL BONDS, NOTES, OR OTHER securities for the payment of money, 2 *G.* 2. *c.* 25. *s.* 3. [REV. and MADE PERP., 9 *G.* 2. *c.* 18. NOT to extend to *Scot.* *s.* 4.; *for the rest of this act, see* FORGERY, PERJURY.]

75. If any person shall steal, or take by robbery, any exchequer orders or tallies, or other orders, entitling any other person to any annuity or share in the parliamentary funds or any exchequer bills, *South Sea* bonds, bank notes, *East India* bonds, dividend warrants of the bank, *South Sea* or *East India* company, or any other company, society, or corporation, bills of exchange, navy bills, or debentures, goldsmiths' notes, for payment of money, or other bonds, or warrants, bills, or promissary notes, for the payment of any money, being the property of any other person or corporation, notwithstanding any of such particulars are termed in law a *chose* in action, it shall be deemed felony of the same degree, and with or without clergy, in the same manner as if the offender had stolen, or taken by robbery, any other goods of like value, with the money due on such orders, tallies, &c. or secured thereby, and remaining unsatisfied; and such offender shall suffer such punishment, as he might have done if he had stolen other goods of the like value, with the money due on such orders, tallies, &c. or secured thereby and remaining unsatisfied, 2 *G.* 2. *c.* 25. *s.* 3.

76. No attainder for any offence hereby made felony, shall work any corruption of blood, loss of dower, or disherison of heirs, *id.* *s.* 5.

77. FOR ALLOWING THE COSTS AND EXPENCES OF PERSONS prosecuting another for grand or petit larceny or other felony, in case of conviction, 25 *G.* 2. *c.* 36. *s.* 11., [*This title is framed* from the preambles to these sections.] [EXT. to witnesses bound to give evidence against felons, 27 *G.* 2. *c.* 3. *s.* 3., AMD. and EXT. to cases not followed by conviction, 18 *G.* 3. *c.* 19. *s.* 7—9. See further, 58 *G.* 3. *c.* 70. *s.* 4. *post*, *pl.* 98.]

78. The court before whom any person is convicted of any grand or petit larceny, or other felony, at the prayer of the prosecutor, and on consideration of his circumstances, may order the treasurer of the county where the offence was committed, to pay such prosecutor such sum as to them seems fit, not exceeding the expences he was put to in carrying on such prosecution, making an allowance for his time, which order, the clerk of assize or of the peace shall make out and deliver to him on payment of 1*s.*, and such treasurer shall pay the same at sight, and be allowed it in his accounts, 25 *G.* 2. *c.* 36. *s.* 11. [*See* 18 *G.* 3. *c.* 19. *ss.* 7—9.]

79. When any poor person shall appear on recognizance in any court to give evidence against another accused of any grand or petit larceny, or other felony, the court, at the prayer and on the oath of such person, and on consideration of his circumstances, may, in open court, order the treasurer of the county or place where the offence was committed, to pay to such person, such sum as to the court shall seem reasonable, for his time, trouble, and expence; which order the proper officer shall make out and deliver to such person on being paid 6*d.*, and such treasurer shall, on delivery of such order, forthwith pay the same, and be allowed it in his accounts, 27 *G.* 2. *c.* 3. *s.* 3. [*but see s.* 4. of this act, as to persons appearing on recognizance to give evidence in *Middlesex*, *tit.* PRISON, &c.]

80. The court before whom any person shall be tried and convicted, or *acquitted* of any grand or petit larceny, or other felony, if in cases of acquittal there appears a reasonable ground of prosecution, and that the prosecutor has *bonâ fide* prosecuted, may order on the prayer of such prosecutor, the treasurer of the county, riding, or division, wherein the offence was committed, or supposed so to be, to pay him such sum as such court shall deem reasonable, not exceeding the expences such prosecutor was *bonâ fide* put to in such prosecution, making to the prosecutor, in case he shall appear to be in poor circumstances, a reasonable allowance for loss of time; which order the clerk of assize, or of the peace, shall make out and deliver to such prosecutor, on payment of 1*s.*, and such treasurer, upon sight hereof, shall forthwith pay the same, and be allowed it in his accounts, 18 *G.* 3. *c.* 19. *s.* 7.

81. And the court, where any person shall appear on recognizance

or *subpœna* to give evidence as to any grand or petit larceny, or other felony, whether any bill of indictment be preferred or not to any grand jury, provided such person shall in the opinion of such court *bonâ fide* have attended in obedience to such recognizance or *subpœna*, may order the treasurer of the county, &c. in which the offence was committed, to pay to such person, a sum not exceeding the expences he was *bonâ fide* put to by reason thereof, making him, in case he is in poor circumstances, a reasonable allowance for loss of time, which order shall be made out and delivered to him on payment of 6*d*., and shall be paid in manner hereinbefore (*s.* 7.) directed, 18 *G.* 3. *c.* 19. *s.* 8. *Quarter sessions* shall make regulations for allowing expences to be approved by judge at assizes, &c. *id. s.* 9. [See the section at length, tit. JUSTICES OF PEACE; *and see* forms of awarding costs, APPENDIX.]

82. FOR THE MORE EFFECTUAL PROCEEDING against persons standing mute on their arraignment for felony or piracy, 12 *G.* 3. *c.* 20.

83. Every person who, on being arraigned on any indictment for felony or piracy, shall stand mute, or will not answer directly to such felony or piracy, shall be convicted of the felony or piracy therein charged, and the court shall thereupon award judgment and execution, and such judgment shall have the same consequences as if such person had been so convicted by verdict or confession, *id. s.* 1.

84. This act shall extend to H. M.'s colonies and plantations in *America*, *id. s.* 2.

85. FOR FURTHER PREVENTION OF MALICIOUS SHOOTING and attempting to discharge loaded fire-arms, stabbing, cutting, wounding, and poisoning, and the malicious using means to procure the miscarriage of women; and also the malicious setting fire to buildings, and also for repealing 21 *Jac.* 1. *c.* 27. and 6 *A. c.* 4. (*Ir.*) (*s.* 1. for preventing the destroying of bastard children) and for making other provisions in lieu thereof, 43 *G.* 3. *c.* 58.

86. Every person in *Eng.* or *Ire.* who shall wilfully, maliciously, and unlawfully shoot at any of H. M.'s subjects, or present, point, or level any kind of loaded fire-arms at such subjects, and attempt by drawing a trigger, or in any other manner to discharge the same at them; or shall wilfully, &c. stab or cut any such subjects with intent to murder, rob, maim, disfigure, or disable them, or to do them some other grievous bodily harm, or with intent to obstruct, resist, or prevent the lawful apprehension and detainer of persons so stabbing or cutting, or of their accomplices, for any offences for which they may be lawfully apprehended, imprisoned, or detained; or who shall wilfully, &c. administer, or cause to be administered to, or taken by such subjects, any deadly poison, or other noxious or destructive substance or thing, with intent to murder, or thereby to cause the miscarriage of any woman then quick with child; or who shall wilfully, &c. set fire to any house, barn, granary, hop oast, malt-house, stable, coach-house, out-house, mill, warehouse, or shop, whether such house, &c. is then in the possession of the persons setting fire to the same, or of any other person, or body corporate, with intent thereby to injure or defraud any of H. M.'s subjects, or any body corporate, they and their counsellors, aiders, and abettors, knowing of, and privy to such offence, shall be felons and suffer death, without clergy, *id. s.* 1. [*see as to* destroying or burning houses, &c., 52 *G.* 3. *c.* 120.]

87. Provided, that in case it appears on the trial of such offenders, for wilfully, &c. shooting at any of H. M.'s subjects, or for presenting, pointing, or levelling any fire-arms at them, and attempting to discharge the same, or with wilfully, &c. stabbing or cutting them, with intent as aforesaid, that such act of cutting or stabbing was committed under such circumstances, that if death had ensued therefrom, the same would not in law have amounted to murder, then such persons shall not be deemed guilty of the felonies whereof they are indicted, but shall be acquitted, *id. ibid.*

88. Every person who shall wilfully and maliciously administer or cause to be administered to, or taken by any woman, any medicines, drug, or other substance or thing, or shall use, or employ, or cause to be used, &c. any instrument or other means, with intent to procure the miscarriage of any woman, not being, or not being proved to be quick with child, at the time when the same were administered or employed, then they and their counsellors, aiders, and abettors, knowing of, and privy to such offence, shall be deemed felons, and shall be punished by fine and imprisonment, set in the pillory, publicly or privately whipped, or be transported for any term not exceeding 14 years, in the discretion of the court, *id. s.* 2. [*see the* punishment of the pillory, abolished in all cases except perjury, &c., 56 *G.* 3. *c.* 138. PILLORY.]

89. The 21 *J.* 1. *c.* 27., and 6 *A. c.* 4. (*Ir.*) shall be REP., and the trials in *Eng.* and *Ire.* of women charged with the murder of any issue of their bodies, male or female, which being born alive, would by law be bastards, shall proceed by the like rules of evidence and presumption as in other trials for murder, *id. s.* 3.

90. Provided, that the jury by whose verdict any prisoner charged with such murder shall be acquitted may, if it so appears in evidence, that the prisoner was delivered of issue of her body, male or female, which, if born alive, would have been bastard; and that she did by secret burying or otherwise endeavour to conceal the birth thereof, and thereupon the court may order such prisoner to be committed to the common gaol or house of correction, for not exceeding 2 years, 43 *G.* 3. *c.* 58. *s.* 4.

91. TO REPEAL SO MUCH of 8 *El. c.* 4. *viz. ss.* 1, 2. [which *see*, BENEFIT OF CLERGY, *pl.* 16—17.] as takes away the benefit of clergy from persons stealing privily from the person of another; and for more effectually preventing the crime of larceny from the person, 48 *G.* 3. *c.* 129. [*see similar* act for *Ire.* 58 *G.* 3. *c.* 68.]

92. The 8 *El. c.* 4. *ss.* 1, 2. taking away clergy in cases of theft privily from the person, shall be REP. (*s.* 1.); and every person who shall feloniously steal, take, and carry away any money, goods, or chattels, from the person of another, whether without his knowledge or not, but without force or putting in fear sufficient to constitute a robbery, or who shall be present, aiding therein, shall be transported for life, or for not less than 7 years, in discretion of the judge or court trying the offender; or shall, if such judge or court shall think fit, be imprisoned only, or imprisoned and kept to hard labour, in the common-gaol, house of correction, or penitentiary, for not exceeding 3 years, *id. ss.* 1, 2.

93. TO REPEAL A CERTAIN PROVISION RESPECTING PERSONS convicted of felony without benefit of clergy, contained in 52 *G.* 3. *c.* 44. *s.* 47. for the erection of a penitentiary-house; and for making other provisions in lieu thereof, 53 *G.* 3. *c.* 162.

94. So much of 52 *G.* 3. *c.* 44. *s.* 47., as enacts 'that in all cases, where any courts shall think fit to sentence any persons convicted before them of felony, *without benefit of clergy*, to imprisonment, as or for the punishment or part thereof for such offence, such court may direct, that such convicted persons shall be kept to hard labour during such imprisonment,' shall be REP.; and henceforth, any court may pass on persons convicted before them of felony *with clergy*, or of grand or petit-larceny, the sentence of imprisonment to hard labour, either alone, or in addition to any other sentence which such court may lawfully pass on such persons; and such persons shall suffer the same accordingly, and be imprisoned and kept to hard labour, or simply imprisoned and kept to hard labour, in such place and for such time as the court shall direct, not exceeding the time for which courts may now imprison for such offences, *id. ibid.*

95. FOR REPEALING CERTAIN PARTS OF SEVERAL ACTS as allow pecuniary and other rewards on the conviction of persons for highway robbery, and other crimes and offences, and for facilitating the means of prosecuting persons accused of felony and other offences, 58 *G.* 3. *c.* 70.

96. So much of 4 *W. & M. c.* 8. (*s.* 2.) as directs the payment of 40*l.* to every person who shall apprehend and prosecute to conviction one or more thieves, or robbers, for any robbery in a highway, &c. [see ROBBERY]; and also so much of 6 & 7 *W.* 3. *c.* 17. (*s.* 9.) as directs the payment of 40*l.* to every person who shall apprehend any person who has counterfeited the coin of this realm, or who has clipped, washed, filed, or otherwise diminished the same, or who shall bring into this kingdom, or *Wa.*, or *Ber.*, any clipt, false, or counterfeit coin, and prosecute him to conviction [see COIN, *pl.* 65.]; and also so much of 5 & 6 *A. c.* 31. (*s.* 1.) as directs the receipt and payment of 40*l.* to any person who shall apprehend and prosecute to conviction any person guilty of burglary in the day time [see *ante pl.* 66.]; and also so much of 14 *G.* 2. [*c.* 6. *s.* 2. CATTLE, *pl.* 16.] as directs the receipt and payment of 10*l.* to any person who shall apprehend and prosecute to conviction any person who shall feloniously drive away, or otherwise steal one or more sheep with intent to steal the whole or part of the carcase of such sheep or other cattle, or who shall aid therein; and also so much of 15 *G.* 2. *c.* 28. (*s.* 7.) as directs the receipt and payment of 40*l.* to any person who shall apprehend and prosecute to conviction any person for any offences by that act made high treason or felony, and 10*l.* to any person who shall apprehend and prosecute to conviction any person who shall counterfeit any of the copper money therein mentioned [see COIN, *pl.* 91.]; and also so much of all such acts as directs the allowance of such rewards to sheriffs in their accounts, shall be REP., *id. s.* 1.

97. But this act shall not take away from the executors or administrators of any person killed by any robber in endeavouring to apprehend or in making pursuit after him, any reward to which they would be entitled by 4 *W. & M. c.* 8. *s.* 3. [ROBBERY]; nor to deprive any person of the horse, furniture, arms, money, or other goods of any robber, and which by *s.* 6. of the same statute, are directed to become the property of any person who shall apprehend, prosecute, or convict any such robber as therein mentioned; nor shall any thing herein deprive the executors or administrators of any watchman or other person who shall happen to be killed by any burglar or housebreaker, endeavouring to apprehend or in making pursuit after him, of any reward to which such executors or administrators would be entitled by virtue of 5 & 6 *A. c.* 31. *s.* 2. *pl.* 69., *id. s.* 3.

98. The court before whom any person is tried for grand or petit larceny or other felony, shall, at the request of the prosecutor, or any person who shall become bound in any recognizance to prosecute or give evidence, or who shall be *subpœnaed* to give evidence against any person

accused of such larceny or felony, and who shall appear to prosecute and give evidence, or who has been active in the apprehension of any person accused of offences against 4 *W. & M. c.*8., 6 & 7 *W.3. c.*17., 10 & 11 *W.3. c.*23., 5 *A. c.*31., 14 *G.2. c.*6., and 15 *G.2. c.*28., may order the sheriff or treasurer of the county to pay unto such prosecutor and witnesses, and persons concerned in such apprehension, as well the costs and expences which such prosecutor shall be put to in preferring the indictment, as also such sum as shall seem reasonable and sufficient to reimburse such prosecutor and witnesess, and persons, for the expences they shall have been put to in attending before the grand jury, and in otherwise carrying on such prosecution, and also to compensate them for their loss of time and trouble in such apprehension and prosecution, 58 *G.3. c.*70. *s.*4. [*See* 25 *G.2. c.*36. *s.*11. *pl.* 77—78., 27 *G.2. c.*3. *s.*3. *pl.* 79., 18 *G.3. c.*19. *ss.*7, 8. *pl.* 80—81.]

99. In case the court shall make any order for payment of any such money to persons concerned in the apprehension of persons accused of any offence against the said acts, the same shall be paid by the sheriff of the county in which the offence was committed; and in the like manner, upon the like certificate, and at the same period as the rewards are directed to be paid by such acts; and every such certificate shall be made out by the clerk of assize or clerk of the peace, and be forthwith delivered to the person entitled to the same, upon payment of 5*s.*; and the sheriff, upon payment of the money specified in such certificate, shall be reimbursed the same in like manner as is directed by the such acts, *id. s.*5.

100. Every such order for costs (as in *s.*4.) shall be made out by the clerk of assize or clerk of the peace, which order he is forthwith to make out and deliver unto such prosecutor, upon being paid 1*s.*; and the treasurer of the county shall upon sight of such order pay such money, and shall be allowed the same in his account, *id. s.*6. [*See s.*7. DISORDERLY HOUSE, *pl.* 4.]

101. But no person shall be entitled to any such costs for attending the court, unless he shall have been bound by recognizance, or have previously received a *subpœna* to attend the same, or a written notice for that purpose from the prosecutor, his agent, or attorney, *id. s.*8.

102. In all cities, towns corporate, and places which do not contribute to the payment of any county rate, and have no town rate or public stock, such costs, charges, expences, and money, and compensations shall be raised, levied, collected, and paid within such cities, towns corporate, and places, by a separate rate to be made by the churchwardens and overseers of the several parishes thereof, and by such ways as the rates for the relief of poor are raised in such places, *id. s.*9.

103. Where sums to be raised in such cities, &c. are so small, that it may not be convenient to make an equal separate rate upon the parishes within such places, then such costs and compensations shall, by order of the court before whom any such person may be tried, be paid out of the poor's rates of such cities, &c.; and persons having the management thereof, shall pay the same when ordered; but if there are more parishes than one in the same district, payments shall be made in same proportion as the poor-rates are paid, *id. s.*10.

104. TO FACILITATE THE TRIAL OF FELONIES COMMITTED ON BOARD VESSELS employed on canals, navigable rivers, and inland navigations, 59 *G.3. c.*27. [*See as to the trial* of felonies begun in one county and completed in another, 2 & 3 *E.6. c.*24. *ante*, *pl.*37—40.]

105. In any indictment for any felony committed on board of any barge, boat, trow, or other vessel employed in carrying goods, wares, and merchandize, or in which any such goods, &c. shall be, upon any canal, navigable river, or inland navigation, in any part of *G. B.* or *Ire.*, it shall be sufficient to allege that such felony was committed within any county or city, through any part whereof such barge, boat, &c. passed in the course of the voyage during which the felony was committed; and in cases where the sides or banks or any navigable river, canal, or inland navigation, or the centre thereof, shall form the boundaries of any 2 counties or cities, such felony may be alledged to have been committed in either of them, through which, or any part thereof, such barge, &c. passed in the course of the voyage during which such felony was committed; and such felony may be enquired of and determined within the county or city it was alledged to have been committed in, and persons so convicted thereof, shall be subject and liable to all such pains of death, and other pains, forfeitures, and penalties, as they would have been in case the felony was tried in the county where actually committed; but nothing herein shall affect the jurisdiction of the high court of admiralty, or any commission for the trial of offences under the 28 *H.8. c.*15. PIRACY, 59 *G.3. c.*27.

106. TO FACILITATE THE TRIALS OF FELONIES COMMITTED ON STAGE COACHES and stage waggons, and other such carriages, and of felonies committed on the boundaries of counties, 59 *G.3. c.*96.

107. In indictments for felony committed on any stage coach, waggon, cart, or other such carriage whatever, employed in carrying goods, wares, and merchandize, or in which any such goods, &c. shall be, in or on any highway, in any part of *G. B.* or *Ire.*; it shall be sufficient to allege that such felony was committed within any county or city through any part whereof such stage coach, &c. shall have passed in the course o the journey, during which such felony was committed; and in all cases where any highway shall form the boundary of 2 counties, it shall be sufficient to allege that such felony, so committed, was committed in either of the counties through which, or any part whereof, such stage coach, &c. shall have passed in the course of the journey, during which such felony was committed; and every such felony may be enquired of, tried, and determined in the county or city, within which it is so alleged to have been committed; and every person convicted of any felony so to be enquired of, &c. shall be subject to all such pains of death and other penalties and forfeitures, as if such felony had been tried and determined in the county where it was actually committed, 59 *G.3. c.*96. *s.*1.

108. In indictments for felony committed on the boundary of 2 or more counties, or within 500 yards of such boundary, it shall be sufficient to allege that such felony was committed in either or any of such counties, and the same may be tried, &c. in the county, within which it is so alleged to have been committed; and every person convicted of any such felony, so to be tried, shall be liable to the punishment of death, and to all other penaltios and forfeitures, as if he had been tried in the county where it was actually committed, *id. s.*2.

FEUDAL SERVICES AND TENURES. (*See* TENURES.)

FINES. (*See* RECOVERIES.)

(STATUTES *repealed and expired.*)

1. FOR PROCLAMATIONS ON FINES LEVIED, 1 *R.3. c.*7. [*Virtually* REP. 4 & 5 *H.7. c.*24. *NOTE*, The 1 *R.3. c.*7. is not expressly repealed by 4 & 5 *H.7. c.*24., but the provisions of the former are incorporated in and extended by the latter act, and the 1 *R.3. c.*7. may therefore be deemed REP.]

2. FOR RE-INGROSSING OF THE RECORDS OF FINES, burnt or lost in the late fire in the *Temple*, 31 *C.2. c.*3. EXP. [*NOTE. Every fine*, the records of which were new engrossed under this act, is to be deemed as effectual as if the old record had not been burnt or destroyed.]

(STATUTE *in force.*)

1. THE MANNER OF LEVYING FINES 18 *E.1. S.*4. [AMD. as to plea of non-claim, 34 *E.3. c.*16. which is virtually REP. by 4 & 5 *H.7. c.*24. *post pl.* 11., and as to the personal appearance of the cognizor. *Stat. Incert. Temp.* XI., 1 8*vo. ed.* 401. *False personating* persons levying fines declared felony without clergy, 21 *J.1. c.*26. OFFENCES, *pl.*1.]

2. When the writ original is read in presence of the parties before the justices, a pleader shall say this, "Sir justice, leave to agree," and the justice shall say to him, "What saith Sir *R.*," and shall name one of the parties; and when they are agreed of the sum to be given to the king, then the justice shall say, "Cry the peace" (*see pl.*6.); and then the pleader shall say, "The peace licensed unto you is such, that *W. S.* and *A.* his wife, that here be, do acknowledge the manor of *B.*, with the appurts contained in the writ, to be the right of *R.*, as that which he hath of their gift, to have and to hold, to him and his heirs, of the said *W.* and *A.*, and the heirs of *A.*, as in demean, with the rents, seignories, courts, pleas, purchases, wards, marriages, reliefs, escheats, wills, advowsons of churches, and all other franchises and free customs to the said manor belonging, paying yearly to *N.* and his heirs, chief lords of the fee, the services due and accustomed for all services." And the law will not suffer a final accord to be levied in H.M.'s courts without a writ original, and that before 4 justices in the bench or in *eyre*, and in the presence of the parties, who must be of full age, of whole memory, and out of prison; and if a woman covert be one of the parties, she must be examined by such 4 justices, and if she does not assent, the fine shall not be levied; and the cause of such solemnity is, that a fine is so high a bar, of so great force, and of so strong nature, that it includes all parties and privies thereto, and their heirs and all others being of full age, out of prison, of whole memory, and within the 4 seas, the day the fine is levied, if they make not their claim of their action within a year and a day by the country, 18 *E.1. St.*4. [but see next *pl.* and *pl.*12., but see *pl.*39.]

3. The plea of non-claim of fines shall be no bar, 34 *E.3. c.*16. [*See now*, as to the plea of non-claim to be made on fines, 4 *H.7. c.*24., 32 *H.8. c.*36.]

4. The demandants or tenants, who will acknowledge their right of tenements unto others in pleas of *warrantia chartæ*, covenant, and other, whereupon fines are to be levied shall, before such fines pass, appear personally before you, [*viz.* the justices of the bench]; provided, that if any person, by age, or impotence, or casualty, is withholden and cannot come, then 2 or one of the said justices, with consent of the rest, shall go and receive his cognizance; and if one go he shall take with him a knight of good fame, and shall certify thereof by his record. *Stats. Incert. Temp.* XI., 8*vo. ed.* i. 401.

5. NO EXCEPTION TO A FINE THAT THE DEMANDANT WAS SEIZED. Fines shall be openly read, 27 *E.* 1. *S.* 1. *c.* 1.

6. The parties to fines and their heirs shall not be admitted to except, and thereby annul such fines, that the demandants or their ancestors were always seized of the lands contained in the fines, or of some parcel thereof; and notes and fines shall be openly read, and in the meantime all pleas shall cease, and this shall be at 2 certain days in the week, in the discretion of the justices, *id. ibid.* [*Such note* must also be enrolled of record, 5 *H.* 4. *c.* 14. *post pl.* 10.]

7. THE FEE OF THE CYROGRAPHER OF THE C. P. for a fine levied, 2 *H.* 4. *c.* 8.

8. The cyrographer, nor his farmer, deputy, or lieutenant, shall take no more than 4*s.* for any fine levied in the court; and if such farmer, &c. does, he shall lose his office, be prejudged of the court, have one year's imprisonment, and pay treble damages to the party grieved, who shall sue before C. P., *id. ibid.*

9. FOR RECORDING PROCEEDINGS ON FINES IN THE C. P., 5 *H.* 4. *c.* 14. [*see* 23 *El. c.* 3. *post, pl.* 26.]

10. All writs of covenant and other writs, wherein fines shall be levied, with the writs of *dedimus potestatem* [*as to which, see* 2 *Bla. Comm.* 351.], with all the acknowledgments and notes of the same, before they are taken out of the C. P. by the cyrographer [*see* 2 *H.* 4. *c.* 8. FEES, *as to his fee*] shall be inrolled of record to remain in the custody of the chief clerk of the C. P. for the old fee of 22*d.* for entering the record of every fine, *id. ibid.*

11. FOR PROCLAMATIONS TO BE MADE UPON FINES, 4 & 5 *H.* 7. *c.* 24. (*the Statute of Fines.*) [EXPL. 32 *H.* 8. *c.* 36. AMD. as to the proclamations, 1 *Mar. S.* 2. *c.* 7. and recital in *s.* 1., and such proclamations abridged, 31 *El. c.* 2.]

12. After the ingrossing of every fine levied in H. M.'s court afore his justices of C. P. of any lands, tenements, or other hereditaments, the same fine shall be openly read and proclaimed in court the same term, and in 3 terms next following the ingrossing, 4 days in every term, [but see *pl.* 14.] and in the time when read all pleas shall cease; and such proclamations being so made, such fine shall be final, and conclude as well privies as strangers to same, except women covert, (other than parties to such fine, and every person then within age of 21 years, in prison, or out of this realm, or not of whole mind at the time of such fine levied, not parties to such fine.) Saving to every person and to their heirs, other than such parties, such right as they have to such lands, &c., at the time of such fine ingrossed; so that they pursue their claim by action or entry within 5 years after such proclamations made; and saving to all other persons such action, right, &c. to such lands as shall come to them after the fine ingrossed and proclamation made, by force of any gift in tail, or other cause had before such fine levied; so that they take their action, or pursue their right, &c. according to law within 5 years after such action, right, &c. accrued. And such persons and their heirs may have their action against the pernor of the profits of such lands, &c. at the time of action taken. And if the same persons, at the time of such action, right, &c. accrued be *covert de baron*, within age, in prison, out of this land, or not of whole mind, their action, right, &c. shall be saved to them and to their heirs, unto the time they are at full age, out of prison, within this land, uncovert and of whole mind; so that they or their heirs take their actions or entry within 5 years after they are at their full age, &c. or take other lawful entry, 4 & 5 *H.* 7. *c.* 24. *s.* 1.

13. All fines to be levied before the justices of C. P. of any manors, lands, &c., whereon the proclamations shall not, by reason of adjournment of any term by writ, be duly made, shall be as good as if any term so adjourned had been holden from the beginning to the end, without adjournment and proclamations made according to 4 & 5 *H.* 7. *c.* 24., 1 *Mar. S.* 2. *c.* 7.

14. All fines with proclamations to be levied in C. P. shall be proclaimed only 4 times, once in the term wherein engrossed, and once in every of the 3 terms next following; and fines so proclaimed shall be of the same force as if they had been proclaimed 16 times according to 4 & 5 *H.* 7. *c.* 24., 31 *El. c.* 2.

15. And all such persons as be *covert de baron*, not party to the fine, and every person being within the age of 21 years, in prison, out of this land, or not of whole mind, at the time of such fines levied and ingrossed, having any title, or their heirs shall take their actions or entry within 5 years after they be of full age, &c.; and if they take not their actions and entry as aforesaid, they and their heirs shall be concluded by the fines as they that be parties or privies to such fines; saving to every person not party or privy to the fine, their exception to avoid the fine, by this, that those who were parties to the fine, and persons to their use, had nothing in the lands, &c. comprised in the fine at the time of the fine levied, 4 & 5 *H.* 7. *c.* 24. *s.* 2. [*Parties to fines* cannot avoid the same by exception that the demandant was seized, 27 *E.* 1. *c.* 1. *ante, pl.* 5.]

16. And every fine levied in H. M.'s courts after the manner that fines have been levied before this act, shall be of like force as fines so levied were before this act; and every person shall be at liberty to levy any fine after the form in this act, or after the manner aforetime used, 4 & 5 *H.* 7. *c.* 24. *s.* 3.

17. All fines levied before the justices of C. P., with proclamations according to the statute 4 *H.* 7. *c.* 24., by persons of full age, of any lands, &c. before the fine levied entailed to the persons levying the same, or to any ancestor of the same person, in possession, remainder, reversion, or in use, shall, after such fine levied, ingrossed, and proclamation made, be a bar against such person and their heirs claiming such lands by force of such entail, and against all other persons claiming such lands to their use, or to the use of any heir of the bodies of them, 32 *H.* 8. *c.* 36. *s.* 1.

18. This act shall not bar the lawful entry, title, or interest, of any heir or person in or to any manors, lands, tenements and hereditaments, by reason of any fines levied by any woman after the death of her husband, contrary to 11 *H.* 7. *c.* 20. [see DOWER] of any manors, lands, &c. of the inheritance or purchase of such husband, or of any his ancestors, given to such woman in dower, term of life or in tail, in use or in possession, but 11 *H.* 7. *c.* 20. shall be in force, *id. s.* 2.

19. This act shall not extend to any fines levied of any lordships, manors, lands, &c. the possessors or owners whereof, by reason of an express word in any special act of parliament made since 4 *H.* 7. be restrained from making any alienations, discontinuances, or other alteration of any such lordships, manors, lands, contained in such fines, but such fines shall be of like force as if this act had not been made, *id. s.* 3.

20. This act shall not extend to any fines hereafter to be levied by any person of any manors, lands, &c. before the time of levying of such fine granted to the person so levying the same, or to any of his ancestors, in tail, by virtue of H. M.'s letters patent, or by virtue of any act of parliament, the reversion thereof at the time of such fine levied, being in H. M.; but the same shall be of like force as if this act had not been made, *id. s.* 4.

21. FOR SETTLING THE METHOD OF LEVYING FINES and suffering common recoveries in *Wa.* 34 & 35 *H.* 8. *c.* 26. (*ss.* 40—43.) [This title is framed from the purport of these sections. See rest of this act, *tit.* WALES; and as to reforming errors in fines and recoveries, 27 *El. c.* 9. *post, pl.* 27.]

22. Recoveries and fines of records and warrants of attorney for the same, shall be taken before the justices in *ss.* 5—10. mentioned, of lands, tenements, and hereditaments within their authority, by force of their general commission, and without writ of *dedimus potestatem*, as before the justices of C. P. in *Eng.*, *id. s.* 40.

23. All fines hereafter to be levied with proclamations made the same sessions as the fines, shall be engrossed, and in two other great sessions next holden for the same county, shall be of like force as fines levied before the justices of C. P. in *Eng.*, *id. s.* 41.

24. Every person suing writs of entry in the post, or writs of covenant, or any other writs, for any recovery to be had by assent of parties, or otherwise, for any fine to be levied, shall pay such fines to H. M., as well fines *pro licentia concordande* as all other fines as is used in the courts in *Eng.*, which fines shall be paid to such persons as shall seal the original writ, who shall account for the same as they do for the profits of such original seal, *id. s.* 42.

25. H. M.'s silver, on every fine, shall be levied as is used in the C. P. in *Eng.*, *viz.* 2*s.*, which shall be paid to the justice before whom levied, whereof H. M. shall have 20*d.*; and the prenotary entering the same 2*d.*; and such justice 2*d.*, who shall account for the same as he does of H. M.'s judicial seal (see *s.* 25.) intrusted to him, *id. s.* 43.

26. FOR THE REFORMATION OF ERRORS IN FINES and recoveries, 23 *El. c.* 3. [EXT. to *Wales*, town and county of *Haverfordwest*, with the counties palatine, 27 *El. c.* 9. *See ante*, 5 *H.* 4. *c.* 14. *pl.* 9.]

27. Every writ of covenant, and other writ whereon any fine shall be levied, the return thereof, the writ of *dedimus potestatem*, made for the knowledging of such fines, the concord note, and foot of such fine, the proclamations made thereon, and H. M.'s silver, and every original writ of entry in the *post*, or other writ whereon any common recovery shall be suffered, the writs of *summoneas ad warrantizandum*, the returns of such original, and writs of *summoneas*, &c. and every warrant of attorney to be had, as well of every demandant and tenant, as vouchee extant, (in the courts of assizes or great sessions within the 12 shires of *Wa.*, town and county of *Haverfordwest*, and counties palatine, or in the custody of the proper officer, 27 *El. c.* 9.) may at the request of any person be enrolled in parchment rolls by such persons, and for such consideration as herein mentioned, and such enrolment of the same shall be of as good force as the same being extant ought to be, 23 *El. c.* 3. *s.* 1. 27 *El. c.* 9. *s.* 1.

28. No fines, proclamations on fines, or common recoveries to be levied or suffered, (in such shires, town, and county and counties palatine, 27 *El. c.* 9.) shall be reversable by any writ of error for false Latin, rasure, interlining, mis-entering of any warrant of attorney, or of any proclamation, mis-returning, or not returning of the sheriff, or other

want of form in words and not in substance, *S.* 2. of 25 *El. c.* 3. *s.* 2. and 27 *El. c.* 9. *s.* 2.

29. Every person that shall take the knowledge of any fine or warrant of attorney of any tenant or vouchee for suffering any common recovery to be passed, [within such counties, &c. 27 *El. c.* 9. *s.* 5.] or shall certify them, shall, with the certificate of the concord, or warrant of attorney, certify also the day and year wherein the same was knowledged; and no person that taketh any such knowledge of any fine or warrant for any recovery, shall be bound to certify any such knowledge or warrant, except it be within one year next after such knowledge taken, 23 *El. c.* 3. *s.* 5., 27 *El. c.* 9. *s.* 5.

30. And no officer, &c. of any such counties [27 *El. c.* 9. *s.* 6.] shall receive any writ of covenant or of entry, whereupon any fine or common recovery is to pass, unless the day of the knowledge of such fine, and warrant shall appear by such certificate; upon pain that every clerk that shall receive any such writ shall forfeit [5*l.*, 23 *El. c.* 52. *s.* 5.; 40*s.*, 27 *El. c.* 9. *s.* 6.] and no attornment upon any fine shall be entered upon record, except the party mentioned to attorn shall first appear in court in person, or by attorney warranted by the hand of one of the justices, of the one bench, or the other, or of one justice of assize, 23 *El. c.* 3. *s.* 5. [of same court, 27 *El. c.* 9. *s.* 6. upon a writ of *Quid juris clamat*, *Quem redditum reddit*, or *Per quæ servitia*] and every entry of attornment where there shall be no appearance, shall be void, without writ of error or otherwise, 23 *El. c.* 3. *s.* 5., 27 *El. c.* 9. *s.* 6.

31. There shall be for ever one office for the inrolment aforesaid, which shall be called the office of inrolment of writs for fines and recoveries; and the justices of C. P. (other than the chief justice) shall have the care of the inrolments, and shall have such office and the disposition thereof; and shall have the sums of money hereafter following; *viz.* for the inrolment and examination of every fine 6*s.* 8*d.*; for the inrolment of every recovery, and the examination thereof, 6*s.* 8*d.*; for every exemplification of the inrolment of any fine, 5*s.*; for the exemplification and returns of every writ of entry, summons *ad warrantizandum*, and warrants, 5*s.*; for search of rolls of one year, 4*d.*; for the copy of one sheet containing 14 lines, 4*d.* And such justices, or one of them, shall examine the inrolments of every such fine and parts of recoveries, and write his name in such roll thereof; upon pain that such justice shall forfeit to H. M. 5*l.*; and such justices shall take order in all things needful for such inrolments, and on examination in such courts may assess such fine or amerciament upon any clerk, sheriff-deputy, attorney and others for their negligence, &c. concerning such fines and recoveries as they deem fit; such fine or amerciament to be estreated with the other fines, 23 *El. c.* 3. *s.* 6.

32. There shall be an office for the inrolments aforesaid in every of such counties, &c. which shall be called "The Office of the Inrolments of Fines and Recoveries;" and the justices of such shires, &c. *viz.* every of them within the limits of their authorities, shall have the charge of such inrolments, and shall enjoy the disposition and see the execution thereof, and shall have for their pains the sums following, *viz.* for the inrolment and examination of every fine, and of every recovery, and parts thereof respectively, 5*s.*; for every exemplification of the inrolment of every fine and parts thereof, 3*s.* 4*d.*; of every recovery and parts thereof, 3*s.* 4*d.*; for the search of the rolls for one year, 4*d.*; and for the copy of one sheet of 14 lines, 4*d.*; and one of such justices within their limits shall examine the inrolments of every such fine and recovery, and afterwards write his name on the roll, upon pain to forfeit 40*s.* to H. M.; and such justices shall take order, assess such fines, and estreat them as in 23 *El. c.* 3. *s.* 6. directed, 27 *El. c.* 9. *s.* 7.

33. The cyrographer of fines of C. P. shall write for every county where H. M.'s writ runneth, one table, wherein shall be contained such contents of every fine that shall pass in any one term, as hereafter mentioned, *viz.* the name of the county wherein the tenements mentioned in any fine be, the name of every plaintiff and deforciant, and of every manor named in the fine, and of the towns and places where such tenements lie; and the first day of the next term after the ingrossing of every such fine, shall fix such table supon some open place in the court of C. P., and so every day of the term, during the sitting of such court; and such cyrographer shall deliver to every sheriff written in parchment, a content of such table for that shire, in the term next before the assizes holden for such county, or else between that term and such assizes; and every such sheriff the first day of the next assizes, and every day during such assizes, shall fix same in some open place in the court where the justices of assize shall sit, and see the same to continue there during their sitting in person, that every chirographer and sheriff offending against this act, shall forfeit to H. M. 5*l.*, one moiety whereof shall be to H. M. and the other to the party suing in any court of record, wherein no essoin, &c. allowed, and such cyrographer shall be content with 4*d.* for every fine set down in such table, 23 *El. c.* 3. *s.* 7.

34. The exemplification of any such inrolment of any fine or recovery, or part thereof, within any such shires of *Wales*, or town and county of *Haverfordwest*, under the judicial seal of such shire, &c. where such fine or recovery levied or passed, and the like exemplifications within such counties palatine under seal of that county palatine where such fine or recovery levied, shall be of as good force for so much as are so exemplified as the very original record itself being extant ought to be, 27 *El. c.* 9. *s.* 8.

35. Justices' clerks authorized by their warrants in such offices and places where such records remain, may write out or inrol the same, without fee, and such records for the writing out or making the rolls thereof by such clerks, otherwise than for examination of justices, shall not be carried out of such offices or places, 23 *El. c.* 3. *s.* 9., 27 *El. c.* 9. *s.* 9

36. To DECLARE ALL USES AND TRUSTS OF ANY FINES OR COMMON recoveries manifested by deed made after such fines, &c. levied or suffered VALID, and to compel persons making claim or entry to avoid any fine, to commence and prosecute an action thereon, within 1 year and a day afterwards, 4 & 5 *A. c.* 16. (*ss.* 15, 16.) [*This title* is framed from the general effect of these sections.]

37. All declarations of uses or trusts of any fines or common recoveries of any lands, tenements, or hereditaments manifested by any deed made by the party who is by law enabled to declare such uses or trusts after the levying or suffering of any such fines or recoveries, shall be good, the 29 *C.* 2. *c.* 3. *ss.* 7, 8. (USES and TRUSTS) notwithstanding, 4 & 5 *A. c.* 16. *s.* 15.

38. No claim or entry to be made in any lands, &c. shall be of force to avoid any fine levied with proclamations according to 4 & 5 *H.* 7. *c.* 24. in the court of C. P. at *Westminster*, or in the courts of sessions in the counties palatine, or in the courts of great sessions in *Wales*, of any lands, &c. or shall be a sufficient entry or claim within 21 *J.* 1. *c.* 16. (LIMITATIONS), unless an action shall be commenced on such entry or claim within a year and a day afterwards, and prosecuted with effect, *id. s.* 16.

39. FOR THE MORE REGULAR AND EASY COLLECTING, ACCOUNTING, and paying of post-fines, which shall be due to the crown or grantees thereof under the crown, and for the ease of sheriffs in respect to the same, 32 *G.* 2. *c.* 14. [PUBLIC *clause*, *s.* 12. See, as to estreating the profines and post-fines into the exchequer, 22 & 23 *C.* 2. *c.* 22. *tit.* FINES AND AMERCIAMENTS, *pl.* 14.]

40. On every writ of covenant which shall be sued out for the passing of fines in the C. P. at *Westminster*, the officer whose duty it is to set and indorse the prefine payable thereon, shall at the same time set the usual post-fine, and indorse the same on the back of such writ, together with his name or mark of office, in like manner as the same are now indorsed at H. M.'s silver office; which post-fine shall be forthwith paid to the receiver of prefines at the alienation office, with 4*d.* as his fee for receiving the same, instead of the fee of 4*d.* charged on lands and hereditaments, and payable to sheriffs, bailiffs, and others, on discharging the same, by 3 *G.* 1. *c.* 15. (*s.* 13.); which fee of 4*d.* by such act granted shall cease, and such receiver shall indorse upon the back of every such writ of covenant, one mark of office as is now used by him on the receipt of prefines at the alienation office, with the name of such receiver, and the sum received as the post-fine, which mark of such receiver shall discharge the manors, lands, and hereditaments, &c. comprised in such writ of covenant, and the cognizees named therein, 32 *G.* 2. *c.* 14. *s.* 1.

41. The officer or clerk of the king's silver office, or his deputy, shall continue to enter every such fine upon record in the way hitherto used in the passing of fines, and make thereof the same entries, and put thereon the same indorsements, with the same mark as has hitherto been the practice of the office in passing of fines; and no fine, until the same be marked with the sum to which the post-fine amounts, in the king's silver office shall be effectual, *id. s.* 2.

42. Where no prefine is payable on any writ of covenant, (*viz.* where the lands are under the yearly value of five marks), the officer at the alienation office whose duty it is to let and indorse the prefine, shall set on every writ of covenant brought to such alienation office, on which no prefine is payable, a post-fine of 6*s.* 8*d.* as was usually anciently put at the king's silver office on every writ of covenant on which no prefine was payable, and shall indorse such post-fine of 6*s.* 8*d.* on every such writ of covenant, with his name and mark of office, as it hath been usual; and every such post-fine of 6*s.* 8*d.* shall be paid to such receiver of such alienation office, before the writ of covenant on which no prefine is payable be passed at the alienation office; and such receiver, on payment of 6*s.* 8*d.*, shall indorse and mark every such writ of covenant, as other writs of covenant are by this act directed to be indorsed, *id. s.* 3.

43. The officer or clerk of H. M.'s silver office or his deputy, shall not receive any writ of covenant unless it appear by the mark and indorsement of such receiver, that the post-fine has been paid thereon, *id. s.* 4.

44. If after the payment of such post-fine, the writ of covenant by the death of any of the parties named therein, or other cause, be prevented from passing through the several other offices, so as such fine is not completed; then such receiver shall repay to the cognizees therein, or their attorney, on producing and filing with him such writ of co-

venant, every such sum as has been before by him received for the post-fine; and such writ of covenant so remaining filed with such receiver shall be a discharge to such receiver for the same, 32 *G.*2. *c.*14. *s.*5.

45. Every such receiver, before he takes upon him the execution of his office, shall enter into recognizance before one of the barons of the exchequer, to H.M., with one or more sureties, as thought proper by such baron, in the penal sum of 5000*l.* conditioned for the due execution of such office, and to pay unto every sheriff in *Eng.*, or his under-sheriff, or lawful attorney, on producing to such receiver or his clerk at his office, the *quietus* of the sheriff for whom payment is required, the sum total of the post-fines contained in such *quietus*, wherewith such sheriff is charged in his account in the exchequer; and also to pay unto the lords of liberties, proprietors, or grantees of post-fines, or their bailiffs or attorney, upon producing unto such receiver or his clerk at his office, the respective *schedules* of the foreign apposer, or clerk of the estreats of the court of exchequer, the several sums in such *schedules* contained, and set over as post-fines to such lords, proprietors, or grantees, which surety shall justify himself, before the baron taking such recognizance, to be worth 2500*l.* besides all debts and incumbrances; and every such recognizance shall be transmitted by the baron who takes the same to H.M.'s remembrancer of the court of exchequer, there to be filed on record; and such receiver and his sureties shall be respectively liable to the amount of such penal sum, to make satisfaction to each sheriff, and to the lords of liberties, proprietors, or grantees, for all post-fines received by such receiver, his deputy, or agent, on any fine levied of any lands or hereditaments within their respective sheriffwicks or liberties; and in case of the death or insolvency of any such sureties, after the entering into such recognizance, then one or more sureties in the room of him so dying or becoming insolvent, shall within one month enter into such recognizance as such surety so dying or becoming insolvent had entered into, and justify as is before directed; in default of which, such office shall immediately cease and be void, *id. s.* 6.

46. Every such receiver, his clerk or agent, shall daily (*Sundays* and holidays excepted) attend at the alienation-office from 9 till 1 in the afternoon, and shall deliver back every such writ of covenant as aforesaid, when called for during the office hours, within 2 days after every such post fine is paid, unless the last of such 2 days be a *Sunday* or holiday, and then on the next day, *id. s.*7.

47. Every such receiver shall pay unto every sheriff of *Eng.*, his under-sheriff or lawful attorney, on producing his *quietus*, the several sums in such *quietus* mentioned to have been by him accounted for in the receipt of the exchequer, on the passing of his accounts for post-fines of the court of C. P. at *Westminster*; and also pay unto all lords of liberties, proprietors, or grantees of such post-fines, or their bailiff or attorney, upon producing the schedules of the foreign apposer or clerk of the estreats of the court of exchequer, the several sums in such schedules allowed to them as post-fines; such receiver deducting and retaining to himself, out of every 20*s.* which he so pays, the sum of 6*d.* only for his trouble; but neither the receiver, nor any other person for his attendance on such receiver, shall be allowed any fee for doing any thing by this act directed, except the fees in *pl.* 41. 43., *id. s.*8.

48. If any person make, forge, or counterfeit, or cause to be made, forged, &c. the mark or hand of such receiver, whereby such receiver or any other person may be defrauded, every person convicted of such offence, shall be deemed guilty of felony, and shall suffer death, without benefit of clergy, *id. s.*9.

49. Every such receiver refusing or neglecting to pay such post-fines to such sheriffs, lords of liberties, proprietors, or grantees, or their attornies or bailiffs, shall be subject to such order as the barons of the exchequer shall make for the payment of the same; and such receiver, and every person guilty of any wilful default, extortion, or misdemeanor, contrary to this act, shall forfeit to the party grieved treble damages with full costs, which may be awarded by such barons, upon application and proof in such summary way as to them seems meet; provided every such application be made within 2 years after such offence: and such orders of the court of exchequer shall have the same force, and the observance thereof be enforced by such ways, as any other orders of such court, *id. s.*10.

50. This act shall not alter operation of any fine which after first day of *Trinity* term 1759, shall be levied in C.P. at *Westminster*, or the course of passing fines in that court, otherwise than as by this act directed, *id. s.*11.

FINES AND AMERCIAMENTS.

(STATUTES *expired.*)

1. THE LATE KING'S PARDON for issues and amerciaments, confirmed, 1 *E.*3. *Stat.*2. *c.*3. [EXP.]

2. PARDON FOR ALL FINES for writs in chancery, till 20 *E.*1. 2 *E.*3. *c.*10. [EXP.]

3. RELEASE OF CERTAIN FINES and grants, 4 *E.*3. *c.*5. [EXP.]

(STATUTES *in force.*)

1. HOW MEN OF ALL SORTS SHALL BE AMERCED, and by whom, 9 *H.*3. *M.C. c.*14. [CONF. 3 *E.*1. *c.*6. *See* 4 *Bla. Comm.*378-9. 2 *Inst.*28.]

2. A freeman shall be amerced according to his fault, and saving his contenement; and a merchant, saving his merchandize; and villains, saving their wainage, if he fall into our mercy, and none if such amerciaments shall be assessed but by oath of honest men; and earls and barons shall be amerced only by their peers, and after their fault. No man of church shall be amerced but according to his lay tenement, and after his fault, and not after the quantity of his spiritual benefice, 9 *H.*3. *M. C. c.*14.

3. Amerciaments of cities, towns, boroughs, or men, shall be reasonable, and according to offence, *viz.* a freeman, saving his freehold; a merchant, his merchandize; a villain, his wainage, and that by their peers, 3 *E.*1. *c.*6.

4. NO ESCHEATOR, COMMISSIONER, OR JUSTICE specially assigned to take any assizes, or to hear and determine any matters, shall amerce for default of common summons, but the chief justice or justices in eyre, in their circuits, 52 (or 54) *H.*3. *c.*18.

5. WHO SHALL ASSESS THE COMMON FINES of the county, 3 *E.*1. *c.*18., [AMD. *as to* presentments for *Englescherie*, 14 *E.*3. *S.*1. *c.*4. *See* 4 *Bla. Comm.* 195.]

6. The county fines for false judgments or other trespass, shall be assessed before the justices in eyre, afore their departure, by oath of the knights and other honest men, upon all who ought to pay; and such justices shall cause the parcels to be put into their estreats, which they shall deliver to the exchequer, and not the whole sum, 3 *E.*1. *c.*18.

7. Presentments for *Englescherie* shall be ousted for ever, 14 *E.*3. *S.*1. *c.*4.

8. FINES SHALL BE TAKEN IN THE PRESENCE of the pledges, 38 *E.*3. *S.*1. *c.*3.

9. All fines to be taken before any justices, shall be made in the presence of the pledges, that they may know the sum of their fine before departing, *id. ibid.*

10. FOR PREVENTING ABUSES IN THE LEVYING OF FINES, issues, and amerciaments, 7 *H.*4. *c.*3.

11. Justices and judges before whom issues and amerciaments are forfeited, shall charge the clerks of the estreats in the courts where forfeited, by their oath, to make rolls of the estreats of such issues, &c. by express word of the cause of the loss, of the term, of the year, and nature of the writ, and betwixt what parties lost, as well in H.M.'s suit, as in suit of parties; and that 42 *E.*3. *c.*9. for gathering of green wax, be holden and kept, *id. ibid.*

12. ALL FINES FOR ALIENATIONS, seizures, and pardons for alienation, shall be taken away and discharged (*s.*1.); provided, that nothing herein shall take away any fines for alienation due by particular customs of particular manors and places, other than fines for alienations of lands or tenements holden immediately of H. M. *in capite*, 12 *C.*2. *c.*24. *s.*6.

13. FOR THE BETTER AND MORE CERTAIN RECOVERY of fines and forfeitures due to H.M., 22 & 23 *C.*2. *c.*22. and recital in *s.*1. [CON. 1 *J.*2. *c.*17. *s.*11. MADE PERP. 4 *W.* & *M. c.*24. *s.*4. AMD. 3 *G.*1. *c.*15. *s.*12. See the rest of this statute, SHERIFF.]

14. All fines, post-fines, [*see* 32 *G.*2. *c.*14., *as to the collecting and paying of post fines, tit.* FINES, *pl.*39.] issues, amerciaments forfeited, recognizances, sums of money paid in satisfaction of them, and all other forfeitures hereafter to be imposed in K.B., C.P., or the exchequer, shall be certified and estreated into the exchequer twice in each year, *viz.* all such fines, &c. arising in such courts from the beginning of *Hilary* term, to the beginning of *Trinity* term, shall be estreated into the court of exchequer, the last day of *Trinity* term, 22 & 23 *C.*2. *c.*22. *s.*2.; and all such fines, &c. arising in such courts from the beginning of *Trinity* term, to the beginning of *Hilary* term, shall in like manner be estreated the last day of *Hilary* term, on pain that the officer of such courts, who ought to make such certificate and estreat, making default herein, shall forfeit 50*l.* for each default, to go, one moiety to H.M., and the other to the party who will sue for the same, in any court of record, by action of debt, &c., or information, wherein no essoin, &c. allowed, *id. s.*3.

15. This act shall not alter the course now used in certifying and estreating of issues from the C.P., nor of post-fines, *pro licentia concordandi*, being termly certified and estreated into the court of exchequer, nor the termly estreating of issues certified out of office of pleas, of such court of exchequer, to the clerk of the estreats there, *id. s.*4.

16. All such fines, &c. (as in *s.*2.) imposed by, or before any judge of assize, clerk of the market, or commissioners of sewers, throughout *Eng.* shall be estreated and certified into court of exchequer twice in the year, (*viz.*) all such fines, &c. arising in such courts, or before any judge of the same, from *Michaelmas* to *Easter*, *yearly*, shall be certified and estreated before 1st day of *Trinity* term in each year (*s.*5.), and all such fines, &c. arising from *Easter* to *Michaelmas*, shall be certified and estreated before 1*st* day of *Hilary* term, or like penalty, and to go and be recovered in like manner, as (in *s.*3.) aforesaid, *id. s.*6.

17. Clerks of the peace and town clerks, within *Eng.* shall make and deliver to the sheriffs of the county, city, or town corporate, where the sessions of the peace are kept, within 21 days after the *29th Sept.* yearly, a true extract or schedule of all fines, &c. that shall be imposed in such sessions which shall be held before *Michaelmas*, upon any persons, due to H.M., *22 & 23 C.2. c.22. s.7.*

18. And such clerks shall yearly, on or before the *2d Monday* after the morrow of *All souls*, make and deliver into such court of exchequer, a true duplicate, certificate and estreat, of all such estreats and schedules so delivered to such sheriffs, so that such sheriffs, or their assistants in the court of exchequer, may be charged with the monies levied and received by them thereon, on like penalty, to go, and be recovered in like manner, as (in *s.3.*) aforesaid, *id. s.8.*

19. No officer of K.B., C.P., or exchequer, nor the clerk of assize, or of the peace, or town clerk, nor any officer under them, nor other person, shall spare, discharge, or wittingly conceal any indictment, fine, post-fine, issue, amerciament, forfeited recognizance, or other forfeiture, exhibited or imposed in any such courts, or before any judge thereof, or any sum of money paid to any officer in satisfaction of any fine, unless it be by rule or order in court where such indictment, fine, &c. is imposed; nor shall such officers wittingly miscertify, or estreat into the court of exchequer, any fine, post-fine, &c. whereby process of the exchequer to levy same, may be invalid; but such officers and persons offending herein shall forfeit treble the value of the fine, &c. so spared, discharged, concealed, not certified, or estreated, or miscertified, or estreated, to go in moieties to H.M., and the party that will sue in any court of record, by action of debt, &c. or information wherein no essoin, &c., and shall for ever lose his office, and be incapable of any office where H.M.'s revenue is managed, *id. s.9.*

20. Where any fines, money, or other forfeitures due to H.M. shall be paid to any sheriff, clerk of assize, or of the peace, or other officer of any court, and be certified and estreated into the court of exchequer, according to this act, then the summons or process of the green wax, shall go forth to the sheriffs against such officer or person to whom such fine, &c. was paid, for the levying and receiving of same, *id. s.10.*

21. The barons of the court of exchequer, may amerce any clerk of assize, of the peace, of the commissioners of sewers, of the market, town-clerk, or other person to whom it belongs to make estreats into the court of exchequer, for omitting to perform their duty in returning such estreats, according to the direction of *22 & 23 C.2. c.22.*, and *4 W. & M. c.24. s.4.*, and may cause such amerciaments to be levied as other amerciaments set in the said court may be, *3 G.1. c.15. s.12.*

22. This act shall not affect the rights and privileges of any body politic or corporate, or of any lords of any manor, liberty, or franchise, *22 & 23 C.2. c.22. s.11.*

23. Nor the rights, customs, privileges, liberties, or charters, of the city of *London*, but the same may be enjoyed as they were before this act, *id. s.12.*

24. FOR TAKING AWAY THE PROCESS OF THE *capiatur* fine in the several courts at *Westminster*, *5 & 6 W. & M. c.12.* (and recital in *s.1.*)

25. No *capias pro fine* in any action of trespass, ejectment, assault, and false imprisonment, shall be sued out against the defendant therein, but the same shall be discharged for ever; but the plaintiff therein shall, on signing judgment, besides the usual fees, pay to the proper officer, *6s. 8d.*, in lieu of such fine, and all fees due for the same, to be distributed as such fines usually have been; and such officer shall make an increase to the plaintiff of so much in their costs, to be taxed against the defendant, *id. s.2.*

26. FOR THE BETTER PAYMENT OF FINES AND FORFEITURES imposed by justices out of session in *Eng.*, *41 G.3. c.* U.K. *c.85.*

27. Every justice of peace acting out of sessions, for any county, riding, city, borough, division, or place, in *Eng.*, shall receive all fines, forfeitures, and penalties imposed by him or any other justice acting out of sessions, and not made payable to any body corporate, or commissioners of any public boards, or any other persons, and may give receipts for the same, which shall be a good discharge to the party paying such fines, &c.; and such justice shall keep a book of the amount of every fine, &c. imposed by any adjudication or order made by him, specifying the place, time, and manner of the same; the nature of the offence; the act under which adjudged, and the name of the party on whom imposed, distinguishing whether the same was paid or levied, and what part was payable to any such body, commissioners, or persons, with their names and descriptions, and the authority under which such share was claimed; and shall annually, previous to the *Michaelmas* session, pay into the hands of the sheriff of the county or city, and town and county, having a separate sheriff, for which such justice acted in imposing such fines, all such fines, &c., or such parts thereof, as are due to H.M.; and the sheriff or under sheriff shall give an acquittance for the same, which shall be a good discharge to such justice, his heirs, executors, and administrators, for such fines, *id. s.1.*

28. Every justice, shall, previous to the *Michaelmas* sessions, annually transmit to the clerk of the peace of the county, city, or town, or clerk of the town, within which such fines, &c. have been imposed, an account in writing, stating the several fines, &c. imposed by him, and shewing which have been received by him, and from whom, and for what offences; which account such clerk shall enter in his estreats, with the names of the justice, that such sheriff may be charged with the same, in his aposal before the foreign apposer, that the same may be answered to the crown in the same way as fines, &c. imposed at any session of the peace, *41 G.3. U.K. c.85. s.2.*

29. As often as two justices or more act together in imposing any fine, &c., then such account shall be kept, and a copy transmitted, and payment made by such one of them, as reside at, or near the place where such adjudication or order was made, or at, or nearest the place where such quarter sessions were held, *id. s.3.*

30. The clerks of the peace, or town clerks, or their deputies, shall within 10 days after such quarter sessions, in which such justice has returned any conviction, deliver to the bailiff or chief constable of the district where any person entitled to a share of any fines, &c. received by such justice, resides, an account of such fines, &c. which such bailiff, &c. shall transmit to the petty constable of the parish, &c. where such person resides, that notice may be given to him to apply to such justice for his share, *id. s.4.*

31. This act shall not prevent the officers of the crown from allowing any fines, &c. levied by justices of peace for justices' wages, in same way as other fines are allowed; provided, that sheriffs or other persons empowered to allow the same, may have an allowance of the same poundage, on the balance of such fines, charged on them after an allowance for justices' wages, in like manner as fines at the assizes, *id. s.5.*

32. This act shall not prevent the payment to the receiver of fines, &c. by the justices or their clerks, in any of the seven public offices, by *32 G.3. c.53.* [*this act was* REP. by *42 G.3. c.76. s.1.*; *but see now 1 & 2 G.4. c.118.* POLICE] established, *id. s.6.*

FIRE.

(STATUTES *repealed.*)

FOR THE BETTER PREVENTING MISCHIEFS that may happen by fire, *6 A. c.31.* [MADE MORE EFFECTUAL, *7 A. c.17.* REV. and MADE PERP., *10 A. c.14. s.1.*, all REP. *14 G.3. c.78. s.101.* *See* BUILDINGS.]

(STATUTES *in force.*)

1. FOR MORE EFFECTUALLY PREVENTING MISCHIEFS that may happen by fire, *14 G.3. c.78.* (*ss.74—86.*) [*See rest of this act*, BUILDINGS.]

2. The churchwardens of every parish, and the overseers of the poor of every precinct, not having any churchwarden within such weekly bills of mortality, the parishes of *St. Mary le Bone*, *Paddington*, *St. Pancras*, and *St. Luke*, *Chelsea*, in *Middlesex*, shall make, place, and fix, at the charge of such parish, precinct, or place, upon the mains and pipes belonging to any waterwork whatsoever, so many stopblocks of wood, with a wood plug, or so many firecocks to go into each main or pipe, and to be placed at such distances in every street, as such churchwardens or overseers shall direct; and the top of every stopblock or firecock shall be even with the pavement, to the intent such plugs or firecocks may, upon any fire, be opened to let out the water without digging down to the pipes; and such churchwardens or overseers shall fix any mark on the front of any house, over against or nearest to the place where such stopblocks, plugs, or firecocks, shewing where the same lie, and for making the same known; and shall also keep an instrument in every such house where such mark shall be, to open the plug; and shall keep in such house a pipe for the water to come thereout, to be made use of as occasion may require; and such stopblocks and firecocks shall be kept in repair at the charge of the parish; and such plugs shall be kept in repair by the owners of the mains and pipes; and whenever the owners of waterworks shall afterwards remove, change, or alter the said mains or pipes, then the owner of such main or pipe shall, at his own costs, fix the same, or the like stopblocks, plugs, and firecocks upon every new main or pipe, where the churchwardens or overseers shall direct; and in such case, the instrument or key, and pipe, shall be removed to the house opposite or nearest to the place to which such stopblock, &c. is removed; and such churchwarden or overseer shall cause a like mark to be fixed against such house, *14 G.3. c.78. s.74.*

3. Every parish within the limits aforesaid shall have and keep in good repair, in some public place within each parish, a large engine, and also a hand engine, to throw up water for extinguishing fires; and also shall keep one leather pipe at least, with a socket of same size as the plug or firecock, and a stand-cock or suction-pipe, to the intent the socket may be put into the pipe, to convey the water without loss, and without the help of buckets, into the engine; and shall also keep in some public place within each parish three or more ladders of one, two and three stories high, for assisting persons in houses on fire to escape therefrom; and in default of making, placing, fixing, and continuing

such stopblocks or firecocks on the mains, as also in default of having and keeping in good repair such large engine, hand engine and leather pipe, socket and stand-cock, and suction-pipe, and such ladders as aforesaid, every churchwarden, and every overseer of a place not having a churchwarden, making default in any of the premises, and being convicted thereof before two justices, shall forfeit 10*l.*, one moiety to the informer, and the other to the surveyor for the district, to be recovered by distress and sale of their goods, 14 *G.*3. *c.*78. *s.*75.

4. The turncock belonging to the waterwork, whose water shall be found on, or shall first come into the main where any plug shall be opened, at any fire within the limits aforesaid, shall be paid not exceeding 10*s.* by the churchwardens or overseers of the poor of the parish where the fire happens; and the engine-keeper which first brings a parish or other large engine to help to extinguish any fire, if in good order and complete, with a socket, hose, leather pipe, stand-cock and suction-pipe, shall be paid not exceeding 30*s.*; the keeper of the second engine brought not exceeding 20*s.*; and the keeper of the third engine brought not exceeding 10*s.*; every such payment to be made by the churchwardens or overseers where such fire shall happen; and in default of payment thereof, such reward shall be recovered by distress and sale of their goods, in the same manner as the penalty of 10*l.* is, *id. s.*76.

5. But no such reward shall be paid to any turncock or engine-keeper by the churchwarden or overseer, without the approbation and direction of the alderman of the ward, or his deputy, or of two of the common councilmen of the ward, if such fire happens within *London*, or the liberties thereof, or without the approbation and consent of one justice residing within the parish or place where such fire happens; and if there be not any justice in such parish, then of such justice residing in the parish next adjoining, if such fire happens within the limits of this act out of *London*, *id. s.*77.

6. Where any reward by this act payable shall be paid by any churchwarden or overseer for any fire in a chimney only, or first beginning in and occasioned by the taking fire of any chimney only, the inhabitant or occupier of apartment to which such chimney belongs, being a lodger with any tenant of any building of which such room is part, or if such chimney belong not to such lodger, then the tenant or occupier wherein such fire as last mentioned first begins, shall repay to the churchwarden or overseer the reward by him made pursuant to this act, or such part thereof as the mayor, or other justice of *London*, or justice for *Middlesex*, &c. upon the application and complaint of such churchwarden or overseer, and hearing the party complained against shall, under his hand and seal, award; and such mayor and justice shall summon before him, after such complaint made, the parties complained against, and all persons fit to give evidence, and shall examine them upon oath, which shall be administered without fee; and if the party complained against, being summoned, do not appear, such mayor and justice shall examine the matter of complaint, and such evidence as is produced, and make such award as shall be just, and as if the party had been present and heard in his defence; and if any money awarded to be repaid to such churchwarden or overseer, be not repaid within 14 days after demand, such churchwarden or overseer, by warrant under the hand seal of such mayor, or other justice, may levy such reward by distress and sale of the goods of the party making default, or of any goods found in the room to which such chimney where such fire began belongs, or in any other part of any building whereof such room is part, *id. s.*78.

7. Parishes within the city of *London*, united, shall, for the purposes of this act, be deemed one parish only, *id. s.*79.

8. In case the vestries of any such united parishes, or of any other parish within the limits, conceive it necessary to have more than one great engine, or hand engine, they may provide two or more at the parish charge; and the same shall be under the like regulations and encouragements as the other engines directed to be provided by this act, *id. s.*80.

9. The churchwardens and overseers of such parishes within the limits of this act, or the major part of them, with the consent of the majority of inhabitants as shall be at any vestry, or other public meeting of the parish assembled, may (as often as there may be occasion), out of the poor rates, or by any special rate to be made for the purposes of this act, pay such money as may be requisite for providing engines, stopblocks, ladders, and paying rewards, in like manner as they may do for the relief of the poor; and such especial rate being allowed and confirmed as the poor rates are, shall be levied as the poor rates, and subject to the like appeal; and the officers shall be accountable for the same, and liable to the like pains for not accounting, and to the like distress and penalties for not paying the monies collected and remaining in their hands, as in case of not accounting for rates collected for the relief of the poor, *id. s.*81.

10. The watermen retained by and belonging to any insurance office within the limits aforesaid, not exceeding thirty for each office, shall be free from being impressed, or liable to be compelled to go to sea, or serve as mariners, or as soldiers on land, their names and places of abode being registered and entered with the secretary, or other officer of the admiralty office, 14 *G.*3. *c.*78. *s.*82.

11. The governors or directors of insurance offices for insuring buildings against loss by fire, upon the request of any person interested in, or entitled unto, any buildings burnt down, demolished or damaged by fire, or upon any grounds of suspicion that the owner or occupier, or other person, who shall have insured such buildings, have been guilty of fraud, or of wilfully setting their buildings on fire, may cause the insurance money to be laid out as far as the same will go towards rebuilding, reinstating, or repairing such buildings; unless the party claiming such insurance money shall, within 60 days next after his claim is adjusted, give security to the governors or directors that the same shall be laid out as aforesaid; or unless the said insurance money shall be, in that time, settled amongst all the contending parties to the satisfaction of such governors or directors, *id. s.*83.

12. If any menial, or other servant, through negligence or carelessness, shall fire, or cause to be fired, any dwelling-house or out-house, or houses or other buildings, whether within the limits or elsewhere within *G. B.* such servant being thereof convicted by the oath of one witness before two justices, shall forfeit 100*l.* unto the churchwardens or overseers, to be distributed amongst the sufferers by such fire, in such proportions as to them shall seem just; and in case of default to pay the same immediately after conviction, the same being demanded by such churchwardens, then such servant shall, by warrant under the hands and seals of two justices, be committed to the common gaol or house of correction, as the justices think fit, for 18 months, there to be kept to hard labour, *id. s.*84.

13. Upon breaking out of any fire within such limits, all constables and beadles, upon notice thereof, shall immediately repair to the place where the fire shall happen with their staves and other badges of authority, and shall be aiding as well in extinguishing the fires, and causing people to work at the engines, as also in preventing goods being stolen; and shall apprehend all ill-disposed persons that they shall find stealing from the inhabitants; and give their utmost assistance to help the inhabitants to remove their goods, *id. s.*85.

14. No action shall be prosecuted against any person in whose house, chamber, stable, barn or other building, or on whose estate any fire shall accidentally begin, nor shall any recompence be made by such person for any damage suffered thereby; and in such case if any action be brought, the defendant may plead the general issue; and in case the plaintiff become nonsuited, discontinues, or if verdict pass against him, defendant shall recover treble costs; but no contract or agreement made between landlord and tenant shall be hereby defeated, *id. s.*86.

15. Party making distress under this act shall not be deemed a trespasser, though the distress is irregular; party aggrieved in such case may proceed by action on the case (*s.*87.); tender of amends in such case (*s.*88.); proceedings not removeable by *certiorari* (*s.*95.); appeal from conviction by justice to the quarter sessions (*ss.*96, 97.); inhabitants of the parishes to be deemed competent witnesses (*s.*98.); limitation for prosecutions under this act (*s.*99.); and for actions for things done under this act; general issue, venue and treble costs (*s.*100.); 14 *G.*3. *c.*78. *ss.*87, 88. 95—100. [*See these sections at length*, BUILDINGS.]

FIRE ARMS.

1. TO INSURE THE PROPER AND CAREFUL MANUFACTURING of fire arms in *Eng.*, and for making provision for proving the barrels of such fire arms, 53 *G.*3. *c.*115. [PUBLIC *clause*, *s.*16.] AMD. 55 *G.*3. *c.*59. [PUBLIC *clause*, *s.*18.]

2. No barrel shall be used in the manufacturing of any gun, fowling-piece, blunderbuss, pistol, or other description of fire arms, usually called small arms, unless the same shall have been duly proved at the proof house of the gunmakers' company in *London*, or at the proof house established under this act, or some other proof house of H.M., or other proof house established as a public proof house by law, and which public proof houses H. M. may establish in such places, and under such regulations as he deems fit, 53 *G.*3. *c.*115. *s.*1.

3. Every person who shall use any barrel in the making or finishing of any gun, &c. or who shall sell any barrel for making any gun, &c., which has not been duly proved and marked at one of such proof houses (as in *s.*1.) shall forfeit 20*l.*, to be recovered and applied as in *s.*12. *pl.*21. directed, *id. s.*2. [*See* 55 *G.*3. *c.*59. *s.*6. *post*, *pl.*15.]

4. Nothing herein shall extend to *Scot.* or *Ire.*, (except as to forging marks, as herein mentioned,) or to the proving any barrels used in the manufacturing of any musket, pistol, or other fire arms for the use of H. M.'s forces, or for the *East India* Company, [or to any of the barrels of the description following, *viz.* any barrels in the forged, ground, finished or in any other state of manufacture, made of stub, or twisted stub, iron, or other barrels usually termed best barrels, (which last mentioned barrels may be sent, bought, or received, for the purposes aforesaid, in any number not exceeding 20, without being subject to any penalty under

this act, or the *53 G.3. c.115.* except to the penalty for using barrels not duly proved or marked, and nothing herein shall exempt such barrels from being duly proved and marked, *55 G.3. c.59. s.5.*] *53 G.3. c.115. s.3. 55 G.3. c.59. s.5.*

5. The lords lieutenants of the counties of *Warwick*, *Worcester*, and *Stafford*, and certain others herein named, and their successors to be chosen, (as in *s.5.*) shall be called "the guardians, trustees, and wardens of the gun-barrel proof house of the town of *Birmingham*," for the purpose of proving, as herein directed, all barrels for guns, &c. (as in *s.1.*) brought to such proof house; and the members of such company resident in *Birmingham*, or within 20 miles thereof, shall meet on 1st *Aug.* next, and the majority, not being less than 10, shall choose 3 of such persons to be wardens of such proof house, and to superintend the provings of all barrels sent to be proved, and to have the sole management thereof for one year only, unless re-elected, *53 G.3. c.115. s.4.*; [but see next *pl.*]

6. So much of *53 G.3. c.115. s.4.* as appoints certain persons to be "the guardians, trustees, and wardens of the gun-barrel proof house of the town of *Birmingham*," shall be REP., and the lords lieutenants of the counties of *Warwick*, *Worcester*, and *Stafford*, and the members of parliament for such counties for the time being, and certain persons therein named; and the high and low bailiff of *Birmingham* for the time being, and all acting magistrates residing within 7 miles of *Birmingham*, and their successors, chosen as in *53 G.3. c.115.* directed, shall be a body corporate and called "such guardians, &c." *55 G.3. c.59. s.17.*

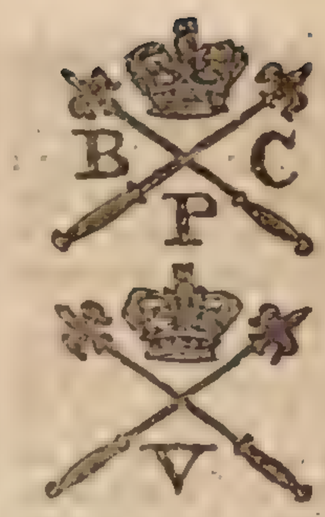
7. Such guardians, &c. shall meet annually on 16th *March*, (unless it is a *Sunday*, and then on the following day,) in *Birmingham*, and there shall elect, as aforesaid, fit persons resident in *Birmingham*, or within 20 miles thereof, in the place of those (other than such lords lieutenants and members) who have died, or removed without such distance, or declined to act, so as by reason of such choice there shall not be, when such guardians, &c. are complete, more than 15, in addition to such lords and members; and immediately after the full number is filled up, they shall elect 3 persons, by the majority present, to be wardens for the ensuing year; and if any of such wardens die or remove without such distance, then at a meeting at *Birmingham*, within one calendar month after such death or removal, of which meeting 7 days' notice shall be given, they shall choose another of such guardians, &c. to be warden for residue of the year, *53 G.3. c.115. s.5.*

8. Such guardians, &c. shall enter in a book all subscriptions made for the establishment of a public proof house, and call for such subscriptions as they deem fit, and which sums such guardians, &c. may demand and receive; and in case of refusal bring actions in the name of the treasurer for the time being, wherein it shall be sufficient to state, that the subscriber is indebted to the treasurer, under this act; and such guardians, &c. out of such money, shall first pay all expences incurred by passing this act, and in the next erect such proof house, and provide all things necessary for proving barrels of fire arms, and always keep the same in proper condition, *id. s.6.*

9. All barrels brought to the proof house so to be erected shall be proved with powder of equal quality as that used by the board of ordnance, and according to the scale following.

SCALE.

Number of balls to a lb.	Weight of powder for proof.	Number of balls to a lb.	Weight of powder for proof.
	oz. drs.		oz. drs.
No. 1.	11 0	No. 26.	0 8½
2.	5 5	27.	0 8½
3.	3 8	28.	0 8½
4.	2 11	29.	0 7½
5.	2 2	30.	0 7½
6.	1 12	31.	0 7½
7.	1 8	32.	0 7½
8.	1 6	33.	0 7
9.	1 2	34.	0 7
10.	1 1	35.	0 7
11.	0 16	36.	0 7
12.	0 16	37.	0 7
13.	0 15	38.	0 6½
14.	0 14	39.	0 6½
15.	0 14	40.	0 6½
16.	0 13½	41.	0 6
17.	0 13½	42.	0 6
18.	0 12½	43.	0 6
19.	0 11	44.	0 6
20.	0 10	45.	0 5½
21.	0 10	46.	0 5½
22.	0 9	47.	0 5½
23.	0 9	48.	0 5½
24.	0 8½	49.	0 5½
25.	0 8½	50.	0 5½



which scale is equal to the proofs of the board of ordnance; and when so proved, such barrels shall be marked with the annexed marks and no other, *viz.* [*see margin.*] and such guardians, &c. may establish rules for the receiving of barrels for proof, and for proving and marking the same, and fix the sums to be paid for the same, *53 G.3 c.115. s.7.*

10. All barrels proper for making guns, &c., which shall be taken to the proof house of the company of gun-makers of the city of *London*, for proof, shall be proved by their proof master with powder of equal quality to that used by the board of ordnance; and, according to the scale in *53 G.3. c.115. s.7.* set forth, and the person having the charge of such proof house, shall receive all barrels sent to such proof house, and prove the same; and after they are proved and marked, shall, if found proof, deliver the same to the persons to whom directed, on payment of all charges for proof, carriage, and delivery; and if any barrel so sent shall not be received and proved, or shall be delivered or parted with before duly proved and marked, according to the regulations of such company, the person having the charge of such proof house shall forfeit for each barrel, not received and proved, or delivered or parted with before duly proved and marked, 10*s.*, *55 G.3. c.59. s.4.*

11. So much of *53 G.3. c.115.* (*s.7.*) as authorizes such company to fix the price for proving barrels REP. *s.7.*, *id. s.8.*

12. But such company may fix such prices for proving, provided they do not exceed the sums following:—*viz.* 1. For common birding *Spanish*, *Dutch*, *Carolina* musket, carbine, or other barrel, not made of twisted or stub iron, nor above the calibre of six-eighths and an half, 1*s.* 6*d.*; 2. for every pair of plain iron or brass holster or saddle pistol barrels, 6*d.*; 3. for every barrel made of twisted or stub iron, 9*d.*; and for every pair of twisted or stub iron pistol barrels, 9*d.*; 4. and for every barrel above the calibre of six-eighths and an half, 1*s.*; *id. s.9.*

13. Such guardians, &c., shall, on the *16th Mar.*, annually, (unless it is *Sunday*, and then on the day following) meet in *Birmingham*, and choose by a majority of voices, a person experienced in proving gun barrels, who shall continue in office for one year, (if the wardens think fit,) and who, with assistants appointed by such wardens, shall prove all barrels brought to him according to such scale, and mark them when proved with such mark according to the regulations in that behalf established; and such person, on election, shall take the oath here set down before a justice of peace for the county of *Warwick*, *53 G.3. c.115. s.8.*

14. Every proof master, or assistant proof master, appointed under *53 G.3. c.115.*, or other person in the U. K., who shall put, place or strike, or cause to be put, &c., or who shall willingly act in putting, &c., any mark used, or which may be used, at any proof house for proving and marking barrels under the said act, or this act, on any barrel finished, welded, or forged, or in any other progressive state of manufacture, proper for the making of any gun, &c., which shall not have been duly proved any of such proof houses, shall forfeit for each barrel not exceeding 20*l.*, *55 G.3. c.59. s.7.*

15. Every person who, in any part of the U. K., shall forge or counterfeit, or cause to be forged, &c., [or assist in the forging, &c., *55 G.3. c.59.*] any mark or stamp used in any such proof house for proving or marking barrels under this act [under *53 G.3. c.115.*, *55 G.3. c.59.*], or who shall wilfully and knowingly offer for sale, or use in the making of any gun, &c., (as in *s.1.*) any barrel [finished, welded, or forged, or in any other progressive state of manufacture, *55 G.3. c.59.*] whereon shall be any mark forged, &c. in imitation of any mark used at such proof house, shall forfeit not exceeding 20*l.* for each barrel, whereon any such forged mark shall be, *53 G.3. c.115. s.9.*, *55 G.3. c.59. s.6.*

16. Such guardians, &c., at their annual meetings, shall elect a treasurer, who shall keep in a book an account of all sums received and disbursed by him under the orders of such guardians, &c., and also the rules, &c. of such proof house, and such book may be inspected by any guardian, &c. thereof; and such accounts shall be audited annually at a general meeting of such guardians, &c., and such treasurer shall give security to them in their corporate name for the due execution of his trust, and to account for all money as aforesaid; and such guardians, &c. may allow such treasurer, and the proof master, and assistants, such salaries as they, at any general meeting may think fit, and may alter same, *53 G.3. c.115. s.10.*

17. The sums to be received for proofs of barrels shall be applied first in making such proofs, and in paying expences arising therefrom, and in maintaining such proof house, afterwards in payment of such salaries and other expences arising from the trust, and then the surplus shall be applied in payment of interest at *5l. per cent.* of the sums subscribed; and after payment of such interest, then in the repayment of the principal; and such guardians, &c. shall regulate the sums to be

paid for proofs, (not exceeding 1*s.* per barrel), so as to pay 5*l. per cent.* for each 100*l.* so advanced, and so in proportion for any greater or less sum in each year on the principal sum so advanced, until the same is wholly paid off, and thereafter to regulate the sums to be received for such proofs, so as to insure the maintenance of such proof house, and payment of such incidental expences and salaries, 53 *G.*3. *c.*115. *s.*11.

18. Every person who shall use either by ribbing, break off fitting, rough stocking, or other process in any progressive state of manufacture, in the manufacturing or finishing of any gun, fowling-piece, blunderbuss, pistol, or other description of fire-arms, usually called small arms, any barrel, not duly proved, and marked as proved, at the proof house of the company of gun-makers of the city of *London*, or at the proof house established under 53 *G.*3. *c.*115., so long as such proof houses shall be maintained, or at some proof house of H. M., or other proof house to be established by H. M., and which public proof houses H. M. may establish under such regulations as to their management as he shall think fit, shall forfeit for each barrel so used, not exceeding 20*l.*, to be recovered and applied as in *s.*10. directed, 55 *G.*3. *c.*59. *s.*1. [see 53 *G.*3. *c.*115. *s.*2. *ante, pl.*3.]

19. Every barrel proper for the making of any gun, &c., shall be sent immediately from the manufacturers to one of such proof houses, as in *s.*1., before the same shall be delivered, or caused or permitted to be delivered, or sent for sale, or to be removed or consigned for sale, on pain that every person so delivering, or sending, &c., any such barrel from the place where manufactured, which has not been duly proved, shall forfeit for each barrel so delivered, &c., not exceeding 20*l.*, to be recovered and applied as in *s.*10., *id. s.*2.

20. Every person who shall receive or permit to be received, on his behalf, any barrel proper for making such fire-arms, as in *s.*1., from the manufacturer or other person on his behalf, except from or through one of such proof houses, or unless the same has been duly proved, and marked as proved, at one of such houses, as in *s.*1., shall forfeit for each such barrel so received, not exceeding 20*l.*, *id. s.*3.

21. Any offence against this act may be determined in a summary way before two justices of peace for the county, city, or place where committed, and the conviction for the same may be by oath of one witness, and the amount of the forfeiture shall be determined by such justices, not exceeding the sums herein-before mentioned, and one moiety thereof shall go to the informer, and the other to the overseer of the poor of the parish; and in case such forfeiture is not forthwith paid, and the person convicted does not signify his intention to appeal against such conviction, and forthwith enter into recognizance before such justice, himself in 40*l.*, and two sureties in 20*l.* each, [himself in the penalty of a sum equal to double the amount of the penalty so fixed, and two sureties, each in the penalty of a sum equal to such penalty, 55 *G.*3. *c.*59. *s.*10.] with condition personally to appear and prosecute such appeal at the next general or quarter sessions, for the county, city, or place; such justices shall, by warrant under hand and seal, levy such forfeiture by distress, and sale of goods, together with the costs of such distress, &c.; and in case no distress can be found, shall, by like warrant, commit the offender to the common gaol or house of correction within their jurisdiction, without bail, for 6 calendar months, 53 *G.*3. *c.*115. *s.*12., 55 *G.*3. *c.*59. *s.*10.

22. The conviction shall be drawn up on parchment or paper, in the form or to the effect herein set forth, and shall be transmitted by such justices to the next general or quarter sessions for the county, to be filed of record.

Form of conviction.

'—— { Be it remembered, that on the — day of — in the year of our Lord — *to wit.* { is convicted before us [*naming the justices*] — of H. M.'s justices of peace for the county of — [*or* riding, city, liberty, division, town, or place,] for that the said — [*here state the offence*] contrary to the statute made in the fifty-third year of the reign of king *George* the Third, entitled an act [*here set forth the title of* 53 *G.* 3. *c.* 115.] and contrary to the provisions of any act passed in the 55th year of the same reign, intituled an act [*here set forth the title of* 55 *G.* 3. *c.* 59.] and we do hereby adjudge and determine the said — for the said offence, to forfeit and pay the sum of — of lawful money of *G. B.* and do order one — thereof to be forthwith paid by him the said — to [*the informer*] and the other thereof to the overseers of the poor of the parish of — [*where the offence was committed*]; and we the said justices do also award and direct the said — forthwith to pay to — the sum of — for costs. Given under our hands and seals the day and year above written,' 55 *G.* 3. *c.* 59. *s.* 12. [Note, the form of conviction given by the 53 *G.* 3. *c.* 115. *s.* 13. is similar to the above, omitting the reference to the 55 *G.* 3. *c.* 59. and the award of costs.]

23. Every person convicted of any offence punishable by this act, aggrieved by the judgment of such justices, may appeal to the quarter sessions for the county, city, or place, wherein the offence was committed, and such sessions shall hear and determine such appeal, and award costs to either party, which decision shall be final; and if on hearing such appeal the judgment of the convicting justices shall be confirmed, such appellant shall forthwith pay the forfeiture and costs awarded, and in default thereof shall be committed by such sessions to the common gaol or house of correction, for not exceeding 6 calendar months, unless the penalty and costs be sooner paid, 53 *G.*3. *c.*115. *s.*14. 55 *G.*3. *c.*59. *s.*13.

24. No action shall be commenced for any thing done under these acts until 30 days notice in writing shall be given [to the treasurer to such guardians, &c. 53 *G.*3. *c.*115. *s.*15.] to the guardians, &c. of the gun-barrel proof house at *Birmingham*, or their solicitor, or to the master or warden of the company of gun-makers of the city of *London*, 55 *G.*3. *c.*59. *s.*15.] or after sufficient satisfaction made or tendered, or after 6 calendar months after the fact done for which such action shall be brought; and all such actions shall be laid in [*Warwickshire*, 53 *G.*3. *c.*115. *s.*15.] in the county, &c. where they arose, 55 *G.*3. *c.*59. *s.*15.] and the defendant may plead the general issue, and give this act and the special matter in evidence, and that the same was done in pursuance hereof; and if it so appear, or if such action is brought before such notice given, or if sufficient satisfaction was made, tendered, or paid into court, or if such action was not commenced within the time limited, or is laid in the wrong county, the jury shall find for the defendant; and on such verdict, or if the plaintiff is nonsuited, or discontinues, or has judgment against him on demurrer, the defendant shall have treble costs, with the usual remedy to recover the same, 53 *G.*3. *c.*115. *s.*15., 55 *G.*3. *c.*59. *s.*15.

25. The respective companies of gun-makers, their officers, servants, or agents, shall not be subject to any prosecution or information under this act, or 53 *G.*3. *c.*115. for any offence against this act, unless the same is commenced within 6 calendar months after the offence committed, 55 *G.*3. *c.*59. *s.*11.

26. Every person aggrieved by any acts, orders, or proceedings of such trustees, guardians, and wardens, in pursuance of *this* act, may appeal to the next quarter sessions for the county of *Warwick*, giving (if sufficient time after the cause of such complaint arose) 8 days notice in writing, of his intention to appeal, and of the matter thereof, to the clerk or treasurer of such trustees, and within 4 days after such notice, entering into recognizance before some justice for such county, with two sureties, conditioned to try such appeal, and abide the order thereon, and pay costs awarded by such sessions; and for want of time to give such notice, such appeal, after such notice, and under such recognizance, may be made to second quarter sessions, for such county, and such sessions shall finally hear and determine such appeal in a summary way, and award such costs to either party as they deem proper, and their determination shall be binding and final; and such sessions may, by their warrant, levy the costs awarded, by distress and sale of goods of the party neglecting to pay, and for want of such distress may commit them to the common gaol or house of correction for the county, 55 *G.*3. *c.*59. *s.*14.

27. The accounts of such proof-house (*semb.* at *Birmingham*) and of all sums expended in the management thereof, and of all sums paid in respect of interest or principal on the sums advanced and expended under this act or the 53 *G.*3. *c.*115., in the building and completing of the same, and of all sums received under this or the said act, shall be audited by some justice of peace acting for *Birmingham*, or within 7 miles thereof, *id. s.*16.

FIRE WORKS.

1. To PREVENT THE THROWING OR FIRING OF SQUIBS, serpents, and other fire-works, 9 & 10 *W.*3. *c.*7.

2. No person shall make, sell, utter, or expose to sale, any squibs, rockets, serpents, or other fire-works, or any cases, moulds, or other instruments for making the same; nor shall any person permit any squibs &c. to be thrown or fired from his house or lodgings, or from any place thereto adjoining, into any public street, highway or passage; nor shall any person throw or fire, or be assisting in the throwing or firing of squibs, &c. in or into any public street, house, shop, river, highway, road, or passage, and such offence shall be deemed a common nuisance, 9 & 10 *W.*3. *c.*7. *s.*1.

3. Every person who shall make, sell, give, or utter or expose to sale, any squibs, &c. or any cases, moulds, &c. for making the same, shall, on conviction before one justice for the county, city, or place, either by confession or on oath of 2 witnesses, forfeit 5*l.*; and every person who shall permit any squibs, &c. to be thrown or fired from his house, lodgings, or shop, or from any part thereof, into any public street, road, or passage, or any other house or place, shall, on like conviction, forfeit 20*s.*, the same to be levied by distress and sale of goods, by warrant under the hand and seal of the convicting justice; the one half of which shall go to use of the poor of the parish, and the other to the party prosecuting, *id. s.*2.

4. If any person shall throw or fire, or be assisting in throwing or firing of any squibs, &c. in or into any public street, house, shop, river, highway or passage, every such person being thereof convicted, as in *s.*2., shall forfeit 20*s.* to the uses aforesaid; and if he shall not immediately

pay such forfeiture to such justice, such justice shall, by like warrant, commit such person to the house of correction, to be kept to hard labour for any time not exceeding one month, unless he shall sooner pay such forfeiture to such justice, 9 & 10 *W.* 3. *c.* 7. *s.* 3.

5. Provided that the master, lieutenant or commissioners of H. M.'s ordnance, or any other persons by any of them authorized, may give orders for the making any fire-works, to be used and fired according to their orders to be made for that purpose, *id. s.* 4.

6. The artillery company of the city of *London*, or any other artillery company or society of persons lawfully met for the use and exercise of arms, the trained bands, the militia, may make and use any fire-works in the exercise of arms and warlike exploits, as they might have done before this act made, *id. s.* 5.

7. Any person sued for executing this act, may plead the general issue, and give the special matter in evidence; and if the plaintiff therein is nonsuited, discontinues, or has a verdict, or judgment, or demurrer against him, the defendant shall have treble costs, with the usual remedy to recover the same; *id. s.* 6.

FIRST FRUITS AND TENTHS. (*See* QUEEN ANNE'S BOUNTY.)

(STATUTES *repealed and expired.*)

1. NO FARMERS OF SPIRITUAL PERSONS SHALL BE COMPELLED or charged to pay for their lessor's first-fruits, or year's pension of the tenth granted to H. M. 26 *H.* 8. *c.* 17. [EXP.: but REP. 2 & 3 *P. & M. c.* 4. REV. 1 *El. c.* 4. *ss.* 4. 22. 24.]

2. THE ERECTION OF THE COURT OF FIRST-FRUITS AND TENTHS, 32 *H.* 8. *c.* 45. [Such court dissolved, and the business annexed to the court of exchequer by letters patent, dated 23*d Jan.* 1 *M.* issued under 1 *M. S.* 2. *c.* 10., and expressly exempted from revival by 1 *El. c.* 4. *s.* 8, 24.]

3. THAT THE BISHOP OF NORWICH SHALL BE CHARGED with the collection of H. M.'s tenth in his diocese, 32 *H.* 8. *c.* 47. [This act is founded on the private act, 27 *H.* 8. *c.* 17. which exempted the bishop of *Norwich* from the collection of the tenth, REP. 2 & 3 *P. & M. c.* 4. which is REP. 1 *El. c.* 4. *s.* 8. 24. *and again virtually* REP. 3 *J.* 1. *c.* 10. *s.* 1. *see post, pl.* 17.]

4. FOR THE EXTINGUISHMENT OF THE FIRST-FRUITS, and touching order and disposition of the tenths of spiritual and ecclesiastical promotions, and of rectories and parsonages impropriate remaining in H. M.'s hands, 2 & 3 *P. & M. c.* 4. [REP. 1 *El. c.* 4. *ss.* 17—24.]

(STATUTES *in force.*)

1. FOR PREVENTING THE PAYMENT TO THE COURT OF *Rome* of excessive sums for first-fruits of archbishoprics or bishoprics, 6 *H.* 4. *c.* 1.

2. Those who shall pay to the pope's chamber, or otherwise, for first-fruits, and services of archbishoprics or bishoprics a greater sum than accustomed of old time, shall incur the forfeiture of as much as they can forfeit to H. M., *id. ibid.* [*such payments* made to cease, 25 *H.* 8. *c.* 20. *s.* 3. BISHOPS, *pl.* 17.]

3. CONCERNING THE PAYMENT OF FIRST FRUITS of all dignities, benefices, and promotions spiritual, AND ALSO CONCERNING ONE ANNUAL PENSION OF THE TENTH PART OF ALL THE POSSESSIONS of the church spiritual and temporal, 26 *H.* 8. *c.* 3. (and recital in *s.* 1.) [Called the *Statute of Recusants.* See 2 & 3 *E.* 6. *c.* 20. AMD. as to the payment of the tenth, in the year of payment of the first fruits, 27 *H.* 8. *c.* 8.; and as to the accounts of collectors, 32 *H.* 8. *c.* 22. (*and* recital in *ss.* 1—4.); and as to the forfeiture of benefice in case of default of payment, 2 & 3 *E.* 6. *c.* 20., *and* recitals in *ss.* 1, 2.; and as to the collector's bond, 7 *E.* 6. *c.* 4. *and* recital in *s.* 1. All these acts REP. 2 & 3 *P. & M. c.* 4. *and* REV., and the first fruits, and tenths, and rents reserved *nomine decimæ*, and parsonages impropriate restored to the crown, 1 *El. c.* 4., and as to collecting the tenths, 3 *G.* 1. *c.* 10. *pl.* 17. *See further*, 2 *A. c.* 11. 1 *G.* 1. *c.* 10. 43 *G.* 3. *c.* 107. 45 *G.* 3. *c.* 84. QUEEN ANNE'S BOUNTY.]

4. The 2 & 3 *P. & M. c.* 4. shall be repealed, and the first-fruits revived, and shall have continuance again, and be adjudged in H. M., and united to the crown of this realm, in the same way as they were in queen *Mary* before the extinguishment thereof, 1 *El. c.* 4. *s.* 22.

5. Also the tenth granted by 26 *H.* 8. *c.* 3., and rents reserved *nomine decimæ*, on letters patent made by *H.* 8. prior to 26 *H.* 8., and by *E.* 6., and also so many of the rectories, parsonages, and benefices impropriate, and the profits thereof as were in the hands of queen *Mary*, at such *8th August*, 1554, shall be vested in H. M., and as well such first-fruits and tenths, and the order thereof, as also such rents, rectories, parsonages, &c. and the reversions of them, and the rents and profits thereof shall be within the order, survey, &c. of the court of exchequer, in such sort as they were before such *8th August*, *id. s.* 23.

6. The statutes 26 *H.* 8. *c.* 17., 28 *H.* 8. *c.* 11., 32 *H.* 8. *cc.* 45—47., 34 & 35 *H* 8. *cc.* 2—17., and 37 *H.* 8. *c.* 21., and so much of every other statute touching the levying of first-fruits and tenths, and of rectories, parsonages, and benefices impropriate, and the profits thereof, which were standing in force on *8th Aug.* 1554, (except only the acts for the erection of the courts of augmentations, and first fruits, and tenths,) shall be in full force, 1 *El. c.* 4. *s.* 24.

7. H. M. shall enjoy for ever, of every person nominated, elected, or by other means appointed to have any archbishopric, bishopric, abbacy, &c., college, hospital, archdeaconry, deanery, provostship, prebend, parsonage, vicarage, chauntery, free chapel, or other dignity, benefice, office, or promotion spiritual, within this realm, or other H. M.'s dominions, the first-fruits and profits thereof for one year, and every such person, before actual possession, or meddling with such profits, shall pay, or agree or compound to pay, to H. M.'s use, upon good securities, at reasonable days, such first fruits and profits, 26 *H.* 8. *c.* 3. *s.* 2. [*The year for* the payment of first fruits, shall commence from the time of avoidance, *see* 28 *H.* 8. *c.* 11. *s.* 3., BENEFICE, *pl.* 19.]

8. The chancellor of *Eng.*, and master of the rolls, jointly and severally, or such persons as H. M. shall appoint by commission under the great seal, shall examine and search for the true value of such first-fruits and profits, and compound for the rate, and limit days for payment upon good security, by writings obligatory, by their discretions; and if such composition be made before such chancellor, or master of the rolls, then the writings obligatory, or money taken for the same, shall remain in the hanaper of the chancery; and the money to be due by such writings, or received under such compositions, shall be paid to the clerk of the hanaper, who shall make a just account thereof, as in case of money received as profits of the great seal; and if such composition be made before other persons appointed by H. M.'s commission, then such writings and money shall be delivered to the treasurer of H. M.'s chamber, *id. s.* 3. [*Only* one bond to be taken, 2 & 3 *A. c.* 11. *s.* 6. *See* QUEEN ANNE'S BOUNTY.]

9. Every acquittance subscribed with the hand and name of the clerk of the hanaper, and treasurer of the chamber, or other such commissioners, witnessing the receipt of such first-fruits, shall be as good against H. M. as if the same were had under the great seal, and so shall be admitted in all H. M.'s courts; and all writings obligatory taken for payment of first-fruits by such chancellor, or master of the rolls, or other persons deputed so to compound, shall be as good as writings obligatory, made by laymen under the statute of the staple: and on certificate to chancery of such writings taken, like process and execution shall be made against spiritual persons thereon, as in case of statutes staple; and no person shall pay for any such writing, for first-fruits, above 8*d.*, or for any acquittance, above 4*d.*; and such commissioners so deputed to compound for first-fruits, shall, at the end of every 6 months, deliver to the treasurer of the chamber, as well all such money, as all such bonds as they have taken for payment of first-fruits, by indenture between them and such treasurer, containing the certainty and number of such sums and bonds by them taken; and if any person to whom any deputation shall be made so to compound, his heir, executors, or administrators, conceal or embezzle any such bonds, and do not deliver them according to this act, he shall forfeit the deputation, and make fine at H. M.'s will, *id. s.* 4.

10. If any person appointed to any such promotions spiritual (as in *s.* 1.) enter into the actual possessions, or meddle with the profits thereof, before they have paid the first-fruits for one year, or compounded for the same, such person being convict by presentment, verdict, confession or witness, before the lord chancellor, or such as have authority so to compound, shall be taken as an intruder upon H. M.'s possession; and they, their executors or administrators shall pay to H. M. double value of such first-fruits, *id. s.* 5.

11. The first-fruits accustomed to be paid to the bishop of *Norwich*, and to the archdeacon of *Richmond*, or to any other person, shall cease, and no longer be paid but only to H. M., *id. s.* 6.

12. Provided that archbishops and bishops, and all others having jurisdiction ordinary, may give letters of institution and induction as before this act, *id. s.* 7.

13. H. M. shall yearly take, for ever, one yearly rent of the tenth part of all the revenues, rents, farms, tythes, offerings, emoluments, and other profits, as well spiritual as temporal, that belong to any archbishopric, bishopric, abbacy, &c., archdeaconry, deanery, hospital, college, house collegiate, prebend, cathedral, collegiate or conventual church, parsonage, vicarage, chauntry, free chapel, or other benefice, or promotion spiritual, within this realm and *Wa.*, the same to be paid yearly at the Nativity of *Christ*, and by the collectors on 1*st April* next following, *id. s.* 9. [*See as to* the allowance of the tenth on first promotion, 27 *H.* 8. *c.* 8. *s.* 1., *post, pl.* 42.]

14. The chancellor shall direct into every diocese of this realm and *Wa.*, commissions as well to the archbishop or bishop, as to such other persons as H. M. shall appoint, commanding the commissioners or 3 of them, [who may act in execution of the commission, *s.* 11.] to enquire of the yearly values of all manors, lands, &c. and of all such rents,

farms, &c., and other profits appertaining to any archbishopric, &c. or other benefice spiritual; with a clause that the commissioners shall allow, in making such values, these deductions; *viz.* all annual rents which any spiritual persons are bound yearly to pay, or to give yearly in alms, by reason of any foundation or ordinance; and all fees for stewards, receivers, bailiffs and auditors, and synods and proxies: with another clause, that the commissioners shall certify under their seals, as well the value as the deductions aforesaid, 26 *H.* 8. *c.* 5. *s.* 10. and *s.* 11.

15. The said commissioners shall take oath before the lord chancellor, or before such other as is appointed by him by *dedimus*, faithfully to execute their duty, *id. s.* 11.

16. After such certificate made, the yearly rent of the tenth shall be rated by the treasurer, chancellor, chamberlain, and barons of exchequer, out of such clear yearly value; and every archbishopric, &c. or other benefice spiritual, shall be severally charged in the proper diocese for payment of such portion of such tenth as shall be set upon them, and none of them shall be chargeable for the payment of the other's portion, *id. s.* 12.

17. THE ARCHBISHOPS AND BISHOPS OF *Eng.* appointed by 26 *H.* 8. *c.* 3. *s.* 13. collectors of the yearly tenths in their respective dioceses, shall be discharged from receiving or accounting for the same, 3 *G.* 1. *c.* 10. *s.* 1.

18. There shall be one collector of such yearly tenths granted to the corporation of the governors of Queen *Anne's* Bounty, by 2 *A. c.* 11., who shall collect all such sums, and pay the same yearly into the exchequer; and such collector, and his lands and tenements, shall be chargeable for the payment of such sums as he shall so receive, and shall be appointed by H. M. by letters patent, and before he enters on his office, shall take oath for the due execution thereof, before 7 of such governors, (who may administer such oath;) and shall likewise give security to such corporation, or to such person, as they, in a general court shall appoint, for the just accounting for and payment of all monies he shall receive by virtue of his office, and for the due execution of his office; and such collector shall receive such tenths, and give acquittances to all persons paying the same, which acquittances shall discharge such persons; (and for each such acquittance 6*d.* shall be paid;) and shall keep his office in *London* or *Westminster*, and attend for the receipt of such tenths, at such times as such governors shall direct, between *Christmas* and the last day of *April*, of which times and places such governors shall give one week's notice in the *London Gazette*, yearly, whereof every archbishop, bishop, and incumbent, shall take notice, without any further notice by summons, demand, or otherwise, and in default thereof, to forfeit to H. M. double the value of such tenths, and such collector shall pay such tenths, and pass his accounts in the same time and manner as by 26 *H.* 8. *c.* 3., 32 *H.* 8. *c.* 47., and 7 *E.* 6. *c.* 4. directed, in case of bishops, 3 *G.* 1. *c.* 10. *s.* 2. [*See as to binding collectors*, 7 *E.* 6. *c.* 4. *s.* 2., *post*, *pl.* 46.]

19. If any archbishop, incumbent, or other person or body chargeable with the payment of tenths, shall not duly pay or tender the same yearly, before the last day of *April* succeeding the *Christmas* the same became due, then on certificate by such collector, made before 1 *June* following, he shall be allowed in his account all such sums as any bishop or other incumbent, against whom such certificate is made, ought to have paid; and the treasurer, chancellor, and barons of exchequer shall issue proper process against such defaulters, their executors, or administrators, whereby such yearly tenth shall be levied and paid to such collector, who shall charge himself therewith in his next account, *id. s.* 3.

20. The 26 *H.* 8. *c.* 3., and all other acts relating to the levying of first fruits and tenths, or the charge, discharge, or alteration of them, shall be put in force, except hereby altered, *id. s.* 4.

21. This act shall not affect any grant or incumbrance on such revenues, *id. s.* 5.

22. The treasurer, chancellor, chamberlain and barons of the exchequer, shall yearly cause process to be made for non-payment of such yearly rent, against every archbishop and bishop, 26 *H.* 8. *c.* 3. *s.* 14. [*but see pl.* 28. *and pl.* 18.]

23. Every archbishop and bishop shall levy by censures of the church, or by distress or otherwise, all such money as shall be rated out of any benefice spiritual within their diocese, towards the payment of such yearly rent; and no replevin, prohibition, or *supersedeas*, upon any excommunication, nor other impediment, shall be sued or obeyed for any persons making default of payment, till they have satisfied their portion of the said yearly pension, *id. s.* 15. [*but see pl.* 28. *and pl.* 18.]

24. If any money being due by any incumbents be reasonably demanded after the feast of the Nativity, at their churches or houses, by persons charged with the collection of such pension, or by any other their servants or officers, and same be not paid within 40 days after such request; every incumbent after such default certified into the exchequer under the seals of such as be charged to the collection of the said pension, shall be deprived *ipso facto* of their benefices and promotions, [but see *pl.* 28. and *pl.* 18.], *id. s.* 17. [26 *H.* 8. *c.* 3. *ss.* 14—16. seem in force, notwithstanding 3 *G.* 1. *c.* 10. *s.* 1. *pl.* 17. See *id. s.* 3. *pl.* 19.]

25. IF THE ARCHBISHOPS AND BISHOPS, THEIR DEPUTIES OR accountants that shall be chargeable with the collection of the tenth, [*but see pl.* 17.] allege by oath before the treasurer, chancellor, and barons of the exchequer, or such persons as H. M. may appoint, that they, for some good cause in the preamble recited, or some other by them alleged, cannot levy such particular sums of money of the tenth as they shall be charged with, and no matter shewed to the contrary; the treasurer, chancellor, and barons, &c. shall have power to discharge the accountant, or else to direct H. M.'s writ unto any of H. M.'s courts to certify the truth; and thereupon such treasurer, &c. shall further hear and examine the matter by witness or other ways; and if need require shall award commissions to certain persons in every diocese, where any such cause shall be alleged, without charge for the same; and such commissioners shall examine such matters by oath of such persons as have notice thereof, and thereupon make certificate thereof to such treasurer, 32 *H.* 8. *c.* 22. *s.* 5.

26. Upon certificate so made, or if it shall otherwise appear that the allegations be true, such treasurer, &c. shall make discharge to such archbishops, bishops, and other accountants, and the same cause to be entered of record, *id. s.* 6.

27. In case it be certified by sufficient witnesses before such treasurer, &c. that any benefice is omitted in the former certificate; upon proof or certificate of any sums of money so omitted, such treasurer, &c. shall make entry thereof, to be annexed to the original of the tenth, and thereupon charge the accountant yearly, *id. s.* 7.

28. If any sum of such annual pension as in 26 *H.* 8. *c.* 3. mentioned being once due and demanded, as by that act directed, is not paid to the collectors at the time in such act expressed, and certificate be made into the court of first fruits, [now the exchequer, see 1 *El. c.* 4. *s.* 8. and *s.* 24. *pl.* 6.] the incumbent shall be adjudged deprived of that only dignity, or ecclesiastical promotion, whereof such certificate is made, so that the same be judged void, 2 & 3 *E.* 6. *c.* 20. *s.* 3. [*See now* 3 *G.* 1. *c.* 10. *s.* 2. *ante*, *pl.* 18.]

29. No incumbent making such default shall be thereby unable to take or enjoy any other benefice or promotion spiritual, or incur any other penalty by him his executors or assigns than in this act expressed, *id. s.* 4., [*see now pl.* 18].

30. In all respects, except where hereby altered, 28 *H.* 8. *c.* 3. shall remain in force, *id. s.* 5.

31. If any person charged to the collection and payment of such pension, make a certificate into exchequer before such 1 *April*, or at any time within 24 days after, they have demanded any incumbents to pay such part of such pension as they be assessed unto, and such incumbent hath not paid, such person having the charge for such collection and payment shall be discharged against H. M.; and the treasurer, chancellor, chamberlain, and barons of exchequer, shall direct upon every such certificate such process against all such incumbents, their executors, and administrators, or for insufficiency of them, against their successors, whereby H. M. may be answered of such part, 26 *H.* 8. *c.* 3. *s.* 18.

32. Archbishops and bishops shall yearly make payment of the tenths unto H. M., at some place appointed by him, on or before the last day of *May;* and certificate of recusants made before or at such last day of *May* yearly, shall be as good as if made at the times by 26 *H.* 8. *c.* 3. *s.* 18. appointed, 7 *E.* 6. *c.* 4. *s.* 3. [*but see now pl.* 18.]

33. All acquittances made by the treasurer of H. M.'s chamber, or such commissioners of receipt as aforesaid, and subscribed by them for payment to such collectors, shall be as good as if they were in H M.'s name, and under his great seal, and so shall be admitted in all courts; and such treasurer, chancellor, chamberlain, and barons of exchequer, shall allow as well such acquittances as certificates of non-payment [*see pl.* 31.] in the account of such collector, without any writ, bill, or warrant in that behalf, 26 *H.* 8. *c.* 3. *s.* 19.

34. No officer of the exchequer shall take of any person having charge with the collection and payment of such pension, any reward for making their account or *quietus est*, or for any thing appertaining to the same concerning such pension; upon pain to lose his office and make fine to H. M. at his will, *id. s.* 20.

35. When incumbents pay any pension to their predecessors out of their livings, they may retain the tenth thereof, and shall by virtue hereof be acquitted of such tenth, and may plead this act in discharge thereof, *id. s.* 21.

36. No person shall be assigned by the ordinary, or by any other agreement or otherwise, upon resignation of any promotion spiritual, above the value of the third part thereof; and if any pension, amounting above the value of the third part thereof, shall be assigned to any person spiritual, the incumbent shall not be compelled to pay above such third part, but shall be quitted of the same, *id. s.* 22.

37. Abbots or priors paying pensions to their predecessors above 40*l.*, may deduct one-half, *id. s.* 23.

38. The prior of *St. John's* of *Jerusalem* shall pay first-fruits and tenths as archbishops and bishops, *id. s.* 24. [Abolished; see RELIGIOUS HOUSES.]

39. Where the dean, provost, master, or other chief governor of cathedral churches, colleges, and hospitals, hath a certain portion of the possessions, and every prebendary, brother, vicar, petty canon, and other ministers spiritual in such churches, &c. hath another, the dean,

&c. shall pay for their first fruits, but after the rate of the yearly value of the possessions belonging to their office and dignity (*s.* 25.); and every other person who shall be appointed to have any prebend, brothership, or fellowship, or to be any vicar or petty canon, or to have any other dignity or office spiritual in such churches, &c. shall pay for their first-fruits after the yearly value of the possessions belonging to their dignities, 26 *H.* 8. *c.* 3. *s.* 26.

40. Persons presented and collated to any parsonage or vicarage, whereof the yearly value shall not exceed 8 marks, shall not pay first-fruits, except the incumbent live 3 years after institution, induction or collation; and if such incumbent live after such 3 years, then he shall pay at days to be limited on sureties, the first-fruits of such parsonage or vicarage; and in every obligation to be made by any incumbent of such parsonage, &c. there shall be a proviso, that if such incumbent die within 3 years after the date of institution, &c. the obligation shall be void, *id.* *s.* 27. [but *see* 1 *El.* *c.* 4. *s.* 29., 5 & 6 *A.* *c.* 24. *post*, *pl.* 52. 66.]

41. All fees which any archbishop or other prelate is bound yearly to pay to any chancellor, master of the rolls, justices, sheriffs, or other officers or ministers of record, for temporal justice to be done within their jurisdiction, shall be deducted by the commissioners in making their values, *id.* *s.* 30.

42. ANY PERSON PRESENTED OR OTHERWISE APPOINTED to any archbishopric, bishopric, college, parsonage, &c. or other promotion spiritual, whereof he shall be chargeable as well for the payment of the tenth as of the first-fruits of the same, shall at his composition for such first-fruits have allowance of such tenth out of such first-fruits for the year wherein he was first so presented, &c. 27 *H.* 8. *c.* 8. *s.* 1.

43. Every commissioner or other person deputed by act of parliament, or commission under the great seal, to compound and receive bonds for the payment of first-fruits under this act shall allow to every person so presented, &c. the tenth part of the whole out of such first-fruits for such first year, without suit to H. M. or other charge demanded of the person so preferred, *id.* *s.* 2.

44. Every person who, on his composition for first-fruits, shall have the tenth so deducted for the year wherein he is appointed, shall pay it to H. M. in like form as in 26 *H.* 8. *c.* 3. *s.* 9. *pl.* 13. limited, *id.* *s.* 3.

45. In cases where the successor of any incumbent is chargeable to the payment of any sum due for such tenth that shall be unpaid in the time of his predecessor, such successor may distrain such goods of his predecessor as are on such promotion spiritual, of which the tenth was so unpaid, and retain the same till the predecessor, if alive, or his executors, administrators, or other person to whom such goods belong, if dead, have paid such sums of the tenth so unpaid; and in case such sums are not paid within 12 days after distress made, such successor may have such goods appraised by two or three indifferent persons sworn for the same, and sell sufficient to satisfy such sums and costs; and in case no goods be found, such successor may recover such sums against such predecessor or his executors, &c. by bill in chancery or by action of debt, *id.* *s.* 4.

46. Patentees of collectorships of tenths shall be bound, 7 *E.* 6. *c.* 4. *s.* 2. [*semb.* EXP. *See* 3 *G.* 1. *c.* 10. *s.* 2., *ante*, *pl.* 18.]

47. If any spiritual promotion shall be in such sort void, that no incumbent can be provided for the same, then the archbishops and bishops shall certify yearly, before the last day of *May*, the same vacations specially in the courts where the tenths are answerable, [*viz. the exchequer in* 1 *El.* *c.* 4. *s.* 15.] on which certificate they shall be discharged against H. M., as they are on certificate of recusant, [*see ante*, 26 *H.* 8. *c.* 3. *s.* 18., *pl.* 31.] and H. M. may levy all the glebe-lands or profits of the benefice, until he is paid all arrears of such tenth, *id.* *s.* 4.

48. Patents of collection of the tenths shall remain in force only during the time that the grantor is archbishop or bishop of the same see, *id.* *s.* 5. [Virtually REP. by 3 *G.* 1. *c.* 10. *s.* 2. *ante*, *pl.* 18.]

49. H. M. shall have, hold, possess, and enjoy advowsons, gifts, and patronages of vicarages, incident to any of the rectories, and parsonages impropriate, which were in the hands of Queen *Mary* on 24 *Jan.* 1553, as the same were in Queen *Mary* at and before such 8 *Aug.*, 1 *El.* *c.* 4. *s.* 25.

50. Saving to all persons and bodies, their heirs, executors, successors, and assigns, all such right, title, interest, &c. as they ought to have had by reason of such parsonages and rectories, in case 2 & 3 *P.* & *M.* *c.* 4. and this act had not been made, *id.* *s.* 26.

51. All such pensions, annuities, rents, corodies, and other yearly payments, shall be paid by H. M. at the exchequer, to the persons who ought to enjoy the same as before 2 & 3 *P.* & *M.* *c.* 4. made, *id.* *s.* 27.

52. All vicarages not exceeding the yearly value of 10*l.* after rate and value in the book in the exchequer, and all parsonages not exceeding the yearly value of 10 marks, after the like rate and valuation, and the incumbents thereof, their executors, administrators, successors, and sureties, shall be discharged against H. M. of first fruits, *id.* *s.* 29. [*See further* 5 & 6 *A.* *c.* 24. *s.* 1. *post*, *pl.* 67.]

53. If any incumbent of any such promotion spiritual, charged to the first-fruits, shall live to the end of one half-year after the last avoidance of such promotion spiritual, so as he might have received the rents and profits for that half-year, and before the end of next half-year, shall die, or be removed, or evicted by judgment in any action, then such incumbent, his heirs, executors, administrators and sureties, shall be charged only with the fourth part of the first-fruits due, any bond or writing to the contrary notwithstanding, 1 *El.* *c.* 4. *s.* 30. [*See as to archbishops, bishops, deans, &c.* 6 *A.* *c.* 27. *s.* 5, 6. *post*, *pl.* 71—72.]

54. If any such incumbent shall live for one year after the last avoidance of such promotion spiritual, and before the end of one half-year following shall die, or be so evicted or removed, such incumbent, his heirs, executors, &c. shall be charged with one half of the first-fruits due, notwithstanding any bond, &c. to the contrary, *id.* *s.* 31.

55. If any such incumbent shall live for one year and an half after the last avoidance of such promotion, and before the end of 6 months shall die, or be so evicted, or removed, then such incumbent, his heirs, executors, &c. shall be charged with 3 parts in 4 parts to be divided of the first-fruits due, notwithstanding any bond, &c. to the contrary, *id.* *s.* 32.

56. If any such incumbent shall live for 2 years after the last avoidance of the same promotion, and not be so evicted or removed, then such incumbent, his heirs, and executors, &c. shall pay the whole first-fruits due, *id.* *s.* 33.

57. All grants and annuities given to the universities of *Oxford* and *Cambridge*, or to any college or hall thereof, or to the colleges of *Eton* and *Winchester*, touching the release of such first-fruits and tenths, shall remain in full force; and all conveyances made to such universities and colleges, &c. of any of such parsonages or benefices impropriate, or of any patronages for the maintenance of students, shall be as good as if this act had not been made, *id.* *s.* 34.

58. The deans and canons of the free chapel of *St. George* the Martyr in *Windsor Castle*, and all the possessions of the same, shall be exonerated from tenths and first-fruits, *id.* *s.* 35.

59. All grants of parsonages impropriate, heretofore belonging to the archdeaconry of *Wells*, shall be as good as if this act had not been made, *id.* *s.* 36.

60. The archdeaconry of *Wells* in *Somersetshire*, and all rectories and spiritual promotions given, assigned, &c. to the same, and every incumbent presented or collated thereto, shall be charged with the first-fruits and tenths in like manner as other incumbents, *id.* *s.* 37.

61. All rectories, parsonages, and benefices impropriate, glebe lands, tythes, oblations, and other profits as were in the hands of Queen *Mary* before 8*th Aug.* 1554, and within the survey, rule, and order of the court of the duchy of *Lancaster*, shall be within such survey, &c. again in the same manner as before such 8*th August*, *id.* *s.* 38.

62. This act shall not charge any hospital founded and used, and the possessions thereof employed for the relief of the poor, or any schools, or the possessions of them with the payment of first-fruits and tenths, *id.* *s.* 40.

63. FOR THE NEW ERECTED BISHOPS, [*viz. Chester, Gloucester, Peterborough, Bristol*, and *Oxford*,] to pay their tenths into the court of first-fruits, 34 & 35 *H.* 8. *c.* 17. [REP. 2 & 3 *P.* & *M.* *c.* 4., and *Qu.* not REV. by 1 *El.* *c.* 4. *s.* 11. 24., since the court of first-fruits was abolished and the business annexed to the exchequer. *See* 32 *H.* 8. *c.* 45., *ante*, STATUTES REP., &c., *pl.* 2.]

64. Such new bishops shall pay their tenths into the court of first-fruits, [*now exchequer*, *see* 1 *El.* *c.* 4. *s.* 15.] 34 & 35 *H.* 8. *c.* 17. *s.* 1. [*See* 3 *G.* 1. *c.* 10. *s.* 2. *pl.* 18.]

65. FOR DISCHARGING SMALL LIVINGS FROM THEIR first-fruits and tenths, and all arrears thereof, 5 & 6 *A.* *c.* 24. (PUBLIC *clause*, *s.* 5.) [AMD. 6 *A.* *c.* 27. (PUBLIC *clause*, *s.* 4.) 1 *G.* 1. *S.* 2. *c.* 10. *ss.* 17, 18.]

66. All ecclesiastical benefices, with cure of souls, not exceeding the clear annual value of 50*l.* by the improved valuations of the same, the tenths whereof are *or* are not (6 *A.* *c.* 27. *s.* 1.) [The effect of this "*not*" is to exempt *all* livings of such value from first-fruits and tenths.] by the charter of Queen *Anne*, vested in the governors of H. M.'s bounty, shall be discharged from first-fruits and tenths, [such valuation to be ascertained as by 5 & 6 *A.* *c.* 24. directed, 6 *A.* *c.* 27. *s.* 1.] 5 & 6 *A.* *c.* 24. *s.* 1., 6 *A.* *c.* 27. *s.* 1. [*see ante*, 1 *El.* *c.* 4. *s.* 29. *pl.* 52.]

67. The bishops and ordinaries of peculiars shall inform themselves of the improved yearly value of every benefice with cure within their jurisdictions, the clear yearly value whereof doth not exceed 50*l.*; and shall on or before 25*th March*, 1708, [extended to the 24*th Dec.* 1708, 6 *A.* *c.* 27. *s.* 2, 3.] under their hands and seals, certify into the exchequer the clear yearly value of every such benefice; which certificate being filed in the court shall ascertain the value, 5 & 6 *A.* *c.* 24. *s.* 2. [But see valuation directed to be made, 45 *G.* 3. *c.* 84. *s.* 1., QUEEN ANNE'S BOUNTY.]

68. Provided this act shall not discharge any benefice with cure, the tenths whereof were granted in perpetuity before 5*d Nov.*, 3 *A.* *id.* *s.* 3.

69. When any portion of the first-fruits or tenths shall be applied towards the maintenance of any minister officiating in any church or chapel, such portion shall for ever be continued to the minister so officiating in the same church or chapel, *id.* *s.* 4.

70. This act shall not avoid or diminish any actual sum, pension, or annuity heretofore granted and charged on the first-fruits and tenths, but in case by discharging small livings of first-fruits and tenths, such revenues shall not be sufficient to satisfy such annual sums, then the whole revenues of first-fruits and tenths in *Eng.*, *Wa.*, and *Ber.*, shall be liable to make good such deficiencies during the continuance of such grants, 5 & 6 *A.* c. 24. *s.* 6.

71. Every archbishop and bishop shall have 4 years allowed him, when he shall compound, for the payment of his first-fruits, to commence for the time of restitution of his temporalties; he in every year paying 1-4th part; and if he die, or is removed before 4 years be expired, he shall be discharged of so much as did not become payable, in like manner as the heirs, &c. of rectors and vicars may do under 1 *El.* c. 4. *s.* 30—33. *pl.* 53—56., 6 *A.* c. 27. *s.* 5.

72. Deans, archdeacons, prebendaries and other dignitaries, shall compound for the first-fruits, as rectors and vicars do; and in case of death or removal within the time usually allowed to the latter for payment, they shall have the same benefit as is allowed to rectors, &c. [see last *pl.*] *id. s.* 6.

73. THE CERTIFICATE MADE UNDER 5 & 6 *A.* c. 24. and 6 *A.* c. 27. for the diocese of *Chichester*, dated 24 *Dec.* 1708, now in the exchequer, shall be as good as if the same had been sealed and returned within the time by such acts limited, and all churches, vicarages, and livings, in and by such certificates, or in and by any certificate made and returned in due time, certified to be under 50*l. per ann.*, and each mediety therein shall be entitled to the said discharges by such acts, as if the precise yearly value had been stated, and the medieties therein distinguished; and such governors under their common seal, to be affixed at a court of such governors, and under their hands may certify to the court of exchequer the names of such prebends in cathedral churches under the yearly value of 50*l.*, the prebendaries whereof have the immediate cure of souls of the parishes whereof denominated, although the same were not named in any former certificate, and such certificate of such governors so returned, shall be as effectual as the prebends therein named had been duly certified as by such act directed, 1 *G.* 1. *S.* 2. c. 10. *s.* 17.

74. Certain livings herein named certified by the bishops of the respective dioceses into the exchequer, shall have the benefit of the said acts, *id. s.* 18.

FISH. (*See* GAME.)

(STATUTES *repealed and expired.*)

1. FOR REGULATING the sale of fish, 6 *R.* 2. *S.* 1. c. 11. [REP. 7 *R.* 2. c. 11.]

2. AGAINST FORESTALLING and regrating of fish, 25 *H.* 8. c. 4. [REP. 35 *H.* 8. c. 7.]

3. AGAINST KILLING OF YOUNG SPAWN or fry of eels and salmon, 25 *H.* 8. c. 7. [EXP.]

4. THAT FISHING IN ANY SEVERAL POND, stew, or moat, with intent to steal fish thereout, is felony, 31 *H.* 8. c. 2. [REP. 1 *E.* 6. c. 12. *s.* 4. 1 *M. S.* 1. c. 1. *s.* 5.]

5. CONCERNING BUYING of fish upon the sea, 33 *H.* 8. c. 2. [EXP.]

6. FOR THE INCREASE of mariners, and for maintenance of navigation, 23 *El.* c. 7. [REP. 39 *El.* c. 10. *ss.* 1—2.]

7. TO ENCOURAGE THE SEAMEN OF *Eng.* to take fish, whereby they may increase to furnish the navy of *Eng.*, 1 *J.* 1. c. 29. [EXP.]

8. FOR THE ENCOURAGEMENT of the mackrel fishery, 35 *G.* 3. c. 54. [AMD. 36 *G.* 3. c. 77. both EXP.]

9. TO PERMIT UNTIL THE END OF THE NEXT SESSION of parliament the importation of *Swedish* herrings into *G. B.*, 39 & 40 *G.* 3. c. 107., 41 *G.* 3. *G. B.* c. 18., 47 *G.* 3. *S.* 2. c. 67. [all EXP.]

10. FOR GRANTING BOUNTIES FOR TAKING AND BRINGING FISH to the cities of *London* and *Westminster*, and other places in the U.K. 41 *G.* 3. (*U.K.*) c. 99. [*semb.* EXP.; AMD. 45 *G.* 3. c. 64. Specific sums were given by these acts for the above purposes, and it would therefore seem that (such sums having been applied and expended) the acts are no longer in force, and may be deemed EXP.]

(STATUTES *in force.*)

11. THE ORDINANCE of fish, 31 *E.* 3. *S.* 3. [This act is of a local nature, and relates to the taking and sale of fish in the haven of *Blakeney*, and appears to be the first instance of acts of a local nature being entered on the roll, and printed distinct from the general statutes of the session, *Qu.* whether in force or not.]

12. NO MAN SHALL FASTEN NETS to any thing over rivers, 2 *H.* 6. c. 15.

13. The standing of nets and engines called *trinks*, and all other nets fastened day and night to posts, boats, and anchors, over the *Thames* and other rivers, shall be wholly defended; and every person that setteth them, shall forfeit to H.M. 100*s.*; provided that the possessors of *trinks*, if they be of assize, may fish with them in all seasonable times, drawing them by hand, as other nets; saving to every of H.M.'s people their right in fishing, *id. ibid.*

14. FOR THE PACKING of barrelled fish, 22 *E.* 4. c. 2. [AMD. 11 *H.* 7. c. 23.]

15. No merchant, stranger, or denizen, shall sell, or set to sale any salmon, by butt, barrel, or half-barrel, or any other vessel, before it be seen, except the butt contain 84 gallons, the barrel 42, the half-barrel 21 gallons, well packed, upon pain of forfeiture for every butt, &c. so failing 6*s.* 8*d.*; also no such merchant shall sell any salmon by butt or other vessel, except it be well packed, *viz.* the greater salmon by himself, without mingling with them any grills or broken-bellied salmon; all small fish called grills shall be packed by themselves, upon pain of 6*s.* 8*d.* for every butt, &c. mingled and set to sale contrary to this act, *id. s.* 1.

16. No person shall set herring to sale by barrel, half-barrel, or firkin, except the barrel contain 32 gallons, the half-barrel and firkin after the same rate; and the herrings shall be well packed, and of one taking and salting; and as good and well packed in the midst and every part of the vessel, as in the ends; upon pain to forfeit 3*s.* 4*d.* for every barrel, &c. failing their measure, and 3*s.* 4*d.* for every barrel, &c. packed contrary to this act; also no such merchant nor paling-man shall set to sale any eels by barrel, half-barrel, or firkin, except the barrel contain 42 gallons, the half-barrel, and firkin, after the same rate; nor mingle any gall-beaten, starved, or pulled eels with good eels; nor mingle with the good eels, or put to sale, any red eels; upon pain of 20*s.* for every barrel, &c. failing their measure; and 10*s.* for every barrel, &c. mixt contrary to this act; also no such merchant shall set to sale any barrelled fish, except the same be well packed, *viz.* the tale-fish by itself, and the small fish called grills by themselves, and without mixing thokes or fish with broken bellies with the tale-fish or small fish; and the tale-fish or small fish shall not be laid double in the packing; and every tale-fish shall contain in length from the bone in the fin to the 3d joint of the neck 26 inches; and the napes of barrelled fish shall be no longer than the little bone that sitteth upon the great fin; and the bone of every salt fish shall be taken away to the navel; and such fish shall be splatted or opened down to an handful of the tail, upon pain of 3*s.* 4*d.* for every barrel of fish not splatted, &c. according to this act, *id. s.* 2.

17. All mayors and governors of cities, towns, markets, and other places, shall have power to chuse expert persons, daily to search and gauge all such vessels; the one-half of all such forfeitures to be to H.M., and the other half to subjects that shall pursue for same, by action of debt at common law, or plaint after the custom of the city or town, wherein no essoin, &c. allowed, *id. s.* 3.

18. Provided that this act be not prejudicial to any having the forfeiture of the goods of felons, fugitives, and condemned persons; every such person shall have like forfeitures in the premises within their franchises, as H.M. hath in other places, *id. s.* 4.

19. Every gauger, packer, or searcher, appointed according to 22 *E.* 4. c. 2., shall take no more for gauging a barrel of salmon, herring, fish, or eels, half barrel and firkin, for every piece gauged, but a farthing; and for his labour for searching and packing a barrel of salmon from head to head, 1*d.*; and for boning, naping, and packing of a barrel of fish 1*d.*; and for searching and packing a barrel of herrings from head to head, 2*d.*; a barrel of eels, 2*d.*; an half barrel of herrings, from head to head, 1*d.*; and an half barrel of eels, 1*d.*; and a firkin of herrings, a half-penny; and every gauger, &c. offending herein, and the same proved before the mayors or governors of any city, town, market, or other place, shall forfeit his office, and be imprisoned 40 days: but such searcher and packer shall nothing recover of such fees, but only for such butts, barrels, &c. as by them shall be sufficiently packed and searched, and be not afore sufficiently packed, 11 *H.* 7. c. 23.

20. THE MAYOR OF *London* shall have the rule of the river *Thames* from *Staines* to *Yendall*, 4 & 5 *H.* 7. c. 15.

21. The mayor of *London* shall have the like rule and conservation of the breaches, issues, creeks, and grounds of other persons, overflown by the river *Thames*, as far as the water ebbeth and floweth, as touching the munition for using unlawful nets and other unlawful engines, in fishing, as he hath, within *Staines* Bridge unto the waters of the *Yendall* and *Medway*; provided such mayor shall not have such rule in any of such breaches, &c. within H.M.'s grounds, or within any franchises of any person, as touching any munition for such offences, *id. ibid.*

22. FOR PRESERVATION OF THE SPAWN AND FRY OF FISH, 1 *El.* c. 17. [CON. 43 *El.* c. 9. *s.* 4., 1 *J.* 1. c. 25., 21 *J.* 1. c. 28. MADE PERP. 3 *C.* 1. c. 4. *s.* 1. But see as to the forfeiture in *s.* 3. of this act, in cases of the *Severn* and other rivers, 1 *G.* 1. *stat.* 2. c. 18. *s.* 14., 30 *C.* 2. *stat.* 1. c. 9.; and as to the *Severn* and *Verniew*, 18 *G.* 3. c. 33.; and as to the rivers in *Carmarthenshire*, 45 *G.* 3. c. xxxiii., all which acts are local, and therefore omitted. See also as to the preservation of the small fry and brood of fish, 33 *G.* 2. c. 27. FISH MARKETS, *pl.* 142.]

23. No person shall, by net, line, or other means, kill any spawn or fry of eels, salmon, pike, pickerel or other fish, in any floodgate, pipe, tail of mill, wear, or in any straits, streams, brooks, rivers salt or fresh, within *Eng.*, *Wa.*, and *Ber.*, or kill any salmons or trouts not in season, being kepper or shedder salmons or trouts 1 *El.* c. 17. *s.* 1.

24. No person shall kill any pike or pickerel not being in length 10 inches or more, nor any salmon not in length 16 inches, nor any trout not in length 8 inches, nor any barbel not in length 12 inches, 1 *El. c.* 17. *s.* 2.

25. No person shall fish or take fish with nets, tramel, keep, wore, creel or other device, but only with net or tramel, whereof every mesh or mask shall be 2 inches and an half broad, angling excepted, *id. s.* 3.

26. In all places where smelts, loches, minnies, bullheads, gudgeons, or eels, have been used to be taken, it shall be lawful only for the taking of smelts, &c. to use such nets, lepes, and other devices as have been used, so that such persons using such nets, &c. do not take or destroy any other fish with them contrary to this statute, *id. s.* 4.

27. If any person offend contrary to this act, such person shall forfeit 20*s.*, and the fish so taken, and also the unlawful nets and instruments wherewith such offences shall be done, *id. s.* 5.

28. The lord admiral and the mayor of *London*, and all other persons or corporations which have conservation of any river or waters, shall inquire of all offences committed contrary to this act, by the oaths of 12 men or more, and shall hear and determine the same, *id. s.* 6.

29. Forfeitures by reason of such conviction shall be to the use of every of such persons, being no body politic or corporate, nor head of any body politic or corporate, before whom such conviction shall be had; and to the use of every such body politic or corporate, as have had any forfeitures for any offence committed in their conservancies upon conviction had before the head of any such body politic or corporate, *id. s.* 7.

30. The lord of every leet shall enquire of offences contrary to this statute, by the usual methods in such leets, *id. s.* 8.

31. Upon presentment in any court or leet, by oath of 12 men, of any offences contrary to this statute, all forfeitures above limited shall be unto the lord of the leet, and shall be levied as amerciaments for affrays committed within such leet, *id. s.* 9.

32. If the steward of the leet do not charge the jury sworn to enquire of offences done within the leet contrary to this statute, he shall forfeit 40*s.*, one moiety of which shall be to H. M., and the other to him that will sue for same. And if any jury charged to enquire of offences committed within the precinct of that leet, do willingly conceal and make default in presentment, the steward or bailiff may unpanel one other jury, and enquire of such concealment; and upon every default found and presented, every of the jurors which so did conceal, shall forfeit 20*s.* to the lord of the leet, to be levied as in *s.* 1. *pl.* 23., *s.* 10.

33. If the offences touching the destroying of fish or spawn, be not presented at the leet within one year after the offence committed, the justices of peace in their sessions, justices of *oyer* and *terminer*, and justices of assizes, shall have power to enquire thereof, and to hear and determine the offences contrary to this statute, *id. s.* 11.

34. Saving to all persons all right and conservation, &c. *id. s.* 12.

35. No person in any port, city, town, market, or other place, shall set price, make any restraint, or take toll of any sea-fish taken by such subjects in their vessels, on pain to forfeit the value of the fish, 5 *El. c.* 5. *s.* 2.

36. This act shall not be prejudicial to the mayor and burgesses of *Kingston upon Hull*, but they may take all such toll as is granted by 33 *H.* 8. *c.* 33.; and neither such mayor or burgesses, nor any inhabitant there, shall take any advantage of this act for the carriage of any herrings or salted fish beyond the sea, *id. s.* 3.

37. No purveyor shall take any sea fish of any that shall take the same in any subjects' ship, *id. s.* 4. [Purveyance abolished, 12 *C.* 2. *c.* 24. *s.* 12.]

38. The fish called composition granted to H. M. shall be taken by H. M.'s officers as heretofore, saving to H. M. and all other persons such fishes as be called regal fishes, for the usual recompence, *id. s.* 5.

39. No person shall buy of any stranger born, out of any stranger's bottom, any herrings being not sufficiently salted, packed, and casked, on pain to forfeit the same, or the value thereof, *id. s.* 6.

40. But *s.* 6. shall not extend to any herrings to be brought by reason of shipwreck into the realm, but the same may be brought as before this act, *id. s.* 7.

41. No person shall load in any bottom whereof any stranger born is the owner, any kind of fish, victual, wares, or things, to be carried coastwise, on pain to forfeit all such goods, or the value thereof, *id. s.* 8.

42. No person shall bring into this realm any cod or lings, in barrels or other casks, but loose in bulk, and by tale to be sold, on pain to forfeit the same or the value thereof, *id. s.* 10.

43. How offences to be determined and penalties applied, *id. ss.* 30—35. [See Holydays, &c..]

44. For the maintenance of the navigation, 13 *El. c.* 11. [Exp. as to *ss.* 1—3.]

45. No person using any ship, boat or vessel called catchmonger, or picard, or other vessel of like use, shall, in the time of common fishing upon the coasts of *Norfolk* or *Suffolk*, between the 14*th Sept.* and the 14*th Nov.*, from sun-setting to sun-rising, anchor on the main sea, or in the common stream or trade of fishing where the fishermen used to drive, upon pain to forfeit their catch, &c. with the tackle and all fish in it, or the value thereof, to go in moieties to H. M. and the bailiffs of *Great Yarmouth*, to be employed in recompensing the damages to the party whose nets be thereby cut, and to the building and repairing of the haven, there to be taken by seizure, or recovered by action or information in any court of record, 13 *El. c.* 11. *s.* 4.

46. The assize of 32 gallons of wine measure, which is about 28 gallons of the old standard, well packed, and containing 1000 herrings, shall be the good assize of herring-barrels throughout *Great Yarmouth*, and elsewhere, *id. s.* 5. [*virtually* Rep. by 48 *G.* 3. *c.* 110. *s.* 36.]

47. No fish brought into this realm by a stranger, nor any *Scottish* fish or *Flemish* fish shall be dried within *Eng.* to be sold: upon pain to forfeit the same, or the value thereof, to go to such person dwelling at any town where there is any port, pier or haven as will seize the same, or sue for the value in any court of record, to be employed in the maintenance of such port, &c. as is next to the place where the offence was committed, *id. s.* 6.

48. For the increase of mariners, and for the maintenance of navigation, 39 *El. c.* 10. *and* recital in *s.* 1. [Con. 43 *El. c.* 9. *s.* 21., 1 *J.* 1. *c.* 25., 21 *J.* 1. *c.* 28., 3 *C.* 1. *c.* 4., *and indefinitely* 16 *C.* 1. *c.* 4., Rep. *as to s.* 6., 43 *El. c.* 9. *s.* 33.]

49. All H. M.'s subjects being owners of any ships or vessels sailing with cross sails, may receive therein any herrings or other fish which any alien shall buy of any of H. M.'s subjects, and the same transport to parts beyond the seas, so as such aliens pay the duty for the same, 39 *El. c.* 10. *s.* 3.

50. All aliens shall pay to H. M. for all salted fish and herrings imported, the customs imposed on H. M.'s subjects in those countries from whence such fish was shipped for the like fish, besides the ordinary customs, *id. s.* 4. [*See* further as to the importation of foreign taken fish, 18 *C.* 2. *c.* 2. *s.* 2. *pl.* 58., 32 *C.* 2. *c.* 2. *s.* 7. *pl.* 59., 1 *G.* 1. *S.* 2. *c.* 18. *s.* 29.

51. If any alien or natural born subject shall bring into this realm any salt fish or herrings not good and seasonable, and shall offer the same for sale, and shall be warned thereof by any officer of the port, then if he shall after that offer any such fish for sale, or being an alien, and no denizen, shall not depart with such fish, he shall forfeit all such fish to H. M., *id. s.* 5.

52. All ordinances of the fishmongers of *London*, or any other corporation company made in restraint of any person to buy or sell fish, shall be void, *id. s.* 6. [Rep. 43 *El. c.* 9. *s.* 33.]

53. And no such ordinance shall be put in execution during the continuance of 39 *El c.* 10. to restrain the bringing in, selling or buying of salt fish and herrings, being wholesome and sweet, under the pains in 39 *El. c.* 10. mentioned, 43 *El. c.* 9. *s.* 34.

54. For the better preservation of sea fish, 3 *J.* 1. *c.* 12. *and* recital in *s.* 1. [not to extend to the isle of *Anglesea*, *s.* 4.]

55. Every person that shall erect any new wear along the sea-shore, or in any haven or creek, or within five miles of the mouth thereof, or shall willingly take or spoil any spawn, fry or brood of sea-fish in any wear or other device, shall forfeit 10*l.*, the one half to H. M. and the other to him that will sue for the same; and every person which in any haven or creek, or within five miles of the mouth thereof, shall fish with any draw-net or drag-net, under an inch and an half from knot to knot (except for the taking of smoulds in *Norfolk* only), or with any net with canvas or other device, whereby the spawn, fry or brood of sea-fish may be destroyed, shall forfeit such net, and also 10*s.*, the one half to the poor of the city or parish where the offence was committed, and the other to the person that shall sue for the same; such forfeitures to be levied by the mayor or other head-officer of such city, &c. and by warrant of one justice of peace, by distress and sale of goods, *id. s.* 2.

56. This act shall not extend to using nets of lesser mesh for taking of herring, pilchards, sprats or lavidnian, *id. s.* 3. [*See* 1 *G.* 1. *st.* 2. *c.* 18. *s.* 4. *post*, *pl.* 69.]

57. To prevent the importation of fish taken by foreigners, 18 *C.* 2. *c.* 2. *s.* 2. [Amd. 32 *C.* 2. *c.* 2. *s.* 7. This title is framed from these sections.]

58. If any ling, herring, cod or pilchard, fresh or salted, dried or bloated, or any salmons, eels or congers taken by foreigners, shall be imported, uttered or exposed to sale in this kingdom, they may be seized and disposed of in moieties to the poor of the parish where found and to the person seizing, 18 *C.* 2. *c.* 2. *s.* 2.

59. Neither this nor any other act shall prevent the importation of stock fish and live eels, but the same may be imported into this kingdom, 32 *C.* 2. *c.* 2. *s.* 7.

60. For the better preventing fresh fish taken by foreigners being imported into this kingdom, and for the preservation of the fry of fish, and for giving leave to import lobsters and turbots in foreign bottoms, 1 *G.* 1. *S.* 2. *c.* 18. *ss.* 1—9. [Amd. and the 13 *&* 14 *C.* 2. *c.* 11. explained as to ships exporting fish to the *Mediterranean*, 9 *G.* 2. *c.* 33. *ss.* 1—3., further Amd. as to selling unsizeable fish taken with

an hook, 22 *G.*2. *c.*29. *s.*21., which is Rep. 29 *G.*2. *c.*39. *s.*14., and Rev. and Amd. 33 *G.*2. *c.*27. *s.*11., and further Amd. as to the recovery of the penalties, 26 *G.*3. *c.*81. *ss.*43—54.] [*For the rest of* 1 *G.*1. *st.*2. *c.*18. *See* Fishery (*Salmon*), and of 26 *G.*3. *c.*81. &c. Fishery (*British*).]

61. No herring, cod, pilchards, salmon, or ling, fresh or salted, dried or bloated, nor any grill, mackrell, whiting, haddock, sprats, cod fish, gull fish, congers, nor any sort of flat fish, nor any other sort of fresh fish, shall be imported into or exposed to sale in *Eng.* which was taken by, bought of, or received from any foreigner out of any stranger bottom, except protestants strangers inhabiting within this kingdom, nor shall any person give any thing in exchange for such fish, 1 *G.*1. *S.*2. *c.*18. *s.*1.

62. Every master of any smack, hoy, yager, boat, ship, or other vessel in which any fish is imported contrary to this act, shall on conviction, on his appearance or default, after summons before one justice for county, city, or place where the offender resides, or is found, by oath of 2 witnesses, forfeit 20*l.* to be levied by distress and sale of his goods by warrant under the hand and seal of such justice, rendering the overplus to the party, and in default of payment or distress, such justice shall commit such offender to the common gaol for the county, &c. for 12 months, *id. s.*2.

63. Every person offending against 1 *G.*1. *S.*2. *c.*18. *s.*1 & 2. shall forfeit 100*l.*, to be recovered in the courts at *Westminster*, and to go in moieties to the informer, and the poor of parish where the offence was committed, and the master of any boat, &c. in which any fish shall be imported contrary to such act, shall forfeit 50*l.* to be recovered and applied as aforesaid, 9 *G.*2. *c.*33. *s.*1.

64. No person shall incur any penalty against *this* act, unless the prosecution shall be commenced within 12 months after offence done, *id. s.*2. [How these penalties may be recovered, see 26 *G.*3. *c.*81. *s.*46—54. Fisheries (*British*).]

65. If on complaint on oath before 2 justices, it appears that any officer suspects that any fish hath been imported into *London*, contrary to 1 *G.*1. *st.*2. *c.*18. *s.*1 & 2. and 9 *G.*2. *c.*33. *s.*2. and this act, such justices may summon the party complained of to appear at a time specified in the summons, and if he does not appear, then on due proof of the service of the summons, either personally, or by leaving it at his place of abode, if the party is on shore, or if not on shore, by leaving it with some person of the vessel to which he belongs, may cause such party to be apprehended by warrant under their hands and seals, and to be brought before them, and shall then proceed to hear and determine the matter, 26 *G.*3. *c.*81. *s.*43.

66. Such justices may summon before them any seaman or other person who appears to be a necessary witness as to such matter, at a time and place specified in the summons, and in case such person shall not appear, then on due proof of the service of such summons in the manner in *s.*43., they may cause such person to be apprehended by like warrant, and on his appearance examine him on oath, as to the matter of such complaint, and in case he shall refuse to be examined, or shall forswear himself, or wilfully prevaricate, such justices by like warrant may commit him to the county gaol for one year without bail, *id. s.*44.

67. The examination of such witness shall be taken in writing by such justices, and if the party complained of does not attend at the time of such examination, and such witness cannot be made to attend when such party shall appear, then such written evidence shall have same effect as *viva voce* evidence, *id. s.*45.

68. Nothing herein shall prevent the importation or sale of eels, stockfish, anchovies, sturgeon, or botarge, or cavear, 1 *G.*1. *S.*2. *c.*18. *s.*3.

69. If any person shall use at sea, upon the coast of *Eng.* any traul-net, drag-net, or sea-net for the catching of any fish, (except herrings, pilchards, sprats, and lavidnian) which hath a mesh of less than 3 inches and a half from knot to knot, or any false or double bottom, cod or pouch, or shall put any net, though of legal size, behind the others, to destroy the small fish, he shall forfeit such nets and 20*l.* for every offence, to be recovered as in *s.*2. *pl.* 62., and for want of payment or distress be imprisoned for 12 months, *id. s.*4. [see 3 *J.*1. *c.*12. *s.*3. *pl.*56.]

70. All penalties in this act, except nets of illegal bottoms, (charges for recovery thereof being deducted) shall be distributed, one moiety to the informer, the other to the poor of the parish where the offence was done, *id. s.*5.

71. Where illegal nets shall be proved to be forfeited, they shall be publicly burnt by warrant of such justice, *id. s.*6.

72. If any person bring to shore in *Eng.* expose to sale, or exchange for goods, any unsizeable fish, not of the lengths following, from the eyes to the extent of the tail, *viz.* bret or turbot, 16 inches; brill or pearl, 14 inches; codlin, 12 inches; whiting, 6 inches; bass and mullet, 14 inches; sole, plaice or dab, 8 inches; and flounder, 7 inches; he shall forfeit the fish to the poor of the parish where the offence is committed, and 20*s.*, one moiety to the informer, and the other to such poor, to be levied as in *s.*2. *pl.*62.; and in default of payment or distress shall be sent to the house of correction (by warrant of a justice) or other common gaol of the county, &c. where the offence shall be committed, to be severely whipped and kept to hard labour six days, and not longer than fourteen, 1 *G.*1. *S.*2. *c.*18. *s.*7. [But see as to catching unsizeable fish in the rivers *Severn* and *Verniew*, 18 *G.*3. *c.*33. (Local).]

73. Fish under the dimensions in 1 *G.*1. *S.*2. *c.*18. *s.*7. mentioned, may be sold or exchanged, provided such fish are taken with an hook, 22 *G.*2. *c.* 49. *s.*21. [Rep. 29 *G.*2. *c.*39. *s.*14.]

74. Bret or turbot, brill or pearl, although under the dimensions in 1 *G.*1. *st.*2. *c.*18. *s.*7. *pl.*72. mentioned, may be exposed to sale in *Eng.*, so as the same be not sold at a price exceeding 6*d. per* lb for every bret or turbot under 16 inches, or any such brill or pearl under 14 inches from the eyes to the extent of the tail; and if any person shall demand or take for any such bret, &c. under such dimensions any greater price than 6*d. per* lb, and so in proportion, or who shall neglect or refuse to weigh or measure any such bret, &c. which is exposed to sale, such bret, &c. shall be forfeited, and any person may seize the same and deliver it to a constable, and charge the constable with the custody of the offender, who shall carry him and such bret, &c. before some justice, and if such person is convicted thereof, either by confession or the oath of one witness, he shall forfeit 20*s.*, and such bret, &c. shall be given to the parties who prosecuted such offender to conviction, and the money paid for such bret, &c. shall be returned to the party who paid the same, 33 *G.*2. *c.*27. *s.*11.

75. Where any person shall suffer imprisonment for default of payment or distress, he shall not be liable afterwards to pay the penalty, *id. s.*8.

76. No person shall be punished for any offence against this act, unless the prosecution be commenced within one month after the offence, *id. s.*9. [The time extended to 12 months, 9 *G.*2. *c.*30. *s.*2. and 26 *G.*3. *c.*81. *s.*53., which *see*, Fisheries (*British*).]

77. Foreigners and natives may import, in any ship and sell the same, any lobsters or turbots, whether of English catching or not, 10 & 11 *W.*3. *c.*26. *s.*13., notwithstanding 1 *G.*1. *st.*2. *c.*18. *s.*10.

78. No *British* ship or vessel trading to any port in the *Mediterranean* sea beyond *Malaga*, shall be entitled to the benefit of the exemption in 13 & 14 *C.*2. *c.*11. *ss.*35, 36. contained by reason that one moiety of her lading consists of fish, unless such moiety consists of fish taken and cured by H.M.'s subjects, 9 *G.*2. *c.*34. *s.*3.

79. To regulate the importation of cod, ling or hake, and other fish into *Eng.* [This title is framed from these sections.] 2 & 3 *A.* *c.*16. *ss.*13—14 [Amd. 4 & 5 *A.* *c.*12. *s.*12. *See similar* provisions for fish caught in *Chaleur Bay*, or the *Gulf of St. Lawrence*, 13 *G.*3. *c.*72. Fishery (*Newfoundland*).]

80. No herrings, pilchards, seads, codfish, ling, hake, salmon or dried red sprats, by whomsoever caught or cured, shall be imported into *Eng.*, *Wa.*, or *Ber.*, unless the owner of such fish, or the master of the vessel, shall make oath before the officer of the salt duties in port of importation (who shall administer the same without fee), that all the salt wherewith such fish were cured was laden on board from some part of *Eng.*, *Wa.*, or *Ber.*, and when and where the same was put on board, and that no drawback or allowance or debenture hath been obtained on the exportation of such salt, or is intended to be had, on pain to forfeit such fish so imported contrary hereto, and double the value thereof to be recovered of the importer, 2 & 3 *A.* *c.*14. *s.*13.

81. Nothing herein shall prohibit the importing and landing any cod, ling or hake caught at *Newfoundland* or *Iceland*, so as oath be first made before the landing thereof by the owner of the fish, or master of the vessel bringing the same before the officer of the salt duties at the port of importation (who shall administer the same without fee), that all fish so imported came from *Newfoundland* or *Iceland*, and were caught and cured there, and so as before such fish is landed part of their tails are cut off by the officer of the port, that no allowance be made for the same on exportation; and in case any such fish be landed before their tails be so cut, all fish so imported shall be forfeited, and double the value thereof shall be recovered of the importer or proprietor thereof, to wit, one moiety to H. M. and the other to the party prosecuting for the same, *id. s.*14.

82. The 2 & 3 *A.* *c.*14. *ss.*13, 14. shall not prohibit the importing and landing any codfish, ling or hake caught and cured at or in the north sea upon making like oath, and being subject to penalties as by the said act prescribed, 4 & 5 *A.* *c.*12, *s.*12.

83. For the better supplying the cities of *London* and *Westminster* with fish, and to reduce the present exorbitant price thereof, and to protect and encourage fishermen, 2 *G.*3. *c.*15. [Amd. as to retail sales of fish in *Billingsgate* market, 36 *G.*3. *c.*118. Susp. as to impressing seamen, 38 *G.*3. *c.*46. Exp. and Amd. as to impressing persons employed in such fisheries, 50 *G.*3. *c.*108. *See* further, as to *Billingsgate* market, 10 & 11 *W.*3. *c.*24. *pl.*131., &c. 33 *G.*2. *c.*27. *pl.*166., &c.]

84. Any person, although not brought up a fishmonger, may buy at any market, sea-coast, creek, port, haven, bank of any river or place in *G. B.* any fish in season, not unsizeable, or under the dimensions, by the

laws now in force [*viz.* 1 *G.* 1. *st.* 2. *c.* 18., *pl.* 60.] allowed so be sent to the city of *London*, paying the usual dues at the places where purchased; and afterwards may sell again in public or fixed shops, stalls or houses in any other market where fish or flesh are usually sold, paying the stallage or market dues, without incurring any penalty, 2 *G.* 3. *c.* 15. *s.* 1.

85. Nothing herein shall extend to permit any person to sell fish in *Covent Garden* market, or the precincts thereof, *id. s.* 2.

86. No fish allowed to be so bought shall be sold again by the first purchaser before conveyed to the cities of *London* or *Westminster*, or such other places in *G. B.* as the proprietor shall think fit to consign the same, under pain of 20*l.* for every offence, *id. s.* 3.

87. All such fish shall be permitted to be conveyed to the place to which the proprietor shall think fit to consign the same, without being subject to be stopped in any place in order to be sold there under pretence of any usage, *id. s.* 4.

88. Every carriage used for the conveyance of such fish, shall only carry fish and implements belonging thereto, and shall be marked on the outside, *fish machine only*, and shall have the name and abode of the owner entered and registered at the office for licensing hackney coaches, and for every such entry only 1*s.* shall be paid; and afterwards the number of such carriage shall be marked on some part of the outside, in large figures, painted, or else put on lead or other metal, fixed on some conspicuous part; and no fish carriage shall be deemed a common stage waggon; and if any one shall neglect what is hereinbefore directed, touching the marking, registering, numbering, and keeping the number of such carriage on some part thereof, he shall forfeit for every neglect 40*s.* *id. s.* 5.

89. Every such fish carriage, so numbered and marked, shall be permitted to travel by horses in pairs not exceeding four, or by a single horse, or by horses at length not exceeding 3, although the fellies of the wheels shall not be nine inches from side to side; and every such fish-carriage shall only pay toll as chaises drawn by a like number of horses, or by a single horse, *id. s.* 6.

90. Such fish-carriage may travel on *Sundays* and holydays, whether laden or returning empty, and the horses returning from drawing any such fish-carriage, although rode by any driver, or drawing an empty fish-machine, may pass on *Sundays*, &c. without incurring any penalty, *id. s.* 7.

91. No toll shall be paid for any such carriage returning without fish, or for any horses which shall draw the same back empty, or for any horses returning from drawing any such fish-carriage laden, although rode on by any driver, *id. s.* 8.

92. If any person shall put any game, or other thing except fish, and the necessary package and implements of such carriage, into any such fish-carriage to be conveyed thereby; every person, other than the driver, shall, on being convicted thereof, forfeit for every offence, 5*l.*; and if the driver take up, or suffer any passenger, game, or other thing except fish, to be at any time carried in or by any such fish-carriage, every driver thereof so offending, convicted, shall forfeit 40*s.*; and if, on the conviction of any driver, the sum forfeited shall not be forthwith paid, the convicting justice shall, by warrant under hand and seal, commit every such driver to the house of correction, there to remain and be kept to hard labour for not exceeding one month, as any justice shall order, unless the money forfeited shall be sooner paid, *id. s.* 9.

93. If the owner or other person who shall have the care of any such fish-carriage loaded with fish, and consigned for *London* or *Westminster*, shall break bulk before brought within the bills of mortality, or sell, or expose to sale, any of the fish loaded in such carriage before brought to *London* or *Westminster*, or within the bills of mortality, and exposed there to sale as in *s.* 17. directed, he shall forfeit for every offence 10*l.*, *id. s.* 10.

94. All fish brought by land carriage to *London* or *Westminster*, or within the weekly bills of mortality, shall, with all convenient speed, after brought, be sorted, and the next morning shall be publicly exposed to sale in some public market within such weekly bills (except such next day shall be *Sunday*, and then on *Monday*), and until such fish shall be so exposed to sale, no part thereof shall be sold, or offered to sale, by retail; upon pain that every person thereof convicted shall forfeit 10*l.*, *id. s.* 11.

95. Nothing in this act shall prohibit the selling any mackrell brought by such carriage, before or after divine service on a *Sunday*, *id. s.* 12.

96. If any person shall enter into any contract for buying up any fish, except salmon and lobsters, before brought to open market, or some usual place for the sale of fish, and before exposed to sale in the ordinary manner, and for the usual time, such contract shall be void, and every party thereto shall forfeit for every such contract 50*l.*, *id s.* 13.

97. No contract for the buying of salmon or lobsters taken in *G. B.* shall be in force for longer than one year from the date of such contract, and if not entered into writing, then only for one year, from the time of making such parol contract, *id. s.* 14.

98. No person shall employ or be employed by any other person in buying, or to buy, at any market in *London* or *Westminster*, or elsewhere within the bills of mortality, any fish brought there to be sold, to be divided by lots amongst fishmongers or other persons, in order to be afterwards put to sale again, or sold by retail; nor shall any fishmonger or other person buy in any market within such limits, any fish but what shall be for his own sale or use only, upon pain of 20*l.* for every offence, 2 *G.* 3. *c.* 15. *s.* 15.

99. If any proprietor of fish, or any salesman, shall refuse to sell, or enter into any agreement or confederacy not to sell to any particular person, any fish which shall be exposed to sale in any public market, every such person shall forfeit 10*l.*, *id. s.* 16.

100. All fish of the sorts after specified, brought for sale within such limits, shall be publicly exposed for sale at the first hand, and shall be sold in no greater number or quantity, or by any greater weight in any one lot, in *Billingsgate* market, or within 150 yards of *Billingsgate* dock, or in any other market within the weekly bills of mortality, than hereinafter directed, and every lot shall consist only of one sort of fish. [So much of *ss.* 17 & 18 as relates to the number of fish to be sold in one lot, Rep. 42 *G.* 3. *c.* lxxxviii. *s.* 3.] *id. s.* 17.

101. And if any person shall sell or buy any such fish at the first hand, in any market in *London*, or within 150 yards of *Billingsgate* dock, or in any market in *Westminster*, or within such limits, in any lot contained a greater number or weight in such lot than herein directed; or if any, one shall sell, or offer for sale, in any such lot, more than one sort of fish, he shall for every such offence forfeit 5*l.*, *id. s.* 17.

102. But any person may expose to sale, and sell in *Billingsgate* market, or in any other market within such limits, any of such fish, where more than one is in any lot, in any smaller number, or any eels by any lesser weight than hereinbefore described, *id. s.* 18.

103. No person shall a second time sell or expose to sale, in *Billingsgate* market, or within 150 yards of the dock, or within any other market in *London*, or within such limits, any fish which in the same day have been before sold in the same market; but any buyer may sell the same again, whilst sound and wholesome, in any other place, upon pain that every one who shall offend shall forfeit 10*l.*, *id. s.* 19.

104. So much of 2 *G.* 3. *c.* 15. *s.* 19. as restrains the sale of fish by retail in *Billingsgate* market, or within 150 yards of *Billingsgate* dock, in the same day on which it was sold in such market, &c. but no further or otherwise, shall be Rep. 36 *G.* 3. *c* 181. *s.* 1.

105. Any person may, by retail (but in no other manner) sell a second time, and not oftener, within such market, or within 150 yards of such dock, any fish, although the same were there sold on the same day by wholesale once before, *id. s.* 2.

106. The common council of *London* shall appoint the time for the commencement of the sale of fish by retail in such market, or within 150 yards of such dock, and shall have the same control over such retail market as they have over other public markets of the same city, *id. s.* 3.

107. No person shall expose to sale, at the first hand, in any such markets, any of the sorts of fish before specified, before he shall have first placed in some conspicuous manner, on or over the place at which he shall expose for sale such fish, a true account, and in a large and legible character, either wrote or printed, distinguishing the several sorts of all such fish, and the quantity which he shall then have, or have been employed to sell, except as to the number of flounders, plaice, dabs, mackrell, maids, herrings, and pilchards: and if at any time of the morning or day in which such account shall have been placed up, and before the market shall be ended, any other fish shall be brought to such market to be sold, the person employed to sell the same, before he exposes to sale such other fish, shall add a true account thereof to the account before put up; and the party hereby directed to put up such account shall take care that such account shall continue up where first placed, until all the fish specified therein shall be sold, or the market ended, without being defaced, upon pain that every one who shall neglect to put up, or continue such account, shall forfeit 5*l.*; and every person wilfully taking down, defacing, or altering any such account, shall, for every last-mentioned offence, forfeit 40*s.*, *id. s.* 23.

108. No fisherman, mariner, or other person employed on board any fishing ship, sloop, smack, vessel, or boat, shall, after her arrival from fishing, wilfully destroy, or throw away fish, which any such vessel shall have brought from sea, or caught in any navigable river, that is not unwholesome, perished, or unmarketable, except sprats, which shall remain unsold when the market, to which the same are sent for sale, is ended; and such fisherman, &c. being thereof convicted, shall be committed to the house of correction, and be kept to hard labour for not exceeding 2 months, nor less than one week, as the convicting justice shall order, *id. s.* 21.

109. Every person herein specified, who shall be employed in the fisheries of this kingdom, shall be exempt from impressment into H. M 's service, except in cases herein mentioned; (*viz.*) 1st, Every master who

has the care or conduct of any fishing vessel or boat which shall be employed in such fisheries, or who, or some owner of which vessel, shall have, or within 6 calendar months before applying for the protection hereinafter allowed, had 3 or more apprentices under 16 years of age, bound to him for any term not less than 5 years, and who in pursuance of such binding have been in the service of such master or owner in the business of a fisherman: 2dly, every such apprentice to every master or owner of any fishing vessel

not exceeding { 8, 7, 6, 4 } to any master of any fishing vessel of the burthen of { 50 tons and upwards; 35 } and under { 50, 35; 30 } under 30

so long as such apprentice shall continue as such in the actual service of such master only, or his representatives or assigns, in the business of a fisherman, and in no other service, and until he shall attain 20 years: 3dly, one mariner to every such vessel or boat of 10 tons burthen and upwards, besides the master and his apprentices who shall be employed to navigate or fish in any such vessel during his actual employment therein: and, 4thly, any landman above 18, and under 30 years of age, entering on board of any such vessel of 10 tons burden, and being actually employed in navigating or fishing therein for 2 years, to be computed from the time of his first going to sea to the end of the voyage he may be then engaged in, if he continues so long employed in such service, 50 *G.*3. *c.*108. *s.*2.

110. The 2 *G.*3. *c.*15. *ss.*22 *&* 23. shall be Rep., 50 *G.*3. *c.*108. *s.*1.

111. On an affidavit sworn before some justice that the person described in such affidavit is within one of the descriptions before specified, and inserting therein the tonnage of every such vessel, and the port to which she belongs, and the name and description of every master, and the age of every apprentice, and the term for which bound, and the date of his indenture, and the name, age, and description of every such mariner and landman respectively, and the time of such landman's first going to sea, being offered to the commissioners of the admiralty, or any 3 of them, or left at the office of admiralty, the admiralty shall, with all convenient speed (unless they have cause to suspect the truth, in which case they shall cause inquiry to be made into the truth of such affidavit), from time to time, grant a separate protection to every such person without fee; and every person impressed contrary to this act, shall, on producing the protection to the commanding officer, be discharged, 50 *G.*3. *c.*108. *s.*3.

112. If, during any protection, any person shall be impressed other than in the case of an actual invasion or imminent danger of these kingdoms, signified by some order of H. M. or his privy council, to the admiralty, and if on producing such protection to, or if offering to produce the same for the inspection of the commanding officer of the press-gang, any such commanding officer shall neglect to examine such protection, or shall detain the same from the party entitled thereto, and shall not forthwith discharge the party; or if the party impressed shall be carried on board any vessel in the service of H. M., and the commander shall not, on any such protection being produced; or if such protection shall have been taken away after being impressed, then, if on an affidavit being made before some justice, that such protection was granted, and is in force, and was taken away from the party to whom granted, either at or after the impressment made; and being tendered to the officer so commanding such vessel, such officer shall not forthwith discharge the party impressed and brought on shipboard; or if any officer having command, or any of the crew under him shall take away or detain such protection, then every such person shall forfeit to the party impressed, if not an apprentice, and if an apprentice, then to the master, 20*l.*, 2 *G.*3. *c.*15. *s.*24., 50 *G.*3. *c.*108. *s.*4.

113. Every master or owner of any fishing vessel who shall knowingly harbour or employ any seaman or landman who shall have deserted from H. M.'s service, shall forfeit 20*l.*, 2 *G.*3. *c.*15. *s.*25.

114. All justices of the peace shall hear and determine all offences against these acts; and all pecuniary forfeitures whereof the time for payment is not hereby directed, shall be paid within 24 hours after the conviction of the offender either by confession, or by the oath of one witness; and any justice may issue a warrant under his hand and seal, directed to any peace officer, to levy the same by distress of the goods of the person convicted and found within the jurisdiction of such justice; and if, within 5 days from distress taken, the money shall not be paid with the costs, the goods shall be appraised and sold, rendering the overplus to the owner, after deducting the penalty and costs; which costs shall be ascertained by some justice of the county, &c. in which the offender was convicted; and if sufficient distress cannot be found, (other than the driver of any fish-carriage as aforesaid, 2 *G.*3. *c.*15. *s.*26.) then on proof thereof upon oath before some justice, such justice shall, on the application of any prosecutor, issue a like warrant, directed to some peace officer, to apprehend such offender and convey and commit him to the house of correction, there to be kept to hard labour for not exceeding [one, 50 *G.*3. *c.*108. *s.*7.] two months, as such justice shall order, unless the money forfeited shall be sooner paid, 2 *G.*3. *c.*15. *s.*26., 50 *G.*3. *c.*108. *s.*7.

115. No person shall suffer punishment for any offence against this act, unless the prosecution be commenced within 3 calendar months after offence committed; and where any person shall suffer imprisonment, he shall not be liable afterwards to pay such penalty, 2 *G.*3. *c.*15. *s.*27., 50 *G.*3. *c.*108. *s.*8.

116. If any person who shall contract for fish contrary to this act, shall, before information made against him, inform against any other party who shall have entered into any such contract, and the party informed against shall afterwards, on such information, be convicted, then the person who shall have so informed against and prosecuted to conviction such other person, shall be released from all penalties and forfeitures incurred by him by having been a party to such contract, and shall be entitled to one moiety of the penalty, 2 *G.*3. *c.*15. *s.*28.

117. If it shall be made out by the oath of any credible person to the satisfaction of any justice, that any one within his jurisdiction is likely to give material evidence on behalf of the prosecutor, or the accused, and will not voluntarily appear and be examined, every such justice shall issue his summons, to convene every such witness at such time as in the summons is fixed; and if any person summoned shall neglect to appear, and no just cause is offered for such neglect, then, after proof by oath of such summons duly served upon the party summoned, every such justice shall issue his warrant under hand and seal to bring such witness before him; and on his appearance shall examine him upon oath; and if he refuse to be examined on oath concerning the premises, without just cause, may, by like warrant, commit him to prison, there to remain for not exceeding 14, nor less than 3 days, as such justice shall direct, 2 *G.*3. *c.*15. *s.*29., 50 *G.*3. *c.*108. *s.*9.

118. In case any person against whom a warrant shall be issued by any justice, for any offence against this act, shall go into any other county, city, or place, any justice of the county, &c. into which such offender shall go or be, may indorse his name on such warrant (proof being first made on oath of such warrant having been signed by such other justice), and every warrant so indorsed shall be sufficient authority to all persons to execute it out of the jurisdiction of the justice who first granted it; and every such justice, after indorsing such warrant, may, on the offender being apprehended, and brought before him, hear and determine the matter, in the same manner as if the complaint originally arose within his jurisdiction; or may direct the offender to be carried before a justice, within whose jurisdiction the offence was committed, 2 *G.*3. *c.*15. *s.*30., 50 *G.*3. *c.*108. *s.*10.

119. One moiety of all money forfeited for offences against this act (not appropriated) shall go to the person who shall prosecute to conviction any offender; and the other moiety shall go to the treasurer of *Greenwich Hospital* for the benefit of the hospital, 2 *G.*3. *c.*15. *s.*31., 50 *G.*3. *c.*108. *s.*11.

120. Persons aggrieved by the order of any justice on account of any offence committed against this act, may appeal to the general or quarter session of the peace next after conviction, first giving security before such justice, in double the sum forfeited, to prosecute such appeal with effect, and to abide by the order made on such appeal, and giving 8 days notice in writing of the intention to appeal, to the party on whose prosecution such conviction shall be made, if there shall be so many days within such conviction and sessions; and if not, then the party may appeal to the next general or quarter session but one after such conviction; and the justices in their sessions shall determine the appeal, and make such order therein, and award such costs, as shall appear just, and cause to be levied, under order of such sessions, the costs awarded, with such money as they shall adjudge to be forfeited, by distress and sale of the goods of the person who shall refuse to pay such costs and money forfeited; and if sufficient goods cannot be met with, then by distress and sale of the goods of the persons who shall have become sureties for the appellant, 2 *G.*3. *c.*15. *s.*32., 50 *G.*3. *c.*108. *s.*12.

121. No order or proceedings had before any justice, in relation to the premises, shall be quashed for want of form only; and the order made at such general or quarter sessions, shall be final; and no proceedings in pursuance of this act shall be removable by *certiorari*, letters of advocation, suspension, or otherwise, 2 *G.*3. *c.*15. *s.*33., 50 *G.*3. *c.*108. *s.*14.

122. Actions for any thing done in pursuance of these acts shall be brought within 6 calendar months after the cause thereof accrued, and shall be laid in the county, city, or place in which the cause arose, and the defendant may plead the general issue, and give these acts and the special matter in evidence, and that the same was done in pursuance thereof, and if it shall so appear, or if such action is brought after the time limited, or is so laid in the wrong county, &c. the jury shall find for the defendant: and upon such verdict, or if the plaintiff is nonsuited or discontinues after appearance, or if on demurrer judgment shall be for defendant, then such defendant shall have treble costs, 2 *G.*3. *c.*15. *s.*34., 50 *G.*3. *c.*108. *s.*15.

123. All the provisions and regulations herein before contained with respect to the weekly bills of mortality, shall extend to the parish of *St. Mary-le-bone*, in the county of *Middlesex*, 2 *G.*3. *c.*15. *s.*35.

124. Nothing in this act shall make void any contract, in regard to salt or dried fish, oysters, carp, or tench, *id. s.*36.

125. No justice shall receive any information against any person, by reason of being a party to, or concerned in, any contract for buying up fish to be sold again contrary to this act; but all money forfeited by reason of such contract shall be recoverable only, with double costs, by the person who shall sue for the same in any courts of record at *Westminster*, wherein no essoin, &c.; and one moiety of the money forfeited shall go to the treasurer of *Greenwich Hospital* for the benefit of the hospital, and the other to the person who shall inform, *id. s.*37.

126. In case any seaman or mariner, who has entered into any agreement, or taken any earnest for the performance of any fishing voyage, or for any stipulated time of any fishing season, shall neglect to proceed on such voyages, he shall forfeit 5*l.*; and any justice, on complaint made by the master, owner, or person having charge of the vessel in which such seaman was engaged to go, shall issue his warrant to apprehend such seaman, and in case he shall not pay the penalty, or give good reason for his neglect, shall commit him to the house of correction, there to be kept to hard labour from 14 to 30 days, 50 *G.* 3. *c.*108. *s.*5.

127. If the master or owner of any vessel, &c. shall hire, entice, harbour, or employ any apprentice, seaman, or landman, knowing them to belong to any fishing vessel, or that they had engaged to go on a fishing voyage, or after notice thereof given, such master shall forfeit 20*l.*, *id. s.*6.

128. The justices before whom any conviction shall take place for offences against this act shall draw up the conviction in the form or to the effect following:

'Be it remembered, that on the — day of — in the — year of the reign of H. M. — is [*or* are] convicted before one or more of H. M.'s justices of the peace for — by vitue of an act passed in the 50th year of the reign of H. M. king *George* the Third, entitled [*here insert the title of this act, specifying the offence, and the time and place when and where the same was committed as the case may be*] contrary to the said act [*or as the case shall be*] for which offence we [*or* I] adjudge. Given under our [*or* my] hands and seals [*or* hand and seal] the day and year aforesaid.' 50 *G.* 3. *c.*108. *s.*13.

129. THE COMMISSIONERS OF EXCISE MAY ALLOW PILCHARDS and other fish to be exported, for the purpose of obtaining the bounty from such port or place as they deem proper, though the same be not legal quays, 39 *G.*3. *c.*65. *s.*4. [*see as to* importing fish and carrying the same coastwise, 26 *G.*3. *c.*81. *s.*22., *&c.* FISHERIES (*British*).]

130. FISH OF EVERY KIND AND SORT, OF *British* taking and curing, caught in any part of the ocean by the crews of any ships or vessels built in *G. B.* or *Ire.*, or the islands of *Jersey*, *Guernsey*, or *Man*, or in H. M.'s colonies or territories, and wholly owned by H. M.'s subjects, and navigated and registered according to law, shall be imported into *G. B.* in ships built, owned, navigated, and registered as aforesaid, customs free; provided, before such fish is admitted to entry, the master or other person having the command of the importing vessel, shall make oath before the chief officer of customs at the port of importation, (who shall administer such oath,) that such fish was taken by H. M.'s subjects, 59 *G.*3. *c.* 52. *s.*37.

FISH-MARKET (*LONDON*).

131. FOR MAKING *Billingsgate* a free market for the sale of fish, 10 & 11 *W.*3. *c.*24. [see further as *to this market*, 33 *G.*2. *c.*27. *ss.*12—14. *pl.*170—172.; and 2 *G.*3. *c.*15., 50 *G.*3. *c.*108. *pl.* 109, &c.]

132. *Billingsgate* market shall be a free market every day in the week (except *Sundays*) for the sale of fish, and any person may buy and sell there without any disturbance, 10 & 11 *W.*3. *c.*24. *s.* 1.

133. No person selling fish in such market shall pay any toll for coming with his boat or vessel, or landing, standing, or selling, in such market other than herein mentioned, *id. s.*2.

	viz.	per day,	per voyage,	
For *ground-age*, each	vessel with salt fish, - -	8*d.*	20*d.*	*id. s.*3.
	lobster boat, - - -	2	13	*id. s.*4.
	vessel with fresh sea fish, - -	2	13	*id. s.*5.
	dogger-boat, or smack with sea fish,	2	13	*id. s.*6.
	oyster-vessel or cock, - -	2	13	

and one halfpenny per bushel for metage, to be disposed of as the mayor and court of aldermen shall yearly order, according to the rights of the persons entitled thereto, *id. ss.*3—7.

134. Any person who shall buy fish in such market, may sell the same again in any other place in *London*, or elsewhere, by retail; except that none but fishmongers shall sell in public or fixed shops or houses, *id. s.*8.

135. This act shall not alter any law concerning fish caught by foreigners, *id. s.*9.

136. Any person taking or demanding any toll or sample, or other imposition or set price of any sea fish of *English* catching, contrary to 5 *El. c.* 5. *pl.*35., shall forfeit 10*l.*, one moiety to H. M., and the other moiety to such as shall sue for the same, 10 & 11 *W.*3. *c.*24. *s.* 10.

137. Fishmongers shall not buy up all, or the greatest part of the fish, which is brought to such market, and afterwards sell it out in lots to the other fishmongers, *id. s.*11.

138. No person shall employ, or be employed by another, to buy at such market any fish to be divided by lots amongst fishmongers, in order to be put to sale by retail or otherwise, nor shall any fishmonger buy in such market any fish, but what is for his own sale, under the penalty of 20*l.*, to go in moieties to the informer, and the poor of the parish where the offence was committed; and no fisherman or other person shall bring to shore, or put to sale, lobsters that are not 8 inches from the peak of the nose to the end of the middle fin of the tail, under pain of forfeiting 1*s.* for each lobster, to be applied as aforesaid, and to be recovered before the chief magistrate of any city, or justice of peace for the county where the offence was committed, *id. s.*12.

139. No fish [except stock-fish, or live eels, lobsters, and turbots, 1 *G.*1. *S.*2. *c.*18. *s.* 10.] caught by foreigners (except protestant strangers inhabiting within this kingdom), shall be imported in any foreign ship not being wholly *English* property, and uttered and exposed to sale in this kingdom, upon pain to forfeit such vessel, &c. and her tackle; and the fish so imported and sold shall go in moieties to the poor of the parish where the offence was committed, and the person seizing the same, *id. s.*13. [see further as to the importation of fish, 1 *G.*1. *S.*2. *c.*18. *pl.* 60, &c.]

140. This act shall not prohibit the importation of anchovies, sturgeon, botargo, or cavear, nor the selling of mackerel before or after divine service on *Sundays*, *id. s.*16.

141. This act shall not take away the ancient duty on cod and ling, payable to the kings of this realm for service of their household by merchants trading to *Westmoney* and *Iceland*, but the same may be taken as heretofore, *id. s.*18.

FISH-MARKET (*WESTMINSTER*).

142. FOR MAKING A FREE MARKET FOR THE SALE OF FISH IN THE city of *Westminster*, and for preventing the forestalling and monopolizing of fish, 22 *G.*2. *c.*49. [EXPL. and AMD. 29 *G.*2. *c.*39., which is REP. as to *ss.* 6—7.]; *and the sale* of fish at the first hand in the markets of *London* and *Westminster* regulated, and fish salesmen prevented from buying fish to sell again on their own account, and persons who shall take or sell any spawn, brood, or fry of fish, unsizable fish, or fish out of season, or smelts or sprats under the size of five inches, punished, 33 *G.*2. *c.*27., and by which the 22 *G.*2. *c.*49., 29 *G.*2. *c.*39. REP. *as to s.*21. *which* allowed the sale of fish under the dimensions fixed in 1 *G.*1. *S.*2. *c.*18. *s.*7., *ante*, *pl.*72. in case they were taken with a hook, by 29 *G.*2. *c.*29. *s.*14.; *but see as to* bret, turbot, brill, or pearl, 33 *G.*2. *c.*27. *s.*11. *pl.*169. AMD. 42 *G.*3. *c.*144. the property of the trustees of the *Westminster* fish-market vested in the Marine Society, and their powers discontinued, 30 *G.*3. *c.* 54. (PUBLIC *clause*, *id. s.*4.)]

143. There shall be a free and open market for the sale of fish of all sorts in the city of *Westminster*, and any person may buy and sell fish therein without disturbance, 22 *G.*2. *c.*49. *s.*1.

144. Certain persons appointed trustees for such market, tolls imposed for keeping up the same, and certain powers given to such trustees, *id. ss.*2—8.13—17. [*Semb.* REP. by 30 *G.*3. *c.*54. *which see*, *post*, *pl.*179, 180.]

145. Any contract for buying up fish to be sold again by retail, before such fish be brought to an open market, and there exposed to public sale, shall be void; and every party so contracting, as well the buyer as the seller, shall forfeit for every such offence 50*l.*, to be levied in manner after-mentioned; one moiety to be paid to the trustees appointed by this act, or their order, to be placed to the general account, and the other to such person as shall inform and sue for the same, 22 *G.*2. *c.*49. *s.*9.

146. If either of the parties so contracting shall, before any information against him, inform against the other, such party so informing, so as such other party may be duly convicted, shall not only be acquitted from such penalty, but also be entitled to sue for in his own name and recover the whole forfeiture incurred by the other; one moiety to be paid to the trustee, and appropriated as aforesaid, and the other to such person who shall sue for same, *id. s.*10.

147. Nothing in this act shall make void any contracts already made, or prevent any contracts to be made by any person in regard to fresh salmon or soles brought by land carriage, or to oysters, or salt, or dried fish, *id. s.*11.

148. If any persons, natives or foreigners, keep any fish at *Queenborough*, *Gravesend*, or other place, in any well-boat, store-boat, or any other manner, so as not to sell off their whole cargo within 8 days from their arrival on the *British* coast, between *North Yarmouth* and *Dover*, every person so offending, and convicted by confession or the oath of one witness, shall forfeit the cargo and vessel with all her tackle, &c. to be levied by distress and sale, by warrant under hand and seal of a justice

for the county where the offence was committed, and such produce shall be applied to the benefit of the poor of the parish and the informer, 22 *G.* 2. *c.* 49. *s.* 12. [*but see the* time enlarged, *post*, 29 *G.* 2. *c.* 39. *ss.* 1—2. *pl.* 151—152. and 42 *G.* 3. *c.* 19. *pl.* 153.]

149. All bonds or other securities to be entered into, for not suing for any penalty incurred under this act, shall be null and void, *id. s.* 18.

150. All penalties and forfeitures incurred under this act, if not hereby otherwise directed to be recovered, may be recovered by action of debt or information in any court of record at *Westminster*, wherein no essoin, &c. or more than one imparlance shall be allowed, and such penalties, &c. shall go, one moiety to the party informing, and the other to the poor of the parish where the cause of action arose, *id. s.* 19.

151. If any fisherman, master, or owner of any fishing vessel, coming from sea, or other person having the conduct of such fishing vessel, natives or foreigners, employed either in catching, bringing, or vending of fish, for the supply of *London* and *Westminster*, break bulk, or make sale of any part of their fish, between *Harwich* and the *Nore*, or between *Margate* and the *Nore*, to any person to sell again, [and shall not enter such fishing vessel as hereinafter provided, Rep. 33 *G.* 2. *c.* 27. *s.* 1.] or keep any shell fish or other fish in their fishing vessel, or in any well-boat or store-boat, after their arrival, so as not to sell off their whole cargo within 8 days from their arrival at the *Nore*, and is thereof convicted before a justice of peace for *Kent* or *Essex*, or before the mayor, recorder, or such aldermen who have power to act as justices within *Queenborough* or *Gravesend*, on his own confession under his hand, or on the oath of one witness (which conviction shall be final and without any appeal), such fishing vessel, store-boat, or other boat, into which such fish are unloaded, with all her furniture, &c. together with the whole cargo of fish, shall be forfeited by the owners; such forfeitures to be levied by distress and sale, by warrant of any such justice, or of such mayor, recorder, or aldermen acting as magistrates within the towns of *Queenborough* and *Gravesend*, or such mayor, recorder, or aldermen of any other corporate town, between *Queenborough* and *Gravesend*, and *Westminster*; which warrant such justice or mayor, &c. shall issue accordingly, directed to the high constable, petty constable, headborough or tythingman, of *Queenborough* or *Gravesend*, or any other such towns near unto where any such offences be committed, or where such fishing vessel, store-boat, or other boat then is, to seize and sell the same within 14 days; and one moiety of the produce of such sale, after charges deducted, shall be paid to the informer, as such justices appoint, and the other moiety to the trustees appointed to put the 22 *G.* 2. *c.* 49. and this act in execution [*see pl.* 144.] to be placed by them, or 5 of them, or their order, to the general account of surplus of profits arising from the fish market in such act mentioned, and to be appropriated as such, 29 *G.* 2. *c.* 39. *s.* 1.

152. In case any such fishing vessel is loaded with lobsters, or whose part-loading may be lobsters, and the fishermen, or other persons, natives or foreigners, who are owners of such lobsters, or have the power to sell the same, shall sell off her whole cargo of lobsters within 12 days after the arrival of such vessel at the place herein before appointed, and in all other respects conform to the directions of 22 *G.* 2. *c.* 49. and this act; then the sale of the whole cargo of lobsters shall be as good a sale as if such sale had been completed within 8 days, *id. s.* 2.

153. In case any fishing vessel shall be freighted in whole or in part with live eels, and the owners, natives or foreigners, shall sell off the same within 28 days after their arrival at the *Nore*, and shall in all respects comply with 29 *G.* 2. *c.* 39. and 22 *G.* 2. *c.* 49. then such sale shall be as good and valid as if completed within the 8 days, by 22 *G.* 2. *c.* 49. *s.* 12. *pl.* 148. limited, 42 *G.* 3. *c.* 19.

154. Every fisherman, master, or owner of any fishing vessel coming from sea, and every person having the conduct of such vessel, may, as often as need requires, during their voyages at sea, and before their arrival at the *Nore*, remove any part of their cargoes of fish into any other vessel, for the ease of their wells, the preservation of their fish, and the separating such as are dead, dropt, or sickly, from those which are found; so that no part of such cargo of fish be sold until their arrival at or above the *Nore*, 29 *G.* 2. *c.* 39. *s.* 3.

155. Any fisherman or owner of any *Peter-boat*, or other small fishing vessel employed for serving the inhabitants of any city, town, or village, or the neighbourhood thereof, on or near the banks of the river *Thames*, between the mouth of the river and the towns of *Queenborough* or *Gravesend*, may sell their fish as hath been heretofore used, in case such boats or fishing vessels are only employed for the consumption of such fish within such city, towns, or villages, and the inhabitants thereof, or of the neighbourhood, *id. s.* 4.

156. The trustees for putting the said former and this act in execution, shall appoint inspectors of the fishing vessels, to search every fishing vessel between the *Nore* and *Billingsgate Dock*; to take account, as well of the arrival of such vessel as of the time of selling the whole cargo of fish, and of the breaking bulk and unloading such vessel, and shifting the cargo or part into well-boats, and of the delivery or selling off such cargo in such manner as directed by 22 *G.* 2. *c.* 49. or this act; and remove such officers at their pleasure: which inspectors shall enter and examine such fishing vessels, well-boats, and store-boats; and every person on board shall give to such inspector such account thereof; and in case any person refuse to give such account, or molest such inspector, every one so offending, being convicted before a justice, by confession, or oath of one witness, shall forfeit 10*l.* to be recovered and applied as the other penalties in this act, 29 *G.* 2. *c.* 39. *s.* 5.

157. So much of 29 *G.* 2. *c.* 39. *ss.* 6, 7. as obliges fishermen and others, masters or owners, or having the conduct of any fishing vessel, to enter their vessels with the searcher at *Gravesend*, and to the payment of any fee to such searcher, and also to report the time of the arrival of such vessels at the *Nore* to such searcher, shall be Rep. 33 *G.* 2. *c.* 27. *s.* 1.

158. The high constable, petty constable, headborough, or tythingman of *Queenborough*, *Gravesend*, or any other towns being corporations, or of any county, city, or liberty, to whom warrant of distress is directed, may execute the same, in any part of the rivers *Medway* or *Thames*, or any creek thereof, between the *Nore* and the city of *Westminster*; and such warrant or other act of such mayors, recorders, aldermen, or justices, and the acts of the constable, &c. in obedience to such warrant, shall be as good in law as if the same were executed within the proper limits of their own jurisdiction, 29 *G.* 2. *c.* 39. *s.* 8. [*ss.* 9—13. inclusive seem to be Rep. by the effect of 30 *G.* 3. *c.* 54. *See s.* 14. *ante*, *pl.* 142.]

159. Such part of the penalties which by 22 *G.* 2. *c.* 49. are to be paid to the poor, shall be paid to the trustees mentioned in 22 *G.* 2. *c.* 49. *pl.* to the increase of the surplus of the toll and profits thereby appropriated to the putting out apprentices to fishermen, masters of ships, or other persons employed in the sea-service. And all the trustees under such act shall execute this, 29 *G.* 2. *c.* 39. *s.* 15.

160. The master, owner, chief officer, or mariner, who shall have the care of any vessel made use of for the catching or importing fish (*for the supply of London and Westminster*) shall within 3 days after its arrival at the *Nore* with any such fish, report the time of such arrival to the person who shall act as deputed clerk in the coast office, under the collector outward in the port of *London* at the custom house in *London*; who shall enter the same in a book, and shall give a certificate thereof if required to such master, &c.; and there shall be paid to such deputed clerk for entering such report, and giving a certificate 2*s.*, to be applied in manner following; *viz.* 6*d.* shall be retained by such deputed clerk, and 1*s.* 6*d.* shall be paid by such deputed clerk to the trustees of the fish market in *Westminster*, or such person as they or 5 of them shall by writing appoint; and the receipt of such person shall be a discharge to such deputed clerk: and the money received by such person shall be applied by such trustees to the like uses, as the money by the 29 *G.* 2. *c.* 49. to be paid them by the searchers at *Gravesend*, was directed to be applied, 33 *G.* 2. *c.* 27. *s.* 2.

161. If the master, &c. of any such fishing vessel shall not within 3 days next after his arrival at the *Nore* enter such fishing vessel with such deputed clerk at such coast office, then on information on oath before any justice of the counties of *Kent*, *Surrey*, *Essex*, or *Middlesex*, or of the cities of *London* or *Westminster*, or before the mayor, recorder, or aldermen acting as magistrates within the towns of *Queenborough* and *Gravesend*, or before the mayor, recorder, or aldermen of any other corporate town betwen *Queenborough* and *Gravesend*, and the city of *Westminster*; and on such master, &c. being convicted of having neglected to make such entry, either on confession or by the oath of one witness, the owner of every such fishing vessel shall forfeit 50*l.*, *id. s.* 3.

162. Every master, &c. shall, at the time of his making the report hereby required, give to such deputed clerk at such coast office, an account, either in writing or printed, of all fresh salmon, salmon trouts, turbots, and large fresh cod, and half fresh cod fish, haddock, scate fish, fresh ling, lobsters, soles, and whitings, brought alive to the *Nore* in such fishing vessel, upon pain that the owner of every such fishing vessel, whose master, &c. shall neglect to give such account, or shall give any false account, shall on such master, &c. being convicted either on confession or by the oath of one witness, before any such justice, forfeit 20*l.*; or if any such master, &c. or any person on board such fishing vessel, after her arrival at the *Nore*, shall wilfully destroy or throw away any fish, which such fishing vessel brought from the sea, that is not unwholesome or unmarketable, such master, &c. shall be committed to the house of correction to be kept to hard labour, for any time not exceeding 2 months, nor less than one month, *id. s.* 4.

163. All the above mentioned forfeitures shall be levied by warrant under hand and seal of any such justice of peace, by distress and sale of the goods of the owners of the fishing vessel, whose master, &c. shall be convicted of any such offence, or by distress and sale of the fishing vessel, or of any nets, tackle, or furniture belonging to such fishing vessel, with the costs of such distress and sale, *id. s.* 5.

164. The person who shall act as deputed clerk at such coast office, under the collector outward, shall receive at such office, every report of the time of the arrival of every such fishing vessel at the *Nore*, and enter the same in a book; and shall receive there every account of the

fresh salmon, salmon trout, turbot, and large fresh cod, and half fresh cod fish, haddock, scate fish, fresh ling, lobsters, soles, and whitings, brought in any such fishing vessel to the *Nore;* and shall with all convenient speed cause the same to be entered in a book; which book shall be kept at such office, and may be in office hours inspected by any person, 33 *G.* 2. *c.* 27. *s.* 6.

165. Such deputed clerk shall on *Monday*, *Wednesday*, and *Friday* in every week, return unto the mayor of *London* in *London*, and to such person as the trustees of the fish market at *Westm.* shall appoint in *Westm.*, and to the inspector at such place as such trustees shall by any writing appoint and give notice thereof to the deputed clerk, an account of the time when every fishing vessel shall have been entered at such coast office, as having arrived at the *Nore*, and also of the aforesaid fish entered there as brought to the *Nore;* upon pain that if such deputed clerk offend in the premises, and be convicted either on confession, or by the oath of one witness, before any such justice, he shall forfeit 5*l.*, *id. s.* 7.

166. No live salmon, salmon trout, turbot, large fresh cod, half fresh cod, haddock, scate, fresh ling, soles, or whitings, shall, after the arrival thereof at the *Nore*, be put into any well-boat or store-boat, out of any such fishing vessel in which brought to the *Nore*, upon pain that every person offending shall forfeit 20*l.*; and no such fish shall be unloaded out of any fishing vessel, unless by retail, into any other vessel after her arrival at the *Nore*, but into a vessel or boat employed to carry the fish directly to the market of *Billingsgate* or *West.;* and no such boat, after such fish put therein, shall loiter or keep from going on directly to the market to which such boat is appointed; and in case such boat remain above one tide with her fish in her way between the place of such taking in, and the market at *Billingsgate* or *West.*, or remain without delivering her fish there, at or before the next market, (accidents of winds and weather excepted,) every person acting contrary to such prohibitions, shall be committed to the house of correction, to be kept to hard labour for any time not exceeding two months, nor less than one, *id. s.* 8.

167. The inspector appointed under 29 *G.* 2. *c.* 39. *s.* 5. *pl.* 156. shall employ himself as such trustees shall direct, in examining whether the entries made at such coast office (and whereof copies shall be transmitted to him) were made within the time the same ought to have been, and according to the account transmitted from such coast office to such inspector, so as the better to discover and prevent the frauds designed to be remedied by that act and this act; and see that no fish be put in any store or well boats contrary to this act; and if any such inspector be negligent or wilfully misbehave himself, he shall, on conviction, either by confession, or on oath of one witness before any such justice, forfeit for such neglect or misbehaviour 20*l.*, *id. s.* 9.

168. No person who shall sell or be concerned in the sale of any fresh fish by commission, shall directly or indirectly buy any fresh fish to sell again for his own separate account or for the joint account of himself and any other person; and if any person offend herein and be convicted either by confession or by oath of one witness by any such justice, he shall forfeit 50*l.*, *id. s.* 10.

169. Bret, turbot, brill, or pearl, although under the dimensions in 1 *G.* 1. *c.* 18. *s.* 7. *pl.* 73. mentioned, may be exposed to sale in *Eng.* at 8*d. per lb.*, *id. s.* 11. [*See this section at length, ante, pl.* 74.]

170. No person shall sell or expose to sale, at first hand, at any fish-market within the weekly bills of mortality, or within 150 yards of any such fish-market, during market hours, any fresh salmon, salmon trout, turbot, large fresh cod-fish or half fresh cod-fish, haddock, scate-fish, ling, lobsters, soles, or whitings, before he has first placed up over the bench at which he exposes his fish to sale, a true account, either wrote or printed, of all fresh salmon, &c. which he has to sell, distinguishing the several sorts of all such fish, and the quantity thereof. And if, before the fish-market is ended, any other fresh salmon, &c. is brought to such salesman to sell, he shall add the same to such account, and shall take care that such account shall continue up where first placed, until all the fish specified therein is sold, or the market is over, without being defaced, on pain that every one who shall offend in the premises, or who shall wilfully take down or deface any such account, and shall be convicted of any such offences (other than the taking down or defacing such account), either by confession or on the oath of one witness, before any such justice, shall forfeit 10*l.* And every person who shall be so convicted of taking down or defacing such account, shall forfeit 40*s.*, *id. s.* 12.

171. No person shall take or destroy, or knowingly have in his possession, either on the water or on shore, or bring to shore, or cry, carry about, or expose to sale, or exchange for any goods, any spawn, fry, or brood of fish, or any unsizeable fish, or fish out of season, or any smelt not full 5 inches in length from the nose to the utmost extent of the tail; and if any offend, any person may seize all such spawn or unsizeable fish, &c. wherever found, with all baskets and package in which found, and charge a constable or other peace officer with such offender; and after seizure made, the spawn or fish with the baskets shall be delivered to some constable or peace officer, who shall carry such offender, and such spawn or fish, with the baskets, &c. before some justice, to be dealt with according to law; and on conviction such offender shall forfeit all such spawn, fry, or brood of fish, unsizeable fish, and fish out of season, and every smelt of less size than 5 inches so seized, with all baskets or package in which seized; and all such spawn, or unsizeable fish, &c. with the package, shall, by order of the justice, be delivered to the person who seized the same; and every offender convicted shall besides forfeit for every such offence 20*s.*, 33 *G.* 2. *c.* 27. *s.* 13. [See as to the preservation of the small fry, 1 *El. c.* 17. *pl.* 22. &c.]

172. The under water-bailiff and the officers of the city of *London* called *the yeomen of the waterside*, shall take care that the provisions hereby made concerning the sale of fresh fish at *Billingsgate*, and for punishing persons who shall have there any spawn, brood, or fry of fish, or unsizeable fish, or fish out of season, or smelts of less size than 5 inches, be carried into execution; and shall take care that the provisions made by 9 *A. c.* 20. (local) against regrating of fish at the market of *Billingsgate*, or within 150 yards of *Billingsgate* dock be observed; and lay information from time to time before some justice of peace of the city of *London*, against every person whom such under-bailiff, or any yeoman of the waterside at any time finds to offend: and the persons appointed by the trustees to supervise the fish-market of the city of *Westm.* shall take care that the provisions hereby made concerning the sale of fresh fish in the fish-market at *Westm.*, and for punishing persons who have there any spawn, brood, or fry of fish, or unsizeable fish, &c., be carried into execution: and if the under water-bailiff, or any yeoman of the waterside of the city of *London*, or person appointed to supervise the fish-market of *Westm.*, be negligent, or offend in the premises, and be convicted, either on confession or by the oath of one witness, before any justice within whose jurisdiction any such neglect or offence is committed, every such offender shall forfeit 5*l. id. s.* 14. [See as to *Billingsgate* market *ante*, *pl.* 131, &c.]

173. Any such justice of peace within his jurisdiction shall on application grant his warrant, under hand and seal, to levy any money forfeited by this act, on the conviction of any offender, by distress and sale of his goods, with the costs of distress and sale (except in the cases before provided to charge the owners of such fishing vessels), and one moiety of all the money forfeited for any offence against this act (the application whereof is not before appropriated) shall be paid to the person who prosecutes, and the other, except where the conviction is for any offence in the city of *Westmr.*, or for not making the entry at the coast office at the time of the arrival of any such fishing vessel at the *Nore*, shall be paid to the use of the poor of the parish in which the offence is committed; and where any conviction is for any offence in the city of *Westmr.*, or for not reporting the time of the arrival of any such fishing vessel, the other moiety of the money forfeited shall be paid to the trustees appointed to put the recited acts in execution, to be placed to the general account of surplus of profits arising from the fish-market in *Westm.*, and to be appropriated as the said surplus in the 22 *G.* 2. *c.* 49. *s.* 7., is directed: and if sufficient distress cannot be found, every such offender shall by warrant of one justice, directed to some peace officer, be committed to some house of correction of the county or place where apprehended, to be kept to hard labour for any time not exceeding three months, unless the money forfeited be sooner paid, *id. s.* 15.

174. No person shall be punished for any offence against this act, unless a prosecution be commenced within two months after such offence, or who has been punished for such offence under any other law; and where any person is committed to any house of correction for default of payment, or for want of sufficient distress, and remains there during the time for which he is committed, no such person shall be liable afterwards to be prosecuted again for non-payment of such money forfeited. And any person inhabiting any parish in which any offence against this act is committed shall be a competent witness, *id. s.* 16.

175. Any justice before whom any offender is convicted may mitigate any of such penalties under 5*l.* not above one half; and such mitigation shall be a discharge to the person offending in so much, *id. s.* 17.

176. The justice shall cause such conviction to be drawn up in the form following:

'—— *to wit,* { Be it remembered, that on this — day of — in the — year of the reign of — *A. B.* is convicted before — of his Majesty's justices of the peace for the county of — or city of — or corporation of — [*as the case shall be*] for — and — do adjudge him, her, or them, [*as the case shall be*] to pay and forfeit the sum of —.' Given under our hands and seals [*or* my hand and seal] the day and year abovesaid, *id. s.* 18.

177. Any person aggrieved by the conviction of any justice against this act, or 29 *G.* 2. *c.* 39., may appeal to the next general or quarter sessions, first entering into a recognizance of double the sum forfeited before such justice, to prosecute such appeal with effect, and abide by the order made thereon, and giving 8 days notice in writing of intention to appeal to the party on whose prosecution such conviction was made; and the justices in their next general or quarter sessions after such

appeal made, shall determine such appeal, and make such order, and award such costs as seems reasonable; and levy by their order or warrant the costs, with such money as they adjudge forfeited, by distress and sale of goods of the party refusing to pay the same; and for want of distress may commit the party to the common gaol of the county, city, or place, in which he is apprehended, to be kept to hard labour for six months, unless the money adjudged forfeited, as well as the costs, be sooner paid; and such order of such sessions shall be final. And no proceedings of any justices out of or in session shall be removable by *certiorari*, or otherwise, 33 *G.*2. *c.*27. *s.*19.

178. All actions against any person for any thing done under these acts shall be commenced within 6 months after the fact committed, and shall be laid in the county or place where the offence was done, and the defendant may plead the general issue, and give these acts and the special matter in evidence, and that the same was done in pursuance hereof; and if it appear to have been so done, or that such action was brought after the time limited, the jury shall find for the defendants; and on such verdict, or if the plaintiff is nonsuited, or discontinues after appearance, or has judgment on demurrer against him, the defendant shall have treble costs, with the usual remedy to recover the same. 22 *G.*2. *c.*49. *s.*20., 29 *G.*9. *c.*39. *s.*16., 33 *G.*2. *c.*27. *s.*20.

179. "Whereas certain trustees were appointed by 22 *G.*2. *c.*49. *pl.*144. to establish a free fish-market in *Westmr.*, and certain duties were granted to them, and a piece of ground conveyed to them to build a market on: and whereas by 33 *G.*2. *c.*27. certain duties were granted upon all fishing vessels coming to the *Nore;* and whereas the trustees were NOT ABLE to establish such market, and the trustees are now possessed of 4200*l.* 3 *per cent.* consols," IT IS ENACTED, that such trustees shall, before 9*th Sept.* 1790, cause such stock to be transferred to the Marine Society, and pay to such society all money in the hands of their treasurer, or to which they are entitled; and after such transfer made, all the estate, &c. of such, in ground belonging to such trustees, situate near *Westm.* bridge, and which was conveyed to them by the commissioners for building such bridge, under 22 *G.*2. *c.*49. *s.*13., and such duties, shall be vested in such society, which money and other property shall be transferred to such society for the purposes following, *viz.* such 4200*l.* and the dividends thereof, and rent reserved in the lease of such ground, and other money, except the produce of such duties, shall be applied to the purposes of such society; and such duties shall be applied in binding apprentices to fishermen, or in time of war towards fitting out boys for the navy; and such society shall have like powers for appointing an inspector of the fishing vessels coming to the *Nore*, and of obtaining payment of such duties as such trustees had, 30 *G.*3. *c.*54. *s.*1. [*See the ground*, applied to a corn market, 31 *G.*2. *c.*25. *s.*22.]

180. After such transfer the powers of such trustees shall cease, and all penalties &c. payable to them shall belong to such society and be paid to persons by them appointed, *id. s.*2.

FISHERY (*BRITISH*).

1. FOR ALLOWING UNTIL 15*th Oct.* 1801, THE USE OF SALT duty free in preserving fish in bulk or barrels: *for* protecting persons engaged in such fisheries from being impressed: *for* discontinuing the bounty on herrings exported, and allowing a bounty on pilchards now cured, whether exported, or sold for home consumption, 41 *G.*3. (*G. B.*) *c.*21. 42 *G.*3. *c.*3., 43 *G.*3. *c.*29., 44 *G.*3. *c.*35. *s.*4. ALL EXP. [*See as to the* impressment of fishermen, 50 *G.*3. *c.*108. FISH, &c. *pl.*109.]

2. FOR THE REGULATION OF THE FISHERIES, 15 *C.*2. *c.*16.

3. No vessel shall proceed on a fishing voyage to *Island* [*Qu. Iceland?*] and *Westmoncy*, out of any port in *Eng.*, or *Wa.*, or *Ber.* until 10*th March* in each year, on pain to forfeit such vessel, with all her tackle, &c. and the fish caught in such vessel, *id. s.*1 [*See the rest of this act*, FISHERIES (*HERRING*), *pl.* 74—75., *and* (*Newfoundland*), *pl.*202.]

4. FOR ALLOWING A DRAWBACK ON THE EXPORTATION of salt to be made use of for the curing of fish to be taken at the *North Seas* or *Iceland*, 12 *A. S.*2. *c.*2. [*Qu.* REP. since the repeal of all excise drawbacks by 43 *G.*3. *c.*69. *s.*1.; see also schedule of that act, *tit.* DRAWBACK (*Salt*); and see also, as to exporting salt to the *Iceland* and *North Sea* fishery, 25 *G.*3. *c.*65., *post*, *pl.* 51, &c.]

5. The master of any boat or vessel bound on a fishing voyage to the *North Seas* or *Iceland*, may take on board, in any port in *G. B.*, any quantities of *British* salt, he paying or giving security to pay the duties, which money shall be repaid, or the security discharged, as follows, 12 *A. S.*2. *c.*2. *s.*1.

6. The officer of the place where such salt was made, and duties thereof paid or secured, shall, on demand, deliver gratis to such master a certificate, under his hand and seal, of the quantity of salt shipped on board his vessel for the *North Seas* or *Iceland*, and that the duties have been paid or secured, *id. s.*2.

7. Cod-fish, ling, or hake, which have been caught and cured at the *North Seas* or *Iceland*, may be imported and landed, so as oath be first made by the owner thereof, or the master of the vessel, before the officer of the duties at the port of importation, (who shall administer the same without fee,) that all fish so imported came from the *North Seas* or *Iceland*, and were caught and cured there, and so as such fish be when landed, and before removed from the shore, tendered to such officer, to have part of the tail cut off, that no allowance may be made on exportation, and such officer shall cut off the tail accordingly; and in case any such fish is landed and removed before the tail is so cut off, the same shall be forfeited, and double the value thereof, to be recovered of the importers or proprietor thereof, 12 *A. S.*2. *c.*2. *s.*3.

8. If any of the salt so used in drying fish shall remain, such foul salt shall be thrown overboard in the presence of the salt-duty officer, before the collector shall sign his certificate, *id. s.*4.

9. If it happens that any salt so taken on board shall not be used, the master may land the same, so as entry be made thereof within 10 days after his coming into any port in *G. B.* he shall first arrive at, and the duties paid down before such salt or any part thereof is landed; and if such master shall neglect to enter such salt, and pay down the duties within such 10 days, (except in case of stress of weather, or contrary winds, or other unavoidable necessity,) such salt, and double the value thereof, shall be forfeited, and be recovered of the owner of such fish or the master for that voyage, *id. s.*5.

10. The master of such boat or vessel, on producing to the collector of the salt duties for the port of importation such certificate, as in *s.*2., *pl.*6. and making oath before him of the quantity of the salt in the certificate mentioned that was used in curing of cod-fish, ling, or hake, caught and cured at the *North Seas* or *Iceland*, and that such fish have been marked as in *s.*3. *pl.*7. (which oath such collector shall administer without fee,) shall receive gratis from such collector a certificate of the same, which together with a certificate of the payment of the duty on the residue of such salt, if any, (which certificate shall also be given gratis,) being produced to the collector of salt duties for the place where the duties were paid or secured, such security shall be discharged, and all sums paid for such duty be repaid by such collector without fee, *id. s.*6.

11. If the master of any such vessel has taken any quantity of *British* salt for curing fish as aforesaid, the duties whereon have been paid or secured, and if the vessel in which such salt was shipped shall either perish at sea or be taken by the enemy, with such salt on board, the owner thereof shall, on proof made before the justices at quarter sessions for the county or town wherein he inhabits, of the loss of such salt, receive from such sessions a certificate that such proof was made, and on producing the same to the officer of the place where the duties were paid or secured, such security shall be discharged, and the money actually paid for the duty repaid on demand by such officer, without fee, provided such proof is made within 9 months after such loss or taking, *id. s.*7.

12. All penalties given by this or any former act relating to the duties of excise on salt, shall be distributed as follows, *viz.* one moiety to H. M. and the other to the seizing officer, to be sued for, recovered and levied, and mitigated as any fine or penalty may be by any law of excise, or by action of debt, &c. or information, in the courts of record at *Westminster*, and all officers of such duties on salt may seize all salt or other things, which by this or any former law relating to salt are declared to be forfeited, *id. s.*8.

13. Every person sued for any thing done under this act, or any other statute relating to the excise duties upon salt, or the powers thereby given, may plead the general issue, and give this act and the special matter in evidence, and if a verdict shall pass for the defendant, or if the plaintiff is nonsuited, or discontinues, or forbears prosecuting such actions, defendant shall have double costs, with the usual remedy to recover the same, *id. s.*9.

14. FOR RECOVERING THE CREDIT OF THE BRITISH FISHERIES in foreign parts, 5 *G.*1. *c.*18. *ss.*6—10. 12—16. [AMD. 26 *G.*3. *c.*81. *s.*16.]

15. Certain bounties on fish exported granted, [but all bounties payable out of the excise REP., 43 *G.*3. *c.*69. *s.*1., and others granted by *sched.* C. of the same act, and see now 1 *G.*4. *c.*103., *post*, *pl.*64.] the same to be paid by the officer of the salt duties in the port whence such fish are exported within 30 days after demand on a debenture, to be prepared by the collector of the customs in such port, and verified by the searcher there, as to the quantity actually shipped, and the oath of the exporter or agent shall be first taken before the principal officers of such port before the debenture is allowed, (who shall give such oath,) that the fish in the debenture mentioned were *British* taken, and really exported to or for parts beyond the seas, and not relanded or intended so to be in *G. B.*, and for which debenture no fee shall be taken; and in case such officer has no money in his hands to pay the same, then on a certificate thereof by him made, which shall be granted *gratis*, the commissioners of excise shall pay such debenture out of the money arising by salt duties, and such debentures for fish exported from *Scot.* shall be paid by the commissioners of customs or excise there, at the option of the merchant, in the same way as fish debentures now are, and any offi-

cer neglecting to pay such money, or give such certificate, shall forfeit double the sum to the party grieved, to be recovered by action of debt, &c. or information, wherein no essoin, &c. allowed, and the officers of the salt duties upon the exportation of any cod, ling, or hake, and before the same is laid on board for exportation, shall cut off part of the tail of such cod, &c. that the same may be known to have been exported, and also on the exportation of pilchards, scads, white or red herrings, salmon, or dried red sprats, and before the same is laid on board for exportation, shall mark the cask containing the same for the like purpose, and in case any such fish shall, after exportation, be fraudulently relanded in *G. B.*, or reimported, the same shall be forfeited, with double the value, to be recovered of the importer or proprietor thereof, and no allowance shall be paid on the exportation of fish not well cured, or which is unmerchantable, 5 *G.* 1. *c.* 18. *s.* 6. [haberdine and dried cod to have the same bounty, 26 *G.* 3. *c.* 81. *s.* 16., which is EXP. with the bounty hereby granted.]

16. The officers for the duties on salt, at all times when the fish are curing, bulking, or packing, and all other times by day, (or by night in the presence of a peace officer,) may enter into the cellars and warehouses of curers of fish and gauge the salt, and mark the casks wherein the fish are put up for exportation, and see them exported, and all persons obstructing such officers in performance of their duties shall forfeit 20*l.*, *id. s.* 7.

17. Where any fish entitled to any premium upon exportation shall be loaden for exportation, and duly entered and past by the proper officer, and such fish shall be lost or spoiled before the ship's proceeding on her voyage, then the proper officer at the port where such fish was so spoiled or entered, shall, on due proof made on oath before the chief officers of such port, who shall administer the same, by the proprietors thereof or their agents, make out a debenture for the bounty as if such fish had been actually exported; provided such fish was sunk in the sea or port where the ship was lost or destroyed, in the sight of such officer where any of such fish came ashore, and that no use be made thereof, and such officer shall cause such fish to be burnt or destroyed, *id. s.* 8.

18. If any red herrings or sprats shall, during the time of drying or curing be burnt, by which means the same are rendered unfit for use, in such case, the quantity thereof shall be computed by the proprietors in conjunction with the proper salt officer of the port, which computation so made and added to the account given in of the quantity of herrings or sprats exported or shipped for exportation, shall be accepted by the salt officer in the same way as if such herrings had been really exported, *id. s.* 10.

19. The contents of an herring and salmon barrel shall be the same throughout *G. B.*, *viz.* the herring barrel shall contain 32 and the salmon barrel 42 gallons, and all exportation of salmon or herrings in barrels of a different size, shall be deemed unlawful, and not entitle the exporter to any premium in respect thereof, *id. s.* 15.

20. Herrings and salmons may be exported in half-barrels, according to the proportions in *s.* 15. mentioned, but in no others; and the exporters thereof shall be entitled to a proportionable premium or drawback for every such half-barrel, *id. s.* 16.

21. SUCH BOUNTIES AS SHALL BE PAYABLE FOR FISH CURED in and exported from *Eng.*, *Wa.*, or *Ber.*, shall be payable out of the salt duties in the hands of the collectors at the port from whence such fish are exported, or in default thereof, out of the money in the hands of the collector of customs out of which the corn bounties are payable; and in case such officers have no money in their hands, whereby to answer such bounties, such collector shall give to the exporter without fee, a certificate under his hand, attested by the comptroller of the same port, of what is due for fish so exported, certifying to the commissioners of customs in *London* that he has not money sufficient to pay the same, which certificate being affixed to the debenture, and being produced to the commissioners at *London*, they shall cause the money to be paid within 3 months by the receiver-general or cashier of the customs without fee, out of the duties on foreign salt, or out of the money chargeable with the payment of the bounty on the exportation of corn; and as to the bounties payable on fish cured in and exported from *Scot.*, the same shall continue payable as heretofore, 3 *G.* 2. *c.* 20. *s.* 9.

22. FOR THE MORE EFFECTUAL ENCOURAGEMENT OF THE *British* fisheries, 26 *G.* 3. *c.* 81. [EXT. 27 *G.* 3. *c.* 10. (*which is* EXP.) CON. *and* AMD. 35 *G.* 3. *c.* 56. *ss.* 7—12., *which is* CON. 38 *G.* 3. *c.* 58., 39 *G.* 3. *c.* 100. *s.* 1., 39 & 40 *G.* 3. *c.* 85., (*which is in part* REP. *and these acts* CON. 41 *G.* 3. U.K. *c.* 97. *s.* 7.), *and further* CON. 42 *G.* 3. *c.* 79. *ss.* 1—3., 44 *G.* 3. *c.* 86., 46 *G.* 3. *c.* 34., 47 *G.* 3. *S.* 2. *c.* 51., 48 *G.* 3. *c.* 86. *and until* 25*th Mar.* 1811, 50 *G.* 3. *c.* 54.; *all which continuing acts are now* EXP. *The* 26 *G.* 3. *c.* 81. *ss.* 1—14. 16. *are also* EXP.] [NOTE. There is much doubt whether any part of these acts are in force or expired; but the bounties granted by them are expired, as they have not been continued since the 50 *G.* 3. *c.* 54. There is no clause providing for the expiration of these acts, other than that wherein the bounties are granted for a limited term; it would therefore seem, that all these acts are expired, as far as they relate to such bounties, and in force as to the residue, on which principle they here follow analyzed and digested.]

23. All duties now payable in respect of such herrings, cod, ling, hake, and salmon, and other white fish, caught and cured by *British* subjects, as shall be removed for home consumption, (except such equalizing duties as are hereby granted on salmon, &c. cured with salt, for which the duty has been paid) shall cease, 26 *G.* 3. *c.* 81. *s.* 15. [*all fish of* British taking may be imported duty free, *see* 59 *G.* 3. *c.* 52. *s.* 37. FISH, &c. *pl.* 37.]

24. On all barrels or casks in which any fish, except fresh fish, shall be packed, for exportation or home consumption, the names of the owners shall be branded, on pain that every such barrel, &c. not so branded, may be seized by any officer of customs, and on due proof of the fact, on oath, before one justice of peace, such barrel, &c. and the fish therein shall be forfeited, 26 *G.* 3. *c.* 81. *s.* 17.

25. The staves of every barrel in which any white herrings or wet white fish shall be packed for exportation, shall be not less than half an inch thick at the bulge, and such barrels shall be full bound, on like pain in case of neglect, as in *s.* 17. aforesaid, *id. s.* 18.

26. Every person who shall for 7 successive years follow the occupation of a seaman or fisherman, on board any vessel employed in the *British* fisheries, (being a married man,) may set up and exercise such trade as he is apt for, in any town within *G. B.* without any hindrance for the same, under the like regulations, and with like exception in favour of the two universities, as any marine or soldier under 22 *G.* 2. *c.* 44. *s.* 4. (POOR) may do, *id. s.* 19.

27. Any person may carry from one port of *G. B.* to another port of the same, for home consumption, any red herrings, or white herrings, or any salmon, cod, ling, tusk, or other white fish cured with *British* salt, *id. s.* 20.

28. Duties laid on importation of salmon, &c. cured with *Scotch* salt, into *Eng.* from *Scot.* by 29 *G.* 2. *c.* 23. shall be continued and extended to fish cured with salt made in any part of *G. B.*, *id. s.* 21. [Duties made to CEASE, 27 *G.* 3. *c.* 17., 43 *G.* 3. *c.* 68., 49 *G.* 3. *c.* 98., *and* 59 *G.* 3. *c.* 52.] and all fish of *British* taking may be imported duty free, 59 *G.* 3. *c.* 52. *s.* 37. FISH, &c. *pl.*

29. Any person may carry from one port of *G. B.* to another for exportation to foreign parts any red or white herrings, or any salmon, cod, or other white fish, the owner of the fish or master of the vessel making oath that the fish was caught in or on the coast of *G. B.*, and cured with salt delivered duty free, from some port of *G. B.*, and when, where, and to whom the same was so delivered, *id. s.* 22.

30. All such fish so brought coastwise, as in *s.* 22., shall be entitled to the same allowances as by 5 *G.* 1. *c.* 18. *s.* 6. granted on fish cured in *G. B.* on exportation, such fish and the owners thereof being subject to such rules and penalties, to prevent any relanding thereof, as by such act prescribed, for fish cured and exported from *G. B.*, *id. s.* 23. [*The allowances by* 5 *G.* 1. *c.* 18. *s.* 6. *granted*, are now REP. and others given by 43 *G.* 3. *c.* 69. *s.* 1. *and s.* 6.; *see also* as to cod, ling, and hake, 1 *G.* 4. *c.* 103. *s.* 1. *post*, *pl.* 65.]

31. The curers of herrings residing in *G. B.* may, during each season of the *British* fishery, carry coastwise in bulk, duty free, herrings, or cod, ling, hake, and salmon, actually taken in the herring fishery, that have been landed and deposited in any warehouse or store under the care of the salt officers, at any place of fishery on the *British* coasts, and there sprinkled with salt taken out of any warehouse under the revenue locks, for the uses of the *British* fishery, which salt was deposited during such fishery, in any store, &c. for the purpose only of sprinkling fish to preserve them until carried coastwise to that place in *G. B.* where they are to be entirely cured, provided it shall be expressed in the cocquet or other coast dispatch, that no bounty was paid or claimed on such fish previous to shipping the same to be carried coastwise, and such fish shall be subject to all the regulations and forfeitures now in force, for the security of the duties on salt, 35 *G.* 3. *c.* 56. *s.* 4.

32. No bounty on such exportation to foreign parts, as in *s.* 22. & 23. *pl.* 29—30., of any red or white herrings, salmon, cod, ling, tusk, or other white fish, so brought coastwise from any port in *Eng.* to any port in *Scot.* shall be paid in *Scot.*, but the chief officer of customs, or his deputy at the port of exportation to foreign parts, shall, on request of the persons exporting the same, and on oath made before such officer, (who shall administer the same,) of the shipping of such fish, and its not being re-landed in *G. B.* give a debenture under his hand, without delay or fee, for the payment of such bounties, which debenture being produced to the commissioners of customs in *Eng.* shall entitle such exporter or his assigns to the payment of the bounties by 5 *G.* 1. *c.* 18. *s.* 6. *pl.* 15. [and see now *pl.* 67.] granted, and such commissioners shall pay the same, regard being had to the priority of the dates of such debentures, 26 *G.* 3. *c.* 81. *s.* 24.

33. No bounty on such re-exportation, as of any red or white herrings, &c. so carried coastwise from any port in *Scot.* to any port in *Eng.* shall be paid in *Eng.*, but the chief officer of customs, or his deputy at the port of exportation to foreign parts, shall, on the request of the exporter, and on oath made before him (who shall administer the same) of the shipping of the same, and its not being relanded in

G. B., give a debenture under his hand, without delay or fee, for the payment of such bounties, which debenture being produced to the commissioners of customs or excise (at the option of the importer or his assigns) in *Scot.*, shall entitle the exporter or his assigns to the bounties by 5 *G.* 1. *c.* 18. *s.* 6. [*pl.* 15., *see now pl.* 67.] granted, and such commissioners shall pay the same, due regard being had to the priority of dates of the such debentures, 26 *G* 3. *c.* 81. *s.* 25.

34. The proprietor of such red or white herrings, salmon, cod, &c. (as in *s.* 24.) as shall be put on board any vessel in any port in *G. B.*, to be transported to any other port in *G. B.*, whether for home consumption or exportation to foreign parts, or his agents, shall, before such vessel shall depart from the port where shipped, make a full entry with the collector or other principal officer of customs there, of the fish so shipped, expressing the number of barrels of wet fish, with the marks and numbers thereof, and the number and weight of each species of dry fish; and declare on oath, that such fish were cured in *G. B.*, or on the coast thereof; and whether cured with salt, delivered duty free, or with salt, for which the duty payable has been paid or secured, and that the salt used in curing such fish was taken on board from some port in *G. B.*, and when and where it was so taken, and that no drawback for the same hath been had, or is intended to be had on the exportation of such salt; which oath such collector or other principal officer of the customs or his deputy shall administer, and shall grant to the master of such vessel, without delay or fee, a certificate or cocquet under his hand, that such entry and oaths have been made; and the master of the vessel wherein such fish were shipped to be carried coastwise, or the proprietor of such fish or his agent, shall, before landing such fish or putting it on board of any other ship in any port of *G. B.*, deliver such certificate or cocquet to the proper officer of customs at the port of importation, or where put on board any other ship, on pain, to forfeit all such fish so imported contrary to this act, and also double the value thereof, together with the casks in which found; the same to be recovered of the importer or proprietor of the fish, or the master of the importing vessel; and all officers of the customs and salt duties may seize all such herrings, cod, &c. imported or put on board any other ship contrary hereto, *id. s.* 26.

35. No officer of customs shall demand or accept any fee or perquisite for any transaction relative to any boat employed in the fisheries, or in the transportation from one place to another of fish or salt for the use of the fisheries, or on account of the payment of any bounty or debenture on fish, on pain, on being convicted, to forfeit treble the value of the sum received, and to be forthwith discharged from his office in H. M.'s customs, *id. s.* 32.

36. The commissioners of customs may add to the salaries of the customs officers in recompence of the fees by *s.* 32. abolished, *id. s.* 38.

37. Every person who shall presume to counterfeit, erase, or alter any certificate debenture, or cocquet by this act directed to be made, or shall use the same, knowing it to be so counterfeited, erased, or altered, shall be liable to the same punishment as in cases of forgery, *id. s.* 39.

38. Every person who, in making any oath thereby required, shall wilfully swear any thing, which if sworn in any court would amount to perjury, shall suffer as a person guilty of wilful perjury, *id. s.* 40.

39. All penalties and forfeitures hereby given shall be distributed as follows: *viz.*, one moiety to H. M., and the other to any person who shall seize, inform, or sue for the same; and shall be sued for, recovered, levied, prosecuted, and determined by bill or information in any court of record at *Westminster*, or in the court of exchequer in *Scot.*, wherein no essoin, &c., or more than one imparlance shall be allowed, *id. s.* 41.

40. All persons sued for any thing done under this act may plead the general issue, and give this act and the special matter in evidence; and if the defendant gets a verdict, or if the plaintiff is nonsuited, discontinues or forbears prosecution, the defendant shall have double costs, with the usual remedy to recover the same, *id. s.* 42.

41. The penalties by 9 *G.* 2. *c.* 33. (Fish, &c. *pl.* 63—64.) imposed, may be recovered before any 2 justices of any county or place, on due proof of the offence, by oath of one witness, or by confession; and such penalties shall go to the informer, and if not paid, the same, with the incidental charges shall be levied by distress and sale of goods, by warrant under hand and seal of the convicting justices; and for want of such distress, the offender may be sent to the county-gaol for one year, without bail, unless the penalty be sooner paid, 26 *G.* 3. *c.* 81. *s.* 46. [*Qu. if the following* sections relate to 9 *G.* 2. *c.* 33. *only*, or to the 26 *G.* 3. *c.* 81. *also?*]

42. The justices before whom such offender is convicted shall, immediately on such conviction, order the offender into custody, (if the penalty, is not paid) during such time, not exceeding 48 hours, as such justices shall allow for the return of the warrant of distress, *id. s.* 47.

43. If it appears to the justice, before whom any offender is convicted either by confession or witness, that such party hath no goods to answer the penalty by him incurred, such justice may, without issuing any warrant of distress, commit such party, as if such had issued, and *nulla bona* was returned thereon, 26 *G.* 3. *c.* 81. *s.* 48.

44. If such offender shall, before his actual commitment, procure security to be given by 2 sureties, to satisfaction of the convicting justices, for payment of the penalty incurred and costs within 14 days, exclusive of the day of conviction, such justices may accept the same, and on non-payment thereof at the time stipulated, they may cause such offender and his sureties to be apprehended by warrant, and commit them to prison for the county, for the time that such offender would have been liable to in case no security had been given, unless such penalty is sooner paid, *id. s.* 49.

45. Parties aggrieved by judgment of such justices may, within 3 calendar months next ensuing, appeal to the general or quarter sessions for the county or place, on giving six days' notice to the informer of such his intention and of the matter thereof, and shall with 2 sureties enter into recognizance before some justice of the same county, &c. to appear and prosecute such appeal, and abide the order of the court, and to pay the costs awarded, and such court shall finally determine the matter; and if the conviction appealed against is confirmed, the appellant shall pay double costs to the informer, to be ascertained by order of such court, *id. s.* 50.

46. Provided, that if the appellant shall pay the penalty into the hands of such justices by way of deposit, or shall be then imprisoned, such appeal may be had within such time, on his entering into such recognizances (without such sureties) and remaining in prison in the mean time, or depositing such penalty with such justices, until the merits of the appeal is determined, *id. s.* 51.

47. No such conviction or judgment shall be set aside by such sessions for want of form, or through mis-stating of any fact therein alleged, provided the material facts alleged, and on which the same is grounded, are proved; nor shall such conviction or judgment, or any proceeding of such court be removeable by *certiorari* or otherwise into the courts at *Westminster*, *id. s.* 52.

48. Every prosecution under this act for any offence against 1 *G.* 1. *st.* 2. *c.* 18. and 9 *G.* 2. *c.* 33., (Fish, &c. *pl.* 60—64.) shall be commenced within 12 calendar months after the offence done, *id. s.* 53.

49. This act shall not alter, repeal, or affect any act now in force, or take away any of the authorities, &c. by them given for settling or regulating the fitting out any fishery, or the busses employed therein, or in cellaring, &c. any salt, or curing fish, or paying bounties, save only where hereby expressly altered; but the same and all the rules, penalties, &c. therein contained, shall continue in force, 26 *G.* 3. *c.* 81. *s.* 54.

50. The inhabitants of the *United Provinces*, *during the continuance of this act*, employed in the herring fishery, &c. coming to reside in this kingdom, may import fish duty free, 35 *G.* 3. *c.* 56. *ss.* 7—12. [*semb.* Exp.]

51. For the further encouragement of the *British* fisheries, 25 *G.* 3. *c.* 65. [*ss.* 1—3. 6. Exp. *See the drawback* allowed on salt exported to the Iceland and North Sea fisheries, 12 *A. S.* 2. *c.* 2. *ante*, *pl.* 4.]

52. In case the crew of any buss employed in the white herring fishery, shall catch any cod, ling, or hake, the same may be cured with the salt on board such vessel, for which they shall be entitled to the same allowance, [*the allowance* here mentioned being Exp. *Qu.* is this section Exp. also?] as if it had been consumed in curing herrings, but no bounty shall be allowed on the exportation of such cod, &c.: and to that intent the same shall, before removed from the shore, have part of the tail cut off in the presence of the collector, and such collector shall cut off part of the tail; and if any cod is landed or removed from the shore before the same is so marked, it shall be forfeited with double the value of the fish, to be recovered of the importer, or the proprietor, or master of the vessel, 25 *G.* 3. *c.* 65. *s.* 4. [*see* 55 *G.* 3. *c.* 94. *s.* 7. *post*, *pl.* Fishery (*Herring*).]

53. The owners or chief officers of any decked busses or vessels employed in such fishery, may purchase in any part of the seas, any quantity of fresh herrings, cod, ling, or hake, from any boat belonging to *British* subjects, and ship what they catch, as well as what they so buy on board any other *British* vessel, and the same may be landed at any port in *G. B.* from out of such last mentioned vessels, in the same way as out of the vessels from which so shipped, oath being made by the owner or chief officer of such vessel before the collector, specifying the sorts and the quantities of each sort of fish, with the name of the vessel from which shipped, and the chief officer thereof, and of the port from whence such vessel was cleared, and also that such fish were according to the best of his knowledge caught and salted, or caught and cured, as the case may be, by *British* subjects; and the collector, &c. of the port where such fish are entered and landed, shall on demand deliver *gratis* to the owners of such fish a certificate under his hand and seal, specifying the particulars of the same, and the salting and curing thereof, which certificate shall be proof of the consumption of the salt used in the salting or curing of such fish, 25 *G.* 3. *c.* 65. *s.* 5. [*see the preceding section.*]

54. The master of any boat or vessel bound on a fishing voyage to the *North Seas* and *Iceland*, may take from any salt works or pits any quantity of *British* salt for curing fish, without paying any duty for the same, such salt being weighed at such works in the presence of an officer of salt duties, and lodged in a warehouse under the key of such officer and the proprietor, there to remain in their joint custody until put on board such vessel, and on the return of such vessel the salt not used shall be again lodged under like custody, the proprietor or his agent making entry at the next office for salt duties of the quantity so lodged, and such officer keeping an account of each quantity of salt so entered and lodged in his custody; and previous to such voyage the proprietors of such salt, or their agent, shall make oath in writing before such officer, declaring the quantity of the salt so lodged, and that it is intended to be used in curing fish caught at the *North Seas* or *Iceland*, and shall not by his connivance be sold, given away, or any way delivered but for such purpose; and after such oath so made, such officer shall deliver to such proprietors all such salt for curing fish to be taken during such voyage, and at the end of every fishing voyage such officer shall take an account of the quantity of salt remaining on hand, which shall then be locked up in the joint custody of such officer and the proprietor or agent, who shall deliver an account in writing into the office for salt duties, specifying the quantity of fish entered at the port where the same was landed, in the curing which any of such salt has been used, together with a certificate (to be given gratis) from the officer of such port verifying such account, and such account shall be affirmed by the oath of such proprietor or agent, and shall remain in such office; and if any of such salt is delivered to another person to cure fish, the quantity so delivered shall be expressed in such account, and such person or his agent shall make another like account thereof on oath, which, together with such certificates, shall be transmitted to such office; and if any such proprietor or person shall neglect to deliver within 6 months after the end of each fishing voyage, such account so attested on oath, he shall forfeit 100*l.*, 25 *G.*3. *c.*65. *s.*7.

55. No part of such salt so shipped shall be afterwards re-shipped or delivered out at sea to any person, save only in the *North Seas* or *Iceland*, and to *British* subjects belonging to fishing vessels regularly cleared out of a *British* port; and so often as any salt is so delivered, the owner or master of the vessel from which the same is re-shipped, shall make and subscribe an oath before the comptroller of the port of outfit, specifying the quantity delivered, and the names of the vessels on board of which the same was shipped, and of the owners or masters thereof, and the place of her outfit, to the intent that if both vessels did not clear out from the same port, the comptroller of the one shall inform the comptroller of the other of the circumstances, and also that the masters and owners, through whose hands any of such salt passed, may be made to account on oath for the due consumption of the same in the salting and curing of fish, and the like rule shall be established for the due accounting for such salt, through whosesoever hands the same may pass at sea, *id. s.*8.

56. No bounty shall be paid on the exportation of any cod, ling, hake, or other fish imported into *G. B.* from *Iceland* or the *North Seas*, and all such cod, &c. so imported shall, on the landing thereof, and before the same is removed from the shore, have part of the tail cut off in the presence of the collector or comptroller, to shew that it is not entitled to bounty on exportation, *id. s.*9. [*see pl.* 52.]

57. When any salt has been so reshipped as in *pl.* 55. at sea, and the consumption thereof accounted for, the collector before whom the account was taken, shall grant a certificate of the same under his hand gratis, directed to the collector of the port at which such salt was originally shipped, which certificate being produced by the shipper, shall be admitted as proof of such consumption, and entitle him to credit for the same on his account; but it shall not be available for any salt pretended to have been reshipped or delivered over at sea, unless delivered to the comptroller of the port where originally shipped within 6 calendar months after the return of the vessel on board of which it was originally shipped, *id. s.*10.

58. For every bushel of salt taken out of the salt works or warehouse which shall not be accounted for as in *ss.* 7, 8. or 10. *pl.* 54, 55. 57., or by certificate of the justices at quarter sessions, that proof was there made that such salt was shipped for curing fish and was taken by enemies, or perished at sea, or shall not be returned into or found remaining at the end of each voyage in such warehouses, the proprietors thereof, or their agent who took out the same, shall, according to the quantities for which they are accountable, forfeit 20*s.*, and every person selling, giving away or using such salt, shall suffer these penalties, *viz.* every proprietor of such salt, or his agent, for every bushel thereof so sold, &c. shall forfeit 20*s.*; and every person buying, taking or using such salt, otherwise than for such purposes, shall forfeit 20*s.* for every bushel, and after that rate for a less quantity, *id. s.*11.

59. For every bushel of salt so lodged as in *s.*7. *pl.*54. which shall be carried away or found wanting at the re-delivery into the sole custody of the proprietor, after allowance for waste made, such proprietor shall forfeit 20*s.*, 25 *G.*3. *c.*65. *s.*12.

60. All persons who shall misapply or embezzle any *British* salt after weighed and carried from the salt works to be locked up, and before it is brought and locked up under such joint custody as in *s.*7. *pl.*54. shall forfeit 20*s.* for each bushel so misapplied, &c. reckoning 56 lbs. to the bushel, and so in proportion for a less quantity, *id. s.*13.

61. All penalties hereby given shall go in moieties to H.M. and the informer, and shall be sued for, recovered, levied and mitigated as excise penalties may be, or by action of debt, &c. or information in the courts at *Westminster*, *id. s.*14.

62. If any person shall be sued for any thing done under this act, he may plead the general issue, and give this act and the special matter in evidence; and if a verdict shall pass against the plaintiff, or if he is nonsuited, or discontinues, or forbears to prosecute, the defendant shall have double costs, with the usual remedy to recover the same, *id. s.*15.

63. All the powers of former acts made for regulating the fitting out of vessels for any fishery, or the clearance outwards or entry inwards, or the discharge of any fishing vessel, or in cellaring, securing, shipping, re-shipping or re-landing any salt to be used in salting, curing, landing, removing, marking or exporting any fish, or the payment of bounties, except where hereby expressly altered, shall be in force, *id. s.*16.

64. FOR THE FURTHER ENCOURAGEMENT AND IMPROVEMENT of the *British* fisheries, 1 *G.*4. *c.*105. [LAST CON. to the first session of parliament after 24th *July*, 1824. *See s.*7. *pl.*71.]

65. All bounties and allowances, and all drawbacks which, under any act in force before this act passed, were paid on dried or wet codfish, ling or hake cured in *G. B.*, shall cease, *id. s.*1.

66. A bounty of 50*s. per* ton shall be annually paid out of the excise in *Eng.* and *Scot.* to the owners of all decked or half-decked vessels of not less than 15 tons burden, or to the persons chartering such vessels, which shall be fitted out from any port in *G. B.* for fishing and curing fish in the *British* fisheries under the conditions hereafter mentioned, *id. s.*2.

67. No more than 20*s.* of such bounty shall be paid for any such vessel, unless it appear to the commissioners of the herring fishery [*see* 48 *G.*3. *c.*110. *post*, *pl.* 76.] that the fish was actually taken or bought by such vessel on the voyage for which she claims such bounty, and that the same was landed, well cured, in sound merchantable order in some port in *G. B.*, in which case, out of the residue of such 50*s.* bounty, the owner or master shall receive for every cwt. of well cured dried codfish, ling or hake, 4*s.* only, and for every barrel of such codfish, &c. cured with pickle, 2*s.* 6*d.* only: provided that no greater bounty shall be paid on any vessel than for 60 tons, let her admeasurement be what it may, nor shall there be paid on any vessel a greater bounty in the whole than 50*s. per* ton, including the before mentioned bounty of 20*s. per* ton, *id. s.*3.

68. There shall be paid to all persons residing in *G. B.*, who shall cure and dry cod-fish, ling or hake taken on the coasts of *G. B.*, *Ire.* or the *Isle of Man*, according to such rules as the commissioners of the herring fishery shall appoint, a bounty of 4*s. per* cwt. of all such dried cod-fish, &c. and to all such persons so residing, who shall cure cod-fish, &c. with pickle, a bounty of 2*s.* 6*d. per* barrel thereof: provided that such bounties shall not be paid on any fish in respect whereof any part of the tonnage bounty of 50*s.* has been paid, or is payable to the owner or master of any vessel fitted out for such bounty: provided also that such bounties of 4*s.* and 2*s.* 6*d.* shall not be paid, unless the inspector or other proper officer had inspected all such cod-fish, &c. and marked all such dried fish, and branded the casks of such pickled fish, and shall certify to such commissioners in writing that such cod, &c. are properly dried, pickled and packed, and made up for the home or foreign markets, *id. s.*4.

69. There shall be paid out of the excise in *Eng.* and *Scot.* a bounty of 3*l. per* ton for every ton of oil extracted from whales, and the like sum for every ton of oil extracted from other fish taken on the coast of *G. B.* and the *Isle of Man*, and manufactured therein; and a bounty of 4*l.* for every cwt. of whalefins, commonly called whalebone, taken on such coasts, and manufactured there, *id. s.*5.

70. The commissioners of the *British* herring fishery may make such rules for the payment of the bounties hereby granted in respect of such vessels, and of such cod, ling or hake, so cured and dried or pickled, and with respect to shipping salt for the fisheries and the exportation of such fish, as they think fit; and such regulations shall be as valid as if herein enacted, and be obeyed by the officers of such herring fishery, and all other persons concerned; and no bounty granted by this act shall be paid to any person, unless the same are complied with by the party claiming the bounty, and such commissioners where such rules, &c. have been complied with, may grant certificates under their hands, or the hands of three of them, of the bounty payable, either

for the tonnage or the quantity of fish cured and dried or pickled, and thereupon the commissioners of excise may direct such bounties to be paid, *id. s.* 6.

FISHERY (*HERRING*).

71. THE STATUTE OF HERRING, 31 *E.* 3. *S.* 2. [AMD. 35 *E.* 3. *The provisions* of these acts are entirely superseded by the modern acts, particularly 23 *G.* 2. *c.* 24. next *pl.*, *and* 48 *G.* 3. *c.* 110. *which see post, pl.* 76.]

72. FOR THE ENCOURAGEMENT OF THE WHITE HERRING FISHERY, 11 *G.* 3. *c.* 31. [CON. *and* AMD. 19 *G.* 3. *c.* 26., which is AMD. and REP. as to *s.* 3. by 25 *G.* 3. *c.* 65. *s.* 1—3. *and all* EXP. *See further, as to* 25 *G.* 3. *c.* 65. FISHERIES (*British*), *pl.* 51, &c.]

73. FOR THE ENCOURAGEMENT OF THE *British* white herring fishery, 23 *G.* 2. *c.* 24. [EXPL. and AMD. 26 *G.* 2. *c.* 9., 28 *G.* 2. *c.* 14., 30 *G.* 2. *c.* 30., 5 *G.* 3. *c.* 22. [NOTE under these acts the corporation called "THE SOCIETY OF THE FREE BRITISH FISHERY" was erected, but which was to endure only for 21 years; a sum of 800,000*l.* was subscribed, and 3 *per cent. per ann.* paid out of the customs upon the sum employed in the fishery (which was last continued for four years by 5 *G.* 3. *c.* 22.), by way of interest; a bounty of 50*s. per* ton was also granted on certain descriptions of vessels proceeding on the fishery; all these acts appear to be EXP. *See post,* 48 *G.* 3. *c.* 110. *pl.* 76.]

74. FOR REGULATING THE HERRING FISHERIES, 15 *C.* 2. *c.* 16.

75. No white or red herrings of *English* catching shall be put to sale in *Eng.*, *Wa.* or *Ber.*, but what shall be packed in lawful barrels, and which shall be well packed, and shall be of one taking, salting or drying, and equally well packed throughout, and by a sworn packer; and the vessel marked by him denoting the gauge of the vessel, and the quantity, quality and condition of the herrings therein, and the town where they were packed; and the bailiffs of *Yarmouth*, and the mayor or other head officer of every port whence any vessels proceed to fish for herrings, shall yearly, before 1*st July*, appoint a number of packers to view and pack all white and red herrings, and administer an oath to them for the well doing thereof; and in case no such appointment is made, they shall forfeit 100*l.*, one moiety to H. M. and the other to the party suing in any court of record by action, wherein no essoin, &c. allowed, *id. s.* 1.

76. FOR THE FURTHER ENCOURAGEMENT AND better regulation of the *British* white herring fishery, 48 *G.* 3. *c.* 110. [AMD. 51 *G.* 3. *c.* 101. the mistake in that act RECTIFIED, 52 *G.* 3. *c.* 153. all these acts CON. 54 *G.* 3. *c.* 102, and further AMD. and MADE PERP. together with all letters patent, appointments, rules and orders granted or made under such acts, and now in force, but subject nevertheless to the alterations hereby made 55 *G.* 3. *c.* 94. *s.* 1.; and further AMD. 1 & 2 *G.* 4. *c.* 79. *QU. are the bounties* granted by these acts any way affected by 1 *G.* 4. *c.* 103. FISHERIES (*British*), *ante, pl.* 64—65.]

77. A bounty of 3*l.* per ton shall be paid annually as in *s.* 20., *pl.* 109. &c. directed to the owners of any whole-decked buss or vessel of not less than 60 tons burthen, being *British*-built, and owned in *G. B.* and manned, navigated, and registered according to law, fitted out and actually employed in the deep sea *British* white herring fisheries on the coasts of *G. B.* or *Ire.* under the regulations hereby prescribed; but such bounty shall not be paid for more than 100 tons, although such buss may be of greater burden. Provided that if any such buss properly fitted up for such fishery as hereby required, shall be hired for carrying on such fishery, the party hiring shall be entitled to the bounty, although he is not the owner thereof, 48 *G.* 3. *c.* 110. *s.* 1. [This bounty to cease, from and after 1*st June* 1822, 1 & 2 *G.* 4. *c.* 79. *s.* 1.]

78. The bounty of 3*l.* per ton shall be granted by 48 *G.* 3. *c.* 110. to the owners of busses of not less than 45 tons, being *British* built and owned, &c. which shall be fitted out and employed in such fisheries under regulations of such act, 51 *G.* 3. *c.* 101. *s.* 1.

79. "Whereas an error was made in 51 *G.* 3. *c.* 101. in relation to the bounty on fishing busses;" IT IS ENACTED, that the bounty of 3*l.* per ton granted by 48 *G.* 3. *c.* 110. to the owners of any buss of not less than 60 tons burden, shall be paid to the owners of any whole-decked buss or vessel of not less than 45 tons burden, being *British* built, owned in *G. B.*, and manned, navigated, and registered according to law, which shall be actually fitted out and employed in the deep sea *British* white herring fishery, on the coasts of *G. B.* and *Ire.* under the regulation in 48 *G.* 3. *c.* 110. prescribed, 52 *G.* 3. *c.* 153. *s.* 1.

80. No vessel shall be deemed to be employed in the deep sea herring fishery, unless the nets shall be attached to the vessel while they are set, and shall be shot from and hauled into the same without the intervention of a small boat, the vessel not being at anchor whilst the nets are shooting, nor whilst they are set or being hauled in, nor unless the herrings caught shall receive their first cure on board such vessels in barrels, and not in bulk, 48 *G.* 3. *c.* 110. *s.* 2. [see *post, s.* 13. *pl.* 100.]

81. For each barrel containing 32 gallons of white herrings caught in the *British* fishery, and landed in *G. B.*, and cured and packed according to this act, a bounty of 2*s.* shall be paid, *id. s.* 3. [REP. 51 *G.* 3. *c.* 94. *s.* 6.]

82. The bounty of 2*s.* 8*d.* for every 32 gallon barrel of white herrings exported, granted by 43 *G.* 3. *c.* 69. *sch.* (C.) *tit.* Bounties, shall be REP., 55 *G.* 3. *c.* 94. *s.* 5.

83. The bounty by 48 *G.* 3. *c.* 110. *s.* 3. granted, shall CEASE, and in lieu thereof a bounty of 4*s. per* barrel shall be granted, to be paid for each barrel of herrings caught, landed, cured, and packed according to 48 *G.* 3. *c.* 110., and which shall be produced to and inspected by proper officer of the fishery, *id. s.* 6.

84. A like bounty of 4*s.* shall be paid for every barrel of herrings caught in the fisheries of the *Isle of Man*, or other *British* fisheries in vessels fitted out from such isle, landed there and cured and packed according to 48 *G.* 3. *c.* 110., and 55 *G.* 3. *c.* 94. and this act, 1 & 2 *G.* 4. *c.* 79. *s.* 6.

85. All the powers, rules, restrictions, fines, or forfeitures in the 48 *G.* 3. *c.* 110., or the 55 *G.* 3. *c.* 94. contained, as far as the same are applicable, shall extend to the *Isle of Man*, provided the bounty hereby extended to the *Isle of Man*, shall be paid by order of the *Scotch* commissioners of excise in the same way as the bounty of 4*s.* per barrel of white herrings caught in the *British* fisheries and landed in *G. B.*; and any such fine or forfeiture may be sued for, recovered, levied, mitigated, and applied as any fine, &c. may be by the law of customs or excise in *G. B.*, and of customs in the *Isle of Man, id. s.* 7.

86. The 21 trustees appointed for the linen and hempen manufactures in *Scot.* under 13 *G.* 1. *c.* 26. (*s.* 18.) and *c.* 30. (*s.* 2.) shall be encreased to 28 for the purposes of this act, by H. M's letters patent under the great seal appointed by the treaty of union to be kept in *Scot.*, 48 *G.* 3. *c.* 110. *s.* 4.

87. H. M. by letters patent under the great seal appointed by the treaty of union to be kept in *Scot.*, may appoint any number of such trustees not exceeding 7, to be commissioners specially for overseeing, directing, and improving the white herring fishery, with power to them or any number of them, by such letters to be determined, to execute this act, and for that purpose to appoint a secretary, and such clerks and officers under them (their number being approved by the treasury) as they think fit, and the treasury may direct such salaries and allowances, and such expences incurred under this act to be paid to such secretary, &c. as the treasury shall approve, provided that no person shall be appointed a commissioner under this act, who is any way concerned in such white herring fishery, *id. s.* 5.

88. H. M. may appoint the advocate and solicitor-general for *Scot.* to be commissioners in addition to the number by 48 *G.* 3. *c.* 110. *s.* 4. *pl.* 86. authorized, 55 *G.* 3. *c.* 94. *s.* 2.

89. Such commissioners before they proceed to execute the powers of this act shall take and subscribe the oath here set down, 48 *G.* 3. *c.* 110. *s.* 6.

90. Every person appointed one of the commissioners for the herring fishery, by virtue of 48 *G.* 3. *c.* 110. *s.* 5. *pl.* 87. or of this act, shall before he proceeds to execute any powers thereby vested in him (save only in administering this oath) take and subscribe the oath here set down, which may be administered by one to the others, 55 *G.* 3. *c.* 94. *s.* 3. [*The only difference* between the oath required by 48 *G.* 3. *c.* 110., and that required by 55 *G.* 3. *c.* 94. is in the reference to the acts under which the commissioners act. Both forms are omitted as not being of any general utility.]

91. Such commissioners shall yearly [on 1st *June*, 48 *G.* 3. *c.* 110. *s.* 7. or on or before 1*st Nov.*, 55 *G.* 3. *c.* 94. *s.* 4.] deliver to the board of trustees or commissioners for fisheries and manufactures in *Scot.* appointed under any acts of parliament, [*see* 13 *G.* 1. *c.* 26. *s.* 18. and *c.* 30. *s.* 2.] an accurate report of their proceedings for the year preceding, and shall also lay a copy of such report, signed by them before each house of parliament, 14 days after the commencement of every session, 48 *G.* 3. *c.* 110. *s.* 7., 55 *G.* 3. *c.* 94. *s.* 4.

92. The admiralty may appoint an officer of the navy to be superintendant of the fishery herein described as the deep sea fishery, who shall annually proceed to *Brassey Sound* in *Shetland*, which is hereby appointed the place of rendezvous of such deep sea fishery, so as to arrive before 15*th June*, 48 *G.* 3. *c.* 110. *s.* 8., [*his* oath, *id. s.* 9., *further* duty assigned him, 55 *G.* 3. *c.* 94. *s.* 8., *as to the* appointment of a superintendant of the loch and coast fishery, 55 *G.* 3. *c.* 94. *s.* 9.]

93. So much of 48 *G.* 3. *c.* 110. *s.* 8., or of any other act as relates to the appointment of a superintendant of the deep sea fishery, shall be REP. but nothing herein shall repeal any provision made for the employment of a superintendant of the *British* herring fishery, other than the deep sea fishery, 1 & 2 *G.* 4. *c.* 79. *s.* 2.

94. The treasury may appoint persons at all places on the coast of *G. B.*, where herrings are caught or cured, and at ports or places where the vessels are fitted out for the *British* herring fishery, and where they discharge their cargoes, and also at the ports of exportation, to overlook the curing of all herrings caught, to take an account of, and clear out all salt, nets, barrels, and other stores shipped for such fishery, and to inspect and take account of all herrings landed or exported, and to certify whether the fish are properly piled, cured, and packed, so as to be entitled to the bounty of 2*s.* [now 4*s.*, 55 *G.* 3. *c.* 94. *s.* 6.] hereby granted, or fit to be exported, 48 *G.* 3. *c.* 110. *s.* 10.

95. But no person shall be appointed to perform such duties unless

he has exercised the trade of a cooper, and has been employed in packing and curing herrings, and is fully qualified to execute the duties hereby required; certificates of which qualifications shall be transmitted to the treasury by such persons, and in such manner as shall be satisfactory to the treasury; and such officers, so appointed, shall obey the orders of the commissioners of the herring-fishery, signified under their hands, or the hand of their secretary, 48 *G.*3. *c.*110. *s.*10.

96. The secretary, and every clerk or officer of the fishery, appointed under this act, shall be liable to be suspended by such commissioners, either for incompetency or neglect; and before they enter on their offices, shall take and subscribe the oath here set down, the same to be administered by one of such commissioners, *id. s.*11.

97. No person shall use in any river, or loch, or at sea, in or on the coast of *G. B.*, any herring net, or any traul net, drag net or other sea net, for taking herrings, having a mesh less than one inch from knot to knot, or any false bottom, cod or pouch, or shall put any net, though of legal size, behind the other, on pain to forfeit 40*l.*; and such commissioners shall cause all such nets to be burnt, *id. s.*12.

98. All nets forfeited by 48 *G.*3. *c.*110., may be seized by any superintendant of the herring fishery, or any person acting under his orders, or by any officer of the fishery, 55 *G.*3. *c.*94. *s.*10.

99. If any herring net shall be set or hauled in any river, or loch, in *Scot.*, or on any place on the coast thereof, or within 2 leagues of the same, after 12 o'clock at night on *Saturday*, and before the same hour on *Sunday*, or having been set before 12 o'clock at night on *Saturday*, shall not be hauled before the same hour, such net shall be forfeited, and may be seized by the superintendant of the fishery, or any person employed under him, or by any officer of the fishery, *id. s.*11.

100. No buss or vessel shall be deemed properly fitted out, and to be duly employed in the *British* deep sea white herring fishery, so as to entitle the owner to the tonnage bounty under this act, unless there shall be on board thereof (put up in new barrels) 16 bushels of salt, for each last of herrings such buss, &c. can contain, and also as many more new barrels as she can carry, and likewise 300 square yards of netting for every ton of her admeasurement, with the customary quantity of other materials for the equipment and mounting of such netting, nor unless such buss or vessel is manned with, if not exceeding 60 tons, 10 men; and exceeding 60 tons, and not exceeding 70, with 11 men; and, if of 70 tons or upwards, then with one man for every 10 tons exceeding 70 tons, 2 of which number may be foreign seamen experienced in the deep sea herring fishery; provided no buss, &c. exceeding 100 tons burden, shall be required to have on board any greater quantity of salt, netting, or materials, or any greater number of men than a vessel of 100 tons is to have, or any more than 500 barrels, and no buss or vessel need have her full number of men till her arrival at the rendezvous of such deep sea fishery, 48 *G.*3. *c.*110. *s.*13. [*see ante, pl.* 79—80.]

101. No such vessel of less than 60 tons, and not less than 45 tons burthen, shall be deemed to be properly fitted, and to be duly employed in the *British* deep sea white herring fishery, so as to entitle the owner to any bounty on the tonnage thereof, unless the same be manned with 10 men, or 8 men and two boys, not under 13 years of age, 51 *G.*3. *c.*101. *s.*2., 52 *G.*3. *c.*153. *s.*2.

102. In order to entitle the owners of any vessels, who claim any bounty on the tonnage thereof, to receive the same, such buss, &c. shall be cleared out from the port of *G. B.*, where she was *bonâ fide* fitted for her intended voyage, and shall proceed direct to *Brassey Sound* in *Shetland*, where she shall arrive on or before 22*d June*, yearly; and the crew shall not shoot or wet the nets before the 24*th*, from which day they shall continue to fish as herein described on the coasts of *G. B.* or *Ire.*, until 15*th Sept.* following, unless before then the quantity of herrings taken in such buss, and cured and packed on board thereof, shall amount to 4 barrels, not repacked, or in the state called *sea sticks*, for each ton not exceeding 100 tons of her admeasurement; and no fish, except herrings, shall be taken or cured by the crew of such buss; nor shall any fish not taken by the crew, be received on board thereof, save only for their sustenance; and all herrings taken by such crew, and cured and packed on board thereof, shall be landed in *G. B.*, 48 *G.*3. *c.*110. *s.*14.

103. The owners, or one of them, of any buss or vessel, or their agent, who intend to fit out the same for such deep sea fishery, and to claim the tonnage bounty thereon, shall give notice thereof in writing under his hand to the officer of the fishery at the port where such buss is to be fitted out, and shall therein specify the name of the buss, and her port, whether actually *British*-built, or taken and condemned as prize, her names of her owners and master, the register, tonnage, and date of the registry; and declare therein that such buss is fit for such voyage and fishery, also the quantity of salt, the whole number of barrels, distinguishing those filled with salt from those that are empty, the quantity of netting, with materials for mounting the same, and the quantities and sorts of provisions for the crew during the voyage intended to be put on board; and the officer to whom such notice is given, or some other duly appointed, shall go on board such buss and view the condition thereof, and shall examine the register, and examine and take account of the quantity of salt, and the several sorts of provisions intended to be put on board such buss, and see the same shipped accordingly; and if it appear to him that such buss is sufficient for the voyage, and is stored, victualled, and fitted out in the terms of such notice, and according to this act, he shall certify the same on the back of the notice, and one or more of the owners, or the agent of the owners and master of such buss, shall make oath before an officer of the fishery, that he intends that such buss as then furnished, shall forthwith proceed, after licence granted, to *Brassey Sound*, and be there on 22*d June*, and have on board not less than such a number of men, (to be mentioned in the oath,) as such buss is hereby (*s.*13. *pl.*100.) required to have, and shall not shoot or wet her nets before 24*th June*, and shall fish for herrings in the deep sea fishery as follows, (*viz.*) the crew shall shoot and haul the nets directly from and into such buss without the intervention of a small boat, the nets being attached to the vessel while they are set, and the vessel not being at anchor when the nets are shooting, during the time the nets are set, or while the nets are hauling in: and shall cure all the herrings caught in barrels, and not in bulk on board; the crew shall so continue fishing in the deep sea *British* white herring fishery, upon the coasts of *G. B.* or *Ire.*, in an orderly manner, and without impeding the crew of any other vessel, from 24*th June*, to 15th *September* yearly, unless before then they have caught and cured such quantity as in *s.*14. and that no fish other than herrings [*see now* 55 *G.*3. *c.*94. *s.*7. *post*, next *pl.*] shall be taken or cured by the crew of such buss, nor any fish not caught by them received on board, except only for the sustenance of the crew during the voyage, and that all herrings taken by such buss, and cured and packed on board thereof, shall be landed in *G. B.*; which oath subscribed by the parties making the same, and also such notice, with such certificate indorsed, shall be transmitted by such officer to such commissioners of the fishery, appointed hereunder, and the master of such buss, and such owner or agent shall, with one or more sureties, enter into a bond to H. M. in a sum equal to treble the tonnage bounty of such buss, (which bond any such officer shall take, and which shall be exempt from stamps,) for the faithful dealing of such master and crew in respect of such voyage and fishing; all which requisites being duly performed, such officer, by instrument in writing under his hand, setting forth the particulars which appear by such notice and certificate, and that such bond was given, shall give the master of such buss a licence to proceed on his voyage to the rendezvous of such deep sea *British* white herring fishery, 48 *G.*3. *c.*110. *s.*15. [*See as to vessels of* 4 tons burden, carrying salt and herrings to and from the fishery exempted from these regulations, 55 *G.*3. *c.*94. *s.*16., *post, pl.* 173.]

104. The master and crew of any buss or vessel fitted out for the *British* white herring fishery, in the deep sea, under the regulations of 48 *G.*3. *c.*110. may take cod or ling, and cure the same with salt, to be taken on board for that purpose, and to be stowed in bulk; and where cod or ling shall be so taken, cured and stowed, the same shall be saved and excepted out of that part of the oath prescribed (48 *G.*3. *c.*110. *s.*22. *pl.* 111.) to be taken by the master of such buss or vessel on his return from such fishery, wherein such master is required to swear that no fish, other than herrings, were taken by the crew of such buss or vessel, 55 *G.*3. *c.*94. *s.*7. (see 25 *G.*3. *c.*65. *ante, pl.* 51, &c. FISHERY (*British.*)

105. Upon arrival at *Brassey Sound*, the rendezvous, the master shall enter such buss with the superintendant, and produce to him his licence, and also if required the registry, or a certificate of the registry of such buss, and deliver him a statement in writing on what day he sailed from the port where he cleared out, and what quantities of salt, barrels, nets, with materials for mounting the same and provisions shall be then on board such buss, and to what port of *G. B.* he intends to return for the discharge of such buss; and such superintendant shall then go on board of such buss, and inform himself whether such stores and provisions are actually on board, and shall muster and take an account in writing of the number, names, and descriptions of the crew thereof, which shall be entered on the licence, and if satisfied that such buss is completely stored, and manned as in *s.*13. *pl.* 100. required, he shall, by certificate under his hand, declare such buss entitled to commence the deep sea fishery for the tonnage bounty, 48 *G.*3. *c.*110. *s.*16.

106. The herrings taken, cured, and packed on each day by the crew of such buss, shall be distinguished from others, by marks to be placed on the barrels of such description, and in such manner as shall be prescribed by the commissioners for the fishery, and shall denote on what day they were taken, cured, and packed, and whether the same were cured and packed, gutted or ungutted; and herrings gutted after the day when taken shall be packed separately, and be distinguished from others by a mark, which marks shall not be effaced or altered, *id. s.*17.

107. Such superintendant, or persons acting under his orders, may either at sea, during the fishery, or after the return from the same, go on board any of the vessels employed in the fishery to inspect the licence and certificate of registry, and the journal kept by the master, as by *s.*21. *pl.* 110. directed, (all which the master shall produce and deliver to him, or in default, such superintendant may detain his

buss till delivery is made,) and to ascertain whether the fishery is carried on as hereby required; and if any person shall attempt to impede others in the prosecution of such fishery, such superintendant shall require him to desist from so doing, and in case of refusal may use force to preserve order; and if it appear to him that the number of men, by *s.* 13. *pl.* 100. required, were not on board of any buss when they ought to be, or that the fishery was not carried on as hereby required, or that any persons had attempted to impede others, such superintendant shall report the same to the commissioners of the herring fishery, and deliver one copy of such report to the master of such buss, and transmit another to such commissioners by the first opportunity; and if any person shall obstruct such superintendant, or any persons acting under him in execution of this act, he shall forfeit 100*l.*; provided that the master of any buss licensed and cleared out for such deep sea fishery, may at any time during the continuance of the fishing tranship into any other vessel not licensed pursuant to this act, any quantity of herrings taken by the crew, and packed and cured in barrels on board of such buss, to be conveyed to and landed in such port of *G. B.* where the buss is intended to be cleared inwards, and the same shall be deemed part of the cargo of such buss; provided that the master of such vessel shall bring with him a copy of the licence of such buss, out of which such herrings were received, with a declaration under the master's hand indorsed on the same, of the number of barrels so transhipped, and that the same were taken and cured as in *s.* 15. *pl.* 103. specifying the date when the herrings in each barrel were taken, cured, and packed, and whether the same were cured and packed gutted, or not, and distinguishing each barrel by the marks (to be specified in such declaration), set on the same, as also the name of the vessel into which transhipped, the name of the master thereof, and the port for which they were put on board; which declaration shall be produced to the officer of the fishery before such herrings are landed, and such master shall make oath at the port of such declaration before such officer, that the herring on board are the same which were transhipped; and such officer shall attend the landing, and take an account thereof, together with the marks on the barrels, 48*G.* 3. *c.* 110. *s.* 18. [*See post*, *s.* 29. *pl.* 117.]

108. If any buss shall not arrive at the rendezvous till after the 22*d June*, and shall not begin to fish till after the 24*th June*, and it is made appear to the commissioners of the fishery that such buss did *bonâ fide* depart for the rendezvous five days before such 22*d.*; or if any buss licensed for such fishery, and for which a certificate has been obtained at the rendezvous, to entitle the crew to commence the fishery, shall at any time before 15*th Sept.* be compelled to discontinue fishing by stress of weather, loss of nets, or stores, or other unavoidable cause, before the quantity hereby required shall have been taken and cured, and shall come to any port or anchorage on the coast of *G. B.* or *Ire.*, the owner shall not thereby lose his tonnage bounty, provided the master thereof shall, in the last case, give notice of his arrival, and of the necessity which forced him to take shelter, and shall make proof thereof by the oaths of himself and his mate, before any officer of the fishery at such port, which oaths such officer may administer; and if there is no such officer, the oaths shall then be administered by any justice of peace, and be written on the licence, and subscribed by the deponents; but such master shall use his endeavours to refit such buss, and take on board such supplies and men as may be necessary to enable him to continue his fishing voyage, and shall return and continue fishing as herein directed; and shall in either such cases continue to fish after 15*th Sept.* till the expiration of such time as when added to the time during which such buss has fished before that day, shall be equal to the period which extends from 24*th June* to 15*th Sept.*, unless before then the crew shall have taken, cured, and packed the quantity of herrings by *s.* 14. *pl.* 102. required, *id. s.* 19.

109. The bounty hereby granted shall not be paid on any buss which shall not be manned as in *s.* 13. *pl.* 100. required, from the time when the crew was mustered by the superintendant at the rendezvous during the continuance of the fishing, and until such buss shall return to port in *G. B.*, and the crew shall be there mustered by the proper officer of the fishery, before whom the master and mate shall make their oaths, that such buss was manned as hereby required during the whole of such time, unless the number is decreased by reason of sickness, death, or desertion, and in such events, that the master used his best endeavours to keep up his number, from the day when the crew were mustered at the rendezvous, till again mustered on return to port, which oaths may be administered by such officer, and shall be written on the licence, and subscribed by the deponent, and such officer shall also certify the number of names and description of men on board, when mustered by him, *id. s.* 20.

110. The master of every buss on which any tonnage bounty is claimed, shall keep a journal, in which all transactions and occurrences shall be inserted every day during the voyage, from the time of beginning to ship her stores, to the time of returning to port for the discharge of her cargo, specifying the quantity of stores of each sort put on board before the departure of the vessel from the port where fitted out, the time of arrival at the rendezvous, and of there being permitted to commence fishing; number of men taken on board, at what places; the winds and weather; the station of the vessel each day at noon, and the places where she put in, and the causes thereof; the number of barrels of herrings taken, and cured, and packed every day, distinguishing herrings cured, &c., gutted from those not gutted, and those gutted on the day taken, from those gutted afterwards; specifying the marks set on each barrel of herrings so taken, cured, &c. pursuant to this act, and also the number of barrels of herrings, with the marks on the same transhipped as in *s.* 18., *pl.* 107., with the name of the vessel, and master thereof, and whither bound; the death, disability, or desertion of any of the crew, and the endeavours used to supply their places, 48 *G.* 3. *c.* 110. *s.* 21.

111. On the return of any such buss to the port where the cargo is to be landed, the officer of the fishery shall go on board and view the condition of the vessel and her lading, and the master shall then deliver up his licence to such officer, with the certificates and oaths hereby required to be taken, written on the same, and also his journal, signed by himself, and verified on oath before such officer, and shall make the oath here set down before such officer, *id. s.* 22. [The form is annexed to this section.]

112. In all cases where the superintendant of the fishery is of opinion, that there has been any misconduct on the part of the master or crew of any buss claiming the tonnage bounty, or that they have failed in complying with the provisions of this act, which would prevent the bounty being paid, and he shall have made a special report of the same to the commissioners of the fishery, such commissioners shall forthwith make enquiry thereinto, giving notice to the master and owner of such buss, or his agent, that they may attend such enquiry if they see fit, and such commissioners shall make such order thereon as they deem proper, *id. s.* 23.

113. The officer of the fishery at each port, shall attend the landing of the herrings, and of the salt and barrels not used, and of the nets out of each buss arriving from the deep sea fishery, and shall take an account thereof, specifying the marks on the barrels containing herrings, and shall examine the master's journal, with the other documents delivered by him, and the account of the cargo landed; and shall certify such examination, together with his observations thereon, with the quantity of each description of herrings gutted and ungutted landed from such buss; and in case any herrings have been landed at that port out of any other vessel, the master whereof brought such declaration, and made such oath, as in *s.* 18., *pl.* 107. such officer shall in that case certify also the quantity of herrings of each description landed from such other vessel, mentioning her name, and the master thereof, and shall also certify the tonnage of such buss by admeasurement, *id. s.* 24.

114. Such officer shall transmit without delay to such commissioners, as in *s.* 5., *pl.* 87. the licence, with the oaths and certificate written on it, in *s.* 22. *pl.* 111. required to be delivered to him, together with the master's oath on his return to his port of discharge, and the certificate in *s.* 24. directed to be made by such officer, at such port; also the declaration produced and oath made by the master of the vessel out of which herrings were landed, as having been transhipped out of any buss during the fishing; and if the commissioners are satisfied that this act has been observed, they shall give a debenture, or certificate for payment of such tonnage bounty to the owner of such buss, or his assigns, mentioning the amount thereof, and they shall transmit the licence, oaths, certificates, and declaration, with notice of such debenture being granted, to the commissioners of excise, in *Eng.* or *Scot.*, who, on receiving such documents, shall, without delay, give an order to their cashier, or transmit one to the excise collector at the nearest port where the buss discharged her cargo, (at the option of the party entitled to the same,) which cashier or collector, on receiving such order, shall, on demand, pay the sum expressed in such debenture, out of any money in his hands arising from the excise duties; provided, that in case the master of any such buss shall have neglected to enter any transaction, occurrence, or thing, by *s.* 21. *pl.* 110. required to be entered in his journal, such commissioners may abate so much from the bounty claimed as they see fit, *id. s.* 25.

115. No tonnage bounty shall be paid on any buss which is fitted out, or which discharges her cargo at any port or place other than one where an officer of the fishery is stationed, *id. s.* 26.

116. The mariners employed in every buss in the deep sea white herring fishery, not being more than the complement by *s.* 13. *pl.* 100. required, shall be protected from impressment into H. M.'s service during so long as such buss is actually carrying on such fishery, until her voyage home to her port of discharge is completed, *id. s.* 27.

117. The owners or hirers of any buss employed in such fishery, entitled to receive the tonnage bounty, shall pay to the master, mate, and crew, besides their wages, an allowance equal to 2*s.* for every full packed barrel of herrings in the cargo taken by them; two-eighths thereof to go to the master, one to the mate, and the remainder equally amongst the crew, to be paid whenever such cargo of herrings is full packed, *id. s.* 28.

117. (*a*) In the absence of the superintendant, from illness or other unavoidable cause, any officer of the fishery authorized by the commissioners for the herring fishery may perform all things required of the superintendant at the rendezvous, or while the fishery is going on, 48 *G.*3. *c.*110. *s.*29. [*see ante*, *s.*8. *pl.*92. *s.*18. *pl.*107.]

118. The first 30 busses fitted out for the deep sea white herring fishery under this act, and entitled to 3*l. per* ton bounty hereby granted, shall be entitled to 20*s. per* ton additional for one year, *id. s.*30. [Exp.]

119. Whenever any vessel or boat for which the tonnage bounty is not meant to be claimed, shall be fitted out for the *British* white herring fishery, at any place in *G. B.* where an officer of such fishery is stationed, the party fitting out the same shall give notice thereof in writing to such officer, specifying the quantity of salt, netting, and stores, and number of barrels he intends to put on board, and which he shall not ship without the presence of such officer; and such officer shall examine such stores, and see them shipped, and give the master a certificate that such stores, specifying the quantities and sorts thereof, were shipped in his presence, mentioning the name of such vessel, and of the master thereof; and if any salt, &c. or other fishing stores, are shipped at such port for such fishery, before such notice given, or without the presence of such officer, or are removed in such vessel without such certificate, they shall be forfeited, and may be seized by any officer of the fishery, or of the customs or excise, *id. s.*31.

120. Whenever any vessel or boat for which it is not meant to claim the tonnage bounty, shall be fitted out for the *British* herring fishery, at any port of *G. B.* where an officer of the fishery is stationed, salt, netting, barrels, and other stores, may be shipped on board thereof without the presence of such officer, provided the shipper shall first give notice thereof in writing to such officer, specifying the particulars required by 48 *G.*3. *c.*110. *s.*13. *pl.*100.; and thereupon such officer shall give permission to ship such goods under his hand, to be written at foot of such notice; and when shipped, the shipper shall make a declaration thereof under his hand, to be subjoined to such permission, and return the same to such officer, who, being satisfied as to the truth thereof, shall give the master of such vessel a certificate that such stores, specifying the quantities and sorts thereof, were entered and declared to be shipped, mentioning the name of such vessel and of the master thereof; and such certificate shall be of the same effect as if such shipment had been made in the presence of such officer, and a certificate granted to the effect in 48 *G.*3. *c.*110. (*s.*31. last *pl.*) prescribed, 55 *G.*3. *c.*94. *s.*14.

121. But if any net, which, according to 48 *G.*3. *c.*110. *s.*12. *pl.*97., may not be used in taking herrings, shall be shipped on board any such vessel, the same shall be forfeited, *id. s.*15. [*See certain* vessels exempted from these regulations, 55 *G.*3. *c.*94. *s.*16. *post*, *pl.*173.]

122. The master of every vessel or boat which shall proceed to the *British* herring fishery, having on board any salt to be used in curing herrings, shall keep an account of the quantity of herrings he shall cure every day [and the quantity of salt used in the curing thereof, Rep. 55 *G.*3. *c.*94. *s.*17. *pl.*123.], and shall mention therein the name of the loch, bay, or other place on the coast where such herrings were cured, and the manner of curing, *viz.* whether in barrels or in bulk, gutted or ungutted, and whether on board or on shore, and whether by the crew of such vessel or by persons on shore; and by a mark to be set on the barrels wherein cured according to the regulations made by virtue of this act, the quantity of herrings cured in barrels every day shall be distinguished from all others; and those cured gutted, from those ungutted, in which account shall be specified such marks set on the barrels, and the number of barrels so cured, and the marks set thereon, which shall be shipped in any such vessel or boat every day; and if any quantity of herrings shall be shipped on board any other vessel or boat, to be carried to any port of *G. B.*, the number of barrels of herrings, with the marks set thereon, shall be specified in such account, with the name of such other vessel and the port whither bound; which account, signed by such master, together with such certificate by the officer of the fishery in whose presence such salt was shipped, such master shall bring with the herrings on board thereof, to any port in *G. B.* to which the same shall return for her discharge; and if any officer of the fishery is stationed at such port, the master shall (before he unships any article, deliver such account and certificate to such officer, and verify such account on oath before him, who shall attend the landing of the herrings, salt, and stores, and take account thereof: and if there is no such officer, then he shall verify such account on oath before the chief officer of customs or excise there, or any magistrate, and transmit the same so verified to the nearest officer of the fishery, who shall, on demand, [deliver to such master a copy thereof, and of his oath certified to be true, under his hand, but see 55 *G.*3. *c.*94. *s.*21. *pl.*129.] 48 *G.*3. *c.*110. *s.*32.

123. So much of 48 *G.*3. *c.*110. (*s.*32.) as requires the quantity of salt used every day to be specified in the account thereby required, and as relates to any penalty or forfeiture for the omission thereof, shall be Rep.; and the master of such vessel shall, before the same officer in whose presence he shall, according to that act, verify such account of the particulars by 48 *G.*3. *c.* 110. (*s.*32.) required, and not hereby dispensed with, make oath what quantity of salt has been used in the curing of the herrings (mentioning the number of barrels, or if cured in bulk, the number of herrings) specified in such account; and that no part of such salt was embezzled or sold, or disposed of otherwise than is expressed in such account; which oath shall be made before any herrings, salt, or other fishing stores shall be unshipped, to be landed under like penalty as by 48 *G.*3. *c.*110. provided, in case such account is not verified on oath as thereby required, 55 *G.*3. *c.*94. *s.*17.

124. The master of every vessel or boat arriving from the *British* herring fishery at any port of *G. B.*, with herrings cured with salt which had been carried from any port of *G. B.* to such fishery in a different vessel, shall bring with such herrings a declaration signed by the master of the vessel, &c. in which such salt was carried to such fishery (with a copy indorsed thereon of the certificate by the officer of the fishery in whose presence such salt was shipped), which declaration shall express the name of the vessel in which herrings are shipped, and of the master thereof, the number of barrels of herrings shipped thereon, with their marks, the day on which each barrel of herrings was cured, and the manner in which cured, as before (in *s.*32. *pl.*136.) directed, and how much of such salt was used in the curing thereof; which declaration shall be verified on oath of the party making the same before the officer, at the place where such herrings shall be shipped; and if no such officer there, then before any officer of the fishery, customs, or excise, at or near such place, or before a justice of peace, sheriff depute, or substitute, which declaration so verified (before any part of cargo is unshipped) such master shall deliver to such officer of the fishery at such port of discharge, who shall attend the landing of the cargo and take account thereof; and if no officer of the fishery is stationed at such port, then such master shall transmit such declaration so verified to the nearest officer of the fishery, 48 *G.*3. *c.*110. *s.*33.

125. Where the master of any vessel or boat arriving from the *British* herring fishery in any port in *G. B.*, with herrings cured with salt carried from any port in *G. B.* to such fishery in a different vessel, shall bring therewith a declaration signed by the master of the vessel in which such salt was so carried, (with a copy indorsed thereon of the certificate by the officer of the fishery in whose presence, or by whose permission, the salt was shipped,) expressing what is by 48 *G.*3. *c.*96. *s.*33., required, such declaration, although not verified by such master as thereby required, shall be of the same effect as if it had been so verified, provided the master of the vessel so arriving with such herrings shall make oath at the port thereof, before an officer of the fishery at the port where he shall arrive, that there was no officer of the fishery at the place where such herrings were shipped before whom such declaration could be verified, and that he verily believes it to be true, 55 *G.*3. *c.*94. *s.*19.

126. If any herrings or salt, or other fishing stores, shall be landed or unshipped with intent to be landed out of any vessel or boat arriving from the *British* herring fishery, other than a buss or vessel licensed for the deep sea fishery, at any port where an officer of the fishery is stationed, before such certificate as in *s.*31. *pl.*119., and account as in *s.*32. *pl.*122., to be kept by the master respecting the herrings cured, or such declaration so verified as in *s.*33. *pl.*124. expressed is delivered to, and such account is verified on oath before such officer as in *s.*32. *pl.*122. directed, or without the presence of such officer, or shall be landed or unshipped with intent to be landed at any port where no officer of the fishery is stationed, before such certificate and account, or such declaration so verified is produced to, and such account verified on oath before such officer of customs or excise, or such justice or other magistrate, and transmitted to the officer of the fishery nearest to such port, or without the presence of the proper officer of customs, all such herrings or salt, or other fishing stores, shall be forfeited, and may be seized by any such officers: provided, that if any such herrings, &c. shall be seized for any error or omission of any thing hereby required to be done, which shall appear to the commissioners of the fishery not to be wilful, they may waive the forfeiture or levy a penalty in lieu thereof, not exceeding 10*l.*, 48 *G.*3. *c.*110. *s.*34.

127. Where any person has any salt stored on shore at any place where the herring fishery is carried on, and intends to cure herrings therewith, he shall first give notice thereof to an officer of the fishery at or nearest to such place, and shall keep an account of the quantity of herrings cured each day, and of the quantity of salt used, and mention therein whether the same were cured in bulk or in barrels, or gutted or ungutted, and by a mark to be set on each barrel in which packed, according to the regulations made under *s.*48. *pl.*153. of this act, shall distinguish the herrings cured every day from all others, and which marks shall be specified in such account, and before such herrings are removed or shipped, or produced to any officer to be certified for the bounty of 2*s. per* barrel hereby granted, the curer shall deliver such account to such officer of the fishery, and verify the same on oath before him; and such officer shall give a copy of such account, and the

oath thereon certified by him as a true copy, to the party delivering it to him, 48 *G.*3. *c.*110. *s.*35.

128. If any person having any salt stored in any place on shore, where the herring fishery is carried on, shall begin to cure herrings therewith, before having given notice of his intention, as by 48 *G.*3. *c.*110. *s.*35. required, or if he shall not keep such account thereof as thereby and by this act required, or if such curer shall not deliver such account to the proper officer of the fishery, and verify the same on oath before him, as in that act and this act required, he shall not only not be entitled to the bounty in respect of such herrings, but shall also (unless the quantity of salt stored shall not exceed 30 bushels,) forfeit 5*l.*, 55 *G.*3. *c.*94. *s.*20.

129. So much of 48 *G.*3. *c.*110. *s.*32. *pl.*122. as requires a copy of the account there mentioned, to be delivered to the party who delivered such account, shall be REP., and such officer in lieu thereof shall deliver to such person so much only of such account as relates to herrings cured and gutted; and in case the curer shall produce the whole or any part of the herrings comprised in such copy to such officer at the place where cured, in order to obtain the bounty thereon, such curer shall deliver up such copy to such officer, and in case he produces a part only of such herrings, such officer shall give him a copy as far as relates to the residue; and like proceedings shall be had as often as any part of such herrings shall be so produced at the place where cured, and such copy shall be certified by such officer to be a true copy of or extract from such account of such curer, verified by him on oath, specifying time and place when and where it was so verified, *id. s.*21.

130. The bounty hereby granted of 2*s. per* barrel on white herrings, shall not be paid for any herrings of an indifferent quality, or for broken herrings, or those not originally gutted, or which were cured in bulk, or otherwise than in barrels, or which though cured in barrels are afterwards laid in bulk, or which shall not be repacked, or being packed, and in all respects properly cured and packed, or of which the barrel shall not contain of fish, exclusive of salt and brine, 224lbs., except those for exportation out of *Europe*, which shall be repacked with great salt, the barrel of which shall contain 200lbs. of net fish, nor for herrings not contained in strong barrels, or not containing 32 gallons of *English* wine measure, or on which the name of the curer, and the port where and year when cured is not branded in large characters, or on which such mark has not been set at the fishery as hereby directed, or shall not remain distinctly legible, denoting the day on which cured, and that the same were cured, gutted, [*see exception* when they cannot be repacked in the same barrels, 55 *G.*3. *c.*94. *s.*22., *post*, *pl.*132.] nor for any barrel of herrings on which when produced to the proper officer to be branded for the bounty, according to *s.*37. *pl.*137. of this act, any such mark shall be found to have been formerly branded under this or any other act, or any mark formerly branded is found to be effaced or altered, nor until the bounty mark is branded thereon by his order, and in the presence of such officer after the same has been produced to and inspected by him, 48 *G.*3. *c.*110. *s.*36. [*See s.*38. *post*, *pl.*138.]

131. No herrings shall be deemed to be gutted within 48 *G.*3. *c.*110., or this act, unless they were gutted, cured, and packed within 24 hours after taken, 55 *G.*3. *c.*94. *s.*18. [*as to gutting* herrings with a knife, *see* 55 *G.*3. *c.*94. *s.*33. *post*, *pl.*181.]

132. "Whereas it was enacted by 48 *G.*3. *c.*110. *s.*36., *pl.*130. that the bounty thereby granted on white herrings, should not be paid for herrings in any barrel on which such markss hall not have been set at the fishery as thereby directed, and farther (*s.*38.), that if any herrings packed in any such barrels shall be produced to any officer of the fishery to be branded for the bounty, all such herrings and barrels should be forfeited; and whereas herrings unpacked out of barrels, cannot be repacked into the same number of barrels, and in such cases additional barrels must be provided," IT IS ENACTED, that so much of such act shall not extend to such additional number of barrels in which such surplus herrings shall be packed, or to any barrel, or the herrings therein which shall be different from that in which the same herrings were originally cured and packed, in case such last-mentioned barrel has been rendered unfit to contain such herrings, by accidental damage, but such additional barrels of surplus herrings, or of herrings repacked from such damaged barrels, shall, on oath of the curer thereof verifying the fact, before the proper officer of the fishery, be deemed in the same plight within meaning of that and this act, as if the barrel were the same in which the herrings were originally cured and like marks were set at the fishery as by that act directed, *id. s.* 22.

133. If the curer or proprietor of any number of barrels of herrings being packed, on which the bounty by this act and by 48 *G.*3. *c.*10. granted has been allowed, shall intend to repack the same with great salt, in the same barrels, and such additional ones as the same may require in a repacked state, he shall give 24 hours' notice in writing under his hand of his intention to the proper officer of the fishery, and if on production of the same so repacked, such curer or proprietor shall, on the request note, [which according to the regulations made under 48 *G.*3. *c.*110. *s.*48. *pl.*153. by the commissioners, he shall have delivered to such officer,] make oath before him that the herrings contained in the barrels produced, (stating the number,) in a repacked state are the very same, without any addition whatever, which were originally in a bung-packed state, contained in that part of such barrels, (stating number,) whereof each is branded with marks denoting that such bounty was paid, and if on examination such herrings are found to be properly cured and packed, and such as white herrings on which the bounty is claimed ought to be, he shall cause all the barrels in which such herrings were originally cured, and in which the greater part are now repacked, to be branded with such marks, in addition to those already branded, as the commissioners shall direct, and which shall denote that the same were repacked, and by what officer they were afterwards examined, which officer shall cause such additional barrels to be branded with the bounty mark, if the same are produced for such purpose and deemed entitled thereto, with such addition as such commissioners think fit, for denoting that it was done under this act; provided no bounty shall be paid, or certificate granted, for such additional number of barrels of herrings, but that the same shall nevertheless be liable to forfeiture in all cases where any barrels of herrings on which such bounty has been allowed, would have been, 55 *G.*3. *c.*94. *s.*23.

134. No barrel of herrings repacked or bung-packed, shall be deemed entitled to the bounty of 4*s. per* barrel hereby granted, unless 15 days shall have intervened from the day when such repacked herrings were originally cured and packed, and before the day when they were begun to be repacked, or unless a like space has intervened from and after the day when such bung-packed herrings were originally cured and packed, and before the day when the same were completely bung-packed, and if any barrel of herrings repacked or bung-packed shall be produced to any officer of the fishery to obtain such bounty, not being entitled thereto, the same shall be forfeited, and may be seized by any such officer, *id. s.*30.

135. The bounty of 4*s. per* barrel hereby granted, shall not be paid for any barrels of herrings bung-packed or repacked with small salt, which shall not contain, exclusive of salt and brine, 235lbs. of fish: or if bung-packed or repacked with great salt, which shall not contain, exclusive of salt and brine, 212lbs. of fish; and if any such barrels not containing such quantities, shall be tendered to any officer of the fishery to obtain such bounty, the same shall be forfeited, and may be seized by such officer, *id. s.*31.

136. Such bounty shall not be paid in respect of any barrels of herrings unless the same is produced and branded in the presence of the proper officer of the fishery in manner directed by 48 *G.*3. *c.*110. *s.*36., *pl.* at such port as herein directed, *viz.* if such herrings were cured with salt stored on shore at a place where the herring fishery is carried on, then they shall be produced and branded at such place, or at some other place within such port, or at the next place without such port to which the same shall be removed; or if cured with salt carried out in a vessel fitted out for the *British* herring fishery, and brought thence in the same or another vessel according to 48 *G.*3. *c.*110. *s.*18., *pl.*107. and this act, the barrels shall be branded at the port to which brought from such fishery; nor shall such bounty be paid for any barrel of herrings, unless the curer thereof, who shall produce the same to the proper officer for that purpose, shall, after the same have been so produced and inspected by such officer, make oath before him (which oath he may administer,) and which shall be written at the foot of the request note delivered by the curer to such officer for his attendance to inspect such herrings, pursuant to any regulations of the commissioners made under 48 *G.*3. *c.*110. *s.*48. *pl.*153.) that such herrings, to the best of his knowledge and belief, were gutted and packed within 24 hours after taken, and that the same have not been before either in the same or different barrels, produced to any officer of the fishery in order to obtain the said bounty, *id. s.*32.

137. Such bounty of 2*s. per* barrel hereby granted on white herrings shall be paid to the curer on production of the fish to the proper officer of the fishery, in order to be branded and certified for the bounty, who shall examine the herrings contained in all such barrels, to ascertain whether the herrings produced will entitle the curer to such bounty, and the curer shall, on request, place the barrels in such manner as such officer shall direct, (the outsides being free from dirt or tar,) and open them and remove the herrings therein, and furnish such officer with scales and weights, and assist him in weighing the same, and on every barrel found entitled to such bounty, shall be branded by order and in the presence of the officer, such mark as the commissioners of the fishery shall direct, denoting that they are deemed proper, and whether the same are bung-packed or repacked, and the year when branded, and by order and in presence of what officer; all which being done, such officer shall give such curer a debenture for payment of such bounty, on the number of barrels so branded, which on being allowed by such commissioners, their allowance being stated in writing under their hands at the port of the debenture, such curer or his assigns shall be entitled to such bounty of 2*s. per* barrel, and the commissioners of ex-

cise in *Eng.* or *Scot.*, shall cause the same to be paid on production of the debenture, in the same manner as the tonnage bounty on busses is by *s.* 25. *pl.* 114. directed to be paid, 48 *G.* 3. *c.* 110. *s.* 37.

138. If any herrings, not taken in the *British* herring fishery, or any herrings in respect whereof any bounty *per* barrel, granted by any former act, has been allowed, or any broken herrings, or herrings not originally gutted, or which were cured in bulk, or otherwise than in barrels, or having been cured in barrels, were afterwards laid in bulk, or any herrings mixed with any such herrings as aforesaid, or any herrings of which the barrel shall not contain such weight, or shall not be branded as in *s.* 6., *pl.* shall be produced to such officer to be branded and certified for such 2*s.* bounty, or which having been already so branded shall be again produced for such purpose, all such herrings, with the barrels in which contained, shall be forfeited, and seized by any officer of the fishery; and if any herrings, not by this clause forfeited, shall be produced to any officer of the fishery for such purpose, and who shall deem them indifferent, and not properly cured or packed, or the barrels in which packed not to be of sufficient strength, and for such cause shall think the curer not entitled to such bounty, such officer shall apply by petition, stating matter of dispute, to a justice of peace, giving notice thereof to curer to attend; and such justice shall appoint two or more skilful persons to inspect the same, and who shall inspect the same accordingly, and certify on their oaths before such justice their opinion thereon, and the determination of the major part of such persons shall be conclusive as to such 2*s.* bounty, *id.* *s.* 38. [see *s.* 36. *ante*, *pl.* 130.]

139. Any justice of peace to whom application shall be made, either by the officer or curer, shall appoint 2 skilful persons, having no interest in the dispute, one to be nominated by each party, and if either fail so to do within 24 hours after required to appoint, such justice shall nominate a disinterested party; and the persons so appointed shall examine the matter, and certify on their oaths taken before such justice, their opinion thereon, and if they agree the matter shall be determined accordingly, but if they do not agree they shall name a third disinterested party, who shall in like manner examine the matter and certify on oath his opinion, which shall finally determine the matter, 55 *G.* 3. *c.* 96. *s.* 36.

140. If any white herrings caught and cured in the *Irish* fishery, and for which any bounty has been paid, are produced to any officer of the *British* fishery, to order to obtain another bounty, or *vice versâ*, all such herrings, with the barrels containing the same, shall be forfeited, and may be seized by any officer of the fishery, customs, or excise; and the persons producing the same shall forfeit 500*l.*, to be recovered and applied as any penalty under any act in force for the encouragement of the fisheries of *G. B.* or *Ire.* respectively may be, 1 & 2 *G.* 4. *c.* 79. *s.* 4.

141. Whenever any white herrings repacked shall be intended to be shipped at any port in *G. B.*, to be carried coastwise to another, and to be thence exported out of *Europe*, the party so intending shall give notice thereof to the officer of the fishery at the port of shipping, and therein declare that such herrings were not repacked till 15 days, at least, after the day when they were first cured and packed; and such officer shall attend to see the same shipped, and if it appear that the same were repacked 15 days from the day when they were first cured, &c. such officer shall give a certificate thereof, under his hand, to the master of the vessel in which they are to be carried coastwise, specifying the marks on the barrels, and the name of such vessel, and of the master thereof, and the port whither bound, 48 *G.* 3. *c.* 110. *s.* 39

142. No white herrings shall be exported or tendered to any officer of the fishery or customs for exportation, at any port of *G. B.* for any port whatever, unless the barrel in which packed shall be half an inch thick at the bulge, or for any foreign port of *Europe*, unless bound with 16 iron or wooden hoops, nor for any port out of *Europe*, unless the barrel is new and full bound, and has one iron hoop at each end, nor unless such herrings have been repacked, and a space of not less than 15 days shall have intervened between the day when they were originally cured and packed and such repacking; all which shall be made appear to the officers of the fishery and of customs, at any port to which the same were brought coastwise for exportation, [but see next *pl.*] by such certificate as (in *s.* 39.) and oath made thereon by the exporter or his agent, before such officer, that the herrings tendered are the same as those brought coastwise, nor shall any barrel of white herrings be so shipped or tendered to be shipped for exportation, with the 2*s.* bounty mark branded thereon, unless the same shall, in all respects, be such as is hereby required to entitle the curer to such bounty; nor shall they be shipped for exportation till the proprietor or his agent has produced the same to the proper officer of the fishery, and done all things required of him by such officer, and which the curer is obliged to perform to obtain such bounty; nor shall the same be so shipped but in the presence of such officer; and all white herrings, with the barrels containing the same, which shall be exported, shipped, or tendered to be shipped for exportation contrary to this act, shall be forfeited, and may be seized by any officer of the fishery or customs, 48 *G.* 3. *c.* 110. *s.* 40. [see 55 *G.* 3. *c.* 94. *s.* 12 & 28. *post*, *pl.* 170. and *pl.* 178. as to *barrels for packing herrings*, *and* 29 *G.* 2. *c.* 23. *s.* 4.]

143. "Whereas it is enacted by 48 *G.* 3. *c.* 110. *s.* 40. that no white herrings shall be tendered for exportation out of *Europe*, unless the same have been repacked, and 15 days intervened from the time of original packing, and before the same repacked, all which shall be made appear to satisfaction of the officer of the fishery and customs, at any port to which the same are brought coastwise for exportation, by certificate granted by an officer of the fishery, whence the same were sent coastwise, and oath made thereon by the exporter or his agent, before any such officer, that the herrings tendered for exportation are the same as those brought coastwise; and whereas such oath and certificate are unnecessary in certain cases;" IT IS ENACTED, that so much of such act shall be repealed, so far as the same respects barrels of herrings, in respect of which it appears, by the mark thereon, the 4*s.* bounty has been allowed, 55 *G.* 3. *c.* 94. *s.* 34.

144. If any barrel of herrings repacked with great salt, or bung-packed or repacked with small salt, which shall not, exclusive of salt and brine, contain the quantity of fish here mentioned, (*viz.*) if intended for exportation to any place in *Europe*, in the first case 224 lb, or in the last 235 lb of fish at least, shall be shipped, or tendered to any officer of the fishery for shipment, for exportation to any such port, the same shall be forfeited, and may be seized by such officer, *id.* *s.* 35.

145. Every officer of the fishery to whom any barrels of white herrings are tendered for shipment for exportation, shall examine, inspect, and weigh the same, in order to ascertain whether such barrels be such as may be lawfully exported to the port for which they are entered; provided that if any white herrings contained in the barrel which shall be marked with the 2*s.* bounty mark which are not prohibited to be exported for other cause than not being entitled to said bounty, and are not of a description as would make them liable to forfeiture in case they were produced to obtain such bounty, shall be tendered for exportation, and such officer shall deem them, if indifferent in quality, or not properly cured, or the barrels not strong, and for that cause the same cannot be allowed to be exported, the herrings or barrels shall not be forfeited; and if the proprietor is not satisfied with such officer's opinions, in such case the dispute shall be settled in like manner as (in *s.* 38. *pl.* 138.) in relation to disputes between such officer and the curer claiming the bounty, 48 *G.* 3. *c.* 110. *s.* 41.

146. Salt, nets, barrels, and other fishing stores, and provisions necessary for sustenance of the crew, may be shipped in any buss, vessel, or boat, at any port in *G. B.* where an officer of the fishery is stationed; and may be carried to such fishery, and be unshipped and landed therefrom without a sufferance-warrant or coast-cocket from the officers of customs, and without their presence, except where any special provision is hereby made to the contrary, provided the same is done as hereby directed; but this act shall not repeal any provisions in any act made for securing the duties on salt, in respect to the shipping or landing thereof, *id.* *s.* 42.

147. Every officer of the fishery by whom any licence or certificate is granted to any master of any buss or vessel, or boat, specifying the quantities of salt, &c. shipped on board of such buss at any port of *G. B.* for the *British* herring fishery, or by whom any account of any herrings, salt, nets or other fishing stores landed out of any such buss, &c. from such fishery at any port in *G. B.* shall be taken, shall transmit a copy of such licence or certificate, and account to the chief officer of customs at such port with the name of the buss, &c. and the master thereof, and the port where the same was fitted or cleared for such fishery, *id.* *s.* 3.

148. Herrings taken in the *British* herring fishery may be cured and packed in half barrels, each of which shall contain 16 gallons *Eng.* wine measure, and the bounty of 2*s.* *per* barrel hereby granted shall be allowed for them, two such halves being deemed equal to one barrel; provided such halves shall be liable to all the rules and penalties hereby imposed for herrings packed in barrels, *id.* *s.* 44.

149. Every half barrel of white herrings shall, if bung-packed or repacked, contain half the quantity of fish, exclusive of salt and brine, which a barrel of herrings so packed is by 48 *G.* 3. *c.* 110. *s.* 44. required to contain, and shall be entitled to half the bounty, and be subject to the like rules, &c. to which a barrel of herrings is, 55 *G.* 3. *c.* 94. *s.* 40.

150. Any officers of the fishery may go and remain on board of any buss, &c. having on board any salt, barrels or other fishing stores in *G. B.* intended for the *British* white herring fishery, or being at any place where any herrings are taken or cured, or proceeding to any port of *G. B.*, and may examine the same, and mark the barrels in which herrings are contained, and take an account of the names and descriptions of the crew thereof; and the master shall, if required by such officer, produce and deliver to him the certificate of registry, and the licence, certificate or declaration which he ought to have on board, and shall give him the name of his owners and their places of residence, and the names of his crew, on penalty to forfeit 20*l.* in case of noncompliance, 48 *G.* 3. *c.* 110. *s.* 45.

151. On every boat employed in the *British* herring fishery within the limits of a port of 4 leagues of the coast of *G. B.*, there shall be painted in white Roman letters, 2 inches in length, on a black ground, the name of the place to which she belongs, on the outside of the stern, and the names of the owners on the inside thereof; and boats so employed within such limits, and not being so painted shall be forfeited, and may be seized by any officer of the fishery, customs or excise, 48 *G.*3. *c.*110. *s.*46.

152. Any officers of the fishery may, when herrings are curing, and packing and repacking, at all times in the day (or at night, in presence of a peace officer), enter into any cellar or warehouse of any curer, or place where herrings are cured, &c. to inspect such herrings, and mark any barrel in which the same are packed or repacked, which shall not be altered or defaced, *id. s.*47.

153. The commissioners of the herring fishery appointed under *s.*5. *pl.*87. shall make rules and regulations directing in what manner every journal, declaration or account required by this act shall be made, and by what means this act shall be executed; also for sorting the herrings taken, *viz.* for packing or repacking herrings of one class separately from herrings of another class, or from all other herrings; such classes to be determined by such rules, &c. according as to them shall appear most conducive to the improvement of such fishery; the herrings of each class to be distinguished by such mark as such rules shall direct; and whenever any herrings sorted according to such rules are produced to any officer of the fishery, he being satisfied that they are duly sorted, and to what class they belong, shall cause such mark to be burnt on each barrel in his presence, as by such rules, &c. directed, in order to show how they should be classed; and such commissioners shall make rules directing the marks that shall be branded on any barrels of herrings, the size thereof, and the part of the barrel on which to be set, and the manner how any mark not hereby required to be branded shall be set thereon, which rules they shall make public in such way as to them appears best; and if any such mark is so branded or set otherwise than as hereby or as by such rules directed, or if any mark more than the proper mark is set on any barrel of herrings, the curers and proprietors thereof shall not be entitled in respect of the same to claim any benefit by this act provided for any barrel of herrings branded and marked according to the meaning hereof; and if any journal, declaration, account or oath hereby required to be made, or any thing hereby required to be done by or on behalf of any curer or proprietor of herrings, or any owner or master of any ship, vessel or boat, shall be made or done not conformable to such rules, such person shall not be entitled to any benefit of this act to which he might have been otherwise entitled in case such journal, &c. had been made or done conformable hereto, *id. s.*48.

154. The commissioners for the herring fishery may revoke and annul, alter or vary any rule, &c. by them made under 48 *G.*3. *c.*110. *s.*48. and make others in lieu thereof, 55 *G.*3. *c.*94. *s.*41.

155. The commissioners of the *British* white herring fishery may make such rules, directing how the 48 *G.*3. *c.*110., 51 *G.*3. *c.*101., 52 *G.*3. *c.*153., 54 *G.*3. *c.*102., and 55 *G.*3. *c.*94., or any act hereafter to be made relating to such fishery shall be executed as to them seems meet, and such rules shall be as valid as if herein set forth, and be obeyed by all officers of the fishery and others, and no bounty by 55 *G.*3. *c.*94. or this act granted shall be paid to any person, unless such rules are complied with by him, 1 & 2 *G.*4. *c.*79. *s.*3.

156. Any thing hereby required to be done by the commissioners of the *British* herring fishery, may be done by such number as the letters patent containing their appointment shall determine, *id. s.*9.

157. Every person before whom any oath is hereby directed to be made may administer the same, and every person who shall make a wilful false oath respecting any thing hereby required to be sworn, shall on conviction be liable to the punishment of perjury, 48 *G.*3. *c.*110. *s.*49.

158. If any person other than an officer of the fishery, or not being authorized by, or without the presence of such officer, shall fraudulently brand or cause to be branded, or have in his custody any implement for the purpose of branding on any barrel or cask of herrings any mark which by virtue of this act shall be directed to be branded on any barrels of herrings by order and in presence of such officer, or any mark in imitation thereof; or if any person shall alter, erase or falsify any licence, certificate, account, declaration, oath or other document hereby prescribed, such person shall, on conviction in *Eng.* before a justice of peace, or in *Scot.* before the sheriff of the county where the offence was committed or offender found, forfeit not exceeding 50*l.*, or be imprisoned for any term not exceeding 6 months; and every barrel so fraudulently branded, with the herrings therein contained, and every instrument in possession of the party for the purpose of so branding the same, shall be forfeited, and may be seized by any officer of the fishery, customs or excise, *id. s.*50.

159. If any mark set or branded on any barrel of herrings by any officer of the fishery pursuant to this act, or such rules as aforesaid, shall be altered or defaced, every such barrel, &c. and the herrings therein shall be forfeited and be seized by any such officer, 48 *G.*3. *c.*110. *s.*51.

160. This act shall not alter or repeal the salt acts, 38 *G.*3. *c.*89. (*ss.*61, 92—100.) relating to salt used in curing fish, *id. s.*52.

161. All persons, who shall assault, resist, oppose, molest, or hinder, any officer of the fishery, or any person acting in his aid in execution of this act, or of any thing herein contained, shall forfeit 50*l.*, *id. s.*53.

162. Every officer of the fishery who shall take either directly or indirectly any fee or reward other than his salary for any thing done in execution of this act, shall, on conviction, forfeit his office and 100*l.*, and be for ever incapacitated to hold any office under the crown, *id. s.*54.

163. The commissioners for the herring fishery to be appointed under this act, may allow premiums or bounties not exceeding 3000*l.* in one year, to be paid to persons who shall employ boats of not less than 15 tons burthen admeasurement, in taking herrings on the coast of *Scot.*, who shall cure and pack them according to such plan and rules, as such commissioners shall make and publish in that behalf, and within one month after 5 *April* in each year, they shall make a list of the names and places of residence of the persons claiming such bounties, the names of the boats and tonnage thereof employed by such persons and the sum of money they shall assign to each, which list certified by such commissioners, shall be transmitted to the commissioners of excise in *Scot.*, who shall pay out of any money in their hands the said sums to such persons thereon respecting the delivering a certificate from the commissioners of the herring fishery to that effect, provided such bounties do not exceed 3000*l.* in one year, *id. s.*55.

164. The premiums or bounties in 48 *G.*3. *c.*110. *s.*55. mentioned, shall be allowed to all persons who shall fit out such boats of such burden as therein specified, from any port in *Scot.*, and employ the same in taking herrings on the coast of *G. B.*, *Ire.*, or *Isle of Man*, and who shall cure the same according to the plan and rules, &c. aforesaid, 55 *G.*3. *c.*94. *s.*37.

165. Any thing required to be done by this act by commissioners for the herring fishery, may be done by such number of them, as by the letters patent for appointing them shall be determined, 48 *G.*3. *c.*110. *s.*56. [*see s.*57. *post*, *pl.*184.]

166. All privileges, protections, and provisions, by any act given for justices of the peace, or officers of the customs or excise, on occasion of their acting in execution of their offices, as to any action or suit, or tendering of amends or costs, or other thing, shall extend to such commissioners superintending, and officers of the herring fishery, and all persons acting in their aid, *id. s.*58.

167. No superintendant or other officer acting under this act, or in enforcing any rules made under authority hereof, shall be deemed a trespasser, or liable to any action or prosecution by reason of any thing done in execution of his office of this act, and of such rules, and not done maliciously; and if any actions are commenced for any such thing, and the court and jury shall find that the same was not maliciously done, such person shall be nonsuited, and pay treble costs to the defendant, *id. s.*59.

168. The jurisdictions of the sheriffs and stewards depute of *Scot.*, and their substitutes, shall be extended over all persons engaged in catching, curing, or dealing in fish in all the rocks, bays, and arms of the sea within their counties and stewartries, and also within 10 miles of the coasts thereof, in the same manner as the same is exercised over the inhabitants of those counties and stewartries; and if any loch, &c. shall adjoin 2 or more counties, &c. or any other part of sea, shall be within *ten* miles of the coasts of 2 or more counties, &c. the sheriffs and stewards thereof shall exercise a concurrent jurisdiction over such persons in any such loch, &c. being in, or opposite to, their respective counties or stewartries, or any parts of the sea, within such distance of the coast thereof, *id. s.*60.

169. The admiralty on application of the commissioners of the herring fishery, shall, from time to time, appoint a commissioned officer of the navy as superintendant of the *British* herring fishery carried on in the lochs on the coast of *G. B.* not in the deep sea, for the purpose of preserving order among the fishermen and persons there, which person so appointed shall take the oath set down in 48 *G.*3. *c.*110. *s.*9., *pl.*92. and he or any person acting under his order, may at all times go on board of vessels or boats employed in such fishery, and inspect the certificate of registry, excise permit, licence, certificate of fishery officers, and the account kept by the master of such vessel, or other document required by law to be kept there, all which the master shall deliver to him on demand, and he may detain the vessel, &c. till such documents are produced and delivered to him; and all powers given by 48 *G.*3. *c.*110. *s.*18. *pl.*161. to the superintendant of the deep sea fishery to enable him to preserve order, shall extend to the superintendant appointed under this act, and to every officer of the fishery, wherever such officer is appointed or employed to execute the duties of his office; and all penalties by 48 *G.*3. *c.*110. *s.*55. *pl.*161. inflicted on persons resisting the superintendant

of the deep sea fishery, or any officer of the fishery, in execution of the powers given him by that act, shall extend to persons resisting the superintendant of the loch fishery, or any person acting under him, or any officer of the fishery, in execution of the powers hereby given to preserve order in the loch and bay herring fishery, *55 G. 3. c. 94. s. 9.*

170. No white herrings shall be cured, packed, or put up in *G. B.*, or on board of any vessel or boat employed in the *British* herring fishery, in any barrel made in whole or part of fir, or which shall not be half an inch in thickness throughout of made work, or which shall not contain 32 gallons *English* wine measure, on pain that all herrings packed, &c. in such barrels so made, shall with the barrels be forfeited, and may be seized by any officer of the fishery, customs or excise, *id. s. 12.* [*See on this point s. 28. post, pl. 178—179, and 48 G. 3. c. 110. s. 40. ante, pl. 142. and 29 G. 2. c. 23. s. 4.*]

171. The commissioners of the herring fishery shall fix by rules to be made by them, the content of every measure commonly called a *cran*, by which fresh herrings taken in the *British* herring fishery shall be bought or sold, and also the form and dimensions thereof, the wood of which to be made the thickness of each part, the number and dimensions of the hoops with which it shall be bound, and whether same shall be iron, and shall also determine what marks shall be set, and upon what parts of such measures, and appoint persons at proper places to examine the same, and upon finding such measure conformable to such rules, &c. to brand such marks upon them; and if any cran or measure not so marked, shall be used in buying, selling, or delivering of fresh herrings in the *British* herring fishery, or on any part of the coast of *G. B.*, the persons using the same, shall forfeit it and 10*l.*, and the commissioners shall destroy such cran, and the provisions of *48 G. 3. c. 110. s. 50. pl. 158.* for the fraudulent branding of barrels shall extend to this provision, and be put in execution against any person fraudulently branding such crans with such marks, or with any marks counterfeiting the same, *id. s. 13.*

172. Every person buying or receiving fresh herrings, who shall, in order to ascertain the quantity thereof, use any cran or measure which, whether the same is or is not branded as by *55 G. 3. c. 94. s. 13.* directed, is of greater content than required by the rules of the commissioners of the herring fishery, shall forfeit the same, and also 10*l.*, to be recovered and applied as other forfeitures may be under such act; and such commissioners shall cause such cran to be burnt, *1 & 2 G. 4. c. 79. s. 5.*

173. Nothing in *48 G. 3. c. 110.*, or this act, relative to any vessels or boats fitted out for the *British* herring fishery with salt, netting, barrels, or other stores, or which shall proceed thereto with salt to be used in curing herrings, or on board of which herrings shall be cured, or which shall return to a port of *G. B.* with herrings so cured, so far as relates to the requisites directed by such act or this act to be performed by persons fitting them out, or the masters thereof, or to any penalty, &c. inflicted for the contravention of such requisites, shall extend to any boat in which salt is shipped for such fishery, or which shall return with herrings cured with such salt to any such port, provided such boat does not exceed 4 tons burthen, *55 G. 3. c. 94. s. 16.*

174. No herrings cured otherwise than in bulk shall be mixed with those cured in bulk, whether packed or not; nor shall any herrings cured in bulk, or cured otherwise and afterwards laid in bulk, be packed in any barrel or cask, unless the same is branded with the word "Bulk," on pain that all such herrings, with the barrels containing the same, shall be forfeited, and may be seized by any officer of the fishery or customs, *id. s. 24.* [*see post, s. 27. pl. 177.*]

175. When any herrings in bulk shall be imported into any port in *G. B.* from the *British* herring fishery, or from any other port in *G. B.* or any of H. M.'s dominions, such herrings, on the landing thereof, shall be conveyed to a place proper for packing the same, and there shall be without delay, or within 24 hours afterwards, packed in barrels branded with the word "Bulk;" and shall not be afterwards laid in bulk, on pain that such herrings, and the barrels in which contained, shall be forfeited, and may be seized by any officer of the fishery, provided no herrings cured or laid in bulk, intended to be made into red herrings, and which, on the landing thereof, shall be conveyed to a manufactory of red herrings, shall be required to be packed in barrels so marked; nor shall any herrings cured or laid in bulk, which on landing thereof were packed in barrels branded with the word "Bulk," be forfeited for being afterwards taken out of such barrels at a manufactory of red herrings, provided the same are immediately put in process for being made into red herrings, *id. s. 25.*

176. All herrings, being the refuse of the manufactory of red herrings, shall be packed in barrels branded with the word "Refuse;" and all such herrings so packed in barrels, on which such word shall not remain legible, as well as all herrings whatever mixed with herrings of such description, whether packed or not, shall be forfeited, and may be seized by any officer of the fishery or customs, *id. s. 26.*

177. So much of this act (*viz. s. 24. pl. 174.*) as relates to herrings cured in bulk, shall not extend to herrings cured originally in bulk in tight vats, pits, cisterns, hogsheads, or casks of larger size, and therein preserved in the pickle produced by their original cure till the same have been packed in barrels, and having been so packed, shall not afterwards be laid in bulk; or to any herrings cured otherwise than in bulk, mixed with the herrings in *s. 26.* described, *55 G. 3. c. 94. s. 27.*

178. When any white herrings, packed in barrels or casks, are imported into any port of *G. B.* from *Ire.* or the *Isle of Man*, or from any island or colony in H. M.'s dominions, all such barrels, &c. shall be, within 24 hours after landed, and before same warehoused, be branded with the word "*Irish*" if from *Ire.*, or "*Manx*" if from *Isle of Man*; or if any other of H. M.'s dominions, a word descriptive of its name in a legible manner; nor shall they be afterwards packed in any other barrels or casks, unless they are so branded; nor shall such herrings be laid in bulk or mixed with others, unless the same be so laid or mixed in a manufactory of red herrings, for the purpose of being made into red herrings, see *pl. 175.* and if any white herrings so imported shall be found in bulk, or mixed with others unless as aforesaid, or packed in barrels or casks not so branded, or on which such word is not distinct, the same shall be forfeited, and may be seized by any officer of the fishery or customs; provided nothing in *48 G. 3. c. 110. s. 40., pl. 142.* or this act (*s. 12. pl. 170.*) relative to the size and thickness of the barrel or half-barrel in which white herrings are packed, or against their being made of fir, or relative to the exportation of white herrings, shall extend to white herrings imported in barrels, &c. from *Ire.*, the *Isle of Man*, or other H. M.'s dominions, such barrels being branded as herein directed, *id. s. 28.* [but see next *pl.*]

179. The *55 G. 3. c. 94.* (*s. 28.*), and the regulations therein contained, so far as it relates to the white herrings contained in barrels imported into *G. B.*, shall be REP., *1 & 2 G. 4. c. 79. s. 8.*

180. Where any word is hereby directed to be branded on any barrel or cask, it shall be done on the bulge in letters of one inch and one half in length, *55 G. 3. c. 94. s. 29.*

181. Herrings on which the bounty hereby granted is to be claimed shall be gutted with a knife in the manner practised by *Dutch* fishermen; and the commissioners of the herring fishery may make rules to carry this act into execution; and every person who is required by *48 G. 3. c. 110. s. 35. pl. 127.* to keep an account or journal of herrings cured, or to give a declaration thereof, shall besides mention therein whether the herrings taken, cured, and gutted every day, or what part thereof, were gutted wholly with a knife, and shall verify the same on oath as by such act (*s. 36. pl. 130.*) directed; and if any barrels or half-barrels of herrings which have been gutted otherwise than with a knife as hereby directed, shall be produced to any officer of the fishery, in order to be branded and certified for the bounty, such officer shall, in the certificate to be granted by him, distinguish such of them as have been gutted otherwise than as hereby directed, and the commissioners may disallow and withhold a part of such bounty, not exceeding *6d. per* barrel, or *3d. per* half barrel, *id. s. 33.*

182. Any vessel or boat laden at any port of *G. B.* with salt, in bulk or barrels, intended to be used in curing herrings in bulk or barrels by the master or crew thereof, such herrings having been taken by them on the coasts of *G. B.*, *Ire.*, and *Isle of Man*, or purchased fresh by them on any of such coasts, from the crews of other *British* boats by whom the same were taken, shall be deemed vessels fitted out for the *British* herring fishery within *48 G. 3. c. 110.*, and this act; and where any such vessel having been so fitted out, and having proceeded to any part of such coasts where fishing of herrings is carried on, and of which the master and crew shall have taken or purchased herrings fresh, and cured the same in bulk or barrels, shall arrive laden therewith in *G. B.*; or where any herrings taken or purchased and cured, have been transhipped out of any such vessel into any other vessel which shall so arrive, they shall in either case be deemed herrings brought from the *British* herring fishery within this and the said act, *id. s. 38.*

183. In case any herrings, barrels, or casks, salt, nets, or boats shall be seized as forfeited under *48 G. 3. c. 110.* or this act, 3 commissioners of the herring fishery, on evidence given to their satisfaction that no fraud was intended, may order the same to be restored to the proprietors or claimants, in such manner and on such conditions as to them appear reasonable, and on compliance therewith by such proprietors, &c. the herrings, &c. shall not be proceeded against for condemnation; but if such proprietors, &c. do not comply, such condemnation shall be proceeded with, provided that if such proprietors, &c. do not comply they shall not be entitled to any recompence or damage on account of the seizure or detention of such herrings, &c. *id. s. 39.*

184. Any fine, penalty, or forfeiture, by *48 G. 3. c. 110.*, or this act imposed, except where other provision is hereby made, shall be sued for, recovered, and levied, [and mitigated *55 G. 3. c. 94. s. 42.*] as any fine, &c. may be sued for, &c. by the laws of customs or excise, or by action of debt, &c. or information in any court of record at *Westmr.* or in the court of exchequer in *Scot.*, one moiety to the use of H. M. and the other to the party suing, *48 G. 3. c. 110. s. 57., 55 G. 3. c. 94. s. 62.*

185. All rules and provisions contained in 48 *G.*3. *c.*110., and all penalties, &c. hereby imposed, shall remain in force except, where hereby altered, 55 *G.*3. *c.*94. *s.*43.

FISHERIES (*ISLE OF MAN*).

186. FOR GRANTING CERTAIN BOUNTIES IN RESPECT of the herring fishery carried on in the *Isle of Man*, 7 *G.*3. *c.*45. *ss.*17—21. [REP. except as to the bounties following, and the money applied to the improvement of the harbours of such island, 11 *G.*3. *c.*52. *s.*4. (This title is framed from these sections.) Regulations of 48 *G.*3. *c.*110., and the 55 *G.*3. *c.*94. EXT. to *Isle of Man*, 1 & 2 *G.*4. *c.*79. *s.*7.] The following bounties shall be paid, *viz.* to the admiral of the herring fishery in the *Isle of Man*, for each season, 5*l.*; to the vice-admiral 3*l.*;, to the water-bailiff or his deputy, of the island, 20*l.*, 7 *G.*3. *c.*45. *s.*17.

187. FOR THE FURTHER ENCOURAGEMENT OF THE HERRING FISHERY on the coasts of the *Isle of Man*, [and for obviating a doubt respecting bounties on the *British* white herring fishery in the year 1771, [EXP.] 12 *G.*3. *c.*58. [AMD. 25 *G.*3. *c.*63. *s.*9., 26 *G.*3. *c.*81. *ss.*33—37.]

188. Any sort of herrings caught on the coasts of the *Isle of Man*, and cured there, may be imported into *G. B.* on payment of the duties hereinafter imposed 12 *G.*3. *c.*58. *s.*1. [REP. as to the duties, 26 *G.*3. *c.*81. *s.*35., 49 *G.*3. *c.*98. *s.*1., and 59 *G.*3. *c.*52. *s.*1.; and all fish of any kind caught by the crews of ships built in the *Isle of Man* may be imported into *G. B.* duty free, 59 *G.*3. *c.*52. *s.*37. *pl.* 130. FISH, &c.]

189. The master or other person having the command of any vessel importing such herrings, shall bring with him a certificate from the governor, lieut.-governor, commander-in-chief, or chief magistrates, that oath has been made before them, in the presence of the officer of customs for the port where such herrings shall be put on board, that the same were *bonâ fide* taken on the coasts of the *Isle of Man*, and cured there, which certificate shall be attested by such officer of customs, and shall express the number of barrels and quantity of such herrings, and the marks of the package expressed in the bill of lading, with the name and place of abode of such deponent, and where and to whom such herrings are consigned in *G. B.*; and such master or person, so importing the same, shall also make oath before the collector or principal officer of the salt-duties at the port of importation, that such herrings are the same that were taken on board by virtue of such certificate so to be produced, on failure whereof the herrings shall be liable to the same duty, penalties, and forfeitures, as such herrings would have been if this act had not been made, 12 *G.*3. *c.*58. *s.*3.

190. No herrings caught on the coasts of the *Isle of Man* and cured there, shall be shipped or exported thence till such certificate is obtained as by 12 *G.*3. *c.*58. *s.*3., required under the penalty of 40*s.* a barrel, and so in proportion, to be recovered of the owner or master of the vessel, or of the exporter, and also giving bond to H. M. in double the amount of duty to be taken by the chief officer of customs at the port of exportation for the due landing thereof at the port for which shipped, and if for *G. B.*, on paying the duty and making oath on the importation thereof, which bond shall be discharged without fee, upon certificate returned or produced to such officer within 12 months from the date of such bond; or otherwise such officer may put the bond in suit; which certificate the chief officer of salt duties, or if none, the chief officer of customs at the port of importation in *G. B.*, or other H. M.'s dominions, shall grant without fee, and if exported to any place out of H. M.'s dominions, then on certificate under the common seal of the chief magistrate there, or of 2 *British* merchants being there, or on proof by 2 persons that such herrings were taken by enemies, perished in the sea, or were otherwise lost by accident, the examination and proof thereof being left to the governor, commander-in-chief, or chief magistrates of the *Isle of Man*, 25 *G.*3. *c.*63. *s.*9.

191. The oath required by 12 *G.*3. *c.*58. to be taken before the governor, &c. of the *Isle of Man*, may be taken before the chief officer of the revenue at the port where such herrings are shipped, who shall administer the same, and grant a certificate thereof under his hand and seal of office, 26 *G.*3. *c.*81. *s.*37.

192. Any of H. M.'s subjects inhabiting in the *Isle of Man*, may export from thence, and import into any of the *British* colonies in *America* in *British* ships, manned and navigated according to 12 *C.*2. *c.*18. herrings caught and cured by them, in the same way as victuals of and from *Ire.* may be imported into the colonies or plantations by the 15 *C.*2. *c.*7., 12 *G.*3. *c.*58. *s.*4.

193. Any fishermen inhabiting the *Isle of Man*, may load there on board any vessel or boat employed in the fishery on the coasts of such island, any quantity of salt, which shall be sufficient for curing the cargo of herrings taken by such boat, bond being first given to H. M. with one surety, besides the master, to be approved of by the collector or other principal officer of the revenue, at the port from whence such vessel shall depart, in the penalty of 50*l.* for every ton of salt so taken on board, with condition that the same shall be used only in curing herrings, and shall not be landed in *G. B.*, or transhipped into any other vessel, and on the return of such vessel from the fishery into any port of the *Isle of Man*, the master, and one of such vessel's crew shall make oath before the collector or other principal officer of the revenue at the nearest port where they arrive, (which oath such officer shall administer,) that the salt so laden (excepting such as may remain unused on board) has been really expended in curing herrings caught by them, and that no part thereof had been landed in *G. B.* or transhipped; which bond shall continue in force for one year from after the completion of the voyage, and in case no fraud appears within that time, the receiver general of H. M.'s revenue in the *Isle of Man*, or his deputy shall cancel and deliver up the same, 12 *G.*3. *c.*58. *s.*5.

194. A bounty of 1*s. per* barrel shall be paid for all herrings caught by the inhabitants of the *Isle of Man*, and landed thereat, which bounty shall be exclusive of all bounties payable on the exportation of herrings to foreign parts, and shall be paid out of the surplusage of the annual customs of such island by the receiver general of the customs on the owners of such herrings complying with the rules, and being subject to the like penalties in case of re-landing, or any other fraudulent practice to obtain such bounty as by this act directed with regard to *British* caught herrings landed in *G. B.*, 26 *G.*3. *c.*81. *s.*33.

195. All such herrings as shall be caught and cured by the inhabitants of the *Isle of Man*, and exported thence, or from *G. B.* to foreign parts, shall, on exportation thereof, be entitled to the bounty of 2*s.* 8*d. per* barrel on white herrings, and 1*s.* 9*d. per* barrel on red herrings so exported as by 5 *G.*1. *c.*18. *s.*6. *pl.* 15. FISHERIES (*British*), are granted; which bounty shall, on such white or red herrings exported directly from the *Isle of Man* to foreign parts, be payable out of the same funds and in the same manner as by *s.*33. directed, and on such herrings exported from *G. B.* to foreign parts, shall, on the owners thereof producing proper certificates, (signed by the chief officer of H. M.'s revenues in such island,) of such owners having taken the like oaths, and conformed to *ss.*24—25. FISHERIES (*British*), *pl.*32, 33. of this act, be payable from the same funds, and paid under the like conditions and penalties in case of re-landing such herrings, or of any other fraudulent practice to obtain such bounty as by 5 *G.*1. *c.*18. and this act directed with regard to any herrings cured and exported from *G. B.*, *id. s.*34. [the bounties by 5 *G.*1. *c.*18. *s.*6. are REP. as being payable out of the excise, by 43 *G.*3. *c.*69. *s.*1.]

196. The like penalties as in *s.*32., *ante*, FISHERIES (*British*), *pl.*35., provided with respect to officers taking fees for any transaction relative to the fisheries shall extend to the fisheries of the *Isle of Man*, *id. s.*36.

FISHERIES (*NEWFOUNDLAND*).

(STATUTES *expired.*)

197. FOR THE ENCOURAGEMENT OF THE WHALE FISHERY IN THE gulph and river of *St. Lawrence*, and on the coasts of H. M.'s colonies in *America*, 4 *G.*3. *c.*29. [EXP.]

198. TO ALLOW THE EXPORTATION OF A LIMITED QUANTITY OF biscuit and pease, to the island of *Newfoundland*, for the benefit of the *British* fishery there, 14 *G.*3. *c.*11. [*during the continuance of* 13 *G.*3. *c.*43. *which is* REP., 31 *G.*3. *c.*30. *s.*1., and this act is therefore EXP.]

199. TO AMEND AND RENDER MORE EFFECTUAL THE SEVERAL LAWS now in force for encouraging the fisheries carried on at *Newfoundland*, and parts adjacent, from *G. B.*, *Ire.* and the *British* dominions in *Europe*, and for granting bounties for a limited time on certain terms and conditions, 26 *G.*3. *c.*26. [REV. and CON., 37 *G.*3. *c.*99. *s.*1., 39 *G.*3. *c.*102., 39 & 40 *G.*3. *c.*45. *s.*8., 41 *G.*3. *U.K. c.*97. *s.*1. all now EXP.]

200. TO PERMIT UNTIL 1*st Oct.* 1821, THE IMPORTATION OF HERRINGS and other fish, the produce of the fishery carried on in *Nova Scotia*, *New Brunswick*, *Newfoundland*, and on the coast of *Labrador*, into this kingdom, without payment of duty, 41 *G.*3. *G. B. c.*11. [EXP.]

201. FOR ALLOWING THE IMPORTATION OF CERTAIN FISH from *Newfoundland*, and the coast of *Labrador*, and for granting a bounty thereon, [until 1*st Aug.* 1802, 41 *G.*3. *U.K. c.*77., until 1*st May* 1804, 43 *G.*3. *c.*154. *ss.*6—13., until 1*st Aug.* 1807, 46 *G.*3. *c.*103., until 1*st Aug.* 1808, 47 *G.*3. *S.*2. *c.*24. which is CON. until 25*th March* 1810, 48 *G.*3. *c.*20. *s.*3. EXT. to fish taken and cured at the coast of the gulf of *St. Lawrence*, of the bay of *Fundy*, of *Cape Breton*, of *Prince Edward's Island*, by *British* subjects, 49 *G.*3. *c.*26. These last three acts CON. until 25*th March* 1811, 50 *G.*3. *c.*80. all now EXP.]

(STATUTES *in force.*)

202. No person shall collect in *Newfoundland* any toll or duty for cod, or other fish of *English* catching, under pain to forfeit double the value thereof, and no person shall cast or lay any seine or other net in or near any harbour in *Newfoundland*, whereby the young fry of the poor-john may be destroyed, except for taking bait, upon pain to lose the same, and the fish taken with them, or the value thereof, to be reco-

vered in any court in *Newfoundland*, or any court of record in *Eng.* or *Wa.*, wherein no essoin, &c., 15 *C.*2. *c.*16. *s.*1.

203. No person shall destroy or steal any boat, cask, salt, nets, or utensils for fishing, or making oil or other goods left in any harbour in *Newfoundland*, or *Greenland*, by *English*, or burn or destroy any house built there by *English* to live in during the fishing season, or stage built by them for saving or ordering of fish, or making of oil, upon pain of the loss of double the value to be recovered in the courts at *Newfoundland*, or *Greenland*, or in any court of record in *Eng.*, by action, wherein no essoin, &c. *id. s.*2.

204. To ENCOURAGE THE TRADE TO *Newfoundland*, 10 & 11 *W.*3. *c.*25. [AMD. *as to* importing blubber, 59 *G.*3. *c.*52. *ss.*38, 39.]

205. All H. M.'s subjects residing in *Eng.*, or the dominions thereunto belonging, that shall trade to *Newfoundland*, or any of the islands adjoining, shall have the free trade and fishery to and from *Newfoundland*, and the freedom of taking bait and fishing in any of the rivers, lakes, creeks, harbours or roads, in or about *Newfoundland*, or the islands adjacent, and liberty to go on shore on any part of *Newfoundland*, or such islands, for the curing, salting, drying and husbanding of their fish, and for making of oil, and to cut wood and trees there for building and making of stages, ship-rooms, train-fats, hurdles, ships boats and other necessaries, as fully as at any time heretofore; and no stranger (not residing in *Eng.*, *Wa.*, or *Ber.*) shall take bait, or use any trade or fishing in *Newfoundland*, or in any of such islands, *id. s.*1.

206. No ballast, prest-stones, or any thing hurtful to the harbours there, shall be thrown out of any ship or otherwise, to the prejudice of the harbours, but all such ballast and other things shall be carried on shore, and laid where they may do no annoyance, *id. s.*2.

207. No person shall destroy or do any detriment to any such stage or cook-room, or to the flakes, spikes, nails, or any other thing thereto belonging, as he shall fall into at his coming into the country; but shall content himself with such stages as are needful; and shall at his departure leave all such stages without doing any wilful damage; and the repairing of such stages, during his abode there, shall be done with timber fetched out of the woods there, and not by ruining or injuring the stages of any other persons, *id. s.*3.

208. According to ancient custom, every such fishing ship from *Eng.*, &c., or such fishermen as shall first enter any harbour or creek in *Newfoundland* in behalf of his ship, shall be admiral of such harbour or creek during that season, and shall reserve to himself so much beech or flakes as are needful for the number of such boats as he shall use, with an overplus only for one boat more; and the master of every such second fishing ship shall be vice-admiral; and the master of such fishing ship next coming shall be rear-admiral: and the master of every fishing ship there, shall content himself with such beech or flakes as he shall have necessary use for, without keeping any more to the prejudice of any other ship; and persons possessed of several places in several harbours or creeks shall make their election of such place as they shall choose to abide in; and within 48 hours after any after-comer shall demand their resolution touching such election, (or so soon after as the weather will permit,) give their resolution to such after-comer touching such election; and in case any difference arise touching such matters, the admirals of the harbours, or two of them, shall proportion the place to the ships in the harbours they fish in, according to the number of boats which each ship shall keep, *id. s.*4.

209. No person shall take up or possess any of the stages, cook-rooms, beeches, or other places, which since 1685 did, or at any time hereafter shall, belong to any fishing ship for taking bait or fishing, or for drying, curing, or husbanding of fish, before the arrival of the fishing ships out of *Eng.*, &c., and until such ships shall be provided with stages, &c., *id. s.*6.

210. Provided that such persons as shall build, cut out or make any houses, stages, cook-rooms, train-fats, or other conveniencies for fishing there, may enjoy the same to their own use, *id. s.*7.

211. Persons that shall go with their servants to *Newfoundland* to keep boats on a fishing voyage, called *by-boat-keepers*, shall not meddle with any house, stage, cook-room, train-fat, or other conveniency that did belong to fishing ships since the year 1685, or shall be cut out or made by ships since 1700, *id. s.*8.

212. Every master of a by-boat shall carry at least two fresh men in six; *viz.* one man that hath made no more than one voyage, and one man who hath never been at sea before; and every inhabitant shall employ two such fresh men for every boat kept by them; and all masters of fishing ships shall carry in their ship's company at least one such fresh man, that never was at sea before, in every five men they carry; and the master of each by-boat and fishing ship, shall make oath before the collector, or principal officer of the customs of the port from whence such ship intends to sail, that each ship and by-boat's company have such fresh men therein; and such officers shall administer such oath, and give a certificate thereof without fee, *id. s.*9.

213. Every master or owner of any fishing ship going to *Newfoundland*, shall have in his ship's company every fifth man a green-man; *viz.* not a seaman or having been at sea before, 10 & 11 *W.*3. *c.*25. *s.*10.

214. No person shall obliterate or alter the mark of any boats or train-fats belonging to any other persons to prejudice the right owners, nor convert to his own use any boats or train-fats belonging to other persons, without their consent, nor remove the same from the place where they were left by the owners, except in case of necessity, and upon giving notice to the admiral of the harbour where left, *id. s.*11.

215. No person shall rind any trees there growing, nor set on fire any of the woods of the country, or do any damage to the same, except for necessary fuel, and for the building and repairs of houses, ships, boats and train-fats, and of the stages, cook-rooms, beeches and other places, for taking bait and fishing, and for drying, curing and husbanding fish there; and no person shall cast anchor, or do any other thing, to the hindering of the haling of sayns in the accustomary baiting places, or shoot their sayns within or upon the sayns of any other persons; and no person shall take out of the nets of any other persons lying adrift, or drover, for bait by night, nor take away any bait out of any fishing boat or any nets belonging to any other person, *id. s.*12.

216. All robberies, murders, felonies, and other capital crimes, committed upon land in *Newfoundland*, or any of the islands thereunto belonging, may be inquired of, tried, heard and determined, in any county of *Eng.*, by commission of *oyer* and *terminer* and gaol-delivery, according to the laws of this land for punishment of such crimes committed within this realm, *id. s.*13.

217. The admirals of every harbour in *Newfoundland* shall see the orders in this act, concerning the regulation of the fishery there, duly put in execution; and each of such admirals shall yearly keep a journal of the number of all ships, boats, stages and train-fats, and of all the seamen belonging to each of their harbours, and shall at their return to *Eng.* deliver a copy thereof to H. M.'s privy council, *id. s.*14.

218. In case any difference shall arise in *Newfoundland*, or the islands adjoining, between the masters of fishing ships and the inhabitants, or any by-boat-keeper, concerning the right of fishing rooms, stages, flakes, or other building or conveniency for fishing or curing of fish, in the harbours or coves, the same shall be determined by the fishing admirals in the several harbours and coves; and in case any masters of fishing ships, by-boat-keepers or inhabitants shall appeal to the commanders of any of H. M.'s ships of war, appointed as convoys for *Newfoundland*, such commander shall determine the same, *id. s.*15.

219. All the inhabitants of *Newfoundland*, or the islands adjacent, shall strictly observe every Lord's day; and none who keep any public house for entertainment shall entertain or utter upon any *Sunday*, any wine, beer, ale, cyder, strong waters or tobacco, or any other liquor, *id. s.*16.

220. Whale fins, oil and blubber, imported by Greenland merchants, and may be imported duty free, *id. s.*17. [*But see* now 59 *G.*3. *c.*52. *schedule* A. *Inwards*, *tit.* WHALE OIL.]

221. Before any blubber, train oil, spermaceti oil, head matter, or whale fins, the produce of fish or marine creatures imported into *G. B.*, as being taken and caught on the banks and shores of the island of *Newfoundland*, and parts adjacent wholly by H. M.'s subjects carrying on such fishery from that island, or as being taken and caught wholly by H. M.'s subjects usually residing in any of the *Bahama* or *Bermuda* islands, or as being caught in the gulf of *St Lawrence*, or on the shores of any *British* colony or plantation in *America*, or the parts adjacent, wholly by H. M.'s subjects usually residing there, and carrying on such fishery from thence, shall be admitted to entry on payment of the duty imposed thereon by this act, the master or person having the command of the vessel importing the same, shall deliver to the chief officer of customs at the port of importation a certificate under the hand and seal of the governor or deputy-governor of *Newfoundland*, or such other *British* colony, or of the chief officer of customs of the port in *Newfoundland*, or in such other *British* colony where such train oil, &c. was taken on board, or if no such officers, then under the hand and seal of the naval officer or other principal officer of such port, or of a justice of peace for the district, testifying that oath was made before him (who shall administer such oath and grant such certificate) by the shipper thereof, that the same was really and *bonâ fide* the produce of fish or marine creatures actually caught and taken wholly by H. M.'s subjects carrying on such fishery, and usually residing in such island of *Newfoundland*, or in H. M.'s *European* dominions, or in such other *British* colony, &c. and carrying on such fishery from thence; and such master or person commanding such importing vessel, shall make oath before the chief officer of customs at the port of importation (who shall administer the same,) that the blubber, train oil, &c. so imported is the same as that mentioned in such certificate, and the importers or consignees thereof shall also make oath before such officer, (who shall administer the same,) at the time of entry, that, to the best of his knowledge and belief, the blubber, &c. so imported was actually caught by *British* subjects usually residing and carrying on such fishery as last aforesaid, and on failure of such certificate and proof made, such blubber, train oil, &c. shall be deemed foreign fishing,

and be charged with duty as on such articles of foreign fishing, 59 *G.*3. *c.*52. *s.*38.

222. The payment of the duties hereby imposed on importation of train oil, &c. the produce of fish or marine creatures taken and caught on the banks and shores of *Newfoundland*, and parts adjacent, wholly by H. M.'s subjects carrying on such fishery from such island, shall be suspended until *5th July* 1824, but the same shall be duly entered, 59*G.*3. *c.*52. *s.*39.

223. TO PERMIT THE FREE IMPORTATION OF CODFISH, ling and hake caught and cured in *Chaleur Bay*, or any other part of the gulf of *St. Lawrence*, or on the coast of *Labrador*, 13 *G.*3. *c.*72.

224. All codfish, ling and hake caught and cured in *Chaleur Bay*, or any part of the gulf of *St. Lawrence*, or on the coast of *Labrador*, may be imported in *British* built vessels navigated according to law, and subject to the rules, &c. of 10&11 *W.*3. *c.*25. and be landed in *G. B.*, so as oath be made before the landing thereof, by the owner of the fish, or master of the vessel bringing the same, before the officer of the salt duties at the port of importation, (who shall administer the same without fee,) that all fish so imported came from such gulf or coast, and were caught and cured there; and so as before such fish is landed, part of their tails are cut off by the officer of the port, that no allowance be made for the same on exportation; and in case any such fish be landed before their tails, &c. are so cut, all fish so imported and landed shall be forfeited, and double the value thereof; to be recovered of the importer, proprietor, or master of the vessel, *id. s.*1.

225. Masters of vessels laden with such fish coming from *Newfoundland*, or such gulf or coast, into any port of *G.B.*, shall throw overboard all the salt that shall fall off such fish or be in the vessel at the time of unloading or landing such fish in the presence of an officer of the salt duties, or in case of neglect, such officer shall throw it overboard, and the master shall forfeit 20*l.* and costs; and if any of it is landed, the same and treble the value thereof shall be forfeited, and all persons in whose custody the same is found and who shall aid, &c. in the landing thereof, shall forfeit 20*l.* and costs, one moiety of such forfeitures to go to H. M. and the other to the prosecutor, to be recovered, levied and mitigated as any excise forfeitures may be, or by action of debt, &c. or information in any court at *Westminster*, or the exchequer of *Scot.* wherein no essoin, &c. or more than one imparlance shall be allowed, *id. s.*2.

226. TO ENABLE H. M. TO MAKE SUCH REGULATIONS as may be necessary to prevent the inconvenience which might arise from the competition of H. M.'s subjects, and those of the most Christian king, in carrying on the fishery on the coasts of the island of *Newfoundland*, 28 *G.*3. *c.*35.

227. After reciting the treaties of *Utrecht* of 1713, of *Paris* of 1763, and of *Versailles* of 1783, and the declaration of the French king of 3d *Sept.* 1783, IT IS ENACTED, that H. M. may, by advice of council, give such orders and instructions to the governor of *Newfoundland*, or any officer on that station, as he shall deem proper, to fulfil the purposes of the treaty and declaration of 1783, and if necessary to that end, may give orders to such governor or officer to remove any stages, flakes, train-fats or other works for the purpose of carrying on such fishery erected by H. M.'s subjects on the coast of *Newfoundland*, between *Cape St. John*, passing to the north, and descending by the western coast to *Cape Rage*; and also all vessels of H. M.'s subjects found within such limits, and also in case of refusal to depart, to compel them so to do, *id. s.*1.

228. Every person who shall refuse on request by such governor or officer, in pursuance of such order of H. M. to depart from such limits or otherwise to conform to such request, shall forfeit 200*l.*, to be recovered in the court of session, or court of vice-admiralty in such Island of *Newfoundland*, or by bill, plaint or information in the courts of *Westminster*, one moiety to go to H. M., and the other to the party suing; provided that such suit, if commenced in *Newfoundland*, is commenced within 3 months, and if in the courts of *Westminster* within 12 months from the time when the offence was committed, *id. s.*2.

229. NO FISH TAKEN OR CAUGHT BY ANY OF H. M.'s subjects, or other persons arriving at *Newfoundland*, or its dependencies, or on the banks of such sland, except from *G. B.*, or one of the *British* dominions in *Europe*, shall be permitted to be landed or dried on such island, always excepting the rights granted by treaty to the French king, beginning at *Cape St. John*, passing to the north, and descending by the western coast to *Cape Ray* (or *Rage*), 29 *G.*3. *c.*53. *s.*1. [This act has been continued only as to the *Greenland* fishery, but there is no clause of expiration attached to it. See the rest of the act, FISHERY (*Whale*).]

230. TO ENABLE H. M. TO MAKE REGULATIONS with respect to the taking and curing fish on certain parts of the coast of *Newfoundland*, *Labrador*, and H. M.'s other possessions in *North America*, according to a convention made between H. M. and the *United States* of *America*, 59 *G.*3. *c.*38.

231. "Whereas a convention between H. M. and the *United States* of *America*, was made and signed at *London*, on the 20*th Oct.* 1818, and by the first article thereof, reciting that differences had arisen respecting the liberty claimed by the *United States* for the inhabitants thereof to take, dry, and cure fish in certain coasts, bays, harbours, and creeks of H. M.,'s dominions in *America*, it is agreed that the inhabitants of the said *United States* shall have for ever, in common with the subjects of H. M., the liberty to take fish of every kind on that part of the southern coast of *Newfoundland*, which extends from *Cape Ray* to the *Rameau* islands on the western and northern coasts of *Newfoundland*, from the said *Cape Ray* to the *Quirpon* islands, on the shores of the *Magdalen* islands, and also on the coasts, bays, harbours, and creeks from *Mount Joly* on the southern coasts of *Labrador*, to and through the *Straits of Belleisle*, and thence northwardly indefinitely along the coast, without prejudice however to any of the exclusive rights of the *Hudson's Bay* company; and it was also by the said article of the said convention agreed, that the *American* fishermen should have liberty for ever to dry and cure fish in any of the unsettled bays, harbours, and creeks of the southern part of the coast of *Newfoundland* above described, and of the coast of *Labrador*, but that so soon as the same, or any portion thereof should be settled, it should not be lawful for the said fishermen to dry or cure fish at such portion so settled, without previous agreement for such purpose with the inhabitants, proprietors, or possessors of the ground; and whereas it is expedient to carry into execution so much of the said convention as is above recited," it is enacted, that H. M., with the advice of his privy council, by orders in council, may make such regulations, and give such directions, orders, and instructions to governor of *Newfoundland*, or to any officers on that station, or other persons, as shall be necessary for the carrying into effect the purposes of the said convention, 59 *G.*3. *c.*38. *s.*1.

232. No person, not being a natural born subject, in any foreign ship, vessel, or boat, nor any person in any ship, vessel, or boat, other than such as shall be navigated according to the laws of the U.K., shall fish for or take, dry or cure any fish of any kind whatever within 3 marine miles of any coasts, bays, creeks, or harbours whatever, in any part of H. M.'s dominions in *America*, not included within such limits above specified; upon pain that all such ships, vessels, and boats, together with their cargoes, and all guns, ammunition, tackle, apparel, furniture, and stores, shall be forfeited, and may be seized and prosecuted, and condemned as ships, vessels, or boats, for any offence against any laws of customs or trade and navigation; but nothing in this act shall apply to the ships or subjects of any prince, power, or state in amity, who are entitled by treaty to any privilege of taking, drying, or curing fish, within the limits in this act described, *id. s.*2.

233. Any fishermen of such *United States*, may enter into such bays, &c. of H. M.'s dominions in *America*, as are last mentioned, for the purpose of shelter, and repairing damages therein, and of purchasing wood, and obtaining water, and for no other, subject to such restrictions as shall be made by any order in council under this act, and by any regulations which shall be issued by the governor in any such parts of *America*, under such orders in council, *id. s.*3.

234. If any person upon the requisition of the governor of *Newfoundland*, or by any other governor in any other part of *British America*, or by any officer acting under their orders, in execution of any order of H. M. in council, shall refuse to depart from such bays, &c. or shall neglect to conform to regulations which shall be made under this act, he shall forfeit 200*l.* to be recovered in the superior court of judicature at *Newfoundland*, or at any settlement in which the offence was committed, or by bill or information in any court of record at *Westminster*, to go one moiety to H. M., and the other to the party suing; provided, that if such suit be brought in *Newfoundland*, or such other settlements, it shall be commenced within 3 calendar months, and if in the courts at *Westminster* within 12 calendar months from the time of the commission of the offence, *id. s.*4.

FISHERY (*OYSTER*).

235. FOR THE BETTER PROTECTING THE SEVERAL OYSTER fisheries within this kingdom, 31 *G.*3. *c.*51. (PUBLIC *clause*, *s.*10.) [AMD. as to such fisheries within *Eng.*, 48 *G.*3. *c.*144.]

236. Any person who shall with any net, traul, dredge, or other instrument or engine, take or catch any oysters, or oyster brood, or shall dredge for oysters, or oyster brood, or use any oyster-dredge, or net, &c. within the limits of any oyster fishery of this kingdom, for the purpose of taking or catching oysters or oyster-brood, though no oysters, &c. are actually taken, or shall with any net, &c. drag on the ground of such fishery, (not being lawfully entitled to take oysters therein,) shall be deemed guilty of a misdemeanor, and may be prosecuted by indictment, at the assizes or general quarter sessions for the county or division in which such fishery shall lie; and such sessions shall determine such offences, and on conviction by verdict, or confession, such offender may be punished by fine and imprisonment, or either of them, at the discretion of the court, such fine not to exceed 20*l.*, nor be less than 40*s.*, and such imprisonment not to be for more than 3, nor less than

one month, 31 *G.*3. *c.*51. *s.*1. [*Qu. how far repealed by* 48 *G.*3. *c.*144. *s.*1. *and* 5.?]

237. Every person who shall knowingly and wilfully steal, take, and carry away, any oysters, or oyster brood from any oyster bed, laying, or fishery, being the property of any person or body corporate, and sufficiently marked out as such, shall be guilty of felony, and may be transported for not exceeding 7 years or imprisoned and kept to hard labour in any gaol, house of correction, or penitentiary, or imprisoned only for not exceeding 3 years, as the court may adjudge, 48 *G.*3. *c.*144. *s.*1.

238. Nothing in *this* act shall subject to its penalties any person who shall take away any oysters or oyster brood from any bed, laying, or fishery, under a claim of right to the same, *id. s.*2.

239. Nothing in this act shall prevent any person from taking, or fishing for any floating fish in the waters or creeks within the limits of any oyster fishery, with any net or engine fitted for catching floating fish only, 31 *G.*3. *c.*51. *s.*2.

240. It shall be lawful for any justice, acting for any county or division wherein any offence shall be committed contrary to this act, on complaint and oath before him, that any person (except as in *s.*1. *pl.*236.) hath within 30 days preceding, taken any oysters or oyster brood within the limits of any oyster fishery, or dredged for the same, or used any oyster dredge, net, or engine, within such limits, for the purpose of catching the same, though none be actually taken; or with any net, &c. dragged on the ground of any oyster fishery, to issue his warrant for apprehending the offender, and bringing him before himself, or other such justice; who shall, if he see cause, commit him to the common gaol till the next assizes or quarter sessions, which ever shall first happen, unless such person enter into recognizance with two good sureties in 20*l.* each, to appear either at the next assizes or quarter sessions, to answer to any indictment preferred against him under this act, *id. s.*3.

241. Justices of peace for boroughs, towns corporate, or other places, not being counties, may act in all cases arising within their jurisdiction, as a justice for a county may in execution of 31 *G.*3. *c.*51., or any law made for protecting such fisheries, 48 *G.*3. *c.*144. *s.*4.

242. If any person (*except as in s.*1. *pl.* 236.) be found *actually taking* any oysters or oyster brood, or dredging for the same, or using any oyster dredge, net, or engine, within any oyster fishery, for the purpose of taking any oysters or oyster brood, though none be actually taken, or with any net or engine dragging on the ground of any such fishery, any person being owner, lessee, or occupier thereof, or otherwise lawfully entitled to catch oysters thereon, and his apprentice or servant (in case the offender shall, on being required so to do, refuse to discover his real name and place of abode) may seize and secure every such offender, and carry him before any such justice, as in *s.*3. *pl.*240. who shall, on oath made before him of the offence against this act, for which he was seized, proceed against him as if apprehended under *s.*3. *pl.*240. of this act, 31 *G.*3. *c.*51. *s.*4.

243. No justice shall commit any person under this act, or take security from him for his appearance, as in *s.*3. *pl.*240. unless one householder being an owner, lessee of, or otherwise entitled to catch oysters in the oyster fishery wherein the offence was committed, (and whose oath that he is such owner, &c. shall be sufficient evidence thereof before such justice) shall enter into recognizance before such justice in 20*l.* for his appearance either at the next assizes or quarter sessions for the county, &c. and there preferring an indictment against the person so bound to appear by recognizance (as in *s.*3.), *id. s.*5.

244. If at any time after any person shall have been committed in pursuance of this act, two good sureties shall, before the justice by whom the commitment was made, or before any other such justice, as in *s.*3. *pl.*240. enter into recognizance in penalty of 20*l.* each for the appearance of the person so committed, at the next assizes or quarter sessions which shall first happen, to answer to any indictment preferred against him under this act, such justice may, by warrant, discharge him from custody, *id. s.*6.

245. Nothing in this act shall repeal, alter, or affect any statutes relating to *particular* oyster fisheries, *id. s.*7.

246. Nothing in this act shall prevent any person from prosecuting at common law, for any offence herein-before described, as if this act had not been made; but when persons are punished under this act, they shall not be liable to other prosecution for the same offence, *id. s.*8.

247. No action shall be brought against any person for any arrest made, or other thing done by virtue of this act, until after 21 days notice thereof in writing given to the intended defendant, or left at his abode, setting forth the cause of action; and such action shall be brought within 6 calendar months after, and in the county where the cause of action arose; and the defendant may plead the general issue, and give this act and the special matter in evidence; and if either of these particulars are omitted, or if such action is brought after tender of amends to the party grieved, a verdict shall be entered for the defendant; and in all cases where a verdict is found or entered for the defendant, or if the plaintiff shall discontinue the same after appearance, or shall be non-suited, or have judgment against him on demurrer, the defendant shall have double costs, with the usual remedy to recover the same, 31 *G.*3. 51. *s.*9.

248. It shall be sufficient, in any indictment under this act, or 31 *G.*3. *c.*51. to describe, either by name or otherwise, the bed, laying, or fishery, in which the offence was committed, without stating the same to be in any particular parish; and when the offence is committed on the border of any county, so as to make it difficult to ascertain the county, such offence may be stated to have been committed in the county where the indictment is preferred, being either the county in which the offence was committed, or the adjoining county, 48 *G.*3. *c.*144. *s.*3.

249. Nothing herein shall repeal any part of 31 *G.*3. *c.*51. except so far as the same respects the stealing and taking of oysters from any oyster bed, laying, or fishery, *id. s.*5.

FISHERY (*PILCHARD*).

(STATUTES *repealed and expired.*)

250. FOR THE ENCOURAGEMENT OF THE PILCHARD FISHERY, by allowing a further bounty on pilchards taken, cured, and exported, 31 *G.*3. *c.*45. [CON. 37 *G.*3. *c.*94. REP. 38 *G.*3. *c.*89. *s.*1. and new bounty granted, *id. s.*3., which is REP. 43 *G.*3. *c.*69. *s.*1. and revived by mistake, 45 *G.*3. *c.*102.; and see the mistake noticed 52 *G.*3. *c.*42.]

251. FOR REPEALING THE BOUNTIES by 5 *G.*1. *c.*18. *s.*6. 3 *G.*2. *c.*20. *s.*7. and 31 *G.*3. *c.*45. granted on pilchards and scads exported, and granting others in lieu thereof, 38 *G.*3. *c.*89. *ss.*1. 3. (this title is framed from these sections,) [additional bounty granted, 39 *G.*3. *c.*65. *ss.*1—3. and all such bounties REP. 43 *G.*3. *c.*69. *s.*1.]

(STATUTES *in force.*)

232. FOR THE BETTER PRESERVATION OF FISHING IN THE COUNTIES OF *Somerset*, *Devon*, and *Cornwall*, and for the relief of balkers, conders, and fishermen, againts malicious suits, 1 *J.*1. *c.*23. (*and* recital in *ss.* 1, 2.)

253. All watchmen, balkers, huors, conders, directors, and guidors, and all such fishermen as shall necessarily attend the seines or nets at the times of fishing for herrings, pilchards, and other seine fish, within such counties where such fish are taken, may enter upon any lands, &c. lying near such fishing places, fit to watch and balk in, and carry such fish on shore, and therein watch for such fish and balk the fishermen taking the same, *id. s.*3.

254. If any action is brought against any person for entering such lands for such purposes, or for landing fish there, the defendant may plead not guilty for any thing done under this act, and give the whole matter in evidence; and after issue tried for the defendants, or non-suit of the plaintiffs after appearance, such defendants may recover damages by reason of such vexation in that behalf, with costs, and that to be assessed by the same jury that shall try the issue, or else by writ of enquiry, for which costs and damages the defendant may sue forth execution as a defendant in *replevin* may, *id. s.*4.

255. FOR THE REGULATION OF THE PILCHARD FISHING in the counties of *Devon* and *Cornwall*, 13 & 14 *C.*2. *c.*28. and recital in *s.*1.

256. No person shall, from 1st *June* to the last day of *Nov.*, take fish in the high sea, or in any bay, port, creek, or coast, belonging to *Cornwall* or *Devon*, with any draft net, trammel, or stream net, or other nets of that kind, unless it be at one league and an half from the shore, upon pain to forfeit such nets, or the value thereof, and one month's imprisonment without bail, &c., *id. s.*2.

257. If any persons, not being owners, partners, or adventurers in the craft of fishery, and in the boats or seines thereunto belonging, shall make any pilchards or fumathoes in cask, to be sold or transported, except they buy such fish of such owners, &c. or with their express allowance, they shall forfeit such pilchards, &c. and the cask thereof, or the value thereof, to go in moieties to H. M., and the party suing by bill or information, *id. s.*3.

258. Every person who shall fraudulently purloin, embezzle, hide, convey, carry away, or dispose of by sale or otherwise, or cause it to be done, out of the nets, boats, or cellars, any pilchard fish without the leave of the proper owner, shall forfeit treble the value to the party grieved, and be sent to the house of correction for 3 months, *id. s.*4.

259. If any idle or suspicious persons shall in the night flock about the boats, nets, or cellars, of any pilchard craft upon such coasts, and are warned to be gone, they shall, on complaint to one justice of their refusing to go, pay 5*s.* to the poor of the parish, where the offence was committed, and be set in the stocks for 5 hours, *id. s.*5.

260. FOR THE FURTHER ENCOURAGEMENT OF THE PILCHARD FISHERY by allowing a further bounty on pilchards taken, cured, and exported, 25 *G.*3. *c.*58. (PUBLIC *clause*, *s.*6.) [CON. 26 *G.*3. *c.*45. *which, together with ss.*1—3. *of* 25 *G.*3. *c.*58., *are* EXP.]

261. ALL BOUNTIES ON EXPORTATION OF PILCHARDS REP. and a bounty of 7*s.* granted on every cask or vessel of pilchards or scads containing 50 gallons, duly exported to foreign parts, and an additional bounty of 1*s.* 6*d.* thereon until 24th *June*, 1805, and likewise a bounty on all pilchards exported directly to the *British West Indies* or the *Mediterranean* in casks of 32 gallons, proportional to that of pilchards exported in casks of 50 gallons, 43 *G.*3. *c.*69. *s.*1. *and sched.* C.*tit.* SALT. [such additional bounty OMITTED by mistake to have been continued, and 31 *G.*3. *c.*45. continued instead by 45 *G.*3. *c.*102., but REV. and CON. 52 *G.*3. *c.*42., and until 24th *June*, 1826; and such additional bounty, and such other bounty by 43 *G.*3. *c.*69. granted on pilchards exported, EXT. in due proportion to and paid for all pilchards exported in casks of 32 gallons or upwards to foreign parts, 59 *G.*3. *c.*77.]

262. The same rules and regulations shall be in force with respect to pilchards heretofore exported, and to prevent the relanding of the same, and the owners thereof shall be subject to the like penalties, in case of fraud or fraudulent proceedings, as by 5 *G.*1. *c.*18. *s.*6. *pl.*15. inflicted and prescribed, 25 *G.*3. *c.*58. *s.*2. [and see the provisions of former acts then in force, to be in force with regard to the bounties, &c. hereby granted, 43 *G.*3. *c.*69. *s.*4. See these provisions, FISHERY (*British*), *ante*, *pl.*15, *&c.*]

263. "Whereas boats of a peculiar construction are necessary to be employed in the pilchard fishery, and which boats, by 24 *G.*3. *S.*2. *c.*47. *s.*4. are subject to be forfeited, unless licensed as thereby directed," IT IS ENACTED, that the officers of the salt duties in any port, harbour, or creek of this kingdom, may, on demand of the owners of such boats and on security given, grant to such owner a licence subscribed by him, specifying the tonnage of such boat, and describing the built thereof, with respect to length and breadth, and who is the owner, which licence such officer shall register and grant without fee; and such owner shall give such security by bond to H.M. in double the value of such boat to be approved of by such officer, and which bond such officer shall provide without other fee than the stamp duties thereon, with condition that such boat shall not be employed in the importation or landing of tea or foreign spirituous liquors, or any prohibited or other goods, contrary to the said or any other act, or in the exportation of any prohibited goods, or in the relanding of any goods contrary to law, which are entered outwards for exportation for any bounty or drawback, or which are or may be prohibited to be used or worn in *G. B.*, on failure whereof such licence shall be void, and the boat liable to seizure, as if no licence had been granted, 25 *G.*3. *c.*58. *s.*4.

264. Persons sued for any thing done under this act may plead the general issue, and give this act and the special matter in evidence; and if the plaintiff is nonsuited, discontinues, or forbears to prosecute such action, or if verdict passes against him, the defendant shall have double costs, with usual remedy to recover the same, *id. s.*5.

265. FOR EXTENDING THE BOUNTY NOW PAYABLE ON PILCHARDS exported to the *West Indies* or *Mediterranean*, to pilchards exported to any parts beyond seas, 48 *G.*3. *c.*68.

366. For every cask of pilchards or scads containing 32 gallons or upwards, exported from *G. B.* to any foreign parts, there shall be allowed the same bounty as is payable on the like exportation to the *West Indies* or the *Mediterranean* in casks of 32 gallons or upwards, and the same shall be allowed for the like period and under the like regulations, as the bounties payable on such exportation to the *West Indies*, *&c.* are, *id. ibid.*

FISHERY (*SALMON*).

267. A PENALTY FOR TAKING OF SALMONS at certain times of the year, 13 *E.*1. *West. Sec. c.*47. [CONF. and AMD. 13 *R.*2. *S.*1. *c.*19. *and* 17 *R.*2. *c.*9.; *as to the* destruction of the small fry of fish in general, 1 *El. c.*17. *ante*, FISH, *&c. pl.*22.; and see, as to the preservation of salmon in rivers within the counties of *Hants.* and *Wilts.*, 4*&* 5 *A. c.*17. which is AMD. 1 *G.*1. *S.*2. *c.*18. *ss.*11—13. 37 *G.*3. *c.*95.; and in the rivers *Severn*, (and see also as to the *Severn* local act, 30 *C.*2. *S.*1. *c.*9.) *Dee*, *Wye*, *Teame*, *Were*, *Tees*, *Ribble*, (but altered as to the *Ribble*, by 23 *G.*2. *c.*26. *ss.*7—9.), *Mersey*, *Dun*, *Air*, *Ouze*, *Swaile*, *Calder*, *Wharf*, *Eure*, *Darwent*, and *Trent*, 1 *G.*1. *S.*2. *c.*18. *ss.*14—18., and as to certain rivers in *Devonshire*, 43 *G.*3. *c.* lxi., all which acts are local, and therefore omitted, *except* 1 *G.*1. *S.*2. *c.*18., which *see post*, *pl.*271.]

268. The waters of *Humber*, *Ouze*, *Trent*, *Done*, *Arre*, *Derwent*, *Wherfde*, *Nid*, *Yore*, *Swayle*, *Tees*, *Tyne*, *Eden*, and all other waters wherein salmons be taken, shall be in defence for taking salmons, from the Nativity of our Lady unto *St. Martin's day*, (*viz. from* 8 *Sept. to* 11 *Nov.*, *see* 2 *Inst.* 478.); and the young salmons shall not be taken or destroyed by nets, nor other engines, at mill pools, from the midst of *April* unto the Nativity of *St. John the Baptist*; and in places where such rivers be, there shall be assigned overseers of this statute, which being sworn, shall oftentime enquire of the offenders; and for the first trespass, they shall be punished by the burning of their nets and engines; and for the 2d shall be imprisoned a quarter of a year; and for the 3d offence for one year, and as the trespass increases so shall the punishment, 13 *E.*1. *West. Sec. c.*47.

269. The *St. West. Sec. c.*47., shall be confirmed, and young salmons shall not be taken at mill-pools or elsewhere; and none shall put in the *Thames*, *Humber*, *Ouse*, *Trent*, nor other waters, any nets called stalkers, nor other engines, by which the fry or the breed of salmons, lampreys or other fish, may be taken; upon the pain in the act aforesiad. And the waters of *Lone*, *Wyre*, *Mersey*, *Ribble*, but see *ante pl.*267., and all other waters in the county of *Lancaster* shall be put in defence, as to the taking of salmons, from *Michaelmas*-day to the Purification, and in no other time; and where such rivers be, there shall be assigned and sworn conservators of this statute, as in the statute of *Westminster*; and they shall punish the offenders after the pain contained in such statute, 13 *R.*2. *S.*1. *c.*19.

270. The justices of peace of all counties shall be conservators of the statutes *West. Sec. c.*47., and 13 *R.*2. *c.*19., and survey offences against such acts, and they shall survey all the wears in such rivers, that they be not too strait, for the destruction of fry, but after the old assize used. And the justices which shall find default against the statutes shall make true punishment, and shall put under-conservators under them, which shall be sworn to like surveying and punishment. And the same justices in their sessions shall inquire, as well of their office, as at the information of the under-conservators, of all trespasses and defaults against any of the points aforesaid, and shall cause them which be thereof indicted to come before them; and if they be convict, they shall have imprisonment, and make fine after the discretion of the justices. And if the same be at the information of any of the conservators, they shall have half the fine. The mayor and warden of *London* shall have the conservation of such statutes, and make punishment, as is ordained for justices of the peace, in the *Thames* from *Staines* Bridge, and in the *Medway*, as far as the same is granted to them, 17 *R.*2. *c.*9.

271. FOR BETTER PRESERVATION OF SALMON WITHIN SEVERAL RIVERS IN *Eng.* 1 *G.*1. *S.*2. *c.*18. *ss.*11—18. [AMD. 23 *G.*2. *c.*26. *ss.*7—9. and in part REP. as to its operation within *Hants.* and *Wilts.*, but not elsewhere, 37 *G.*3. *c.*95. *s.*1. *This last act being confined to these counties is omitted.*]

272. The clause in 4 *&* 5 *A. c.*21. (*s.*3.) relating to the catching of salmon, &c. from the 30th of *June* till after the 11th of *Nov.*, so far as it relates to the owners of the fishery in the rivers, in that act mentioned, and other persons entitled to fish in the same, shall be REP. *id. s.*11.

273. All such owners, &c. from the 11th of *Nov.* till the 1st of *Aug.* in every year, may take or kill any salmon, salmon-peel, or salmon-kind, or expose them to sale, *id. s.*12.

274. But shall not after the 1st of *Aug.* till the 12th of *Nov.* in any year, take or wilfully hurt any salmon, &c. by hawks, racks, gins, nets, angles, or other devices, or offer to sale any of such fish, on the pains mentioned in 4 *&* 5 *A. c.*21. *id. s.*13.

275. If any person shall lay or draw any nets, engines, &c. or do any other act in the *Severn*, *Dee*, *Wye*, *Teme*, *Were*, *Tees*, *Ribble*, *Mersey*, *Dun*, *Air*, *Ouse*, *Swale*, *Calder*, *Wharf*, *Eure*, *Derwent*, and *Trent*, whereby the small fry of salmon, or any keeper or shedder salmons, or any salmon not 18 inches long from the eye to the extent of the middle of the tail, shall be taken or killed; or shall set any bank, dam, hedge, or stank, or nets, cross such rivers, whereby the salmon may be taken, or hindered from going up the rivers to spawn; or shall between the last day of *July* and the 12th of *Nov.*, by any net, or device, take or wilfully hurt any salmon in such rivers, or shall at any time after the 12th of *Nov.*, fish there for salmon with any other net than is allowed of by 1 *El. c.*17. (*s.*4. FISH, *&c. pl.*26.), and 30 *C.*2. *c.*9., and shall he convicted thereof, before one justice of the peace of the county, either upon view, by confession, or by one witness, he shall forfeit 5*l.* for every offence, besides the fish and the nets, &c. one moiety to the informer, the other to the poor of the parish where the offence was done, to be levied by distress and sale of goods, by warrant of the justice; and for want of distress, the offender shall be committed to the house of correction, or other county-gaol, for not more than 3 months, nor less than one, there to be kept to hard labour, and suffer such other corporal punishment as the justice shall think fit; and the justice shall order such nets, &c. to be seized and cut in pieces, or destroyed in his presence; and shall cause such banks, &c. made cross the river, to be removed at the charges of the offender; such charges, if not paid on conviction, to be levied in the same manner as such sum of 5*l.*, *id. s.*14.

276. The owners of the fisheries in the river *Ribble*, and their lessees, tenants, servants, and agents, may, within 1st *Jan.* and 1st *Sept.* in each year, take and kill salmon, salmon-peel, or salmon kind, in their fisheries, in such river, and may sell the same notwithstanding 1 *G.*1. *S.*2. *c.*18. *s.*14., 23 *G.*2. *c.*26. *s.*7.

277. Every person taking salmon of any kind or size in such river, between 14 *Sept.* and 1 *Jan.*, shall be subject to the like penalties as were inflicted by 1 *G.*1. *S. c.*18., on persons taking salmon within the

periods there mentioned, and may be convicted in like manner as there specified, 23 *G.* 2. *c.* 26. *s.* 8.

278. The 1 *G.* 1. *S.* 2. *c.* 18., to be in force, except when hereby altered as to such river, *id. s.* 9.

279. No salmon shall be sent to *London* from any such rivers that weigh less than 6lb each fish, and every person buying, selling, or sending a salmon of less weight shall, on conviction, forfeit 5*l.* besides the fish, to go in moieties to the poor of the parish where the offence was committed, and to the informer, and if not paid, to be levied by distress and sale of goods by warrant under hand and seal of the convicting justice, and in default of distress, the offender shall be committed to the house of correction, or county gaol, to be kept to hard labour for 3 months, unless the forfeiture is sooner paid, 1 *G.* 1. *S.* 2. *c.* 18. *s.* 15.

280. Offenders punished under this act shall not incur any penalty under another law for the same offence, *id. s.* 16.

281. All parties aggrieved by any judgment of such justice may appeal to the next general quarter-sessions, and the justices there shall finally determine the same, *id. s.* 17.

282. This act shall not extend to any ancient wears or locks, but the same shall remain and be taken down, altered, or rebuilt as before this act, *id. s.* 18.

283. FOR PREVENTING THE DESTRUCTION OF THE BREED OF salmon, and fish of salmon kind in the rivers in *Eng.*, 58 *G.* 3. *c.* 43.

284. The justices of the peace, at any general or quarter-sessions, shall appoint conservators or overseers for the preservation of the salmon, and fish of the salmon kind, and the brood, spawn, and fry thereof, and preventing the destruction thereof, and enforcing for that purpose the provisions of this act within the jurisdiction of such justice, *id. s.* 1.

285. Where no provision is made by any act now in force, for limiting the times within which salmon, or fish of the salmon kind may be taken in any of the rivers in *Eng.* such justices, at their quarter-sessions, at the request of any person, such person having first given notice in some newspaper usually circulated within the county, of his intention to apply to such sessions in that behalf, may fix certain days, not exceeding 150 days in each year, for each river within their respective counties, to be fence days for the several rivers; during which time no person whatever shall attempt to take, kill, or destroy any salmon or salmon trout, or fish of the salmon kind, or any brood, spawn, or fry of such fish; and such justices may, at any general quarter-sessions, vary annually the number of such days, and the periods at which they shall commence, as they shall think fit, *id. s.* 2.

286. If any person shall at any time hereafter endeavour to take, kill, or destroy, pursue, hurt, or injure any salmon, or salmon kind, by laying or using any hot lime or filth, or material or drug pernicious to fish, or using any water in which any green lint or flax has been steeped, or letting off stagnated water, or any water impregnated with any material or drug pernicious to fish; or if any person shall use or employ any such means, or use any fire or light or white object, or lay down any kind of net, engine, or device, or wilfully do or commit, or cause to be done or committed, any act whatsoever in any river, water, rivulet, stream, mill-dam, mill-sluice, cut, pool, or pond communicating therewith, for the destruction of the brood, spawn, or small fry of salmon therein (angling excepted); or if any person shall hereafter make, erect, or set any bank, dam, hedge, or stank, or nets, or place any fires, lights, or any white objects, so that the young fry or young salmon be prevented from going down from such rivers, rivulets, or other waters so communicating therewith, every such person shall, for every such first offence, forfeit not exceeding 10*s.* nor less than 5*l.*, and for every second and subsequent offence, not exceeding 15*s.* nor less than 10*l.* at discretion of the convicting justice or justices, and shall also forfeit all the fish, spawn, brood, or fry so taken, and all the nets, weapons, lines, instruments, boats, devices, or things used in the taking thereof, *id. s.* 3.

287. No person shall take, kill, or destroy, or knowingly have in his possession, either on the water or on the shore, or shall bring to shore, or cry or carry about, sell, or expose to sale, or exchange for any goods any spawn, fry, or brood of fish, or any unsizeable fish, or any kepper or shedder salmon, being unseasonable salmon, commonly called *old salmon*, or any salmon caught in any river during the periods when fishing for salmon is prohibited under any law now in force, or under such order of such justices (as in *s.* 2.) aforesaid; and any conservator or overseer thereof, or any other person, under the authority of this act, may take and seize all or any such spawn, fry, or brood of fish, or such other fish aforesaid, wherever found, together with all baskets and packages in which found, and deliver the person on whom the same was found to a peace officer, and after every such seizure shall be made, such spawn, &c. together with the baskets and packages in which the same shall be so seized, shall be delivered to some peace officer who shall take such offender into his custody, and also such spawn, &c. and all baskets and packages so seized, and carry such offender, and all such spawn, &c., together with such baskets and packages with all speed, before some justice for the county; and on conviction of any such offender, before any such justice, such offender shall forfeit all such spawn, fry, or brood of fish, unsizeable fish, and fish out of season, together with all baskets or packages in which the same shall be seized; and all such spawn, &c. together with such baskets and package, shall, by order of convicting justice be delivered to the person who seized the same, and who shall prosecute to conviction such offender; and every offender so convicted shall besides forfeit not exceeding 10*l.* nor less than 5*l.*, 58 *G.* 3. *c.* 43. *s.* 4.

288. Provided that nothing herein shall extend to legalize, nor to demolish, take away, or destroy any net, fish lock, coop, bay, or other work lawfully erected, put, placed, fixed, or used in any arm of the sea, or estuary, or mouth of any river, or in or upon any bank, sand, or shore thereof, or near thereto, or in or near any river, rivulet, brook, stream, pond, pool, or other water, mill-lead, mill-dam, sluice, or cut, which runs into or otherwise communicates therewith, or to the present methods used for taking and killing fish therein, other than and as are in this act particularly prohibited, *id. s.* 5.

289. The pecuniary and other penalties by this act imposed may be recovered, and offences against same heard before any one or more justice or justices of peace, for the county, city, or place where the offenders shall reside or offence is committed, upon the oath or affirmation of one witness, or by confession: and in case any person so convicted shall not immediately pay the penalty, together with costs into the hands of such justice or other person authorized to receive the same, such justice may order any constable to keep in custody any such person so convicted, and immediately thereupon may grant his warrant under his hand and seal, and thereby commit such offender to the common gaol or house of correction for the time hereinafter mentioned, unless such penalty and costs be sooner paid, or otherwise such justice may grant a like warrant to levy such penalty and costs by distress and sale of offender's goods; and all such penalties shall be paid, one moiety to the informer, and the other, after defraying all costs attending the prosecution and the levying of such penalty, to the overseers of the poor of the parish where the offence was committed, and the overplus, after any penalty, and all costs attending the levying and recovering thereof are deducted, (which costs shall always be taxed by the convicting justice) shall, on demand, be returned to the owner; and in case sufficient distress shall not be found, or such penalty and costs shall not be immediately paid, then such justice, for the first offence may commit such offender to such gaol or house of correction for any time not exceeding 4 nor less than 2 months; for the second offence, not exceeding 8 nor less than 6 months; and for the third and every other offence, for not exceeding 12 nor less than 8 months, there to be kept at hard labour, and remain without bail or mainprize, *id. s.* 6.

290. Any such justice upon information on oath against any person who shall offend against this act, may grant his warrant to apprehend any person so offending, and cause such offender to be brought before him, or some other justice; and any such justice, upon any information without oath, may grant his summons against the party charged, or for any witnesses to prove such offence; and if any person duly summoned shall neglect or refuse to appear, such justice shall, upon oath being made of the person being duly summoned, grant a like warrant to apprehend the party so neglecting to appear; and such justice shall determine the matter of every such offence in a summary way, *id. s.* 7.

291. No owner, farmer, or occupier of, or any person otherwise interested in any fishery, or right of fishing in any arm of the sea, river, or other water aforesaid, shall be deemed an incompetent witness to prove any offence against this act, by reason of his being such owner, &c., *id. s.* 8.

291. Every pecuniary penalty imposed by this act may be recovered in a summary manner according to this act, or may be sued for, together with full costs, by and to the only proper use of any person who shall inform in any court of record at *Westminster*, by action of debt, &c. or information, wherein no essoin, or more than one imparlance shall be allowed, *id. s.* 9.

292. Every conviction under this act shall be certified by the convicting justice to the quarter-sessions for the county, city, or place, and be there filed of record, and such conviction shall be to the effect or in the form following, *viz.*

'Be it remembered, that on the — day of — in the year —, A. B. was on the complaint of C. D. convicted before me [*or* us] E. F., one [*or* two] of H. M.'s justices of the peace, [*as the case may be,*] for — in pursuance of an act made in the 58th year of the reign of H. M. king *George* the third, [*insert the title of the act,*] for that the said — [*state the offence,*] [*and if a case in which different penalties are imposed for repeated offences,*] this being the first offence, [second *or* third offence, *as the case may be,*] and I [*or* we,] do hereby adjudge him [her *or* them,] to pay and forfeit for such offence the sum of — of lawful money of *G. B.*, together with the farther sum of — for costs of suit or prosecution to the said C. D. Given under my hand and seal [*or* our hands and seals, *as the case may be,*] at — in the county of — the day and year above written.'

Which conviction shall be good and not be quashed for want of form only, and shall not be removed by *certiorari* or otherwise, into K.B. or any other court of record at *Westminster*, but shall be final, 58 *G.*3. *c.*43. *s.*10.

293. Where any offender shall be punished for any offence by this act, he shall not again be prosecuted by virtue of any other law, *id. s.*11.

294. Every person aggrieved by the judgment of any such justice, may appeal to the justices at the then next or next but one general quarter-sessions; but no such appeal shall be received unless the appellant shall, within 10 days after such judgment, and 20 days before the holding of such sessions, leave notice in writing, as well at the public office of the clerk of the peace for the county where the offender was convicted, as to the person, or at the dwelling-house of the informer, of his intention to bring such appeal; and shall also enter into a recognizance before such justice in such sum as such justices shall think fit, not exceeding 20*l.*, conditioned to try such appeal, and likewise to pay costs of appeal, in case he has judgment against him, within 10 days next after the determination thereof; and such justices at their session, shall upon proof of such notice, hear and determine such appeal in a summary way, and award to the party in whose behalf such appeal is determined, such costs as they in their discretion shall think just, to be paid by the party against whom such appeal is determined: and in case such costs shall not be paid within 10 days next after the hearing of such appeal, they may be levied by distress and sale of the goods of the person ordered to pay the same, or his sureties, by the same means as distresses are ordered to be taken under *s.* 6. *pl.*289. *id. s.*12.

295. No action, for any thing by virtue hereof, shall be brought until one calendar month's notice thereof in writing has been given to, or left at place of abode of the intended defendant, setting forth the cause of action, and the name and place of abode of the plaintiff and his attorney, and such action shall be brought within 3 calendar months after the cause thereof arose, and shall be laid in the county, city, or place where the fact was committed, and the defendant may plead the general issue, and give this act, and the special matter in evidence, and that the same was done by virtue hereof, and the defendant may, before action brought, tender amends to the plaintiff, his agent or attorney, and plead the same in bar if not accepted, together with not guilty, and any other plea by leave of the court, and if it shall appear that such action was commenced before the expiration of one calendar month after such notice, or after the end of such 3 calendar months, or that the same was not laid in the proper county, or after tender of sufficient amends, the jury shall find for the defendant, or if plaintiff discontinues after appearance, or is non-suited, or has judgment on demurrer against him, the defendant shall have double costs, with the usual remedy to recover the same; and no action, suit, information, or other proceeding shall be brought against any person for any offence against this act, unless the same shall be laid or commenced within 6 calendar months next after such offence committed, *id. s.*13.

296. Nothing in this act shall alter any act or any penalty in force for the regulation of any fishery, or the preservation thereof, or of the brood, spawn, or fry of fish, in any particular county or arm of the sea, estuary, or river, *id. s.*14.

297. Nothing herein shall affect the rights of any lords or ladies of any manor, and such lords and ladies may appoint conservators within their manors, *id. s.*15.

298. (*a*) Nothing in this act shall prejudice the rights, interests, privileges, franchises, or authority of any body politic, corporate, or collegiate, or defeat any power, &c. by them claimed over any river, *id. s.*16.

298. Nothing in this act shall prejudice the rights, authority, &c. of the mayor and citizens of *London*, or the lord mayor of such city, or defeat any power claimed by such mayor and citizens as conservators of the *Thames* or *Medway*, *id. s.*17.

FISHERY (*SOUTHERN WHALE*).

(STATUTES *repealed and expired.*)

299. FOR THE ENCOURAGEMENT OF THE FISHERIES CARRIED ON from *G. B.*, *Ire.*, and the *British* dominions in *Europe*, and for securing the return of the fishermen, sailors, and others employed in the said fisheries, to the ports thereof, at the end of the fishing season, 15 *G.*3. *c.*31. [AMD. 16 *G.*3. *c.*47. *ss.*1,2.; for the rest of this act *see* NEWFOUNDLAND. EXT. to *Ire.*, 18 *G.*3. *c.*55. *ss.*8,9. AMD. 20 *G.*3. *c.* 60. REP. *and semb.* also the *amending and extending acts, by* 26 *G.*3. *c.*50. *s.*1., 35 *G.*3. *c.*92. *s.*1.]

300. FOR THE ENCOURAGEMENT OF THE SOUTHERN WHALE fishery, 26 *G.*3. *c.*50. [AMD. 28 *G.*3. *c.*20. REP. together with all other acts thereby repealed, 35 *G.*3. *c.*92. *s.*1.]

301. TO ALLOW SHIPS CARRYING ON THE SOUTHERN WHALE fishery to the north of the *Equator*, the same premium as they are now entitled to, if they do not pass the *Equator*, 33 *G.*3. *c.*58. [*Semb.* REP. by the general words of 35 *G.*3. *c.*92.]

302. FOR EXTENDING THE PROVISIONS OF 35 *G.*3. *c.*92. [*ss.*36, 37, 38., and 38 *G.*3. *c.*57. *s.*7. EXP.] so far as they relate to the encouraging of persons coming to *Milford Haven* for the purpose of carrying on the southern whale fishery, 42 *G.*3. *c.*114. EXP.

303. FOR THE MORE EASY MANNING OF VESSELS employed in the southern whale fishery, 52 *G.*3. *c.*103. [REP. 53 *G.*3. *c.*111. *s.*1.]

(STATUTES *in force.*)

304. FOR FURTHER REGULATING THE southern whale fisheries, 35 *G.*3. *c.*92. [EXPL. 37 *G.*3. *c.*121. (which is EXP.) CON. as to the premiums, *and the fishery* ENLARGED, 38 *G.*3. *c.*57., 42 *G.*3. *c.*18., 45 *G.*3. *c.*96., 48 *G.*3. *c.*124., 51 *G.*3. *c.*34., 55 *G.*3. *c.*45., and until 31*st Dec.* 1823., 59 *G.*3. *c.*113. AMD. as to licence of the *East India* and *South Sea* companies, 42 *G.*3. *c.*77.; *fishing* ENLARGED, 43 *G.*3. *c.*90. AMD. as to the manning of vessels employed in such fishery, 52 *G.*3. *c.*103. which is REP. and other provisions made, 53 *G.*3. *c.*111., EXT. to ships laden going to *Ire.*, 59 *G.*3. *c.*113. *s.*6.]

305. The several premiums hereafter mentioned shall be paid for 3 years to 28 vessels employed in the fisheries carried on to the southward of the *Greenland* or *Davis's Straits* under the limitations herein expressed, *viz.* every such ship shall appear by her register to be *British* built, and shall be fitted or cleared out from some port of *G. B.* or *Ire.* or the islands of *Jersey*, *Guernsey* or *Man*, and shall be wholly owned by H.M.'s subjects usually residing in such dominions, and navigated as in *s.*7. directed, 35 *G.*3. *c.*92. *s.*2. [*These premiums*, which are given by *ss.*3, 4 *&* 5., seem EXP., *and see* new premiums granted till 1823, 59 *G.*3. *c.*113.]

306. The several premiums hereinafter mentioned shall be paid to certain ships employed in the southern whale fishery under the regulations in 55 *G.*3. *c.*45. [which act is *verbatim* with the 59 *G.*3. *c.* 113.], 35 *G.*3. *c.*92., 59 *G.*3. *c.*113. *s.*1.

307. For 8 of such ships which shall be fitted and cleared out between the 1*st Jan.* and the 31*st Dec.* 1819, and in each of the four succeeding years, and shall sail to the southward of the Equator, and there carry on the fishery, and shall return before the 1*st Dec.* in the year subsequent, to some port in *G. B.*, there shall be paid 300*l.* to each of the 8 such ships which shall so sail and first arrive within the times hereinbefore mentioned, with the greatest quantity of oil or head-matter, taken together, being not less in the whole than 20 tons in each of such ships, and being the produce of one or more whales, or other creatures being in those seas, taken and killed by the crews of every such ship, *id. s.*2.

308. For 4 other such ships which shall be so fitted or cleared out, and shall sail within such time, and proceed to the southward of 36 south lat., and shall there *bonâ fide* carry on such fishery, and shall not return until after the expiration of 14 calendar months from the day on which they cleared out, but before 31*st. Dec.* in the second year after their clearing out to some port in *G. B.*, there shall be paid 400*l.* to each of such ships which shall so sail and arrive within such time with the greatest quantity of oil and head matter, taken together, being not less in the whole than 20 tons, and being such produce as in *s.*2. *id. s.*3.

309. For 10 other ships which shall be fitted and cleared out between 1*st Jan.* and 31*st Dec.*1819, and in each of the four succeeding years, and shall double *Cape Horn*, or pass through the *Straits of Magellan* into the *South Seas*, and carry on such fishery during 4 months to westward of *Cape Horn* in those seas, or shall double the *Cape of Good Hope*, and carry on such fishery during 4 months to eastward of 105 degrees of east long. from *London*, and shall not return to *G. B.* until after the expiration of 16 calendar months from the day they cleared out, but before the 31*st Dec.* in the second year after their clearing out, there shall be paid or allowed 600*l.* to any one of such ships which shall so sail and arrive within times last-mentioned, with the greatest quantity of oil and head-matter, taken together, being not less in the whole than 30 tons; and there shall be paid 500*l.* to each of nine of such ships last-mentioned, which shall so sail and arrive within the times last-mentioned, with the next greatest quantity of oil and head matter, taken together, being not less in the whole than 30 tons, and being in both cases such produce (as in *s.*2.) aforesaid, and killed by the crew thereof in such voyage, either outward or homeward, *id. s.*4.

310. All ships which shall clear out for the southern whale fishery, and shall return to any point in *Ire.* with a cargo of oil, the produce of such fishery, within the period limited by this act, shall be entitled to the benefits arising from the bounties or remission of duties, or others wise, granted by 35 *G.*3. *c.*92. and 55 *G.*3. *c.*45., in like manner as if such ships had returned to any port in *G. B.*, *id. s.*5. [*See also* similar provision, 48 *G.*3. *c.*124. *s.*6. EXP.]

311. The owners of any ship or vessel need not clear out specially for the latitudes specified in this act, but shall be entitled to such premiums on complying with the other conditions hereby imposed, 35 *G.*3. *c.*92. *s.*6.

FISHERY (*SOUTHERN WHALE*).

312. Every such vessel shall be navigated by a master and at least 3-4ths of the crew H.M.'s subjects usually residing in *G.B.*, *Ire.*, *Guernsey*, *Jersey* or *Man*, or if such vessel cleared out from any port of *G.B.* then the same may be navigated by persons being protestants, and who, not being H.M.'s subjects, have been heretofore employed in carrying on such fishery, and who, at the time of clearing out such vessel, shall take the oath, or if *Quakers* make a declaration of allegiance to H.M., or make oath or affirmation before two principal officers of customs (of which the collector shall be one) at the port where such vessel shall clear out (which oath, &c. they may administer), if it is their first voyage from any port of *G.B.*, that they have established or intend to establish themselves and families in *G.B.* as subjects of H.M., and if it is their second or any subsequent voyage that they have already done so, and have taken such oath and made such declaration, 35 *G.*3. *c.*92. *s.*7.

313. No vessel employed in such fishery, the master of which shall have taken the oath or made the declaration of allegiance and fidelity to H.M. required by 35 *G.*3. *c.*92. *s.*7., shall lose the benefit of any fishing voyage by reason that the master has not taken the oath or made the declaration of his having already established, or of its being his intention to establish himself and family in *G.B.*, or by reason that all or any of the foreign protestants employed as mariners in navigating such vessel, have not taken any of the oaths or made any of the declarations by 35 *G.*3. *c.*92. *s.*7. required, 53 *G.*3. *c.*111. *s.*2.

314. No such premium shall be paid to any person on account of any such vessel unless there is on board thereof an apprentice indentured for 3 years for every 50 tons burthen of such vessel by admeasurement who was between 14 and 18 years of age at the time when indentured, and who continued the whole voyage out and home for which the premium is claimed, unless he died or deserted during the voyage, which facts shall be verified by the oath of the master, mate and two mariners belonging to such vessel: unless by reason of some unavoidable accident (proof whereof shall be made to the satisfaction of the officers herein mentioned) two mariners cannot be procured, and then by the oath of the master and mate taken before two principal officers of customs at the port to which such vessel shall return from such fishery (of which the collector shall be one); and in confirmation thereof the proper officers of such port shall, immediately after their return visit such vessel and muster the crew, and having satisfied themselves therein, certify the same to the commissioners of customs for *Eng.* and *Scot.* 35 *G.*3. *c.*92. *s.*8.

315. Every master of any ship or any other person to whom an apprentice is indentured pursuant hereto who shall suffer him to quit his service (except as herein provided) before the expiration of his term, shall forfeit 50*l.* to be recovered by action of debt, &c. or information in any court of record wherein no essoin, &c. or more than one imparlance shall be allowed; provided such penalty shall not be inflicted where any apprentice is legally discharged before a magistrate or justice, or is turned over to another person concerned in such fisheries to serve the remainder of his term, but no premium shall be paid under this act unless there is inserted in the indentures of apprentices, or of such as are so turned over, the name of the ship or vessel on board of which they are bound to serve, *id.* *s.*9.

316. If the term of any such apprentice shall expire during the voyage, he shall be deemed an apprentice for the whole voyage, and shall, on such ship's return, be mustered accordingly, *id.* *s.*10.

317. Any apprentice belonging to any vessel fitted out, on such fishery who has not completed 2 voyages, and whose age does not exceed 21 years, shall not be impressed from such service, and special protections shall be issued by the admiralty to protect them from impressment into H.M.'s service, 45 *G.*3. *c.*124. *s.*5. 48 *G.*3. *c.*124. *s.*5. 51 *G.*3. *c.*34. *s.*6.

318. No such premiums shall be paid on account of any ship employed in such fishery unless a log-book has been regularly kept, in which the various situations and occurrences respecting such ship during the voyage shall be inserted every day, and particularly the times when such ship was in sight of land, distinguishing what land, and the bearings thereof, the distance therefrom, and the soundings, and also the time when and latitude where any whale or other marine creature was taken by such ship, which log-book shall be delivered by the master or person having charge of such ship, at the time of his reporting such vessel to the collector of customs at the port where she arrives on her return, for his inspection, and such master or person, and the mate of such vessel, shall jointly and severally verify such log-book on oath before such collector, 35 *G.*3. *c.*92. *s.*11.

319. In case any such vessel shall, in the course of her voyage, fall in with any of H.M.'s vessels of war, the master or person having the command of her shall produce to the captain of such vessel of war such log-book, and such captain shall make a memorandum in such log-book of the day on which it was so produced, and subscribe his name thereto, and make an entry in his own log-book of the name of the vessel so producing her log-book to him; and if any vessel hereby required to keep a log-book shall put into any foreign port where there is a *British* consul or other chief *British* officer, such master shall produce his log-book to one or other of them, who shall make a memorandum therein of the day on which it was produced, and sign the same, 35 *G.*3. *c.*92. *s.*12.

320. The master, mate and two mariners of every such ship, unless where by accident two mariners cannot be procured, proof of which shall be made to officers of customs hereinafter mentioned, then such master and mate shall on importation of any oil or head-matter as being taken on such fishery, declare on oath before the collector and another principal officer of customs at the port of arrival from what port and the time when such vessel cleared out, and that all such oil and head-matter is the produce of whales or other marine creatures *boná fide* taken by the crew of such ship, only at the times and in the latitudes in such log-book mentioned, *id.* *s.*13.

321. In case the master or person taking charge of any ship fitted out as aforesaid for the purpose of obtaining some one of such premiums, shall knowingly receive or permit to be received on board such ship for purpose of obtaining any of such premiums, any oil or other produce of whales or other marine creatures, which whales, &c. shall not have been *boná fide* taken by his crew only, he shall forfeit 500*l.*, one moiety to go to the party discovering the same, provided he shall give information thereof within one month after such master, &c. shall have reported his ship inwards, which he shall do in the usual time and manner; and the owners of such ship shall, if any money is due to such master, &c. by them at the time of such information given, detain the same and pay it towards discharging such penalty to the collector or other principal officer of customs at such port of return; and if such owners shall pay any money, or otherwise account for such money with such master or person within one month after report so made, and such master or person shall be liable to such penalty; they shall make the same good and pay it to such collector, &c. towards discharging such penalty, *id.* *s.*14.

322. In case any whale or other marine creature shall be taken north of the equator by the crew of any of the [15 vessels, 35 *G.*3. *c.*92. *s.*3. Exp.] [8 vessels, 59 *G.*3. *c.*113. *s.*2.], to which premiums are given as aforesaid, or to the northward of the 36 deg. of *S. Lat.* by the crew of any of the [5 vessels, 35 *G.*3. *c.*92. *s.*4. Exp.] [4 vessels, 59 *G.*3. *c.*113. *s.*3.], to which other premiums are also so given, or in any part of the *Atlantic Ocean* by the crew of the [8 vessels, 35 *G.*3. *c.*92. *s.*5. Exp.] [10 vessels, 59 *G.*3. *c.*113. *s.*4.], going round or doubling *Cape Horn*, either on the voyage out or return home of such ships, the oil or head-matter produced from such whales or creatures so caught shall be deemed to be part of the quantity hereby required to be taken and imported, to entitle the owners of such ships to some of the premiums hereby granted, provided it appear by the log-book that such ship hath actually sailed beyond, and been *boná fide* employed in the fishery either to the south of the equator, or of 36 deg. of *S. Lat.*, or during four months to the west of *Cape Horn*, as the case may be, *id.* *s.*15.

323. In case the rules, &c. hereby prescribed have been fully complied with, 4 of the commissioners of customs in *Eng.*, or 3 in *Scot.*, may order the receiver-general of customs to pay out of any money in his hands arising from customs any premiums to the persons legally entitled to them.

324. No premiums granted by any acts of parliament for encouragement of the southern whale fishery shall be allowed for any vessel employed therein, unless the same is claimed within 2 months from the time the crew is mustered inwards by the proper officer, and such claim shall be made in writing by application from the owners of every vessel to the commissioners of customs in *Eng.* and *Scot.*, and also unless, within one month after such time for making such claim, it shall be made appear that the requisites of law have been complied with, *id.* *s.*17.

325. Any vessel employed in the southern whale fishery may sail and pass for that purpose to the eastward of the *Cape of Good Hope* and westward of *Cape Horn*, or through the straits of *Magellan*, *id.* *s.*18.

326. Provided that any vessel sailing east of the *Cape of Good Hope* for such purpose, shall not pass to the northward of the equator, nor make more than 51 deg. *E. Long.* from *London;* nor shall any vessel passing to the west of *Cape Horn*, or through the straits of *Magellan*, for such purpose, make, either to the north or south of the equator, more than 180 deg. *W. Long.* from *London*, *id.* *s.*19.

327. Any vessel fitted and cleared out, and licensed conformably to 35 *G.*3. *c.*92., and sailing to the east of the *Cape of Good Hope* for such purpose, may pass beyond 51 deg. of *E. Long.* from *London*, provided that such vessel, after passing such 51st deg., shall not pass to the northward of 15 deg. of *S. Lat.* until she shall have passed to the eastward of 180 deg. of *E. Long.*, 38 *G.*3. *c.*57. *s.*5.

328. And any such vessel passing to the westward of *Cape Horn* or through the *Straits of Magellan* for such purpose, may sail beyond 180

degrees of W. long. from *London*, provided that such vessel, when she has passed such 180th deg., does not pass to the northward of 15 deg. of S. lat. until they come within 51 deg. of E. long. from *London*, 38 *G.*3. *c.*57. *s.*6.

329. Any vessels fitted, cleared out, and licensed conformably to 35 *G.*3. *c.*92., and sailing to the east of the *Cape of Good Hope* for such purpose, and having passed beyond 123 deg. of E. long. from *London*, may sail to the northward as far as 1 deg. of N. lat., but no farther, till such vessel has passed to the eastward of 180 deg. of E. long. from *London*, 42 *G.*3. *c.*18. *s.*4.

330. Such vessels so fitted out and licensed, and sailing to the eastward of the *Cape of Good Hope* for purpose of carrying on such fishery, and having passed 51 deg. of E. long. from *London*, may sail to the northward as far as 10 deg. of S. lat., but not farther, until she has passed to the eastward of 115 deg. of E. long. from *London*, and having passed such 115th deg., may sail as far to the northward as by 42 *G.*3. *c.*18. *s.*4. allowed, 43 *G.*3. *c.*90. *s.*1.

331. Such vessels so fitted and cleared out and licensed, and sailing to the eastward of the *Cape of Good Hope* for such purpose, and having passed beyond 115 deg. of E. long. from *London*, may sail to the northward as far 10 deg. of N. lat., but not further, until she has passed to the east of 180 deg. of E. long. from *London*, 51 *G.*3. *c.*34. *s.*5.

332. Such vessels so fitted out and licensed, and sailing to the westward of *Cape Horn* or through the *Straits of Magellan* for such purpose, and having passed beyond 180 deg. of W. long. from *London*, may sail to the northward as far as 10 deg. of S. lat., but not farther, until she has passed within 51 deg. of E. long. from *London*, 43 *G.*3. *c.*90. *s.*2.

333. Every such vessel intending to sail to the eastward of the *Cape of Good Hope* [or to the westward of *Cape Horn*, or through the *Straits of Magellan*, appears Rep. 42 *G.*3. *c.*77. *see next pl.*] shall, before she proceed on her voyage, take a licence for each voyage from the directors of the *East India* Company, in the name and under the seal of such company, specifying which of such voyages such ship is licensed to perform, and it shall be valid for the voyage expressed only, and such directors need not grant any licence to pass to the eastward of the *Cape of Good Hope*, to more than 10 vessels in one season, nor to any vessels whatever, unless the applicant shall produce a manifest or certificate under the hand of the collector or other chief officer of customs at the port from whence such vessel is to sail, verified by the oath of the owners or master thereof, taken before and attested by any person authorized to take affidavits, specifying the names and places of abode of such owners and master, and also the species, quantity, quality, and value of all goods then on board, or afterwards to be taken on board before her departure outwards, and also unless it appears by such manifest, &c. to such directors, that no goods or merchandize (save only the ship's stores, and the tackle, &c. necessary for purpose of such voyage) are taken or intended to be taken into such vessel, 35 *G.*3. *c.*92. *s.*20.

334. Any *British* built ship or vessel owned and navigated according to law, may pass through the *Straits of Magellan*, or round *Cape Horn*, and carry on the fisheries in the *Pacific Ocean*, from *Cape Horn* to 180 degrees of west longitude from *London*, and may trade within such limits, without having obtained any licence or authority from the *East India* or the *South Sea* Co., 42 *G.*3. *c.*77.

335. The *East India* Company need not grant any licence for any vessel to pass within the limits of their exclusive trade round the *Cape of Good Hope*, until the major part of the owners of such vessel shall have executed a bond to such company in a penalty of 2000*l.*, conditioned for payment to such company of 1000*l.*, as a forfeiture to them, besides the penalties herein mentioned, in case any goods (except as in *s.*20. *pl.* 333. excepted,) shall be taken into such vessel on her outward voyage; or in case such vessel has taken on board, on her homeward voyage, any goods, &c. of the growth, produce, or manufacture of the *East Indies*, or any islands, ports, or places, between the *Straits of Magellan* and *Cape of Good Hope*, to the value of 100*l.*, computing the same according to the value in *Eng.*, except such stores, &c. as have become necessary for the crew to take on board, for the sole use of such crew, 35 *G.*3. *c.*92. *s.*21.

336. If any vessel employed in the southern whale fishery, to the east of the *Cape of Good Hope*, or west of *Cape Horn*, shall proceed beyond the limits in *s.*19. expressed, unless driven there by stress of weather or other accident, or being so driven shall not return within such limits as soon as the safety of such vessel will admit, or if any ship shall depart from any port without such licence as in *s.*20., and shall go beyond the *Cape of Good Hope*, or the *Straits of Magellan*, or in any other place within such company's exclusive trade, or if any ship so licensed to go to the fishery beyond the *Cape of Good Hope*, shall have or take on board before her return, any goods, &c. other than such as have been described by such manifest or certificate as in *s* 20. *pl.* 333. and except the oil, head matter, or bone of whales or other creatures taken in such fishery, every such vessel and the goods, &c. on board of her and the owners, master and crew thereof shall be deemed to be

subject to the several provisions, regulations and penalties by any act imposed on any persons or their ships, goods, &c. who shall repair to or trade in the *East Indies*, or other places within such company's limits, without such licence, and the offenders may be sued, and the penalties incurred may be recovered in any court of justice in *G. B.*, or the *East Indies* where the offences against such acts may be instituted, 35 *G.*3. *c.* 92. *s.*22.

337. In case any thing shall be done by any such licensed vessel, or by the owners, master or crew thereof in any way respecting the privileges of such company contrary to this act, such owners shall not be entitled to, and such company need not grant them any future licence for the same or another vessel to proceed within the limits of such company's exclusive trade, *id. s.*23.

338. In case any such licensed ship shall touch at *St. Helena*, or shall be found within such limits, the governor of *St. Helena*, the commander of any ship belonging to or in the service of such company, or any person or agent specially authorized by them, and residing at any place within such limits may search such ship and see if any goods, &c. are on board her contrary to this act, and if any are found, the same shall be forfeited to such company, and the owners and master thereof shall be liable to all other penalties for trading contrary to such company's charters, and such company and persons aforesaid may seize such goods to their use and send them home or sell the same to the use of such company as they think fit, *id. s.*24.

339. Within 30 days after the return of any vessel from a fishing voyage to the east of the *Cape of Good Hope*, the master thereof shall deliver to the company's secretary for the use of the court of directors, a certificate under the hand of the chief officer of customs at the port of arrival, verified by oath of such master, taken and attested as in *s.* 20. *pl.* 333., that no goods, &c. of the growth, produce or manufacture of the *East Indies*, *China* or elsewhere between the *Cape of Good Hope* and the *Straits of Magellan*, except oil, head-matter, or bone of whales, or the fish ambergris or seal skins have been taken on board of such vessel during such voyage, and in case any such goods, &c. have been so taken on board, such certificate shall specify the species, quantity, quality, and value thereof, and the cause why taken on board, and such owner shall not be entitled to any bounty under this act until such certificate has been so delivered, and such secretary's receipt for the same produced, *id. s.*25.

340. Ships sailing within limits of the *South Sea* company shall have a licence, 35 *G.*3. *c.*92. *s.*26. [*Semble.* Rep. 42 *G.*3. *c.*77. *pl.*334., and see the *South Sea* company abolishing act, 47 *G.*3. *S.* 1. *c.* 23., 55 *G.*3. *c.*57. South Sea Company.]

341. Such vessels which shall be so fitted or cleared out for the purpose of doubling the *Cape of Good Hope* or *Cape Horn*, or passing through the *Straits of Magellan*, not being less than 200 tons burden, may be properly furnished with arms and ammunition, provided the owners thereof before clearing out shall obtain a licence from the admiralty, authorizing the same, *id. s.*27.

342. The admiralty may grant such licence as in *s.*27. when they deem fit, provided there has been exhibited to them a certificate under the hands and seals of the commissioners of customs (which they shall grant) testifying that such vessel is entered for the purpose of doubling such capes, or passing such straits, and provided the owners thereof have entered into a bond with two sureties in 1000*l.*, conditioned that such arms, &c. shall not be used for any unlawful purposes, but only for resistance or defence, in case of involuntary hostility, *id. s.*28.

343. No vessel shall be entitled within the periods hereby limited for such vessel to sail and return from such voyage, to more than one premium, although such vessel shall make two voyages within any one of such periods, *id. s.*29.

344. No such premium shall be paid to any owner of any vessel which shall clear out on such fishery, unless it appears by certificates from the proper officers of customs that such vessel was visited, and the crew by them mustered, as well before the clearing out of such vessel, as on her return to any port of *G. B.*, *id. s.*30.

345. No vessel fitted out for such fishery shall be entitled to any of such premiums, unless the same has been duly registered pursuant to 26 *G.*3. *c.*60., *id. s.*31.

346. On the return of every vessel from such fisheries in which any oil or head-matter shall be imported, and on account of which any of such premiums are claimed, if it is suspected that such oil, &c. is mixed with water or other thing to increase its quantity; the principal officer of customs at the port of such ship's return, shall appoint one or more skilful persons to examine the same, and ascertain whether it has been mixed with water or other materials (other than oil or head-matter so taken) whereby the quantity is increased, and if it has been so mixed no premium shall be paid to the owner, and besides the loss of premium, such oil or head-matter shall be forfeited, and may be seized by any officer of customs; and if any dispute shall arise whether the same has been so mixed, the proof shall lie on the party claiming the premiums, and not the seizing or prosecuting officer, *id. s.*32.

347. Before any such premiums shall be paid, the exact quantity of oil or head-matter taken together, imported in such vessel, shall be truly ascertained and certified to the commissioners of customs in *Eng.* and *Scot.* by the proper officer of customs, 35 *G.*3. *c.*92. *s.*33.

348. No harpooner, line-manager or boat-steerer belonging to any vessel fitted out on such fishery shall be impressed from such service, but shall be privileged therefrom so long as he belongs to any vessel in such fishery, *id. s.*34.

349. No boat used as and commonly called a *whale boat* belonging to any vessel employed in such fishery [or in the fishery carried on to the southward of the *Greenland Seas* or *Davis's Straits; 55 G.*3. *c.*45. *s.*6. 59 *G.*3. *c.*115. *s.*6.] shall be liable to be seized on account of her built, provided on the return of such vessel from such fisheries she is laid up in such place as the principal officer of customs at her port of arrival shall approve, and shall not be employed but in such fishery, *id. s.*35., *55 G.*3. *c.*45. *s.*6., *56 G.*3. *c.*113. *s.*6.

350. Foreigners not exceeding 40 families who have heretofore been employed in carrying on such whale fishery, and being the owners of any ship, and intending to reside with their families in this kingdom, and to continue such fishing from thence, shall on or before 31*st Dec.* 1798, [*enlarged to* 31*st Dec.* 1805, *by* 38 *G.*3. *c.*57. *s.*7. 42 *G.*3. *c.*114.] come to port of *Milford* in *Pembrokeshire*, and bring any number of ships not exceeding 20, and manned with not less than 12 seamen, and it shall appear by oath or otherwise to the commissioners of customs, that they have been so employed for 3 years before their arrival here, and that they and their families are residents here, and the same is by them certified to H. M., he may allow the cargoes of oil, goods, &c. arriving in such ships to be admitted to entry without duty, 35 *G.*3. *c.*92. *s.*36. [Exp.]

351. If any persons not being subjects of H. M., and being the owners of ships so admitted to entry shall fit out such ships for a whaling voyage from such port, and shall go before a justice or the principal officer of customs in the port of *Milford*, and there take the oath of allegiance to H. M., and obtain a certificate thereof, and which they shall administer and give, on payment of 2*s.*, H. M. may order such vessel to be registered and have a certificate of registry as a *British* ship; and such vessel shall be entitled to the benefits of such registry so long as the owner resides in this kingdom, or such vessel is owned by any natural born subject, and enjoy all the privileges, bounties, &c. hereby granted to any *British* ship employed in the whale fishery, subject nevertheless to the same rules and penalties; and such person shall enjoy the rights of natural born subjects, subject to the same disabilities, as the same are granted to aliens by act of parliament, provided that such owners, not being natural born subjects of H. M. shall prove in the manner by 26 *G.*3. *c.*60, directed by taking the oath, or making the declaration hereinafter mentioned if a quaker, instead of the oath by that act required, that they are the sole owners of such vessels and shall also conform to the other regulations respecting registry in 26 *G.*3. c.60. contained, *id. s.*37.

352. Such oath or declaration shall be in force herein set down, as far as same is applicable, *id. s.*38. [*Qu.* these sections Exp., *see* 53 *G.*3. *c.*111. and 52 *G.*3. *s.*102.]

353. If any person shall knowingly give false certificate for any purpose required by this act, such person shall forfeit 500*l.*, and be incapable to serve H. M. in any way; and every person who shall counterfeit, alter, erase, or falsify any certificate hereby required, or shall knowingly or wilfully make use of any false certificate, or certificate so counterfeited, &c. shall forfeit 500*l.*, and such certificates shall be void, *id. s.*39.

354. One moiety of the penalties and forfeitures hereby inflicted (except where otherwise hereby directed) shall go to H. M., and the other to the officer of the customs prosecuting for the same in any court of record at *Westminster*, or in the court of exchequer in *Scot.*, *id. s.*40.

355. If any action is brought against persons for things done under this act, the defendant may plead the general issue, and give the special matter and this act in evidence, and that the same was done in pursuance thereof; and if it shall so appear the jury shall find for the defendants, and if plaintiff is nonsuited, discontinues after appearance, or if judgment is given on any verdict or demurrer against him, the defendants shall have treble costs, with the usual remedy to recover the same, *id. s.*41.

FISHERY (*WHALE*).

Statutes *expired.*)

356. For encouraging the *Greenland* whale fishery, 10 *G.*1. *c.*16., 5 *G.*2, *c.*28., 6 *G.*2. *c.*33. [Con. *and* Amd. and foreign protestants serving on board ships fitted out for such fishery naturalized 22 *G.*2. *c.*45., which act, together with the 3 others, are Con. 28 *G.* 2. *c.*20., 4 *G.*3. *c.*22., 8 *G.*3. *c.*27., *all which are now* Exp.]

357. For the better support and establishment of the *Greenland* whale fishery, 11 *G.*3. *c.*38. [In part Ext. to *Ire.*, 15 *G.*3. *c.*31 *s.*21., and additional bounties granted 22 *G.*3. *c.*19. Exp. and suspended as to impressing seamen, 38 *G.*3. *c.*46.] [Note. The bounties by these acts granted are Exp., and notwithstanding the 11 *G.*3. *c.*38. *s.*19. was suspended by 38 *G.*3. *c.*46., it may nevertheless be deemed Rep. by the effect of 26 *G.*3. *c.*41. *s.*17. which is *verbatim* with 11 *G.*3. *c.*38. *s.*19.]

358. For allowing vessels employed in the *Greenland* [*Davis's Straits, these words* omitted in the Statute Book,] whale fishery to complete their full number of men at certain ports for a limited time, (during the then present hostilities) 34 *G.*3. *c.*22. (for the present season) 42 *G.*3. *c.*22. *s.*3., 43 *G.*3. *c.*32., 44 *G.*3. *c.*33., 45 *G.*3. *c.*9., all Exp. [*See now* on this head 46 *G.*3. *c.*9. *post, pl.* 408.]

(Statutes *in force.*)

359. For the better encouragement of the *Greenland* trades, 25 *C.*2. *c.*7. *s.*1. [The rest of this act relates to the plantation trade.]

360. All H. M.'s subjects of *Eng.*, *Wa.*, and *Ber.*, and all other persons residing here, may freely trade into and from *Greenland* and those seas, and there take whales and all other sorts of fish, and import into this kingdom all sorts of oil, blubber and fins, and may exercise all trades to and from *Greenland* and those parts, *id. ibid.*

361. For regaining and encouraging, and settling the *Greenland* trade 4 *& 5 W. & M. c.*17. Exp. all but *ss.*8. *&* 28. (Public clause, *s.*30.] [Enl. 1 *Ann. S.*1. *c.*16.]

362. The company of merchants of *London* trading to *Greenland* shall, during the continuance of the joint stock hereby created [*since* Exp.] enjoy the free trade and catching of whales by sea, or otherwise, to and from *Greenland*, the *Greenland* seas, and to and from the ports and places situated in such seas, and in all other seas and places, except in the seas belonging to the plantations in *America*, 4 *& 5 W. & M. c.*17. *s.*8. [*Company* laid open, 1 *Ann. S.*1. *c.*16. *s.*1.]

363. No ships belonging to *Eng.*, *Wa.*, or *Ber.*, belonging to such company employed in catching whales in the *Greenland* seas, and other such places, and importing whale oil or blubber, or other fish oil, or whale fins, shall enjoy any benefit by this act, unless such ship shall proceed on her voyage for *Greenland*, from *Eng.*, &c., and was victualled for the voyage in some of those places to be attested by the collector of the port, 4 *& W. & M. c.*17. *s.*28.

364. Any of H. M.'s subjects who will adventure to *Greenland* for fishing whales shall have all the privileges that were granted to the *Greenland* company by 4 *& 5 W. & M. c.*17., and shall pay no other duty than members of such company, 1 *Ann. S.*1. *c.*16. *s.*1.

365. No harpooner shall be imprest for H. M.'s service, *id. s.*2. [*see further* on this point, *post*, 26 *G.*3. *c.*41. *s.*17. *pl.* 389., 32 *G.*3. *c.*22. *s.*6. *pl.* 403., 42 *G.*3. *c.*22. *s.*2. *pl.* 390.]

366. For the further support and encouragement of the fisheries carried on in the *Greenland* seas and *Davis's Striats*, 26 *G.*3. *c.*41. [Amd. 26 *G.*3. *c.*53. Con. 32 *G.*3. *c.*22. (which is Con. 42 *G.*3. *c.*22. but not since), and further Con. as to so much as relates to the fisheries carried on in the *Greenland* seas and *Davis's Straits*, 38 *G.*3. *c.*34. *s.*4, 39 *G.*3. *c.*101. *s.*1., 39 *&* 40 *G.*3. *c.*45. *s.*9., 41 *G.*3. *U. K. c.*97. *s.*2., 42 *G.*3. *c.*22. *s.*1.; and further Con. except as to so much which allows vessels to complete their number of men at certain ports, 44 *G.*3 *c.*35. *s.*3. and further Con. 46 *G.*3. *c.*29. *s.*5., 48 *G.*3. *c.*20. *s.*1., 50 *G.*3. *c.*11., *55 G.*3. *c.*39. *s.*1., 60 *G.*3. *&* 1 *G.*4. *c.*12., *and until* 31 *Dec.* 1823., 1 *G.*4. *c.*33. *s.*1., without such exception; and Amd. 32 *G.*3. *c.*22. (*Qu.* Exp. *see above*), 42 *G.*3. *c.*22., and as to the oaths to be taken, 58 *G.*3. *c.*15.; and as to the accounts to be laid before parliament, 59 *G.*3. *c.*103. *s.*2. As to the completing the number of men, 46 *G.*3. *c.*9. *post, pl.* 408.]

367. The bounties herein mentioned shall be paid under the restrictions herein expressed, *viz.* Every *British*-built ship, owned by *British* subjects usually residing in *G. B.* or *Guernsey*, *Jersey*, or *Man*, which shall proceed from any port of *G. B.*, or the said islands, on the whale fishery, to the *Greenland* seas, or *Davis's Straits*, or to the seas adjacent, and which shall be manned and navigated with a master and three-fourths of the mariners, at least, *British* subjects, usually residing in *G. B.*, *Ireland*, or such islands, shall, before she proceeds on such voyage, or be entitled to the benefits of this act, be visited by the officer of customs belonging to such port, who shall examine into such ship, and take an account of the tonnage thereof by admeasurement, and certify such visitation, examination, and admeasurement, to the commissioners of customs; and if it appears by the certificate of such officer that she hath on board such a number of men, provisions, boats, fishing-lines, and instruments to be used in such fishery, as after mentioned; that she is strongly built, and otherwise a proper ship for such voyage and fishery, and hath on board, among her crew, a sufficient number of harpooners, steersmen, and line managers, who have before been employed in such voyages (the names of such persons to be contained in such certificate), and if it further appears, by the oath herein required to be made by one owner, and by the master or chief officer

of such ship, written at the foot of such certificate, and made before the principal officers of customs of such port, or two of them, whereof the collector shall be one, and if the master, after such certificate and oath do also become bound, with two securities, unto H. M., in treble the bounty granted by this act (which bond the collector, with the approbation of the comptroller, is, as far as relates to such bounties, authorized to take, and which is to be in force for 3 years against the master and sureties, for the faithful dealings of such master and ship's company in regard to the ship and voyage), then 3 commissioners of customs in *Eng.* and *Scot.*, on receiving such certificates and oaths, and it being certified to them by the collector and comptroller that security hath been given, shall give to the master and owners licence to proceed on such voyage, 26 *G.*3. *c.*41. *s.*1.

368. Three commissioners of customs in *Eng.* and *Scot.* may authorize the collector or comptroller, or chief officer of customs of the port where any ship for carrying on the fishery in the *Greenland* seas or *Davis's Straits* is fitting out to grant a full licence for such ship to proceed on her voyage as soon as the proper officer has visited her and reported to such collector, &c. that the number of men, provisions, boats, fishing-lines and instruments, and all other requisites required by 26 *G.*3. *c.*41. are on board and have been complied with, in such manner and as effectually as the commissioners would have done, on receiving reports by such act directed to be transmitted to them, 1 *G.*4. *c.*33. *s.*3.

369. The owners of any such vessel shall not be obliged to clear out specially for the respective latitudes in 26 *G.*3. *c.*41. and 28 *G.*3. *c.*20. mentioned, but shall be entitled to the premiums thereby granted on complying with the other regulations of such acts, 29 *G.*3. *c.*52. *s.*4. [The 28 *G.*3. *c.*20. is Rep. by 35 *G.*3. *c.*92. *s.*1.]

370. The principal officers of the customs at the port from which any such vessel intends to proceed, may accept an affidavit of the illness or unavoidable absence of the owners of such vessel, sworn by such owner before a justice of the peace, in which such owner shall declare all things which by 26 *G.*3. *c.*41. *s.*1. he is required to declare on oath before such principal officers; and such affidavit shall be as effectual as if such owners had conformed to the directions of such act, 42 *G.*3. *c.*22. *s.*4.

371. Because the oaths required to be taken by 26 *G.*3. *c.*41. *s.*1. by the owners and chief officer of any vessel going to the *Greenland* seas and *Davis's Straits* fishery, may preclude persons from applying for the rewards for discovering the longitude at sea, or for finding a northern passage between the *Atlantic* and *Pacific* oceans, such act, so far as it relates to such oaths, shall be Rep. 58 *G.* *c.*15. *s.*1.

372. And previously to the licence specified in the said act being granted, one owner and the master or chief officer, shall make oath before the persons authorized by the said act to administer the same, that it is really and truly their firm purpose and intention that such ship shall, as soon as the licence is granted, forthwith proceed, manned, furnished, and accoutred as directed by the said act, on a voyage to the *Greenland* seas and *Davis's Straits*, or the seas adjacent, and there, in the then approaching season, to use the utmost endeavours of themselves and their ship's company to take whales or other creatures living in the sea, and on no other design or view of profit in such voyage, except any reward offered by any act of parliament for discovering the longitude at sea, or encouraging attempts to find a northern passage between the *Atlantic* and *Pacific* oceans, and to approach the northern pole, and to import the whale fins, oil, and blubber thereof into *G.B.* (naming the port thereof to which it is their intention to return); and on the return of any such vessel, the master and mate shall make oath that they did, in pursuance of such licence (mentioning the day of their departure), proceed on a voyage directly to such places, and have not since been on any other voyage, or pursued any other design or view of profit, except as aforesaid, and that they did there (mentioning the time of their stay in those seas) use the utmost endeavours of themselves and their ships's company to take whales, &c., and that all the whale fins, oil, and blubber (if any) imported in such vessel, were really and *bonâ fide* caught and taken in such seas by the crew of such vessel only, or with the assistance of the crew of some other *British* built ship or vessel licensed for that voyage pursuant to the said act; and the taking of such oaths as hereby prescribed shall (all the other requisites of the said act being duly complied with) be sufficient to authorize the granting of the licences for the sailing of such ships and vessels, and the payment of the bounties granted by such act, *id.* *s.*2.

373. Every ship of the burthen of 200 tons, designed for this fishery, shall have on board 40 fishing lines of 120 fathoms each, 40 harpoon irons, 4 boats, with 7 men at the least (including an harpooner, a steersman, and a line manager) to each boat, in the whole 28 men, besides the master and surgeon, with 6 months provisions at least for such men; and every ship of larger burthen, an increase of 6 men, 1 boat, 10 lines, and 10 harpoon irons more, for every 50 tons above the 200, together with provisions in proportion; and every ship employed in such fishery, shall have on board apprentices indentured for 3 years at least, who shall not exceed 18, nor be under 14 years of of age at the time they be indentured, in the proportion of 1 for every 35 tons burthen, and 1 fresh or green man for every 50 tons burthen, which apprentices and fresh men shall be accounted in the number required to be on board such ship, 26 *G.*3. *c.*41. *s.*2. [See 29 *G.*3. *c.*53. *s.*5. *post*, *pl.*396. and 32 *G.*3. *c.*22. *s.*3. *pl.*400.]

374. On the return of such ship to the port of *G.B.* to which the owners and master had declared on oath their intention to return, the officer of the customs shall repair on board and view the condition of such ship and her lading, and certify the same, together with their observations thereon, as also the real tonnage of the ship; and such officers shall also take an account of the names of the master, mate, and other persons on board, distinguishing therein the harpooners and persons more immediately employed in the fishery, and certify the same; and the master and mate shall make the oath herein required, [Rep. as to such oath, and new one given, 58 *G.*3. *c.*15. *ante*. *pl.*317.] before the principal officers of customs, or two of them, whereof the collector shall be one, which oath shall be indorsed on, or annexed to the licence, and the schedule, certificate, licence, or oath, shall be transmitted by the collector and comptroller of such port to the commissioners for that part of *G.B.* where such ship shall arrive; and such commissioners, being satisfied, shall cause payment to be made to the master or owners, by the receiver-general of the customs, a bounty of 30*s.* *per* ton, according to the admeasurement of such ship, so duly certified, *id.* *s.*3.

375. No person shall be allowed such bounty for any ship, unless such ship sail from the port where she shall be surveyed and cleared, directly on her intended fishery, on or before the 10*th April* in each year, and shall continue with her crew in the *Greenland* seas, or *Davis's Straits*, or the adjacent seas, diligently endeavouring to catch whales, &c. and shall not depart from thence before 10*th Aug.* following, unless such ship, if of the burthen of 300 tons, shall be laden with 30 tons of oil, or blubber in proportion thereto, the blubber to be rated with respect to the oil as 3 to 2, and one ton and a half of whale fins; or if she be of greater or lesser burthen, with a quantity of oil or blubber, and whale fins, in like proportion to the tonnage for which such ship shall be entitled to bounty, being the produce of whales caught by the crew thereof, or with the assistance of the crew of some other licensed ship, before that time, or shall be forced by some accident or necessity to depart sooner from those seas; which accident, &c. shall be verified on the oaths of the master and mate, upon her return from the fishery, before the principal officers of customs, or two of them (whereof the collector shall be one), at the port where she shall arrive, who shall transmit the same, together with the schedule, licence, and other documents, to the commissioners of customs for that part of *G.B.* where such ship shall arrive, *id.* *s.*4.

376. Any owners of any vessel shall be allowed the bounty by 26 *G.*3. *c.*41. granted for any ship which shall proceed on the whale fishery from any port of *G.B.*, or the islands of *Guernsey*, *Jersey*, or *Man*, and shall sail from the port where she was surveyed and cleared out, directly on her intended voyage, on or before the 10*th April* in each year, although she shall depart from the *Greenland* seas, or *Davis's Straits*, or the adjacent seas, before 10*th Aug.* then following, and although she shall not be laden as by 26 *G.*3. *c.*41. *s.*4. *last pl.* required; in case it appear by the log-book that she had continued with her crew in such seas diligently endeavouring to catch whales, or other creatures living in those seas, and did not depart from thence till the expiration of 16 weeks from the time of sailing from the port where she cleared out, provided such ship shall not have touched at any other port during the voyage, and has complied with all other regulations by the said act imposed, 29 *G.*3. *c.*53. *s.*2.

377. In case any ship shall not sail from the port where surveyed and cleared, directly on her fishery, on or before 10*th April* in any year, provided it be made appear to the satisfaction of the commissioners of customs, that such ship was properly qualified, and duly fitted out, according to this act, and surveyed, cleared, and ready for sailing before 10*th April*, but was prevented from sailing by unavoidable necessity, but shall actually have sailed on or before 25*th April* in such year, the commissioners, or 4 of them in *Eng.*, or 3 in *Scot.*, may pay the bounty, as if such ship had actually sailed on 10*th April*, 26 *G.*3. *c.*41. *s.*5.

378. The commissioners may order the receivers-general to satisfy the bounty out of any monies in their hands, arising from any of the duties under their management, *id.* *s.*6.

379. The owners of any ship of 150 tons burthen, employed in such fishery, who have conformed themselves, in proportion to their tonnage, to the directions before prescribed to the owners of ships of greater burthen, shall be entitled to the bounty, according to the admeasurement of such ship, provided such admeasurement be not less than 150 tons, *id.* *s.*7.

380. No ship at this time employed in the fishery, although above

400 tons, shall be entitled to a larger bounty than a ship of 400 tons, and she shall enjoy the same for 5 years, from *25th Dec.* 1786, in case such ship shall not be worn out, or have ceased to carry on the fishery; and no ship which shall not, before *25th Dec.* 1786, have been employed in the fishery, although such ship be above 300 tons, shall be entitled to a larger bounty than a ship of 300 tons would, 26 *G.*3. *c.*41. *s.*8.

381. Nothing in this act shall oblige the owner of any ship above 400 or 300 tons respectively, to fit out such ship otherwise than as a ship of 400 or 300 tons, according to this act, in order to entitle him to the bounty, *id. s.*9.

382. No bounty shall be paid to any person, on account of any ship employed in the fishery, unless a log-book shall have been constantly kept on board, in which the various situations and occurrences, respecting such ship, during the whole voyage, shall be inserted every day, and particularly the times when such ship shall have been in sight of land, distinguishing what land, and the bearings thereof, and the supposed distances therefrom, and the soundings; as also when, and the latitude in which, any whale, or other creature living in the sea, shall have been killed, or caught by the crew, which log-book, so kept, shall be delivered by the master at the time of making report of such ship to the collector of customs at the port where such ship shall arrive on her return; and such master, together with the mate, shall jointly and severally verify on oath the contents of such log-book before such collector, *id. s.*10.

383. In case any ship shall, in the course of her voyage, meet with any of H.M.'s ships of war, the master shall produce to the captain or officer commanding such ship of war, such log-book, and such officer shall make a memorandum in such log-book, of the day on which it was produced to him, and subscribe his name to such memorandum, and shall also make an entry in the log-book of the ship of war, of the name and description of the vessel, on board of which the log-book was kept; and in case such ship, on board of which such log-book is to be kept, shall put into any foreign port, where there is a *British* consul, or *British* officer, the master shall produce such log-book to such consul, &c. who shall also make a memorandum therein, of the day on which it was produced, and subscribe the same, *id. s.*11.

384. Every ship, owned by subjects residing in *Ire.*, and fitted out from that kingdom, which shall comply with the conditions of this act, shall be entitled to the same bounties as the like ships fitted out from *G.B.*, and the islands in *s.*1. *pl.*367. shall be entitled by this act, *id. s.*12.

385. The owners of any ship employed, or designed to be employed in the fishery, may insure the bounty they would be entitled to upon the return of such ship to the port to which the master and owner shall have declared, on oath, their intention to return; and on the performance of all other matters directed by this act, *id. s.*13.

386. Any person may import into *G.B.* whale fins, oil, or blubber of whales, seal oil, or seal skins, or any other produce of seals, or other fish, or creatures caught in the *Greenland* seas, or *Davis's Straits*, or the seas adjacent, by *British* subjects in *British*-built ships owned and navigated as herein required for the bounty duty free, *id. s.*14.

387. Provided oath be first made before the principal officers of customs, or 2 of them, whereof the collector shall be one in the port of importation, that all such whale fins, &c. are *bonâ fide* the fins, &c. of whales or the skins, &c. of seals caught in such seas by the crews of such vessels only so fitted out and navigated, *id. s.*15. [*but as to this point*, 32 *G.*3. *c.*22. *s.*4. *post*, *pl.*401.]

388. If any person shall grant any false certificate for any of the purposes required by this act, he shall forfeit 500*l.*; and if any person shall counterfeit, erase, alter, or falsify any certificate, or shall knowingly make use of any false certificate, or of any certificate counterfeited, &c. he shall forfeit 500*l.*, and such certificate shall be of no effect, *id. s.*16.

389. No harpooner, line-manager, or boat-steerer, who shall be in or belong to, any ship in the *Greenland* fishery trade, and whose name (distinguishing the capacity in which the person so named is to act) shall be inserted in a list, which is hereby required to be delivered, on oath, by the owner of such ship to the collector of customs at the port from which such ship is intended to proceed upon the fishery, shall be impressed from such service; and such harpooner, &c. may during the time they are not employed in the fishery, sail in the colliery trade, upon giving security to the satisfaction of the commissioners of customs, that they will proceed in such ship to the *Greenland* seas, or *Davis's Straits*, on the whale fishery, the next season; and every seaman or common mariner who, after the 1st of *Feb.* in any year during the continuance of this act, shall be entered to serve on board any ship intended to proceed on the fishery in the following season, whose name shall be inserted in the list so to be delivered, and who shall have given security to the satisfaction of the commissioners of customs to proceed and shall proceed accordingly, shall be exempt from being impressed from such service from the 1st of *Feb.*, till after the expiration of the then next season for such fishery, and until the voyage home from thence shall be fully ended, and no longer, 26 *G.*3. *s.*41. *s.*17.

390. In every ship of the burden of 300 tons, 6 harpooners, 6 line-managers, and 6 steersmen, and so in proportion on every ship of smaller burthen, one harpooner, one line-manager, and one steersman, for every 50 tons burden, shall be protected from being imprest, and shall enjoy the privilege of sailing in the colliery and coasting trade under the conditions and in the manner by 26 *G.*3. *c.*41. *s.*17. directed, 42 *G.*3. *c.*22. *s.*2.

391. The *Greenland* seas, and *Davis's Straits*, and seas adjacent, within the intent of this act, shall extend to the lat. of 59 degrees 30 minutes north, and no farther, 26 *G.*3. *c.*41. *s.*18.

392. The commissioners of customs for *Eng.* and *Scot.* shall, at the beginning of every session, lay before both houses of parliament an account in writing under their hands, of what number of ships have been employed in the whale fishery to *Davis's Straits*, &c. with their names and burthens, from whence they were fitted out, and at what port they were discharged; and also what quantity of oil or blubber, or whale fins, each ship imported, *id. s.*19.

393. So much of 26 *G.*3. *c.*41. *s.*19. as requires any account to be laid before parliament by the commissioners of customs, shall be Rep., and such account shall be presented by the officer who prepares the same, agreeable to such act, 59 *G.*3. *c.*103. *s.*2.

394. One moiety of the penalties hereby inflicted shall be to the use of H.M., and the other to such officer of customs as shall sue for the same in any court of record at *Westminster*, or the court of exchequer in *Scot.*, 26 *G.*3. *c.*41. *s.*20.

395. In actions against any person for any thing done under this act, the defendants may plead the general issue, and give this act and the special matter in evidence, and that the same was done in pursuance hereof; and if it shall so appear the jury shall find for the defendant, and if the plaintiff is nonsuited, or discontinues after the defendant has appeared, or has judgment against him on demurrer, the defendant shall have treble costs with the usual remedy to recover the same, *id. s.*21.

396. If the master of any vessel, or other person to whom any apprentice shall be indentured pursuant to 26 *G.*3. *c.*41., 26 *G.*3. *c.*50. and 28 *G.*3. *c.*20. [this act is Rep. 35 *G.*3. *c.*92. *s.*1.] shall permit such apprentice to depart his service, except as herein is provided, before the expiration of the term for which he was bound, such master, &c. shall forfeit for each offence 50*l.* to be recovered by action of debt, &c. or information in any court of record in which no essoin, &c. or more than one imparlance shall be allowed, 29 *G.*3. *c.*53. *s.*5. [*see* 32 *G.*3. *c.*22. *pl.*399.]

397. Nothing herein shall extend to inflict such penalty, in case any apprentice is legally discharged before a magistrate or justice, or shall be turned over from one person to another concerned in such fisheries, to serve the remainder of his time pursuant to such acts, *id. s.*6.

398. No bounty shall be paid under such acts, unless there be inserted in the indentures of any apprentice indentured under the said acts, or who shall be turned over from one person to another pursuant to this act, the name of the vessel on board of which such apprentice is bound to serve, *id. s.*7.

399. To amend the laws in force for the encouragement of the fisheries carried on in the seas to the southward of the *Greenland* seas and *Davis's Straits*, 32 *G.*3. *c.*22. (Exp. as *ss.*1, 2.) [Note—This act was continued up to 1804 by 42 *G.*3. *c.*22. It has not since been continued, but the acts it amends have been, *see ante*, *pl.*366. (*Qu. Is this act* in force?)]

400. Every vessel having on board one apprentice for each 50 tons burden, such apprentice being not under 12 nor exceeding 20 years of age at the time when indentured, shall be deemed properly fitted and qualified with respect to apprentices to proceed on the fishery to the *Greenland* seas and *Davis's Straits*, and be entitled to the bounty, 32 *G.*3. *c.*22. *s.*3.

401. Whale fins, oil, or blubber, or whales, seal oil, or seal skins, or any other produce of seals, or other fish, or creatures caught in any part of the ocean by *British* subjects usually residing in *G.B.*, *Ire.*, *Guernsey*, *Jersey*, *Alderney*, *Sark*, or *Man*, in ships built in either of such kingdoms, or islands owned, registered, and navigated according to law, may be imported into *G. B.* duty free, provided proof is made that such articles were actually caught by the crew of the vessel in which they were imported by oath of the master, that the same were so *bonâ fide* caught, and provided that a log-book is constantly kept on board, in which all the particulars by 26 *G.*3. *c.*41. *s.*10. *pl.*382. required, shall be inserted, and which shall be delivered and verified as therein directed, *id. s.*4. [*but see now* 59 *G.*3. *c.*52. *tit.* Whale, *tab.* A. *Inwards.*]

402. The provision in 26 *G.*3. *c.*41. *s.*17. *pl.*389. contained, extended to ships employed in such fishery, although not fitted out for the bounty, *id. s.*5.

403. No boat used as, and commonly called a *whale-boat*, belonging to

any vessel employed in the *Greenland* seas and *Davis's Straits* fishery, or in the fishery carried on to the southward thereof, shall be liable to seizure on account of her built, dimensions or construction, provided that on the return of such vessels from their voyages, such boat shall be laid up by the owners in some place to be approved of by the commissioners of customs at the port of such vessel's arrival, and shall not be employed in any way but in such fisheries, 32 *G.*3. *c.*22. *s.*6. [*see a* similar provision, 51 *G.*3. *c.*45. *s.*6., 59 *G.*3. *c.*113. *s.*6.].

404. In case the time for which any apprentice has been indentured to serve on board any vessel employed in the *Greenland* seas and *Davis's Straits* fisheries, or the fisheries to the southward thereof, shall expire during the voyage, such apprentice shall be considered as an apprentice for the whole voyage, and shall, on the ship's return, be mustered accordingly, *id. s* 7.

405. No person shall be deemed an apprentice within this act, or the 26 *G.*3. *c.*41., or 29 *G.*3. *c.*53. *ss.*2—8., unless he be a subject of H. M., *id. s.*8.

406. To PERMIT BLUBBER from the *Greenland* fishery and *Davis's Straits* to be boiled into oil after the arrival of the ships from the fishery, and for charging the duty thereon, 39 & 40 *G.*3. *c.*51. *ss.*1, 2. [EXP. as to *s.*2.]

407. On the return of any vessel from the *Greenland* seas or *Davis's Straits*, with any blubber being the produce of whales or other creatures living in the seas, caught in such fishery, such blubber may be boiled into oil under the inspection of an officer of the customs, and afterwards such oil shall be admitted to entry, and the duties paid according to law, *id. s.*1. [*For the duties* on blubber and oil, *see* 59 *G.*3. *c.*52. tab. A. Inwards, and *ss.*38, 39. of that act as to such duties on *Newfoundland* whale oil, &c.]

408. FOR ALLOWING UNTIL THE SIGNATURE OF PRELIMINARY articles of peace, vessels employed in the *Greenland* whale-fishery, to complete their full number of men at certain ports, 46 *G.*3. *c.*9. [REV. and CON. 55 *G.*3. *c.*39. *s.*2. 60 *G.*3. & 1 *G.*4. *c.*12. and until 31 *Dec.* 1823. 1 *G.*4. *c.*33. *s.*2.]

409. Any ship or vessel which is not provided with the full complement of men, pursuant to 26 *G.*3. *c.*41., and other acts relating to the *Greenland* seas and *Davis's Straits* whale fishery, at the port from which she shall be fitted and cleared out, may proceed from thence to any port in *Forth of Clyde*, or in *Lough Ryan*, or to *Lerwick* in the *Isle of Shetland*, or *Kirkwall* in the *Orkneys*, and complete their number of men there, provided the number wanted doth not exceed 3 common men for every 50 tons burden of the vessel, but not otherwise; and upon her return from such fishery, such men may be landed at such ports, and upon the master of such vessel producing to the proper custom officer at the port of his arrival in *G. B.* a certificate, under the hand of the collector or comptroller at the ports aforesaid, which certificate they shall give, certifying the number and the names of the men so taken on board at such ports, and the number and names of such as are so landed there; and upon the master and mate making oath before the collector and comptroller at the port of arrival in *G. B.* that the men so taken on board proceeded from thence on such fishery, and continued on board during the time such vessel was employed in that business, the master or owners of such vessel shall be entitled to the bounty granted by such acts, as they would if the full complement of men was taken on board at the port of fitting and clearing out, and had returned to such port; provided all the other regulations required by such act have been duly complied with, 46 *G.*3. *c.*9.

FOREIGN ENLISTMENT.

(STATUTE *repealed.*)

TO PREVENT THE LISTING OF H. M.'s SUBJECTS to serve as soldiers without H. M.'s licence, 9 *G.*2. *c.*30. [ENFORCED, and H. M.'s subjects prevented from serving as officers under the *French* king, and H. M.'s subjects accepting commissions in the *Scotch brigade* in the service of the States General, OBLIGED to take the oaths of allegiance and abjuration, 29 *G.*2. *c.*17., both acts REP. 59 *G.*3. *c.*69. *s.*1.]

(STATUTE *in force.*)

1. TO PREVENT THE ENLISTING OR ENGAGEMENT OF H. M.'s subjects to serve in foreign service, and the fitting out or equipping, in H. M.'s dominions, vessels for warlike purposes, without H. M.'s licence, 59 *G.*3. *c.*69. [*As to when* foreign enlistment is felony, see 3 *J.*1. *c.*4. *ss.*18, 19. PAPIST, *pl.* 108, 109, 110.]

2. The statutes 9 *G.*2. *c.*30. and 11 *G.*2. *Ir.*, 19 *G.*2. *Ir.*, and 29 *G.*2. *c.*17. are REP., *id. s.*1.

3. And if any natural-born subject of H. M., without his licence first had under his sign manual, or signified by order in council, or by proclamation, shall take or accept, or shall agree to take, &c. any military commission, or shall otherwise enter into the military service as a commissioned or non-commissioned officer, or shall enlist, enter, or agree to enlist or enter himself to serve as a soldier, or to be employed or shall serve in any warlike or military operation, in the service of or for, or under or in aid of any foreign prince, state, potentate, colony, province, or part of any province or people, or of any person exercising, or assuming to exercise the powers of government therein, either as an officer or soldier, or in any other military capacity; or shall, without such licence, accept, or agree to accept, any commission, warrant, or appointment as an officer, or shall enlist or enter himself to serve as a sailor or marine, or to be employed, or shall serve on board any ship of war, or on board any ship used or fitted out, or intended to be used for any warlike purpose, in the service of, for, or in aid of any foreign power; or if any natural-born subject shall, without such licence, engage, or agree to go, or shall go to any foreign state, country, colony, province, or part thereof, or to any place beyond sea, in order to enlist or enter himself to serve, or with intent to serve in any warlike or military operation whatever, whether by land or by sea, in the service or in aid of any foreign state, either as an officer or a soldier, or in any other military capacity, or as an officer or sailor, or marine, though no enlisting money or pay or reward shall have been paid; or if any person whatever, within *G. B.* and *Ire.*, or in any part of H. M.'s dominions elsewhere, or in any place belonging or subject to H. M., shall hire, retain, engage, or procure, or attempt to hire, &c. any person to enlist, or to engage to enlist, or to serve or be employed in any such service or employment as an officer, soldier, sailor, or marine, either in land or sea service, for or under or in aid of any foreign state, or to go, or to agree to go, or embark from any part of H. M.'s dominions, with intent to be so enlisted, &c. as aforesaid, whether any enlisting money, pay, or reward is received or not; every person so offending shall be guilty of a misdemeanor, and on being convicted on information or indictment, shall be punishable by fine and imprisonment, or either of them, at the discretion of the court, 59 *G.*3. *c.*69. *s.*2.

4. Nothing in this act shall render any persons liable to punishment under this act, who at any time before 1*st Aug.* 1819, within any part of U. K. or of *Jersey*, *Guernsey*, *Alderney*, or *Sark*, or at any time before 1*st November*, 1819, in any place out of U. K. or of such islands, shall have taken or accepted, or agreed to take, &c. any military commission, or shall have otherwise enlisted, or having so served shall continue to serve; but they shall be in such condition and no other, and liable to such penalties, forfeitures, and disabilities as before the passing of this act, and as they would have been subjected to in case this act and the recited acts repealed had not been passed, *id. s.*3.

5. Any justice residing at or near to any port within *G. B.* and *Ire.* where any offence punishable by this act shall be committed, on information on oath, may issue his warrant for the apprehension of the offender; and the justice before whom such offender is brought, shall examine into the nature of the offence upon oath, and commit such person to gaol, there to remain till delivered by due course of law, unless he shall give bail, to the satisfaction of such justice, to appear and answer to any information or indictment preferred against him, and all such offences which shall be committed within *Eng.*, shall be tried in K. B. and the venue laid at *Westminster*, or at the assizes or session of oyer and terminer and gaol delivery, or at any quarter or general sessions of the peace for the county where such offence was committed; and all offences in *Ire.* shall be prosecuted in K. B. at *Dublin*, and the venue laid at *Dublin*, or at any assizes or session of oyer and terminer and gaol delivery, or at any quarter or general sessions of the peace for the county where such offence was committed; and all offences in *Scot.* shall be prosecuted in the court of justiciary in *Scot.* or any other court competent to try criminal offences committed within the county, within which such offence was committed; and where any such offence shall be committed out of the U. K., any justice residing near to the port where such offence shall be committed, on information on oath, shall issue his warrant for the apprehension of the offender; and such justice before whom such offender shall be brought, may examine into the nature of the offence upon oath, and commit such person to gaol, there to remain until delivered by due course of law, or otherwise hold him to bail, to answer for such offence in the superior court, competent to try criminal offences committed in such port, and all offences committed out of the U. K. may be tried in any superior court competent to try criminal offences, *id. s.*4.

6. In case any ship in any port within H. M.'s dominions, shall have on board any such person, either as an officer, soldier, sailor, or marine, contrary to this act, any officer of customs, or (where there are no officers of customs) any governor or persons having the chief civil command, on information on oath that such persons are on board, may detain any such ship, provided that no principal officer, governor, or person, shall act as aforesaid, on such information upon oath, unless the informer shall not only have deposed in such information, that the persons on board have been enlisted or entered to serve, or have engaged or agreed or been procured to enlist or enter to serve, or are

departing with the intent of enlisting or entering to serve or to be employed, or of serving, or being engaged in such service as aforesaid, but shall also have set forth in such information on oath, the facts on which he forms his knowledge or belief, and all persons convicted of wilfully false swearing shall be deemed guilty of perjury, 59 *G.*3. *c.*69. *s.*5.

7. If any master or person having command of any ship shall knowingly take on board, or if he or the owner shall knowingly engage to take on board, any such persons, such master, commander, or owner, shall forfeit 50*l.* for each person; and the ship shall be seized and detained till such penalty shall be paid, or till such master, &c. shall give sufficient bail, by recognizance before one magistrate, for payment of such penalty, *id. s.* 6.

8. Every person within the U.K., or H.M.'s dominions beyond the seas, who shall, without licence of H. M., equip or arm, or attempt to equip or arm, or procure to be equipped, &c. or shall knowingly be concerned in the equipment, &c. of any ship, with intent that she shall be employed in the service of any foreign state, or persons exercising any powers of government, as a transport or store ship, or with intent to cruise or commit hostilities against any state, or persons exercising the powers of government, or against the inhabitants of any foreign colony with whom H. M. shall not then be at war; or shall issue any commission for any ship, to the intent that she shall be employed as aforesaid, shall be guilty of a misdemeanor, and shall, on conviction, on information, or indictment, be punished by fine and imprisonment, or either of them, at discretion of the court, and every such ship, with the tackle, apparel, furniture, materials, arms, ammunition, and stores, shall be forfeited; and any officer of customs, excise, or navy, impowered to make seizures under any of the laws of customs or excise, or of trade and navigation, may seize such ships, which with the tackle, &c. belonging to or being on board, may be prosecuted and condemned in like manner as ships for breach of the laws, of customs, excise, trade, or navigation, *id. s.* 7.

9. Every person in any part of the U.K. or of H.M.'s dominions beyond the seas, who, without licence of H. M. shall, by adding to the number of the guns of such vessel, or by changing those on board for other guns, or by the addition of any equipment for war, augment, or procure to be augmented, or shall be knowingly concerned in augmenting the warlike force of any ship of war, or cruizer, or other armed vessel, which, at the time of her arrival in any part of the U. K., or of H. M.'s dominions, was a ship of war, &c. in the service of any foreign state, or of any persons exercising powers of government, or belonging to the inhabitants of any colony under the control of any persons exercising the powers of government, shall be guilty of a misdemeanor, and on on being convicted on information or indictment, be punished by fine and imprisonment, or either, at discretion of the court, *id. s.* 8.

10. Offences committed out of the U.K., may be prosecuted and tried in K. B. at *Westminster*, and the venue laid there, *id. s.* 9.

11. Any penalty inflicted by this act, may be sued for by action of debt, &c. or information, in any court of record at *Westminster* or *Dublin*, or in the exchequer, or in the court of session in *Scot.*, in the name of the attorney or advocate-general, or of any person soever, wherein no essoin, &c. nor more than one imparlance is allowed; and in every suit the person against whom judgment shall be given for any penalty, shall pay double costs; and every such suit may be brought at any time within 12 months, and not afterwards; and one moiety shall go to H. M., and the other to the use of such person as shall first sue, *id. s.* 10.

12. If any action is commenced against any person for any thing done in pursuance of this act, all regulations and protections, as to acts done by any officer of customs or excise, or of H. M.'s navy, under any act in force for the protection of the customs and excise, or prevention of smuggling, shall apply in any such action brought in pursuance of this act, *id. s.* 11.

13. Nothing in this act shall subject to any penalty any person who shall enter into the military service of any prince, state, or potentate in *Asia*, with leave from the governor-general in council, or vice-president in council of *Fort William* in *Bengal*, or in conformity with their orders in council, *id. s.* 12.

FORESTALLERS.

(STATUTES *repealed.*)

1. AGAINST REGRATORS, FORESTALLERS, AND INGROSSERS, 5 & 6 *E.*6. *c.*14. [AMD. *and in part* REP. 5 *El. c.* 4. *s.* 13, MADE PERP. 13 *El. c.* 25. *s.* 5. *and altogether* REP. 12 *G.*3. *c.*71. *s.*1.]

2. TOUCHING BADGERS OF CORN AND DROVERS OF CATTLE, 5 *El. c.*12. [REP. 12 *G.*3. *c.*71.]

(STATUTES *in force.*)

1. INQUIRY SHALL BE MADE OF FORESTALLERS THAT BUY any thing afore the due hour, or that pass out of town and market to meet things coming to the market, buying out of town that they may sell the same in town unto regrators, 51 *H.*3. *S.*6. *s.*3. (8*vo. ed.* 51.)

2. OF FORESTALLERS. *St. Incert. Temp. c.*10. 8*vo. ed.* 389.

3. No forestaller shall be suffered to dwell in any town who is an oppressor of the poor: a public enemy of the country, who meeting grain, fish, herring, or other things coming to be sold, doth buy them before others, oppressing the poor and deceiving the rich, and by that means goeth about to sell such things much dearer than he which bought them; who cometh about merchant strangers and offereth them his help in the sale of their wares, and informeth them that they may sell their wares dearer than they meant to have done; he that is convict thereof, the 1st time, shall be amerced, and shall lose the thing so bought, according to the custom of the town; he that is convict the 2d time, shall have judgment of the pillory; the 3d time he shall be imprisoned and make fine; the 4th time he shall abjure the town, and likewise they that give them counsel, help, or favour, *id. ibid.*

4. THE PENALTY OF FORESTALLERS of wine, victuals, or merchandize, 25 *E.*3. *S.*4. *c.*3. [CONF. 2 *R.*2. *c.*2.]

5. The forestallers of wines, victuals, and other merchandizes that come to the towns of *Eng.* by land or by water, if they be thereof attainted at the suit of H.M. or the party before mayor, bailiffs, or justices thereto assigned, or elsewhere, in H. M.'s court; and if they be attainted at H. M.'s suit by indictment or otherwise, the things forestalled shall be forfeit to H. M., if the buyer hath made satisfaction to the seller; and if he hath not made satisfaction of all, but by earnest, the buyer shall forfeit as much as the forestalled goods amount to; and if he have not whereof, he shall have 2 years' imprisonment and more, at H. M.'s will; and if he be attainted at the suit of the party, the party shall have one-half of such forfeit or the price of H. M.'s gift, and H. M. the other half, 25 *E.*3. *S.*1. *c.*3.

6. MERCHANDIZE SHALL BE FREELY SOLD at the staples, so they be not forestalled, 27 *E.*3. *S.*2. *c.*11.

7. All merchants that bring their wines, wares, &c. to the staples, cities, towns, or ports within the realm, may safely sell them; and no persons shall go by land or water towards such wares, to forestall them, or give earnest for them, before they come to the port, nor enter into the ships for such purpose, till the merchandize be set to land to be sold, upon the pains contained in the 3d article aforesaid, [*viz. pains of felony*, 27 *E.*3. *S.*2. *c.*3.] *id. ibid.* [The penalty of death in the 27 *E.*3. *S.*2. *c.*3. is REP. by 38 *E.*3. *S.*1. *c.*6. but the forfeiture of lands and goods remains.]

FOREST.

(STATUTES *expired.*)

1. PARDONS OF OUTLAWS of trespass within the forest, 9 *H.*3. *Char. de For. c.*15. [EXP.]

2. OF TRESPASSES IN GROUNDS DISAFFORESTED, 34 *E.*1. *S.*5. *c.*5.

3. H. M.'s PARDON OF ALL OFFENCES IN FORESTS EXCEPT by officers of his forest, 43 *E.*3. *c.*4. [EXP.]

(STATUTES *in force.*)

1. THE CHARTER OF THE FOREST, 9 *H.*3. [CONF. 52 (*or* 54) *H.*3. *c.*5. 25 *E.*1. *S.*1. *c.*1. 28 *E.*1. *c.*1. 1 *E.*3. *S.*2. *c.*1. 42 *E.*3. *c.*1. *See a* subsidy granted in respect of such charter, 9 *H.*3. *M.C. c.*37.]

2. WHAT GROUNDS SHALL BE DISAFFORESTED, 9 *H.*3. *Chart. de For. c.*1. [EXT. *to woods, id. ibid. c.*3.]

3. All forests afforested by king *Henry* shall be disafforested, except those of his own demesne, 9 *H. Car. de For. c.*1.

4. All woods which have been afforested by *R.*1. or king *John* shall be disafforested, unless it be our demesne wood, *id. c.*3.

5. WHO ARE BOUND TO THE SUMMONS OF THE FOREST, *id. c.*2.

6. Men that dwell out of the forest shall not come before the justices of forest by common summons, unless they be impleaded, or be sureties for some other that were attached to the forest, *id. ibid.*

7. NO PURPRESTURE, WASTE, OR ASSART SHALL BE MADE in forests, *id. c.* 4.

8. Freeholders which have their woods in forests, shall have their woods as at the time of the first coronation of king *Hen.* 2. And those that make waste or purpresture in them without licence, or assart, shall answer for the same, *id. ibid.*

9. WHEN RANGERS SHALL MAKE THEIR RANGE in the forest, *id. c.*5.

10. The rangers shall go through the forest to make range, as hath been accustomed at the time of the first coronation of king *Hen.* 2. and none otherwise, *id. ibid.*

11. LAWING OF DOGS IN FORESTS, *id. c.*6.

12. The view for lawing of dogs within the forest shall be made when the range is made, *viz.* every third year, and then it shall be done by the view and testimony of honest men; and he whose dog is not lawed, and so found, shall be amerced, and pay 3*s.* And no ox shall be taken

for lawing; and such lawing shall be by the assize commonly used, *viz.* three claws shall be cut off without the ball from the forefoot; but such lawing shall not be done, but where it hath been accustomed from the time of the first coronation of king *Hen.* 2. 9 *H.* 3. *Car. de For. c.* 6.

13. GATHERINGS IN FORESTS; APPOINTMENT OF FORESTERS, *id. c.* 7.

14. No forester or beadle shall make scotal, or gather garb of oats or any corn, lamb or pig, nor shall make gathering but by the sight, and by the oath, of the twelve rangers, when they make their range; so many foresters shall be assigned to the keeping of the forests, as shall seem sufficient, *id. ibid.*

15. WHEN SWANIMOTES AND COURTS OF ATTACHMENT shall be kept, and who shall repair to them, *id. c.* 8.

16. No swanimote shall be kept but thrice in the year; first, the 15th day afore *Michaelmas*, when the agisters meet to agist our demesne woods, and about the feast of St. *Martin* in winter, when the agisters receive pawnage; and to these two swanimotes shall come the foresters, verderers, agisters, and none other by distress; the third swanimote shall be kept in the beginning of fifteen days before the feast of *St. John Baptist*, for the fawning of our does; and at this swanimote shall meet the foresters, verderers, and none other by distress; moreover, every forty days through the year, the foresters and verderers shall meet to see the attachments of the forest, as well for vert as for venison, by the presentment of the foresters, and afore them who are attached; and the swanimotes shall not be kept but within the counties in which they have been used, *id. ibid.*

17. WHO MAY TAKE AGISTMENT AND PAWNAGE IN FORESTS, *id. c.* 9.

18. Every freeman may agist his own wood within the forest, and shall take his pawnage; also every freeman may drive his swine through the demesne woods to agist them in his own woods, or where he will; and if his swine be one night within the forest, there shall be no occasion taken thereof whereby he may lose any thing of his own, *id. ibid.*

19. THE PUNISHMENT FOR KILLING H. M.'S DEER, *id. c.* 10.

20. No man shall lose life nor member for our venison; but if any man be taken and convict of taking of H. M.'s venison, he shall make a grievous fine, and if he have nothing to lose, he shall be imprisoned a year and a day, and after the year and day (if he can find sureties) he shall be delivered; and if not, he shall abjure the realm, *id. ibid.*

21. A NOBLEMAN PASSING THROUGH THE FOREST MAY KILL a deer, *id. c.* 11.

22. Whatsoever archbishop, bishop, earl or baron, coming to H. M. at his command, and passing by the forest, may kill one or two by view of the forester, if he be present, or else he shall cause an horn to be wound, that he seem not to do it by stealth; and likewise they shall do returning home, *id. ibid.*

23. HOW A FREEMAN MAY USE HIS LAND IN THE FOREST, *id. c.* 12.

24. Every freeman shall make in his own wood, or land, within the forest, mills, springs, pools, marshes, dikes or arable ground without the cover, so that it be not to the annoyance of any neighbour, *id. ibid.*

25. WHAT A FREEMAN MAY HAVE IN HIS OWN WOODS, *id. c.* 13.

26. Every freeman shall have within his own woods, ayries of hawks, sparrow-hawks, faulcons, eagles and herons, and the honey found within his woods, *id. ibid.*

27. WHO MAY TAKE CHIMINAGE OR TOLL IN THE FOREST, *id. c.* 14.

28. No forester which is no forester in fee paying farm, shall take any chiminage or toll within his bailiwick; but a forester in fee paying farm shall take chiminage, *viz.* for a cart the half year 2*d.* and for another half year 2*d.* for an horse that beareth loads, every half year an halfpenny; and of those only that come as merchants through his bailiwick by licence to buy bushes, timber, bark, coal, and to sell it again; but for none other cart, chiminage or toll shall be taken; and chiminage shall not be taken but where it hath been used; those which bear upon their backs brushment, bark or coal to sell, though it be their living, shall pay no chiminage, *id. ibid.*

29. HOW PLEA OF THE FOREST SHALL BE HOLDEN, *id. c.* 16.

30. No constable, shall hold plea of forest, neither for vert nor venison, but every forester in fee shall make attachments for plea of forest, as well for vert as venison, and shall present them to the verderers of the provinces; and when they be inrolled and inclosed under the seals of the verderers, they shall be presented to the chief forester when he comes to hold forest, and before him they shall be determined, *id. ibid.*

31. OF TRESPASSERS IN PARKS, 21 *E.* 1. *S.* 1.

32. If any forester, parker or warrener, find any trespasser wandering within his liberty, intending to do damage therein, and that after hue and cry made to him to stand unto the peace will not yield himself, but doth continue and execute his malice, and disobeying H. M.'s peace, doth fly and defend himself with force of arms, although such foresters, &c. or any other coming in their company, and aiding such foresters, &c. do kill any offender so found, they shall not be arraigned upon the same before H. M., his justices or bailiffs, or any other, nor shall lose life or limb, or suffer any other punishment, *id. s.* 1.

33. Let all such foresters and others beware, that by reason of malice or evil will had before, they do not maliciously pretend, against any person passing through their liberties, that they came thither to trespass or misdo, when of truth, they did nothing, nor were found as trespassers, and so kill them; for the death of such person shall be inquired, and execution done in like manner as for other of H. M.'s subjects standing in his peace, and according to law, 21 *E.* 1. *S.* 1. *s.* 2.

34. AN ORDINANCE OF THE FOREST, 33 *E.* 1. *S.* 5. (8*vo. ed.* 295.)

35. All H. M.'s lands that have anciently been of the crown, shall have estate of free charge and free warren, and in regard to them that have lands disafforested for the purlieu, and such as demand to have common within the forests, the intent of H. M. is, that, where purlieu is, they may claim to be quit of charge of the forests; and whereas H. M.'s beasts cannot have their haunt and repair upon the ground, as they had so long as they were within the forests; such folk shall not have common, nor other easement within the forest: but if any of them shall be disafforested by the purlieu, would rather be within the forest as before, they shall be received thereunto, and shall have common and other easement as before; the justices of the forest shall keep these points, *id. ibid.* [*see* 16 *C.* 1. *c.* 16. *s.* 9. *post. pl.* 65.]

36. HOW OFFENCES DONE IN THE FOREST SHALL BE presented, 34 *E.* 1. *S.* 5. *c.* 1.

37. All trespasses done in forests, of green hue and of hunting, the foresters within whose bailiwicks such trespasses shall happen, shall present the same at the next swanimote before the foresters, verderers, regarders, agistors and other ministers; and upon such presentations, by the oath as well of knights as of other of the nearest parts where the trespass was done, not suspected, the truth shall be inquired of; and the presentations, by the common assent of all such ministers, shall be confirmed and sealed; and if an indictment be in other manner it shall be void, *id. ibid.*

38. SUPPLYING AND APPOINTMENT OF OFFICERS, 34 *E.* 1. *S.* 5. *c.* 2.

39. If any of such foresters, regarders, or other ministers of the same forests die, or by sickness or other means be hindred, whereby he cannot be present at the swanimote, the justice of the forest, or his lieutenant, shall put another in his place, so that the indictment may be made by all; and the officers shall be put in as heretofore, except the verderers, who shall be ordained by election by writ, *id. ibid.*

40. NONE OF SUCH MINISTERS SHALL BE PUT IN ASSIZES, juries or inquests, taken without the forest, 34 *E.* 1. *S.* 5. *c.* 3.

41. PUNISHMENT OF OFFICERS SURCHARGING THE FOREST, 34 *E.* 1. *S.* 5. *c.* 4.

42. If there be any surcharge found of the foresters, or by such as take upon them to be officers of the forest, such surchargers shall be removed and imprisoned according to the discretion of the justice of the forest or his lieutenant; and they by whom they were placed shall be punished at H. M.'s pleasure; and at every swanimote inquisition shall be made of surcharges of foresters and other ministers, and of their oppressions done to the people, *id. ibid.*

43. COMMON IN THE FOREST, 34 *E.* 1. *S.* 5. *c.* 6.

44. The justice of the forest, or his lieutenant, in the presence of the treasurer, and by his assent, shall take fines and amercements of those which be indicted for trespasses in forests, and not tarry for the *eyre*; and they which had common of pasture in the forest before the perambulation, and which were returned into the forest, and were restrained of common by the perambulation, shall have their common as before, *id. ibid.*

45. THE CUSTOMS AND ASSIZE OF THE FOREST, *Stat. incert. temp.* xxii. 8*vo. ed.* 414.

46. OF PROCEEDINGS AGAINST OFFENDERS IN FORESTS, 1 *E.* 3. *S.* 1. *c.* 8.

47. No man shall be taken nor imprisoned for vert nor venison, unless he be taken with the mainour, or indicted after the form specified, in 34 *E.* 1. *S.* 5. *c.* 1. [*see pl.* 36.] And then the chief warden of the forest shall let him to mainprise till the eyre of the forest, without any thing taken for his deliverance; and if the warden will not so do, he shall have a writ out of chancery to be at mainprise till the eyre; and if such warden, after he hath received the writ, do not incontinently deliver such persons to mainprize without taking any thing, the plaintiff shall have a writ out of the chancery to the sheriff, to attach the warden, to be before the king, to answer wherefore he hath not replevied him. And the sheriff (the verderers being called to him) shall deliver him that is so taken by good mainprize, in the presence of the verderers, and shall deliver the names of the mainpernors to the same verderers, to answer in the eyre of the justices; and if the chief warden be thereof attainted, the plaintiff shall recover his treble damages, and the warden be committed to prison, and ransomed at H. M.'s will; and it shall be written to them as to the chief wardens of the forests, because they may not be justices, nor have any record but in the eyre, *id. ibid.*

48. CONFIRMATION OF THE GREAT CHARTER AND CHARTER OF THE FORESTS, 1 *E.* 3. *S.* 2. *c.* 1.

49. The perambulations of the forest in time of *E.* 1. shall be holden in the like form as it was then riden and bounded. And thereupon a charter shall be made to every shire; and where it was not bounded, it shall be bounded by good men, and a charter thereupon made; and every man that hath wood within the forest, may take housebote and haybote in his wood without being attached, so that he do the same by the view of the foresters, 1 *E.*3. *S.*2. *c.*1.

50. NO FORESTER, NOR KEEPER OF FOREST OR CHASE, or other minister, shall make gathering of victuals or other thing by colour of their office against any man's will, but that which is due of old right, 25 *E.*3. *S.*5. *c.*7.

51. A JURY FOR TRESPASS WITHIN THE FOREST SHALL GIVE THEIR VERDICT where they received their charge, 7 *R.*2. *c.*3.

52. No jury shall be compelled by any officer of the forest, or other, to travel out of the place where their charge is given them, against their will; nor by menace or duress constrained to give their verdict of a trespass done in the forest, otherwise than their conscience will inform them; but they shall give their verdicts where the charge is given them, *id. ibid.*

53. NONE SHALL BE TAKEN OR IMPRISONED BY THE OFFICERS of the forest without indictment, 7 *R.*2. *c.*4.

54. No man shall be taken or imprisoned by any officer of the forest without indictment, or being taken with the mainour, or trespassing in the forest; nor shall be constrained to make obligation or ransom to any officer of the forest against their will or the assise of the forest; and if any do against this ordinance, and be thereof attainted, he shall pay to the party damaged double damages, and fine and ransom to H. M., *id. ibid.*

55. FOR INCLOSING OF WOODS IN THE FORESTS, CHASES, AND PURLIEUS, 22 *E.*4. *c.*7.

56. If any, having woods of his own growing on his own ground in any forest, chace, or purlieu, shall cut the same, by licence in H. M.'s forests, &c. or without licence in the forest of any other, the owners may cope and inclose the ground with sufficient hedges, for preserving the young spring, for 7 years, 21 *E.*4. *c.*7. [*see* further, WOODS.]

57. JUSTICES OF THE FORESTS MAY MAKE DEPUTIES, 32 *H.*8. *c.*35.

58. The justices of H. M.'s forests, parks, and chaces, by writing sealed with the seal of their office, shall make deputies, which deputies shall have like power as the justices, *id. ibid.*

59. FOR THE CERTAINTY OF FORESTS and of the meers, meets, limits, and bounds of the forests, 16 *C.*1. *c.*16. (and recital in *ss.*1—3.)

60. The meets and bounds of the forests shall extend no further than the same were commonly known or taken in the 20th of *James* I.; and all presentments since such 20th year, and all other presentments, perambulations, and other acts, by which the meets or bounds of the forests are further extended, shall be void, *id. s.*4.

61. No place within *Eng.* or *Wa.*, where no justice-seat, swainmote, or court of attachment, have been held, or where no verderers have been chosen, or regard made, within 60 years before the first year of H. M.'s reign, shall be taken to be forest, but shall be for ever disafforested, *id. s.*5.

62. The lord chancellor shall upon request of any of the peers, or of the knights and burgesses of parliament, grant commissions to commissioners, nominated by such peers, knights, and burgesses, to inquire by inquests, and by the oaths of witnesses to be produced at such inquests, and by all other lawful means, the meers, meets, bounds, and limits, of the forests, which were commonly known to be their bounds, &c. in such 20th year of *James* I.; and to return the inquests into the chancery; and all sheriffs and bailiffs of every county wherein such inquests shall be taken, and all verderers, foresters, rangers, and other officers of the forests, shall be attendant to the execution of such commissions, *id. s.*6.

63. The forests whereof the bounds be so returned shall not extend any further than the meets and bounds that shall be so returned and certified; and all places without the meets and bounds so returned shall be free, as if the same had never been forest, *id. s.*7.

64. All grounds disafforested since the 20th of *James* I. shall be left out of the meets and bounds of the forests which were to be inquired of, and shall be disafforested, *id. s.*8.

65. Provided, that the owners and occupiers of tenements, left out of the bounds of the forest to be returned and certified by virtue of such commissions, may enjoy such common and other profits within the forest as anciently; this act and the 33 *E.*1. *S.*3. [*see pl.*35.] notwithstanding, *id. s.*9.

FORGERY.

(STATUTES *repealed.*)

1. AGAINST SUCH AS FORGE and publish false deeds of other men's tenements, 1 *H.*5. *c.*3. [REP. 5 *El. c.*14. *s.*11.]

2. PROCESS AGAINST FORGERS OF DEEDS, 7 *H.*5. *c.*2. [REP. 5 *El. c.*14. *s.*11.]

3. CONCERNING THE FORGING OF H. M.'S SIGN MANUAL, signet, and privy seal, 26 *H.*8. *c.*2. [REP by the general words of 1 *M. S.*1. *c.*1. but the like offence declared high treason, 1 *M. S.*2. *c.*6. which see, *post, pl.*2.]

(STATUTES *in force.*)

1. AGAINST COUNTERFEITING OF STRANGE COINS being current in this realm, or of H.M.'s sign manual, signet, or privy seal, 1 *M. S.*2. *c.*6. and recital in *s.*1.

2. Every person who shall falsely forge and counterfeit any kind of foreign gold or silver coin current in this realm by consent of H. M. or H.M.'s sign manual, privy signet, or seal, shall be deemed guilty of high treason, and the offenders, their counsellors and aiders shall, on due conviction, be adjudged traitors, and suffer death, and forfeiture of lands, goods, and chattels, *id. s.*2.

3. AGAINST FORGING OF EVIDENCES AND WRITINGS, 5 *El. c.*14. and recital in *s.*1.

4. If any person shall wittingly, subtilely, and falsely forge, or cause or assent to be forged, any false deed, charter, or writing sealed, court-roll, or the will of any person in writing, to the intent that the freehold or inheritance of any persons in lands, tenements, or hereditaments, freehold or copyhold, or the right or interest of any person to the same, may be molested, defeated, or charged; or shall publish, or show forth in evidence, any such false and forged deed, &c. as true, knowing the same to be false and forged, to the intent above remembered; and shall be thereof convicted, either upon action of forger or false deeds, to be founded upon this statute at the suit of the party grieved, or otherwise according to the laws; he shall pay unto the party grieved his double costs and damages, to be assessed in that court where such conviction shall be, and also shall be set upon the pillory in some market town or other open place, and there have both his ears cut off, and his nostrils slit and seared, and shall forfeit to H. M. the whole issues and profits of his lands during his life, and shall suffer perpetual imprisonment. Such damages and costs recovered at the suit of the party grieved, to be first levied of the goods of the offender, and of the issues and profits of his lands, &c. *id. s.*2.

5. If any person shall wittingly, subtilely, and falsely forge, or cause or assent to be forged, any false charter, deed, or writing, to the intent that any person may claim an estate or interest for years in manors, lands, &c. not being copyhold, or any annuity in fee simple or fee tail, for term of life or years, or forge, &c. any obligation, or bill obligatory, or any discharge of any debt, account, action, demand, or other thing personal; or if any person shall publish or give in evidence any such false or forged charter, &c. as true, knowing the same to be false and forged, and shall be thereof convicted as aforesaid; he shall pay to the party grieved his double costs and damages, to be assessed in such court where the conviction shall be, and shall be set upon the pillory in some market town or other open place, and there have one of his ears cut off, and also suffer imprisonment one year, *id. s.*3.

6. The party grieved may have his action of forger of false deeds upon this statute, by original writ out of chancery, and have like process upon the same, as in trespass; or may take his suit by bill in K.B., or exchequer, wherein no essoin, injunction, or protection allowed, *id. s.*4.

7. If the defendant be convicted, &c. according to this act, he shall not eftsoons be impeached for the same offence, *id. s.*5.

8. Although the plaintiff in any such action shall, after verdict against the defendant, release the judgment or execution, or suffer the same to be discontinued; yet the same release shall only discharge such costs and damages as the plaintiff should have had; and the judges, before whom the action shall be, may proceed to judgment of the residue of the penalties, and command execution upon the same, notwithstanding such release, *id. s.*6.

9. If any person convicted of any such offences, shall eftsoons commit any of such offences; every such 2d offence shall be felony, and parties convicted thereof shall suffer death without clergy; saving to every person, other than the offenders, and persons claiming to their uses all rights, &c. to any of the lands, &c. of such offender, *id. s.*7.

10. Such conviction of felony shall not take away dower, nor work corruption of blood or disherison of the heir, *id. s.*8.

11. This act shall not charge any ordinary or their officers with such offences, for putting their seal of office to any will exhibited unto them, not knowing the same to be false or forged, or for writing of such will, or probate of the same, *id. s.*9.

12. Justices of *oyer* and *terminer*, and justices of assize, shall inquire, hear, and determine such offences, and make process for execution as against any person indicted of trespass, *id. s.*10.

13. All other statutes made for forgery of false deeds, &c. shall be void, *id. s.*11.

14. This act shall not extend to any proctor, advocate, or register of any ecclesiastical court, for setting forth or pleading of any proxy ac-

cording to the customs allowed by the ecclesiastical courts, for the appearance of any person cited to appear in such courts, nor to any archdeacon or official, for putting their authentic seal to such proxies, neither to any judge ecclesiastical for admitting the same, 5 *El. c.* 14. *s.* 12.

15. This act shall not extend to any attorney or counsellor, that shall for his client plead, or give in evidence, any false and forged deed or writing, being not party or privy to the forging of the same, *id. s.* 15.

16. This act shall not extend to any person that shall plead or show forth any deed or writing exemplified under the great seal, or under seal of any other authentic court, nor shall extend to any judge or other person, that shall cause any seal of any court to be set to such deed, charter or writing, inrolled, not knowing the same to be false or forged, *id. s.* 16.

17. TO PREVENT THE UTTERING OF FORGED, or counterfeited, or erased bank bills or notes, 11 *G.* 1. *c.* 9. *s.* 6. [*see as to* forging bankers' notes, 41 *G.* 3. U. K. *c.* 57. BANKER, *pl.* 1.]

18. Every person who shall utter, forge, or counterfeit any bank bill or note, made for the payment of any money by or for the governor and company of the bank of *Eng.* or any bank note of any sort soever, or shall erase or alter any such bill or note, or any endorsement thereon, or tender in payment, utter, vend, exchange, or barter the same so altered, forged, &c. or demand to have the same exchanged for ready money, by such bank or any other person, knowing the same to be so altered, forged, &c. with intent to defraud the bank or any other person, shall be deemed a felon, and suffer as such, 11 *G.* 1. *c.* 9. *s.* 6.

19. TO PREVENT THE COUNTERFEITING OF *East India* bonds and indorsements thereon, as likewise indorsements on *South Sea* bonds, or the hand of the accountant-general and others, 12 *G.* 1. *c.* 32. *s.* 9. [*see the rest* of this act, COURTS (*CHANCERY*), *pl.* 15.]

20. Every person who shall forge, or counterfeit, or procure to be forged, &c. or willingly act in forging, &c. the name or hand of the accountant-general of the high court of chancery, or of the register, or of the clerk of the report office of such court, or of any of the cashiers of the bank of *Eng.* to any certificate, report, entry, indorsement, declaration of trust, note, direction, authority, instrument, or writing, for or in order to receive or obtain any the money or effects of the suitors of such court, or shall forge, or counterfeit, or procure to be forged, &c., or wilfully assist in forging, &c. any certificate, entry, &c. made by such accountant, register, clerk, or cashiers, or any bond, or obligation, under the common seal of the *East India* company, or any indorsement or assignment thereon, or on any bond or obligation under the common seal of the *South Sea* company, or who shall utter or publish any such, knowing the same to be forged, with intention to defraud any person whatever, shall on conviction, be adjudged guilty of felony, and suffer death without clergy, *id. ibid.*

21. FOR THE MORE EFFECTUAL PREVENTING and further punishment of forgery, 2 *G.* 2. *c.* 25. *s.* 1. [*For the rest* of this act, see PERJURY. FELONY. NOT to extend to *Scot. id. s.* 4., and attainder under NOT to work corruption of blood, *s.* 5. REV. and MADE PERP. 9 *G.* 2. *c.* 18. *s.* 1. EXPL. 31 *G.* 2. *c.* 22. *s.* 78. AMD. 7 *G.* 2. *c.* 22. which is EXPL. 18 *G.* 3. *c.* 18. *But see now* these provisions much enlarged and extended to all parts of *G. B.*, 45 *G.* 3. *c.* 89. *post, pl.* 27.]

22. Every person who shall falsely make, forge, or counterfeit, or cause to be falsely made, &c. or willingly assist in falsely making, &c. any deed, will, testament, bond, writing obligatory, bill of exchange, or promissory note, for payment of money, or any indorsement or assignment of any bill or note, for payment of money, or any acquittance, or receipt, either for money or goods, with intention to defraud any person, or shall utter or publish as true any false, forged, &c., deed, &c., with intention to defraud any [person, 2 *G.* 2. *c.* 25. *s.* 1.] [corporation, 31 *G.* 2. *c.* 22. *s.* 78.] knowing the same to be forged, &c. shall on conviction, be deemed guilty of felony, and suffer death without clergy, 2 *G.* 2. *c.* 25. *s.* 1., 31 *G.* 2. *c.* 22. *s.* 78.

23. Every person who shall falsely make, alter, forge, or counterfeit, or cause or procure to be falsely made, &c., or willingly assist in the false making, &c. of any acceptance of any bill of exchange, or the number or principal sum of any accountable receipt for any note, bill, or other security for payment of money, or any warrant or order for payment of money or delivery of goods, with intention to defraud any [person, 7 *G.* 2. *c.* 22.] [corporation, 18 *G.* 3. *c.* 18.] or shall utter or publish as true, any false, altered, &c. acceptance of any such instrument, with such intention to defraud, shall, on conviction, be deemed guilty of felony, and suffer death without clergy, 7 *G.* 2. *c.* 22., 18 *G.* 3. *c.* 18.

24. FOR THE BETTER PREVENTING THE FORGING or counterfeiting the names of witnesses to letters of attorney, or other authorities or instruments for the transfer of stocks or funds, which now are, or hereafter may be made transferable at the bank of *Eng.*, or for the transfer of any part of the capital stock of the bank of *Eng.* called bank stock, or of the capital stock, or any stock or funds under the management of the *South Sea* company, or of the capital stock of the *East India* company, or for the receipt of dividends upon any such stocks or funds, 37 *G.* 3. *c.* 122. [PUBLIC clause, *id. s.* 2. [*see, as to* forgeries and frauds in transfers of stocks in general, 33 *G.* 3. *c.* 30. STOCKS.]

25. If any person shall falsely make, forge, or counterfeit, or cause, or procure to be falsely made, &c. or shall willingly assist in the falsely making, &c. the name or names, or hand-writing of any person, as, or purporting to be the witness attesting the execution of any letter of attorney, or other authority or instrument to transfer, assign, sell or convey, any interest, part, or share of or in any stock, annuity, or other funds, or the dividends thereof transferable, or which by any statute may be hereafter transferable at the bank of *Eng.*, or of or in the capital belonging or which may belong to the bank, called bank stock, or to the *South Sea* company, or under their management, or of or in the capital stock belonging, or which hereafter may belong to the *East India* company, called *East India* stock, or of any letter of attorney, or other authority or instrument to receive any dividends on any of such stocks, annuities, or other funds, or shall alter or publish as true any such letter of attorney, &c. containing such false, forged, or counterfeited name or names, or hand-writing of such attesting witness, knowing such name, &c. to be false, forged, &c., such person shall, on conviction thereof, be adjudged guilty of felony, and be transported for 7 years, or suffer such lesser punishment as the court shall award, 37 *G.* 3. *c.* 112. *s.* 2.

26. FOR THE MORE EFFECTUALLY PREVENTING THE FORGERY OF BANK notes, bank bills of exchange, and bank post bills, 41 *G.* 3. (U. K.) *c.* 39. [EXP. as to the rest *verbatim* with 45 *G.* 3. *c.* 89. *ss.* 3—7. *pl.* 30. &c.]

27. TO ALTER AND EXTEND the provisions of the laws now in force for the punishment of forgery of bank notes, bills of exchange, and other securities, to every part of *G. B.*, 45 *G.* 3. *c.* 89. [To extend to all parts of *G. B.*, *id. s.* 8. *See as to* the forgery of bank notes, 13 *G.* 3. *c.* 79. and of the intended new bank note, 1 *G.* 4. *c.* 92. BANK OF ENGLAND, *pl.* 70. and 118.]

28. If any person shall falsely make, forge, counterfeit, or alter, or cause or procure to be falsely made, forged, &c. or willingly aid and assist in the false making, forging, &c. any deed, will, testament, bond, writing obligatory, bill of exchange, promissory note for payment of money, indorsement, or assignment, [*see as to* forging any indorsement or assignment of any bond of the *East India* or *South Sea* Company, 12 *G.* 1. *c.* 32. *s.* 9. *ante, pl.* 20.] of any bill of exchange, or promissory note for the payment of money, acceptance of any bill of exchange, or any acquittance or receipt, either for money or goods, or any accountable receipt for any note, bill, or other security for payment of money, or any warrant or order for payment of money, or delivery of goods, with intention to defraud any person or body corporate, or shall offer, dispose of, or put away, any false, forged, counterfeited, or altered deed, will, testament, &c. (as before) with intention to defraud any person or body corporate, knowing the same to be false, forged, &c. then such person shall, on conviction, be deemed guilty of felony, and suffer death, without clergy, 45 *G.* 3. *c.* 89. *s.* 1.

29. Every person who shall forge, counterfeit, or alter any bank note, bank bill of exchange, dividend, warrant, or any bond or obligation under the common seal of the Gov. and Co. of the Bank of *Eng.*, or any indorsement thereon, or shall offer or put away any such forged, &c. note, bill, &c. or demand the money therein contained or pretended to be due, or any part thereof, of such company or their officers or servants, knowing such note, &c. to be forged, &c. with intent to defraud such gov. and company, or any other person or body corporate, shall, on conviction, be deemed guilty of felony, and suffer death, without clergy, *id. s.* 2.

30. If any person (other than the officers, workmen, servants, or agents of the Bank, authorized by the Bank, and for their sole use) shall make or use, or cause or procure to be made or used, or knowingly assist in the making or using, or, without being so authorized, shall knowingly have in custody without lawful excuse, (the proof whereof shall lie on the accused) any frame, mould, or instrument, for the making of paper, with curved or waving bar lines, or with the laying wire lines thereof in a waving or curved shape, or with any number, sum, or amount expressed in *Roman* letters, visible in the substance of such paper, or shall manufacture, make, use, vend, expose to sale, publish or dispose of, or cause or procure to be manufactured, made, &c., or assist in the manufacturing, making, &c., or (without being so authorized) shall knowingly have in custody any such paper, as before described, or if any person (except as before excepted) shall by any act or contrivance cause the numerical sum or amount of any bank note, bank bill of exchange, or bank post bill, blank bank note, &c., in a word or words to appear visible in the substance of the paper wherein the same is printed or written, or shall knowingly assist in so contriving, such person on conviction shall be adjudged a felon, and be transported for fourteen years, 41 *G.* 3. U. K. *c.* 39. *s.* 1., 45 *G.* 3. *c.* 89. *s.* 3.

31. This act shall not restrain any person from issuing or negociating any bill of exchange, or promissory note, having the amount thereof expressed in guineas, or in numerical figures denominating the sum or amount thereof in pounds sterling, appearing visible in the substance of

the paper upon which it is written or printed, 41 *G.*3. U.K. *c.*39. *s.*3., 45 *G.*3. *c.*89. *s.*4.

32. This act shall not restrain any person from making, using, vending, exposing to sale, publishing or disposing of any paper having waving or curved lines, or any other device in the nature of water-marks, visible in the substance thereof, not being bar lines, or laying wire lines, provided the same are not contrived in such manner as to form the ground-work or texture of the paper, or to resemble the waving or curved laying wire lines, or bar lines, of the before described paper of the Bank of *Eng.*, or to resemble the water-marks used by the bank, in bank notes, bank bills of exchange, and bank post bills, issued by them, 41 *G.*3. (U.K.) *c.*39. *s.*4., 45 *G.*3. *c.*89. *s.*5.

33. Every person who shall purchase or receive from any other person any forged or counterfeited bank note, bank bill of exchange, bank post bill, or blank bank note, &c. knowing the same to be forged or counterfeited, or shall knowingly or wittingly have in his custody or dwelling-house, out-house, lodgings or apartments, any forged or counterfeited bank note, &c. or blank bank note, &c. knowing the same to be forged or counterfeited without lawful excuse, (the proof whereof shall lie on the accused), shall, on conviction, be adjudged a felon, and be transported for 14 years, 41 *G.*3. (U.K.) *c.*39. *s.*5., 45 *G.*3. *c.*89. *s.*6.

34. If any person shall engrave, cut, etch, scrape, or by any other means make, or cause and procure to be engraved, &c. or shall knowingly assist in the engraving, &c. in or upon any plate of copper, brass, steel, pewter, or any other metal, or mixture of metals, or upon any wood or other materials, or any plate soever, any bank note, bank bill of exchange, bank post bill, or blank bank note, &c. or part of a bank note, &c. purporting to be the note, bill of exchange, or bank post bill, or blank bank note, &c. or part of the note, &c. of the bank of *Eng.*, without an authority in writing from the bank for that purpose, or shall use any such plate so engraved, &c. or any other instrument or device for the making or printing any such bank note, &c. or blank bank note, &c. without such authority, or if any person shall, without such authority, knowingly have in custody any such plate, instrument or device, or shall knowingly and wilfully utter, publish, dispose of or put away any such bank note, &c. or blank bank note, &c. or part of such bank note, &c. such person so offending shall, on conviction, be adjudged a felon and be transported for 7 years, 41 *G.*3. (U.K.) *c.*39. [14 years, 45 *G.*3. *c.*89.] 41 *G.*3. (U.K.) *c.*39. *s.*6., 45 *G.*3. *c.*89. *s.*7.

FRAME-WORK MANUFACTORY.

(STATUTES *repealed & expired.*)

1. FOR THE MORE EXEMPLARY PUNISHMENT OF PERSONS destroying or injuring any stocking or lace frames, or other machines or engines used in the frame-work knitted manufactory, or any articles or goods in such frames or machines, to continue in force until 1*st March*, 1814, 52 *G.*3. *c.*16. [REP. 54 *G.*3. *c.*42. which act is also REP. and other provisions made until 1*st Aug.* 1820, 57 *G.*3. *c.*126. EXP.] [It will be observed that the 52 *G.*3. *c.*16. is EXP. as well as REP., and also that the 57 *G.*3. *c.*126. is EXP. *QU.* is the 54 *G.*3. *c.*42. in force since the act that repealed it is EXP.? and there is no clause of continuance attached to the 54 *G.*3. *c.*42.; it has but two sections, and the last of which is merely an extension of the 28 *G.*3. *c.*55. *s.*4. which *see*, *post*, *pl.*22. and where this 2*d sec.* will also be found.]

(STATUTES *in force.*)

1. TO PROHIBIT THE EXPORTATION OF FRAMES OR ENGINES, for the making and knitting of stockings, and other necessaries out of this kingdom, 7 & 8 *W.*3. *c.*20. *ss.*8, 9. [*This title is* framed from the preamble to *s.*8.]

2. No person shall put on board any ship any frames for knitting stockings, gloves or other wearing necessaries, or any part thereof, in order to be exported beyond sea, on pain to forfeit 40*l.*, the one moiety to H.M. and the other to the party suing by action of debt, &c. or information in any court of record wherein no essoin, &c. and but one imparlance allowed, *id. s.*8.

3. Every person who shall buy, sell or remove any such frame, or any part thereof, shall, within two months after, give notice in writing to the master and wardens of the company of *Frame-work knitters* in *London*, or their deputies, to whom or what place the same was sold or removed, on pain to forfeit 5*l.*, to be recovered as aforesaid, *id. s.*9.

4. TO PREVENT THE FRAUDULENT MARKING OF FRAME-WORK, knitted pieces and stockings, 6 *G.*3. *c.*29. [The payment of wages in this manufacture is prescribed by 12 *G.*1. *c.*34. *see id. s.*8. WOOLLEN MANUFACTURES.]

5. All frame-work knitted pieces and stockings made of thread, cotton, worsted or yarn, or any mixture of all or any such materials, or of any other materials soever (except those of silk only) which shall contain 3 or more threads, shall be marked with as many eylet holes only as there are threads contained in each piece or pair of such manufactures, which eylet holes shall be made in a distinct manner in one direct line, or in the same course, and not exceeding 3 inches from the two extreme eylet holes, and shall not be made within 4 inches of any letter, figure, mark or device put or woven in such manufactures, and shall be made within 4 inches of the top or end of each piece or pair; and no eylet hole or imitation thereof shall be placed in any frame-work, knitted piece or pair of stockings, except as above directed, 6 *G.*3. *c.*29. *s.*1.

6. Nothing herein shall prevent any manufacturers from using remnants or materials of any sort in the welts and tops of stockings only, at not exceeding 3 niches from the top, though the same shall not contain so great a number of threads as are in the legs of such stockings, *id. s.*2.

7. Every master frame-work knitter or hosier, or other person who shall make or work, or cause to be made, &c. any frame-work knitted manufactures of any of the materials aforesaid, or mixture thereof (except those of silk only), without being duly marked as in *s.*1., shall, on conviction, as in *s.*9. *pl.*13., forfeit 5*l.* for every piece of frame-work knitted goods or pair of stockings, as well as the articles themselves, *id. s.*3.

8. The penalty of 5*l.* shall not extend to persons not making such goods on their own account, *id. s.*4.

9. Every person employed in any of the above manufactures, who shall not at any time that he shall make any frame-work knitted piece or pair of stockings, duly mark every such piece or pair according to *s.*1. *pl.*5., shall on conviction as in *s.*9. forfeit not more than 40*s.* nor less than 5*s.* for every piece and pair he shall make and not so mark as above, *id. s.*5.

10. Any person employed in any of the above manufactures, who shall make it appear to the satisfaction of the justice before whom he is brought, that such frame-work knitted pieces or stockings so by him unduly marked, were so marked by direction of his master or employer, shall be exempted from penalty, *id. s.*6.

11. Every person who shall sell, or expose to sale, any frame-work knitted piece, or pair of stockings made of all, or any, or of mixture of any such materials as in *s.*1. *pl.*5. (except silk only), which shall not be duly marked as in *s.*1., shall, on conviction, pay 5*l.* for every piece and pair, and forfeit the same, *id. s.*7.

12. Any person prosecuted under this act for selling, or exposing to sale any frame-work knitted manufactures not duly marked according to this act, who shall discover the vender thereof, so that he is convicted and is liable to the penalties of this act, shall be himself discharged from the same, *id. s.*8.

13. Any justice for the county, city, or place, where such offence is committed, (not being a frame-work knitter, hosier, or proprietor of frames used in weaving frame-work knitted manufactures,) may convict offenders against this act on oath of one witness; and in case of non-payment, shall issue a warrant under hand and seal to levy the same by distress and sale of goods, with costs of the latter; and if no sufficient distress, then on proof thereof on oath by the person having the execution of the warrant, shall commit the offender to gaol for 3 months, unless the penalty is sooner paid; to go one moiety to the informer and the other to the poor of the parish, *id. s.*9.

14. Any person grieved by this act may appeal to the general quarter sessions of the county or place, giving 10 days' notice in writing of such intention to the convicting justice or justices, and within 2 days after notice entering into a recognizance before some such justice, with 2 sufficient sureties conditioned to try the appeal at such quarter sessions; which court, on due proof of such notice and recognizance, shall finally determine the same in a summary way, and award costs to either party, *id. s.*10.

15. In actions commenced for acts done under this statute, defendant may plead the general issue, giving this act and the special matter in evidence, and that the same was done in pursuance thereof; and if it is so done, the jury shall find for defendant, and if plaintiff discontinue after appearance, or is nonsuit, or has judgment against him on verdict or demurrer, defendant shall have treble costs, *id. s.*11.

16. Nothing herein shall affect any rights or privileges of the company of frame-work knitters, *id. s.*12.

17. FOR THE BETTER PROTECTION OF STOCKING FRAMES, and the machines or engines annexed thereto, or used therewith; and for the punishment of persons destroying or injuring such stocking frames, machines, &c. and the frame-work knitted pieces, stockings, or other articles used and made in the hosiery or frame-work knitted manufactory; or breaking or destroying any machinery contained in any mill used or employed in preparing or spinning of wool or cotton for the use of the stocking-frame, 28 *G.*3. *c.*55.

18. Every frame-work knitter, who shall rent or take by the hire, any stocking-frame, either with or without any machine or engine thereunto annexed, or therewith to be employed, from any person whomsoever, and who shall refuse to re-deliver the same, with the machine or

FRAME-WORK MANUFACTORY.

engine therewith let (if any such there be), to the person of whom he shall rent the same, having received from such person 14 days' previous notice for such purpose, shall, on being thereof convicted by the oath or affirmation of the owner or employer of such frame, or any other witness before one justice of the county, &c. or place, forfeit 20*s*. to the poor of the parish where such offence was committed; and in case such forfeiture shall not be immediately paid, and such frame, with the machine, &c. therewith let, delivered up to the owner, within 6 days after such conviction, such justice shall commit the party convicted to the common gaol, there to remain without bail, and be kept to hard labour, not exceeding 3 calendar months, nor less than one, 28 *G*.3. *c*.55. *s*.1.

19. Every person so renting or taking to hire any stocking-frame, with or without such machine, &c. who shall sell, or otherwise unlawfully dispose thereof, without the owners' consent, shall, on being convicted thereof on indictment, suffer solitary imprisonment in the common gaol for not less than 3, nor more than 12, calendar months, *id. s*.2.

20. Every person who shall knowingly receive or purchase any such stocking-frame, machine, or engine, so unlawfully disposed of, and is thereof convicted on indictment found, shall be subject to the punishment in *s*.2. mentioned, *id. s*.3.

21. Every person who shall by day or night enter by force into any house, shop, or place, with intent to cut or destroy, or who shall wilfully and maliciously cut or destroy any frame-work, knitted pieces, stockings, or other articles, being in the frame, or upon any machine or engine thereto annexed, or therewith to be used, or prepared for that purpose, or who shall wilfully, &c. break, destroy, or damage any frame, machine, engine, tool, instrument, or utensil used in and for the making of any such frame-work, knitted pieces, &c. in the hosiery or frame-work knitted manufactory, without the consent of the owner, or break or destroy any machinery contained in any mill, any way employed in preparing or spinning of wool or cotton for the use of the stocking frames, shall, on conviction, be adjudged guilty of felony, and be transported for not more than 14, or less than 7 years, *id. s*.4. [The 52 *G*.3 *c*.42. *s*.2. follows this, wherein the difference between that and the 28 *G*.3. *c*.55. *s*.4. is disclosed; they were kept separate because it seemed doubtful whether the 52 *G*.3. is in force. *See this tit.* Stats. *rep*.]

22. Every person who shall, by day or by night, enter by force into any house, shop or place, with intent to cut or destroy any frame work, knitted pieces, stockings, [or lace, 54 *G*.3. *c*.42. *s*.2.] or other articles being in the frame, or on any machine or engine thereto annexed, or therewith to be used, or prepared for that purpose, [or with intent to break or destroy any frame, machine, engine, tool, instrument or utensil, used in the making of any such frame work, knitted pieces, &c., being in the frame or any such machine, &c., 54 *G*.3. *c*.42. *s*.2.] or shall wilfully and maliciously, [and without the consent of the owner, 54 *G*.3. *c*.42. *s*.2.] break, destroy or damage any frame, machine, engine, tool, instrument or utensil, used in the making of any frame-work knitted pieces, stocking, [lace, 54 *G*.3. *c*.42. *s*.2.] or other articles in the hosiery or [frame-work knitted manufactory, 28 *G*.3. *c*.55. *s*.4.] [or frame-work knitted stocking, or frame-work knitted lace manufactory, 54 *G*.3. *c*.42. *s*.2.] [not having the consent of the owner so to do, 28 *G*.3. *c*.55. *s*.4.] or [shall wilfully, &c., and without the consent of the owner, 54 *G*.3. *c*.42. *s*.2.] break or destroy any machinery contained in any mill, any way employed in preparing of wool or cotton, [or other materials, 54 *G*.3. *c*.42. *s*.2.] for the use of the [stocking frames, 28 *G*.3. *c*.55. *s*.4.] stocking or lace manufactory, shall, on conviction, be adjudged guilty of felony, and be transported for not exceeding 14, or less than 7 years, in the judges' discretion, 28 *G*.3. *c*.55. *s*.4., and 54 *G*.3. *c*.42. *s*.2. (*see pl*. 21.)

FRANCE.

(Statutes *expired*.)

1. For prohibiting all trade and commerce with *France*, 1 *W*. & *M*. *S*.1. *c*.34. *ss*.1—19. [Amd. 2 *W*. & *M*. *S*.2. *c*.14. *ss*.1, 2.; (*for the rest of* these acts, see Wine) and Con., 4 & 5 *W*. & *M*. *c*.25. *all* Exp.]

2. For prohibiting all trade and commerce with *France* (during the present war, *s*.1.), 3 & 4 *A*. *c*.13. [Amd. 6 *A*. *c*.37. *s*.17.; Rep. as to the importation of wine, and such wines allowed to be imported, 9 *A*. *c*.8. *all* Exp. But *Qu*. not Exp., as to the allowance of such importation.]

3. For preventing money or effects in the hands of H. M.'s subjects, belonging to or disposeable by persons residing in *France*, being applied to the use of the persons exercising the powers of government in *France*, and for preserving the property thereof for the benefit of the individual owners thereof, 34 *G*.3. *c*.9. [Made more effectual, 34 *G*.3. *c*.79.; Ext. to *Switzerland* and the *United Provinces*, and persons in *G*. *B*. prevented from advancing money for the purchase of, or on the credit of debts, owing to the government of *Switzerland*, or any corporation therein without licence, 38 *G*.3. *c*.45. *all* Exp.]

4. To secure certain persons born within the territories of *France*, and other persons therein described, from imprisonment for debts, contracted in parts beyond the seas other than in H. M.'s dominions, 41 *G*.3. (U.K.) *c*.106. Exp.

(Statutes *in force*.)

1. To enablle certain commissioners fully to carry into effect several conventions for liquidating the claims of *British* subjects, and others against the government of *France*, 59 *G*.3. *c*.31.

2. "Recital of the appointment of commissioners by commission of 20th *Dec*., 1815, for executing convention between the kings of *G*. *B*. and *France* of 20th *Nov*. 1815, *for liquidating claims* of *British* subjects on *France*; and by commission of 13th *Dec*., 1816, for executing a 2d convention of 20th *Nov*. 1815, by the same parties for the same purpose; and by commission of 13th *Dec*., 1816, for executing a 2d convention of 20th *Nov*. 1815, between same parties, for liquidation of claims of subjects of *G*. *B*., *Austria*, *Russia*, and *Prussia*, on *France*, and of all debts owed by *France* out of her territory, both conventions being in conformity to the 4th additional article of treaty of 30th *May*, 1814, and to the 9th article of treaty of 20th *Nov*. 1815; and by a commission of 15th *June*, 1818, for executing as well these conventions as a convention of 25th *April*, 1818, between same parties, for finally arranging *British* claims on *France*, and another convention of same date by same parties, for totally discharging *French* debts in countries out of their *French* territory, and for execution of additional articles of convention of 4th *July*, 1818, for fixing amount of *British* claims; and by another commission of same date, appointing *commissioners of deposit* to receive sums from the *French* government mentioned in the said conventions for value of confiscated *British* property in the *French* funds, effects, &c., debts lost, claims for *British* merchandize, under tariff of customs, published at *Bourdeaux*, by the *Duke d'Angoulême*, 24th *Mar*. 1814; and for claims of *Ionian Islands*, *Isle of France*, and other countries under the dominion of *G*. *B*." The commissioners of liquidation, arbitration and award, shall apportion, distribute, and order payment of the sums provided by *France*; *viz*. a *rente* of 12,040,000 *francs*, representing a capital of 240,000,000 *francs*, and inscribed in the great book of its public debt, bearing interest from 22d *Mar*. 1818, to claimants duly adjudged entitled thereto, and entered by name within the periods fixed by the conventions in registers opened under the recited commissions; and if the sums received from the *French* government are sufficient, shall satisfy them in full, if not, in rateable proportions, deducting 2 *per cent*. for expences of commission; and such payment, or the rejection of any claim by the commissioners, or on appeal from their decision to H. M. in council, shall discharge both governments from any demands for claims under conventions, *id. s*.1.

3. Before entering on their duties the commissioners shall take oath faithfully to execute this act, before the master of rolls, or a judge of K. B., C. P., or exchequer, *id. s*.2. [*The form* of oath is annexed to this section.]

4. Any two commissioners may administer the oath to and examine parties or witnesses touching the execution of this act, which latter must attend at the appointed time and place, *id. s*.3.

5. Giving false evidence on examination on oath before the commissioners shall be punished as wilful perjury, *id. s*.4.

6. Any two commissioners may sit at any place, or adjourn and issue their precept, or parties to appear and produce books and writings as judged necessary for the execution of the act, *id. s*. 5.

7. Vacancies in either set of commissioners shall be filled up by H. M., and the new commissioner shall take oath and be invested with all the powers of the above commissions, *id. s*.6.

8. The commissioners of liquidation shall make orders under the hands and seals of 2 of them at least, for payment of the sums ascertained due to claimants, authorizing the commissioners of deposit, either to transfer the specified part of the inscriptions in the great book of the public debt of *France*, or to pay in money, and such claimant, or his agent, &c. shall give the receipts required by the commisioners, *id. s*.7.

9. The order of two commissioners of liquidation is good authority for the transfer or payment of the sum contained in the order, subject to appeal to H. M. in council, *id. s*.8.

10. Such orders of payment shall be transferable by indorsement and signature of original payee, or of holder, attested by two credible witnesses thereto respectively, without any stamp duty, *id. s*.9.

11. An appeal lies from the judgment or order of the commissioners of liquidation to H. M. in council, within 3 calendar months therefrom, on giving bond security in 100*l*. to the crown, for the costs thereof, and the judgment for either party shall be final, and costs shall be awarded for or against appellant as is thought fit, *id. s*.10.

12. Any three commissioners of treasury may order the defence of the appeal, and costs thereof to be paid out of the fund for crown law expences. The commissioners appointed under this act are not liable to costs, *id. s*.11.

13. The evidence on the appeal shall be no other than that heard before the commissioners, *id. s*.12.

14. H. M. in council may make orders respecting special cases of allowng and regulating appeals, 59 *G.* 3. *c.* 31. *s.* 13.

15. The powers of both sets of commissioners of liquidation and of deposit, are suspended on claims, of which notice of appeal is given, until judgment is known, which on certificate made to them they shall execute according to their powers, *id. s.* 14.

16. Where commissioners of liquidation cannot decide as to which of the disputing claimants is legally entitled to receive the amount of the claims approved by them, or as to any person's competency to give a valid receipt, the commissioners of deposit, under authority of secretary for foreign affairs, and 3 treasury commissioners, may sell inscriptions equal in amount to the disputed claims, and transfer the same to the commissioners of liquidation, who may order the proceeds of said capital invested in public securities to be sold and paid into bank of *Eng.* in the name of the accountant-general of the court of chancery, the cashier giving receipt, specifying the uses for which it is received; and the court of chancery, on motion or petition, may make such order for investing such disputed sums in public securities, and for payment of dividends as is thought necessary, *id. s.* 15.

17. Remains of capital in great book of public debt of *France*, remaining in names of commissioners of *deposit*, unappropriated to liquidation of *British* claims, may, by direction of the secretary for foreign affairs, and 3 commissioners of treasury, be sold by the said commissioners, and the proceeds transferred to the commissioners of liquidation in *Eng.*, to be invested in public securities bearing interest, or deposited in hands of bank of *Eng.*, in the names of the last-mentioned commissioners, for applying the produce thereof to the purposes of this act, or to other purposes appointed by the treasury, *id. s.* 16.

18. Neither set of commissioners shall be deemed public accountants, but their accounts are subject to the audit of the treasury, *id. s.* 17.

19. The commissioners shall cause to be published in the *London Gazette* in 14 days after every *5th July* and *5th Jan.*, lists of the claims decided upon by admission or rejection thereof, till the purposes of this act are completed, *id. s.* 18.

FRANCHISES.

1. THE CITY OF *London* AND ALL OTHER CITIES, BOROUGHS, and towns, and the barons of the five ports shall have all their liberties and free customs, 9 *H.* 3. *M. C. c.* 9., 14 *E.* 3. *S.* 1. *c.* 1.

2. OF GREAT MEN OR THEIR BAILIFFS AND OTHERS (H. M.'s officer excepted) who by their own authority attack others passing through their jurisdiction, compelling them to answer all contracts, covenants, and trespasses done out of their power and jurisdiction, it is provided, that none so do on pain to pay to party grieved double damages and be amerced to H. M., 3 *E.* 1. *c.* 35.

3. AN ORDINANCE FOR PURCHASING OF LIBERTIES, 27 *E.* 1. *S.* 2. 8*vo. ed.* 267.

4. Such as would purchase a new park, and men of religion that would amortize lands shall have a writ out of chancery to inquire upon the points accustomed, and the inquest of lands that be worth yearly more than 20*s.* by extent, shall be returned into the exchequer, and there the fine shall be made for the the amortizement or for the park of the inquests for them that purchase; and after it shall be commanded unto the chancellor or his deputy what he shall do therein; and of inquests to amortize lands or tenements which do not amount to more than 20*s.* in value, returns shall be made to the chancellor or his deputy that he take reasonable fine therefore according to the quantity of the land, and after make delivery thereof, *id. s.* 1.

5. In like manner it shall be done by them that will purchase lands or tenements, holden of H. M. in chief, *id. s.* 2.

6. Also people dwelling beyond the sea that have lands, tenements, or rents in *Eng.*, if they will purchase letters of protection, or for making general attornies, they shall be sent into the exchequer, and there make their fines, and from thence command shall be given unto the chancellor or his deputy what he shall do therein, *id. s.* 3.

7. In like manner shall be done unto them that will purchase any fair, market, warren, or other liberty; also such as will purchase attermining of their debts shall be sent into the exchequer, *id. s.* 4.

8. Such as be not able to travel, and people that dwell in countries far from the chancery, which plead or be impleaded, shall have a writ out of chancery to some sufficient man that shall receive their attornies when need is, *id. s.* 5.

9. For a remembrance of these things an indenture in three parts shall be made, whereof one part is to remain in chancery, another in the exchequer, and the third in the wardrobe, *id. s.* 6.

10. AGAINST DEPRIVING CORPORATIONS AND LORDS IN ancient demesne of their franchises by collusion, 9 *H.* 4. *c.* 5. [AMD. 8 *H.* 6. *c.* 26.]

11. In assizes of *novel disseisin*, and other writs of plea of land, tenements, and rents within enfranchised towns and ancient demesne, sued before any justices assigned in plea of land at common law, in which any mayor, bailiffs, commonalty, lords or bailiffs of ancient demesne be named, the justices shall first inquire by assize in the county, if such mayor, &c. do require it, whether they be disseisors or tenants in such case, or be named by collusion or fraud, and if it be found that they be not disseisors or tenants, but are so named by collusion, such writs shall be quashed and abated, and the plaintiffs shall be in mercy, notwithstanding other disseisors or tenants be named in such writs, 9 *H.* 4. *c.* 5.

12. In all writs of assize and actions personal sued in K. B. or C. P., or before any of H. M's justices, of any lands, tenements, or other things arising within any seignory, franchise or ancient demesne, whereof the cognizance or jurisdiction ought to pertain to any lords, mayors, bailiffs, citizens, burgesses, or commonalty of any seignory, &c. then if any defendant in any such assize, &c. make default to put out and expel such lords, &c. from their franchise or cognizance, the justices at the request of such lords, &c. shall inquire by assize where such exception is alleged in assize, and in actions personal by inquest before them, whether such default was so made or not, and wherein, as well the plaintiffs as such lords, &c. may have their challenge, and if it be found by such assizes or inquests, that such default be made by collusion to put out such lords, &c. from their franchise, liberties, cognizance, or jurisdictions, such writs shall abate, 8 *H.* 6. *c.* 26.

13. FOR CONTINUING OF CERTAIN LIBERTIES AND FRANCHISES heretofore taken from the crown, 27 *H.* 8. *c.* 24.

14. No person shall pardon treasons, murders or any felonies; nor any accessaries to, or outlawries for, such offences; but H. M. shall have the sole power thereof united to the imperial crown of this realm, *id. s.* 1.

15. No person shall make justices of eyre, of assize, of peace, or of gaol-delivery; but all such officers shall be made by letters patent under the great seal, in the name and by authority of H. M. in all shires, counties palatine and other places, *Wa.*, or other H. M.'s dominions, in such manner as justices of eyre, &c. be commonly made in every shire, *id. s.* 2.

16. All original and judicial writs, and all indictments of treason, felony and trespass, and all process to be made upon the same in every county palatine and other liberty, within *Eng.* and *Wa.* shall be made only in the name of H. M.; and every person having such county palatine, or other liberty, shall make the *teste* in such originals and judicials, &c. in the name of that person that hath such county palatine or liberty, (*s.* 3.) and in every writ and indictment made within such county palatine or liberty, whereby it shall be supposed any thing to be done against H. M.'s peace, it shall be made and supposed to be done only against H. M.'s peace, and not against the peace of any other person, *id. s.* 3. & 4.

17. Provided that justices of assize, of goal-delivery, and of peace, to be assigned within the county palatine of *Lancaster*, shall be made by commission under H. M.'s usual seal of *Lancaster*, in manner accustomed, *id. s.* 5.

18. Provided also that all cities, boroughs and towns corporate, which have liberty to have justices of peace or justices of gaol-delivery, shall still enjoy their liberties as heretofore, *id. s.* 6.

19. All stewards, bailiffs, and ministers of any liberties or franchises, which ought to attend upon the justices of assize, of gaol-delivery, and of peace, in any county, shall be attendant to such justices of the shire wherein such liberties shall be, and make due execution of process; and such bailiffs, or their deputies, shall give their attendance upon the sheriff, together with the sheriffs' bailiffs, at all courts of gaol-delivery for execution of prisoners, *id. s.* 7.

20. Provided that *s.* 7. shall not be prejudicial to any stewards or bailiffs of cities, boroughs or towns corporate, which have privilege that they should not be compelled to attend or appear out of such cities, &c. *id. s.* 8.

21. H. M. shall have all fines, issues, amercements and forfeitures, assessed by or on any stewards, bailiffs or any other officers of any liberties or franchises, for non-execution, mis-execution or insufficient returns of writs or process, or for any contempt or misdemeanor concerning their offices in the administration of justice; and the amercements for insufficient returns made by stewards or bailiffs of liberties or franchises shall be set upon the heads of such stewards or bailiffs, and not upon the sheriffs, *id. s.* 9.

22. In all places where H. M. in person shall come to rest within liberty or without, there and within the verge limited and accustomed to his court, during the time of his abode, his grace's steward, marshal, coroner and all other his ministers, shall keep their courts for justice, and exercise their offices, and his clerks of the market, and none other, during the said time, shall exercise the office of clerk of the market, *id. s.* 12. [*see similar* clause 32 *H.* 8. *c.* 20. *s.* 7. *pl.* 38.]

23. Provided that this article be not prejudicial to the city of *London*, *id. s.* 13.

24. Every statute in force against sheriffs or their ministers for making or returning of panels or juries, or for due serving process, or for taking

fees, or for reformation of extortions, or any other thing concerning their offices, and all penalties, &c. therein contained, shall be extended to all stewards and officers of liberties having returns of writs, 27 *H.* 8. *c.* 14. *s.* 14.

25. Provided that *s.* 14. shall not be prejudicial to any steward, bailiffs of franchises, their deputies or clerks, for exercising their offices above one year, but they may hold their office from the time given to them, *id. s.* 15.

26. All justices to be made as in this act directed, *pl.* 15. and 17. shall have power to hold their sessions of peace, and to deliver the gaols, within the same liberties and franchises, by authority of their commission, and to do all other things within the same, in as ample manner as any other justices of peace and gaol-delivery in any shire, *id. s.* 16.

27. Provided that all justices of peace, gaol-delivery and assize to be appointed by H. M. within any liberty where such justices have been made by any person, by virtue of any letters patent or otherwise, shall keep their sessions, gaol-delivery and assizes, only in such places as the justices of such liberties have commonly used; and no persons within such liberties shall be compelled to appear out of them, before any other justice of assize, &c. than before such justices as shall be assigned to sit within such liberties; and this act shall not extend to any other franchise other than in this act is expressed, *id. s.* 17.

28. Provided that this act be not prejudicial to any city, borough or town corporate, for any liberties and antient usages, fines, issues and amercements and forfeitures, which they have of the grant of H. M., but such cities, &c. may enjoy the same as heretofore, *id. s.* 19.

29. Provided that the bishop of *Ely*, and his steward, shall be justices of peace within such isle, in like manner as justices within counties, *id. s.* 20.

30. Provided that the bishop of *Durham*, and his chancellor of the county palatine of *Durham*, shall be justices of peace within such county palatine of *Durham*, *id. s.* 21.

31. Provided that the archbishop of *York*, and his chancellor of the shire and liberty of *Hexham*, otherwise *Hextoldsham*, shall be justices of peace within such shire and liberty, *id. s.* 22.

32. CONCERNING PRIVILEGES AND FRANCHISES, 32 *H.* 8. *c.* 20.

33. The same liberties, franchises, privileges, and temporal jurisdiction, which the owners of the sites, circuits, and precincts of late monasteries and religious houses, and of divers honours, castles, manors, messuages, lands, tenements, liberties, franchises, and other hereditaments, had within three months before they came to H. M. shall be revived and actually in H. M. and within the rule and survey of the court of augmentations, and the same liberties, &c. and all fines, issues, and other profits arising by reason of them, shall be exercised and claimed by H. M.'s officers, in the same manner as before they came into H. M.'s hands; and such officers of H. M. shall be liable to account for the same to such court, *id. s.* 1. [*The court of* augmentation dissolved, and the business annexed to the exchequer, 1 *M. S.* 2. *c.* 10.; *see* also 7 *E.* 6. *c.* 2.]

34. All liberties, &c. which the owners of such sites, &c. and other premises which came to H. M. by attainder had lawfully used within three months next before they came into H. M.'s hands, shall be reserved, and actually in the hands of H. M. and rule and survey of H. M.'s general surveyors, and the officers of the same; and such liberties, &c. and all fines, issues, and other profits thereof coming, shall be exercised and claimed by H. M.'s officers, in the same manner as before they came to H. M.'s hands, and such officers shall account for such issues to such surveyors, *id. s.* 2.

35. Such officers shall be attendant and obedient to all H. M.'s courts, as well for executions and returns of writs, warrants, and precepts, as for their personal appearances and other duties of their offices, like as the officers of the late owners did, under all pains and penalties by law ordained for any default in the same; and no sheriff or officer of any sheriff, or other foreign officer, shall meddle with any of the premises, otherwise than as they lawfully might before the premises came to H. M., *id. s.* 3.

36. All persons, and bodies politic, their heirs, successors and assigns, may hold and use, as well by themselves and their servants as by their tenants, such liberties, &c. which any of them have from H. M. by letters-patent, indentures, writings, under H. M.'s seal, or by authority of parliament, or otherwise, or by lawful grant or lease of any persons, as if this act had not been made, the privileges of sanctuary, church, churchyards, or cemeteries, for tuition of transgressors excepted; saving to all persons and bodies all such offices, fees, and profits, which they ought to have by reason of such sites, &c. in like manner as if this act had never been made, *id. s.* 4.

37. The chancellor of the court of augmentations, [*see note to pl.* 33.] and the attorney-general, may take to H. M.'s use knowledge of all concords for fines to be thereupon had and recorded in the court of C. P., of and upon all manors, lordships, lands, &c. and which, by reason of such fines, shall be under survey of such court, without any fee for the same, and the judges of C. P. shall accept and allow all such knowledges of concords by such chancellor and attorney to be certified and delivered unto the C. P., and the same shall be as effectual as if taken and acknowledged before such court of C. P.; and such chancellor and attorney may take knowledge for inrolment of deeds made to H. M. of any manors, lands, &c., and of all obligations made to H. M., or to his use, for any matter concerning such court, or such manors, lands, &c. without any fee; and such deeds, so acknowledged and there inrolled, shall be as valid as if knowledged, &c. before the court of C. P., 32 *H.* 8. *c.* 20. *ss.* 5—6.

38. All such liberties, &c. limited to such court of augmentations, and to the surveyors' courts, where H. M. shall abide there and within the verge limited to H. M. court, the steward, the marshal, coroner, clerk of the market, and other ministers, shall keep their courts for justice, and exercise their offices as well within liberties, &c. as without, and H. M.'s clerks of the market shall exercise the office of clerks of the market, within such verge, *id. s.* 7.

39. The article next above rehearsed shall not be prejudicial to the city of *London*, *id. s.* 8. [*see similar* clauses to these last two, 27 *H.* 8. *c.* 24. *ss.* 12—13. *pl.* 22. 23.]

40. The same liberties, &c. which the late owners of the sites, circuits, and precincts of the monasteries of *Furness*, and *Castemelo*, *Coningshead*, *Burscough*, and *Holland*, and the honours, manors, lands, &c. liberties, &c. to such monasteries appertaining, which came to H. M. and have been assigned and limited to the order and survey of the chancellor, officers, and ministers of the county palatine and the duchy of *Lancaster*, had lawfully used within 3 months next before they came into H. M.'s hands, shall be revived and vested in H. M. and be within the rule and survey of the chancellor, and of the officers of such county and duchy; and such liberties, &c. and all fines, issues, and profits thereof coming, shall be exercised and claimed by H. M.'s officers, in like manner as before they came to H. M. and such officers shall account for such issues, &c. to such officers of such county and duchy, *id. ss.* 9, 10. [NOTE, *s.* 11. is *verbatim* with *s* 3. *pl.* 35.]

41. This act shall not affect any liberty, &c. or other profits belonging to H. M.'s castles, honours, &c. of such duchy or county, but the same shall be received and answered to H. M. by such chancellor and officers as heretofore usual, *id. s.* 12.

42. This act shall not prejudice the liberties and privileges of the cinque ports, but that the same may be enjoyed as granted by *Ed.* 4. and by the present king confirmed, as if this act had not been made, *id. s.* 13.

43. FOR RENDERING THE PROCEEDINGS UPON WRITS OF *mandamus* and informations in the nature of *quo warranto*, more speedy and effectual, and for the more easy trying and determining the rights of officers, and franchises in corporations and boroughs, 9 *A. c.* 20. [*see also* 4 *& 5 W.* 3. *c.* 22. *s.* 1—3. COURTS (K. B. *CROWN OFFICE*,) *pl.* 1.]

44. Where any writ of *mandamus* shall issue out of the court of K. B., the courts of sessions in the counties palatine, or of great sessions in *Wa.*, for the admission of burgesses or freemen of cities, towns corporate, boroughs, or places in *Eng.* or *Wa.* the persons who are required to make returns to such writ shall make such returns to the *first* writ of *mandamus*, *id. s.* 1.

45. On return made to such writ the person suing out the same may plead to or traverse all or any of the material facts therein contained, to which the party making the return shall reply, take issue, or demur, and such further proceeding shall be thereon had as in an action on the case for a false return; and, if any issue is joined, the person suing such writ shall try the same in such place as an issue joined in such action on the case should have been tried, and if a verdict, judgment on demurrer, or by *nil dicit*, or for want of a replication or other pleading as given for him, he shall recover damages and costs in like manner as he might in such action on the case; such costs and damages to be levied by *ca. sa.*, *fi. fa.* or *elegit*, and a peremptory writ of *mandamus* shall be granted without delay for him for whom judgment is given as might have been if the return was sufficient, and if judgment is given for party making such return, he shall recover costs to be levied as aforesaid, *id. s.* 2.

46. If any damages shall be recovered under this act against the person making such return, he shall not be liable to any other action for making such return, *id. s.* 3.

47. In case any person shall usurp, intrude into, or unlawfully hold and execute any of such offices or franchises, the proper officer in each of such courts as in *s.* 1. *pl.* 44. with the leave thereof, may exhibit an information in the nature of a *quo warranto* at the relation of any person desirous to prosecute the same, and who shall be mentioned therein to be the relator against such person so intruding, &c. and proceed therein in the manner usual in such informations; and if it appear to such courts that the several rights of divers persons to such offices or franchises can be determined on one information, such courts may give leave to exhibit one information accordingly in order to try their respective rights, and such person against whom such information is prosecuted shall appear and plead as of the same term or sessions in which such information was filed, unless the court shall give the relatee further time to plead, and the relator shall proceed thereon with all convenient speed, *id. s.* 4.

48. In case any person against whom any such information is ex-

hibited in any such cases in any of such courts, is found guilty of an usurpation or intrusion into, or unlawfully holding or executing any of such offices or franchises, such courts respectively may give judgment of ouster against such person of and from such offices, &c. and fine such person for his usurpation &c., and may also give judgment that the relator in such information named shall recover his costs in such prosecution, and if judgment is given for the defendant therein, he for whom such judgment is given shall recover his costs against such relator, the same to be levied as in *s.* 2. *pl.* 45. directed, 9 *A. c.* 20. *s.* 5.

49. Such courts may allow to such persons respectively to whom any writ of *mandamus* is directed, or against whom any information in the nature of *quo warranto* in any of the cases aforesaid, shall be prosecuted, or to the persons prosecuting the same, such further time to make return, plead, reply, rejoin or demur, as to them seems fit, *id s.* 6.

50. The statute of *jeofayles* and 4 *Ann. c.* 16. shall extend to all writs of *mandamus* and informations in the nature of *quo warranto*, and proceedings thereon for any of the matters herein mentioned, *id. s.* 7.

51. The mayor, bailiff or other officer to whom it belongs to preside at any election, and to make return of any member to serve in parliament, and who ought to be annually elected, and who shall be in such annual office for one whole year, shall not be capable to be chosen into the same office for the year immediately ensuing; and where any such annual officer is to continue for a year, and until some other person is chosen and sworn in, if such officer shall unlawfully obstruct the choosing another person to succeed him at the proper time, he shall forfeit 100*l*,. to be recovered with full costs by any person who will sue for the same, in any court of record in *s.* 1. mentioned, by action of debt, &c. or information wherein no essoin, &c. and only one imparlance allowed, one moiety to H. M. and the other to the party suing, *id. s.* 8.

FRAUD.

1. OF ADULTERATING OATMEAL, *Stat. Incert. Temp. c.* 11. 8*vo ed.* 390.

2. If any presume to sell the meal of oats falsified by any deceitful mean, for the first offence he shall be grievously punished, for the second lose his meal, for the third be set in the pillory, and for the fourth abjure the town, *id. s.* 1. [*Punishment of the* pillory abolished, and fine or imprisonment, or both, substituted instead, 56 *G.* 3. *c.* 138.]

3. TO PREVENT FRAUDS BY ADULTERATING STARCH, hair powder or tea, or making or manufacturing leaves in imitation of tea, [*this title* is framed] 10 *A. c.* 26. *s.* 31., 12 *A. St.* 2. *c.* 9. *s.* 20. 4 *G.* 2. *c.* 14. *ss.* 5—11. [AMD. as to manufacturing ash, elder and sloe, and other leaves in imitation of tea, and to prevent frauds on the revenue in respect thereof, 17 *G.* 3. *c.* 29.]

4. No perfumer, barber, or seller of hair powder, shall mix any powder of alabaster, plaister of Paris, whiting, lime, or other thing of the like nature (sweet scents excepted) with any starch, or powder of starch, to be used for making hair powder, under pain of forfeiting all hair powder so made, and 50*l*., the one moiety to H. M. and the other, besides full costs, to the seizer or informer, to be recovered as other penalties concerning the duties on starch may be, and if any perfumer, &c. shall expose to sale, vend, or utter any hair powder so mixed with alabaster, &c. he shall forfeit the same, and 20*l*. to be recovered and divided in like manner, 10 *A. c.* 26. *s.* 31. [*See* 12 *A. S.* 2. *c.* 9. *s.* 20. *pl.* 5.]

5. No perfumer, peruke maker, barber, seller of or dealer in hair powder, shall make, vend, sell, or dispose of, or offer to sale any powder, made of or mixed with alabaster, talke, plaister of Paris, whiting, lime, or other thing of the like nature, (sweet scents only excepted,) under pain of forfeiting all the hair powder so made or mixed, vended, &c. and 50*l*., to go one moiety to H. M. and the other to the informer, and be recovered as any other penalty concerning the duties on starch may be, 12 *A. S.* 2. *c.* 9. *s.* 20. [*See* 4 *G.* 2. *c.* 14. *s.* 5. *post, pl.* 6.]

6. Every maker of hair powder, and every perfumer, peruke maker, barber, seller of or dealer in hair powder, who shall mix, or cause to be mixed, any alabaster, plaister of Paris, talke, chalk, whiting, lime, or any other material, (rice first made into starch and sweet scents excepted,) with any starch, or powder of starch, to be used for making hair powder and who shall make or cause to be made any hair powder of any such materials, or any other of the like nature, other than starch, and starch powder, or of rice first made into starch, and who shall use, sell, or offer to sell any hair powder so made, shall forfeit the same and 20*l*., 4 *G.* 2. *c.* 14. *s.* 5.

7. Makers of hair powder to make true entries of their residences with the excise, *id. s.* 6.

8. Any officer for the duties on starch may at all times by day, on request, enter the house or workhouse, and all other places belonging to or used by any person for making hair powder, and likewise the shops belonging to any perfumer, &c. as in *s.* 5. *pl.* 6. and there examine all parcels of hair powder, and carry away a sample of the same on paying the price thereof, and if on examination of such hair powder it appears that the same is mixed, or made of alabaster, plaister of Paris, &c., or with any other material, than as before in *s.* 5. *pl.* 6. excepted, the person on whom the same was found shall forfeit 20*l*., 4 *G.* 2. *c.* 14. *s.* 7.

9. Every starch maker, or powder maker, and dealer in hair powder, who shall have in his custody any alabaster, plaister of Paris, &c. as in *s.* 5. *pl.* 6. or any other material, other than starch, or powder of starch or of rice first made into starch, for making, mixing, or counterfeiting hair powder, shall forfeit all such materials and 10*l*., *id. s.* 8.

10. Every starch maker, or maker of hair powder, and every perfumer, &c., as in *s.* 5., *pl.* 6., who on due request by any such officer in the day time, shall refuse to permit such officer to enter into every the workhouse, shop, and other place belonging to or used by them for making or keeping of hair powder, or to examine and carry away any sample of hair powder, on his offering to pay for the same, shall forfeit 20*l*., *id. s.* 9.

11. All penalties hereby inflicted, shall be sued for, levied, recovered, and mitigated, by such ways as any penalty for any offence against the excise laws may be, or by action of debt, &c., or information in the courts of record, at *Westminster*, wherein no essoin, &c., and only one imparlance allowed, and shall go in moieties to H. M. and the informer, suing within 6 months after the offence done, *id. s.* 10.

12. No dealer in or seller of tea, shall dye, fabricate, or manufacture any sloe or other leaves, in imitation of tea, or shall mix, colour, stain, or dye leaves of tea with *terra japonica*, or other ingredients, or shall vend, or expose to sale the same, or have the same in custody, on pain to forfeit for every pound of such leaves so dyed, &c., mixed, coloured, &c., 10*l*., *id. s.* 11.

13. Every person, whether a dealer in, or a seller of tea, or not, who shall dye, fabricate, or manufacture, any sloe leaves, liquorice leaves, or or the leaves of tea that have been used, or the leaves of the ash, elder, or other tree, shrub, or plant, in imitation of tea, or who shall mix, colour, stain, or dye, any such leaves with *terra japonica*, copperas, sugar, molasses, clay, logwood, or other ingredient, or who shall sell, utter, vend, or expose to sale, or have in custody any such dyed, &c. leaves, in imitation of tea, or any such coloured, &c. leaves, or any leaves that should be dyeing, &c. in imitation of tea, and be thereof convicted on oath of one witness, before one justice of peace, for the county, city, or place, where such offence was committed, shall for every pound thereof forfeit 5*l*., and on non-payment thereof, such justice shall commit the offender to the common gaol of the county, &c. without bail, for not exceeding 12, or less than 6 months, or until the penalty is paid, 17 *G.* 3. *c.* 29. *s.* 1.

14. Every person who shall have in his custody any quantity (exceeding 6 lb.) of sloe, ash, or elder leaves, or the leaves of any other tree, shrub, or plant, green, or manufactured, and shall not prove to the justice hearing the matter, that the same were gathered with the consent of the owners of the trees, &c. from which the same were taken, and that they were gathered for some purpose other than that of fabricating the same in imitation of tea, and shall be thereof convicted, as in *s.* 1., *pl.* 13. shall forfeit 5*l*. for every pound thereof found in his custody, and on non-payment, such offender shall be committed to prison for the time in *s.* 1. aforesaid, *id. s.* 2.

15. If any officer of excise or other person shall suspect that any such leaves dyed, &c., or leaves dying, &c. in imitation of tea, or intended so to be, shall be hid or lodged in any place, then on oath made by such officer or person before the justice of the county, city, or place where the same are suspected to be hid, &c. setting forth the ground of such suspicion, such justice may by special warrant under his hand and seal, authorize such officer or person, by day or night, but if in the night, then in the presence of a constable or other peace officer, to enter into all such places, and seize, and carry away as forfeited, all such leaves which he shall find so hid or lodged, together with all the waggons, carts, boxes, bags, tubs, or other vessel or package containing the same, and the justice so granting such warrant, or any other justice for the same county, city, place, &c. on proof of the premises, by oath of one witness, may by warrant, under his hand and seal, order such dyed, &c, or other leaves so seized, to be burnt, and such waggon, &c. to be sold, and the produce, after the deducting the charge of seizure and sale, and the burning of such leaves, shall go one half to the informer, and the other to the poor of the parish where the offence was committed, and every person who shall obstruct, &c. such officer or person, having such authority, from entering such suspected places, or in seizing, carrying away, or burning the same, or selling the waggon, &c. containing the same, shall forfeit 50*l*. on conviction thereof, by oath of one witness, before one justice for the county, city, place, &c., and on non-payment, such justice may commit the offender to the common gaol of the county or place, for not exceeding 12, or less than 6 months, or until the penalty and charges are paid, *id. s.* 3.

16. No such green or unmanufactured leaves so found hid, shall be burnt, if the owner thereof shall within 24 hours after such seizure, prove to the satisfaction of the justice granting the warrant for seizing such leaves, or any other justice for the same county, city, or place, that such leaves were gathered with the consent of the owner of the

trees, shrubs, or plants, from which such leaves were taken, and that the same were gathered for some other use, and not to be fabricated, &c. in imitation of tea; and if such proof is made within such time, such leaves, and the waggons, carts, &c. in which the same were seized, shall be restored to the owner by order of such justice, 17 *G.* 3. *c.* 29. *s.* 4.

17. All such dyed, coloured, &c., fabricated, &c., and other leaves, shall be deemed to be in the custody of the occupier of the dwelling-house, out-house, gardens, and lands, wherein the same shall be so found hid and concealed, and such occupier shall be liable to all the pains and penalties by this act inflicted on persons having such dyed, &c. and other leaves in his custody, if it is proved to the justice hearing the matter, that such leaves were lodged in such dwelling-house, &c. with the consent of the occupier thereof, *id. s.* 5.

18. One moiety of all penalties hereby inflicted, shall go to the informer, and the other to the poor of the parish where the offence is committed, *id. s.* 6.

19. In all informations or proceedings for any of the offences aforesaid, the evidence of the inhabitants of the parish where the offence was committed, shall be allowed, *id. s.* 7.

20. Justices of peace for the respective counties, cities, places, &c. where any offence against this act is done, shall put this act in execution, and administer an oath to any witness, *id. s.* 8.

21. The conviction of every offender against this act shall be certified by the convicting justice to the quarter sessions, to be filed of record, and shall be in the form following, or to that effect, (*viz.*)

'—— } Be it remembered, That on the — day of —, in the year —, A. B.
to wit. } was, upon the — complaint of C. D. convicted before —, of the justices of the peace for —, in pursuance of an act, passed in the 17th year of the reign of H. M. King *George* the third, for —, [*as the case shall be*] given under — hand and seal, the day and year above written.]

and the same shall be good in law, and not be quashed for want of form, or be removable by *certiorari* into K. B., but shall be final, *id. s.* 9.

22. EVERY PERSON WHO SHALL, AT THE ROASTING OF any coffee, or before or afterwards make use of water, grease, butter, or any other material which will increase the weight or damnify the coffee, shall forfeit 20*l.*, and every trader or dealer in coffee who shall knowingly buy or sell any such coffee, shall forfeit 20*l.* to go in moieties to H. M. and the party suing [by bill, plaint, or information in any court of record at *Westminster* or exchequer in *Scot.* wherein no essoin, &c. is allowed, *s.* 27.] for the same, 5 *G.* 1. *c.* 11. *s.* 23.

23. FOR THE PREVENTION of frauds and perjuries, 29 *C.* 2. *c.* 3. *ss.* 1. 4—17. (commonly called the *Statute of Frauds*), [*see the rest* of this act, *ss.* 5, 6. 12. 19. 24. WILLS; *ss.* 7—11. USES AND TRUSTS; *ss.* 13—15. JUDGMENT; *s.* 18. RECOGNIZANCE; *s.* 25. EXECUTORS AND ADMINISTRATORS.]

24. All leases, estates, interests of freehold, or terms of years, or any uncertain interest of, in, to, or out of, any messuages, manors, lands, tenements, or hereditaments, created by livery of seisin only, or by parol, and not put in writing, and signed by the parties creating the same, or their agents thereunto lawfully authorized in writing, shall have the force and effect of leases or estates at will only, and shall not either at law or equity be taken to be of greater force, or effect any consideration for making any such parol leases or estates, or former usage, to the contrary notwithstanding, *id. s.* 1.

25. Except leases not exceeding 3 years from making thereof, whereupon the rent reserved to the landlord during such term, shall amount to two thirds at least of the full improved value of the thing demised, *id. s.* 2.

26. No leases, estates, or interests, either of freehold, or terms of years, or any uncertain interest, not being copyhold or customary of, in, to, or out of, any messuages, manors, lands, tenements, or hereditaments, shall be assigned, granted, or surrendered, except by deed, or note in writing signed by the party so assigning, &c. the same, or their agents thereto lawfully authorized by writing, or by act or operation of law *id. s.* 3.

27. No action shall be brought, whereby to charge any executor or administrator on any special damage to answer damages out of his own estate, or whereby to charge any defendant on any special promise to answer for the debt, default, or miscarriages of another person; or to charge any person on any agreement made in consideration of marriage, or on any contract or sale of lands, tenements, or hereditaments, or any interest, in or concerning them, or on any agreement that is not to be performed within one year from its making, unless the agreement on which such action is brought, or some memorandum or note thereof, is in writing, and signed by the party to be charged therewith, or some other person thereunto by him lawfully authorized, *id. s.* 4.

28. No contracts for sale of goods for the price of 10*l.* sterling or more, shall be good, except the buyer accept, and actually receive part fthe goods so sold, or give something in earnest to bind the bargain, or in part payment, or that some note or memorandum in writing of such bargain be made and signed by the parties to be charged by such contract, or their agents lawfully authorized, *id. s.* 17

FRAUDULENT CONVEYANCE.

(STATUTES *repealed and expired.*)

1. A FRAUDULENT CONVEYANCE TO DEFEAT A LORD of his wardship shall be void, 52 (*or* 54) *H.* 3. *c.* 6. [REP. *by the abolishment of* feudal tenures, 12 *C.* 2. *c.* 24.]

2. AGAINST FRAUDULENT FEOFFMENTS TENDING TO DEFRAUD H. M. of his wards, 4 & 5 *H.* 7. *c.* 17. [REP. *by the abolishment of* feudal tenures, 12 *C.* 2. *c.* 24.]

3. FOR THE AVOIDING OF FRAUDS IN CERTAIN CONVEYANCES and assurances made by the late rebels in the north, 18 *El. c.* 4. EXT.

(STATUTES *in force.*)

1. FRAUDULENT ASSURANCE OF LANDS OR GOODS TO DECEIVE creditors, shall be void, 50 & 51 *E.* 3. *c.* 6.

2. If people borrowing goods in money or merchandize, do give their tenements and chattels to their friends by collusion, if it can be found that such gifts are made by collusion, the creditors shall have execution of such tenement and chattels, as if no such gift had been made, *id. ibid.*

3. AGAINST FEOFFMENTS OF LANDS AND GIFTS OF GOODS made by fraud or for maintenance, 1 *R.* 2. *c.* 9. [AMD. 4 *H.* 4. *c.* 7. which is EXPL. 11 *H.* 6. *c.* 3.]

4. No gift or feoffment of lands, tenements, or goods, shall be made by fraud to have maintenance, or to make disseisees ignorant against whom they ought to take writs, and if any be they shall be void, and disseisees shall have recovery against the first disseisors, as well of the lands, &c. as of their double damages, without regard to any alienation, so that they commence their suits within a year after disseisin done; this statute shall hold in all actions in plea of land where feoffments be made by fraud or collusion to have recovery against the first feoffor, and it shall be understood where such feoffers take the profits, 1 *R.* 2. *c.* 9.

5. Such disseisee as in 1 *R.* 2. *c.* 9. mentioned, may have their action against such first disseisor during the life of such disseisor, so that such disseisor take the profits thereof at the time of suit commenced; and as to other writs in plea of land the demandant shall commence his suit within the year against the tenant of the freehold at the time action accrued to him, so that such tenants take the profits thereof at time of such suit commenced, 4 *H.* 4. *c.* 7.

6. In all writs grounded on *novel disseisin*, the disseisees shall have their recoveries by such writs against the disseisors or their feoffees, as they would in assize of *novel disseisin*, so that such disseisors or their feoffees take the profits at time of writ purchased, 11 *H.* 6. *c.* 3.

7. FOR RELIEF OF CREDITORS AGAINST FRAUDULENT DEEDS made by debtors, 2 *R.* 2. *S.* 2. *c.* 3.

8. Where debtors make feigned feoffments of their lands and goods, and after withdraw themselves, and flee into privileged places of holy church, and take the profit of their said lands and goods, the creditors after they have brought their writs of debt, and a *capias* awarded, and the sheriff return that he hath not taken such persons because of places privileged, then another writ shall go to the sheriff to make proclamation at the gate of such privileged place, 5 times once in every week, that the person comprised therein be before H. M.'s justices to answer the plaintiff; and on return of proclamation made and such person comes not, judgment shall be given against him, and thereon execution shall be made of their lands and goods, as well those given by collusion as of any other after such collusion found; but no man shall be barred his suit against such debtors at common law, *id. ibid.*

9. AGAINST PRIVY AND UNKNOWN FEOFFMENTS, 1 *R.* 3. *c.* 1.

10. Every estate, feoffment, gift, release, grant, leases and confirmations of lands, tenements, rents, services, or hereditaments, made by any person of full age, of whole mind, at large and not in duress, to any person, and all recoveries and executions had shall be good to him to whom it is so made, and to all other to his use against the seller, feoffor, donor, or grantor thereof, and their heirs, claiming as heirs to such seller, &c., and all other claiming to the use of such seller, at the time of the bargain, sale, &c. made; saving to all persons such right, action, &c. by reason of gift in tail as before this act, *id. ibid.*

11. AGAINST FRAUDULENT DEEDS OF GIFT, 3 *H.* 7. *c.* 4. [EXT. to gifts, alienations, &c. of lands, &c. 13 *El. c.* 5. which is CON. 14 *El. c.* 11. *s.* 1., MADE PERP. 29 *El. c.* 5. *s.* 2.]

12. Deeds of gift of goods and chattels made of trust to the use of the person who made such deed shall be void, 3 *H.* 7. *c.* 4.

13. Every feoffment, gift, grant, alienation, bargain, and conveyance of lands, tenements, hereditaments, goods, and chattels, or of any lease, rent, common or other profit or charge, out of such lands, &c., by writing or otherwise, and every bond, suit, judgment, and execution, to be had or made with the intent to defraud creditors or others of their actions,

suits, debts, accounts, damages, penalties, forfeitures, heriots, mortuaries, and reliefs, shall be deemed only as against that person, his heirs, successors, executors, administrators, and assigns, whose actions, &c. are or shall be any way disturbed, delayed, or defrauded, to be utterly void, 13 *El. c.* 5. *s.* 2.

14. All parties to such feigned or fraudulent feoffments, &c., and being privy and knowing of the same, which shall wittingly put in ure, avow, or defend the same as true, and done *bonâ fide*, and upon good consideration, or shall alien or assign any lands, &c. so conveyed to him, shall forfeit one year's value of such lands, &c. and the whole value of such goods, and so much money as is contained in such covinous bond, one moiety to H. M., and the other to the party grieved, to be recovered in any court of record by action of debt, &c. or information, wherein no essoin, &c. allowed, and shall also, on conviction, suffer one half year's imprisonment, *id. s.* 3.

15. All common recoveries hereafter to be made against tenant in tail, or other tenant of the freehold (the reversion or remainder, or the right thereof then being in other persons) shall, as touching such reversioners or remaindermen, and against their heirs, stand in full force notwithstanding this act, *id. s.* 4.

16. This act shall not make void any estate or conveyance by reason whereof any person shall use any voucher in any writ of *formedon* hereafter to be depending, but such vouchers shall be as valid as if the act had not been made, *id. s.* 5.

17. This act shall not extend to any estate or interest in lands, &c. leases, rents, commons, profits, or goods hereafter to be had, conveyed, or assured, which estate or interest shall be on good consideration, and *bonâ fide* lawfully conveyed or assured to any person or body corporate not having notice of such fraud or collusion, *id. s.* 6.

18. AGAINST FRAUDS DEFEATING REMEDIES for dilapidations, 13 *El. c.* 10. [*see the rest* of this act, LEASES. AMD. 14 *El. c.* 11. *s.* 18. CON. 1 *J.* 1. *c.* 10. *s.* 1—24., 21 *J.* 1. *c.* 28. and indefinitely, 16 *C.* 1. *c.* 4.]

19. If any archbishop, bishop, dean, &c. or other having dignity or office in any cathedral or collegiate church; or if any parson, vicar, or other incumbent of any ecclesiastical living whereunto do belong any houses or other buildings which by law or custom he is bound to keep in preservation, do make any deed of gift or alienation, or other like conveyances of his moveable goods, to the intent to defraud his successors of their remedies for dilapidation, then such successors may have remedy in any court ecclesiastical competent for the matter, against him to whom such deed was made for such reparation, as if the party to whom such deed was made was executor of the party making it, 13 *El. c.* 10. *s.* 2.

20. All sums to be recovered in the name of dilapidations, by sentence, composition, or otherwise, shall, within 2 years after receipt, be truly employed on the buildings and reparation for which paid, on pain that the person recovering and not employing the same, shall forfeit to H. M. double what he has received and not so employed, 14 *El. c.* 11. *s.* 18.

21. AGAINST COVENOUS and fraudulent conveyances, 27 *El. c.* 4. *s.* 4. and recital in *s.* 1. [MADE PERP. 39 *El. c.* 18. *ss.* 31, 32.]

22. Every conveyance, grant, charge, lease, estate, incumbrance, and limitation of uses of, in, or out of, any lands, tenements, or other hereditaments made with intent to defraud such persons or bodies corporate as shall purchase in fee-simple, fee-tail, for life, lives, or years, the same lands, &c. so formerly conveyed, granted, &c., or to defraud such as shall purchase any rent or profit in or out of the same, shall be deemed only as against such persons and bodies, their heirs, successors, executors, administrators, and assigns, and against all others claiming by, from, or under them, which shall purchase for good consideration, the same lands, &c. or any rent, &c. thereout, to be utterly void, 27 *El. c.* 4. *s.* 2.

23. All parties to such fraudulent conveyances, or being privy, and knowing of the same, which shall wittingly put in ure, avow, or defend the same as true, and done *bonâ fide*, or on good consideration, to the disturbance of such purchasers, lessees, or grantees, or of their heirs, successors, executors, &c. or such as shall lawfully claim by, from, or under them shall forfeit one year's value of the lands, &c. so purchased, to go in moieties to H. M. and the party grieved, and to be recovered in any court of record by action of debt, &c. or information, wherein no essoin, &c. allowed, and also being thereof convicted shall be imprisoned one half year, *id. s.* 3.

24. This act shall not make void or defeat any conveyance, assignment of lease, assurance, grant, charge, lease, estate, interest or limitation of use, of, in, to, or out of any lands, &c. to be made on good consideration, and *bonâ fide* to any person, or body corporate, *id. s.* 4.

25. If any person shall make any conveyance, gift, grant, demise, charge, limitation of use, or assurance of, in, or out of any lands, &c. with any clause, or condition of revocation, determination, or alteration thereof at his pleasure contained in any writing, deed, or indenture of such conveyance, and after such conveyance, &c. so made, shall bargain, sell, demise, or charge the same lands, &c. for money or other good consideration given, (such first conveyance, &c. not by him made void, or revoked according to the power therein given) then such former conveyance, &c. as touching such lands, &c. so after sold, &c. against such bargainees, vendees, lessees, grantees, and their heirs, successors, executors, &c. and persons claiming by, from, or under them shall be void, 27 *El. c.* 4. *s.* 5.

26. No lawful mortgage to be made *bonâ fide*, and without fraud, on good consideration, shall be impeached by this act, *id. s.* 6.

27. All the tenor and contents of all statute merchants and staple hereafter to be acknowledged, shall, within six months after such knowledging be entered in the office of the clerk of recognizances taken according to 23 *H.* 8. *c.* 6. by shewing such statute so knowledged unto such clerk who shall enter the same, he taking 8*d.* for each entry, *id. s.* 7.

28. If the party to whom such statute shall be acknowledged, his executor or administrators, shall not within 4 months next after the knowledging of any such statute, bring the same to such clerk, or his deputy, whereby a copy thereof may be taken and entered, the same statute shall be void against all persons and bodies, their heirs, successors, executors, &c. as shall after the knowledging of such statutes, purchase for good consideration the lands, &c. liable to such statute, or any part thereof, or any rent, lease, or profit out of the same, *id. s.* 8.

29. If such clerk, or his deputy shall not, in shewing such statute, enter the same within 6 months, and also indorse upon such statute his name, and the day and year of entry, he shall forfeit for each statute he shall so neglect to enter and indorse 20*l.*, one moiety to H. M., and the other to the party suing, in any court of record, by action of debt, &c. or information, wherein no essoin is allowed, *id. s.* 9.

30. No clerk of recognizances shall take for any search to be made concerning any such statutes so entered above 2*d.* for one year's search, and so after that rate, upon pain to forfeit to the party grieved twenty times as much as he shall take contrary to this act, to be recovered as in *s.* 9. *pl.* 29. directed, *id. s.* 10.

31. FOR THE RELIEF OF CREDITORS AGAINST FRAUDULENT devises, 3 *W. & M. c.* 14., and recital in *s.* 1. [MADE PERP., 6 & 7. *W. & M. c.* 14. *s.* 2.]

32. All wills and testaments, limitations, dispositions or appointments, concerning any manors, messuages, lands, tenements, or hereditaments, or of any rent, profit, term, or charge thereout, whereof any person at his decease shall be seised in fee-simple in possession, reversion, or remainder, or have power to dispose of by will, shall be deemed (only as against creditors by bond or specialty in which the heirs are bound, their heirs, executors, administrators, and assigns) to be fraudulent and absolutely void, 3 *W. & M. c.* 14. *s.* 2.

33. Every such creditor may maintain his action of debt on his bond and specialty against the heir at law of such obligor, and such devisees jointly, and such devisee shall be liable for false plea pleaded, in like manner as any heir should have been for false plea pleaded, or for not confessing the lands, &c. to be descended to him, *id. s.* 3.

34. Provided that all limitations or appointments, devises, or dispositions of any manors, &c. as in *s.* 2. for the payment of any just debt, or any portion for any child, other than the heir at law, according to any marriage contract in writing *bonâ fide* made before such marriage, shall be of full force, and such manors, &c. shall be holden by such person, his heirs, executors, &c. for whom such limitation, &c. was made, and his trustees, and their heirs, executors, &c. for the estate so limited, &c. until such debt or portion is raised, *id. s.* 4.

35. Where any heir at law is liable to pay the debt of his ancestor in regard of any lands, tenements, or hereditaments descending to him, and shall sell, aliene, or make over the same before action brought, or process sued out against him, he shall be answerable by action of debt for such debt to the value of the land so sold, &c.; in which cases all creditors shall be preferred as in actions against executors and administrators, and such execution shall be taken out on any judgments so obtained against such heir to the value of such land, as if the same were his own proper debts, saving that the lands, &c. *bonâ fide* aliened before action brought, shall not be liable to such execution, *id. s.* 5.

36. Where any action of debt on specialty is brought against any lien he may plead *riens per descent*, at the time of original writ brought, or bill filed against him, and the plaintiff may reply that he had lands, tenements, and hereditaments from his ancestor before the original writ brought or bill filed, and if on issue joined thereon it be found for the plaintiff, the jury shall inquire of the value of the lands, &c. so descended, and thereupon judgment shall be given, and execution awarded as in *s.* 5. *pl.* 35.; but if judgment is given against such heir by confession of the action without confessing the assets descended, or on demurrer, or *nihil dicit*, it shall be for the debt and damages without any writ to inquire of the lands, &c. so descended, *id. s.* 6.

37. All devisees made liable by this act, shall be liable in the same manner as the heir at law by force of this act is, notwithstanding the lands, &c. to them devised are aliened before action brought, *id. s.* 7.

FREIGHT.

1. To enable H. M. to fix the rate and direct the disposal of freight-money for the conveyance of specie and jewels on board H.M.'s ships and vessels, 59 *G.*3. *c.*25.

2. All freight-money to be paid for the conveyance in any vessel of H. M. of gold, silver and jewels, or any other articles received by special order on board such vessels, and for which freight is payable, shall be paid at such rate and distributed and applied to such purposes, and amongst such persons and in such proportions as H. M. shall by proclamation direct, and no freight-money or reward shall be demanded, paid, received or detained for the conveyance of such articles, other than for the purposes and by the persons in the proportion to the rates, and in the manner by such proclamation allowed; and all bargains and contracts made or entered into for the payment of such freight at any other rate, for any other purpose, or by or to any other persons, or in any other manner or proportion shall be void, *id. ibid.*

FRIENDLY SOCIETIES.

1. For the encouragement and relief of friendly societies, 33 *G.*3. *c.*54. (Public clause, *s.*27.) [Amd. and Ext. to institutions of a charitable nature, 35 *G.*3. *c.*111. (which see Charities, *pl.*19.) and mistakes in the registry of their rules Rectified, 43 *G.*3. *s.*111. and Amd. 49 *G.*3. *c.*125. The above acts have been greatly altered by the 59 *G.*3. *c.*128. which see *post*, *pl.*35. with regard to societies to be established after the passing of that act, but it leaves societies previously founded solely to the operation of the above statutes.]

2. Any number of persons in *Great Britain* may form themselves into and establish societies of good fellowship, for the purpose of raising by subscriptions or voluntary contributions a stock or fund, for the mutual relief and maintenance of the members thereof, in old age, sickness and infirmity, or for the relief of the widows and children of deceased members, and the members of any such societies or any number of them as shall be nominated a committee, may assemble together to make proper rules and regulations for the government of such societies, as to the major part of those assembled seem meet, so as such rules, &c. be not repugnant to the laws of the realm or of this act, and may inflict such fines and forfeitures upon the members offending against such rules as may be just, for duly enforcing the same to be paid to the use of the society, and may alter and amend such rules, &c. or annul the same and make new ones in lieu thereof, 33 *G.*3. *c.*54. *s.*1.

3. Provided such rules, &c. shall with all speed be exhibited in writing to the justices at quarter sessions, or at any adjournment thereof, for the county, riding, division or shire where such society is established, who may review the same, and then or at a subsequent sessions annul such as are repugnant to this act, and affirm those that conform to it; and when so confirmed such rules, &c. shall be signed by the clerk of the peace, and a duplicate on parchment shall be deposited with him, to be filed with rolls of the session without fee, and such rules, &c. so approved and filed, shall bind all parties, and no society shall be deemed within the meaning of this act, till the rules thereof be so confirmed and filed; and no such societies already established shall be deemed within this act, unless they exhibit their rules, and have them so confirmed and filed at the Michaelmas sessions, 1794, [*enlarged to* 1796. 35 *G.*3. *c.*111, *s.*1,] *id. s.*2, [*See as to* making rules, &c, 59 *G.*3, *c.*128. *post*, *pl.*35.]

4. Any such society who shall have exhibited their rules, orders and regulations at any quarter session, having peculiar jurisdiction for the place where such society is established, and not to the sessions for the county, riding, &c. at large, shall exhibit the same to such county sessions, bearing the certificate of the town clerk or other officer of the time when first exhibited, or shall exhibit a duplicate or true copy of such rules, &c. with an affidavit annexed, taken before a justice for the county, of the time when they were first exhibited subject to the like allowance, review and confirmation of such county sessions as by 33 *G.*3, *c.*54. *s.*2. directed; and such rules, &c. being confirmed at such county sessions as by such act directed, shall be valid from the time of their first exhibition at such sessions having peculiar jurisdiction, 43 *G.*3. *c.*111.

5. All such societies whose rules, &c. have been exhibited to such justices since *Michaelmas* 1796, or which may be so exhibited and which have been dealt with, examined, confirmed, deposited and filed, as by 33 *G.*3. *c.*54. directed, shall be deemed within the meaning of such act, as if established within such periods so limited, 49 *G.*3. *c.*125. *s.*2.

6. Benefit of these acts denied to societies hereafter to be formed, unless constituted under this act, 59 *G.*3. *c.*128. *s.*1, [*see this* act *post*, *pl.*35.]

7. No rules, &c. so confirmed shall be altered or repealed, unless at a general meeting of the members of such society, convened by public notice in writing, signed by the clerk or secretary of such society, in pursuance of a requisition for that purpose, by three members, and read at two of the usual meetings of such society, held next before such general meeting for making such alterations or repeal, unless a committee has been nominated for that purpose, in which case such committee shall be convened in like manner, and unless such alteration or repeal is made with the consent of three fourths of such meeting or committee; and such alteration, &c. shall be reviewed by such justices at sessions and filed as aforesaid, and no rule, &c. shall be binding until it is confirmed and agreed to, 33 *G.*3. *c.*54. *s.*3. [*see as to the* alteration of rules, &c. *s.*5. *pl.*40. and as to committees, *s.*9. (*pl.*44.) of 59 *G.*3. *c.*128.]

8. Such societies may at their general meetings or by their committee elect and appoint such persons into the office of steward, president, warden, treasurer or trustee of such society, as they think proper, and may appoint clerks and other officers, for so long and for such purposes as the rules of the society shall establish, and elect others in room of those who vacate or die, and such officers who are appointed to any office touching the receipt or management of the money collected for such society, shall before they take upon them the execution of any such office or trust (if such rules require it), become bound with two sureties for the just execution of such office or trust, and for rendering a true account according to such rules, &c. and in all matters to pay obedience to the same, in such penal sum as the majority of such society shall think fit at a general meeting; and such bond shall be given to the clerk of the peace of the county, &c. without fee, and in case of forfeiture, it may be sued on in his name to the use of such society, and bonds to be given by any other person appointed to any such office or trust, shall be given to the treasurer or trustee, to be by him prosecuted in case of forfeiture, to the use of the society, and no such bonds or other security given to or on account of such society, shall be subject to stamp duty, *id. s.*4. [*see as to* appointing trustees, 59 *G.*3. *c.*128. *s.*4. *post*, *pl.*39.]

9. Such societies shall elect any number of their members, not less than eleven, to be a committee, and shall delegate all or any of the powers hereby given, and who shall continue to act as such committee for the time appointed, and where a standing committee is appointed for general purposes, its powers shall be declared by the rules, &c. confirmed and filed as in *s.*2. *pl.*3. and where a committee is formed for any particular purpose, its powers shall be deduced to writing, and entered in a book by the secretary or clerk of such society, and 5 of its members shall in all cases concur in any act of such committee; and such committee shall act in the name of such society, and all their acts and orders under such powers shall be of the like effect, as if done by the society at a general meeting, provided all acts of the committee shall be subject to the review and controul of such society, in such manner as their rules, &c. shall direct, *id. s.*5.

10. The treasurer or trustees of such society, with the consent of such society testified as their rules, &c. shall direct, may lay out such money as shall be collected for the purposes of such society, and as it is not wanted for immediate application, either on private securities to be approved as aforesaid, (the same be taken in the name of such treasurer or trustees,) or invest the same in the public funds in their names with such consent, and may alter and transfer such securities and funds, and sell the same, *id. s.*6.

11. All dividends and proceeds of such money so invested shall be brought to account by such treasurer or trustees, and be applied to the uses of such society, according to its rules, &c. *id. s.*7.

12. The treasurer, trustees, and other officers of any such societies, who shall receive any part of the effects of such society, or is entrusted in any way with the management or custody thereof, or of any securities relating to the same, his executors, administrators, and assigns, shall, on demand made in pursuance of an order of such society or committee, give in his account at a general meeting to be examined, allowed, or disallowed, and on like demand shall pay over the money in his hands, and assign and transfer all securities, effects, or funds, taken in his name, or being in his custody, to the treasurer or trustees, or such person as the society shall appoint; and in case of neglect so to do, such society, in the name of its treasurer or trustees, shall exhibit a petition to the court of chancery or exchequer in *Eng.*, or court of session in *Scot.*, or of great sessions in *Wa.*, who shall proceed thereon in a summary way, and make order therein, and all assignments and transfers made in pursuance of such order shall be good in law, *id. s.*8.

13. No fee or gratuity shall be taken by any officer or minister of such courts, for any thing done in such court, in pursuance of this act; and on presenting of such petition the judges of such courts shall assign counsel, and appoint a clerk in court to conduct such petition for such society, and who shall do their duties without fee, and no proceeding therein shall be subject to stamp duty, *id. s.*9.

14. If any person appointed to any office, entrusted with any money or effects of such society, or any securities relating to the same, shall die, or become bankrupt, or insolvent, his executors, administrators, or assignees, shall, within 40 days after demand made by order of such society, or the major part of them assembled at any meeting thereof, de-

liver over all things belonging to such society to such persons as they shall appoint; and pay out of the assets or effects of such person all money due, which such person received by virtue of his office, before his other debts are paid; and all such assets and effects shall be bound to the payment thereof accordingly, 33 *G.*3. *c.*54. *s.*10.

15. All money, goods, chattels, stocks, annuities, and other transferable securities and effects of such society, shall be vested in the treasurer or trustees for the time being, and on their death or removal shall vest in their successors for the same estate, and subject to the same trust, without any assignment or transfer, and shall, for all purposes of action or suit, as well criminal as civil, at law, or in equity, be deemed and stated to be their property in their own names, and such treasurer or trustees may bring or defend any action or suit, criminal or civil, touching the goods, &c. of such society, and may, in all such cases, sue and be sued in their own names without other description; and no such suit, &c. shall abate, or be discontinued by their death or removal, but their successors may proceed therein, in the name of the party commencing same, *id. s.*11. [*See* 59 *G.*3. *c.*128. *s.*7. *pl.*42.]

16. All such societies, before any rules, &c. thereof be confirmed, shall, by a general rule to be confirmed by the justices, declare all the purposes of such society, and direct all the uses to which the money, to be subscribed for the use of such society, or which shall arise therefrom, or belong to such society, shall be applied, and in what shares, and under what circumstances a member or other person will become entitled to the same, and which application shall not be repugnant to the uses and purposes of such society so to be declared; and all such rules, &c. shall be complied with, and such monies shall not be misapplied, under such penalty as the rules, &c. shall impose; and no rule, &c. shall be made to dissolve such society, so long as its purposes can be carried into effect, without the consent of 5-6ths of the members, and also of all persons entitled to receive relief from such society testified under their hands, nor shall any such rule direct the division or distribution of such fund amongst the members of such society, other than for carrying into effect its purposes as declared by them, and confirmed by the justices; but all such rules, &c. for such dissolution or distribution, made without such consent, or contrary to the rules, &c. confirmed by such justices, shall be void, *id. s.*12. [*See as to the* dissolution of society, 59 *G.*3. *c.*128. *s.*8. *post, pl.* 43.]

17. All the rules, &c. made by such society, shall be entered in a book to be kept by one of the members to be appointed for that purpose, and shall be signed by such members, and shall, at convenient seasons, be open to their inspection, and the same so entered shall be deemed the original orders, and shall be received in evidence as such in all disputes and trials before any court; and no *certiorari* shall be brought to remove any rules, &c. of any such society, made in pursuance of this act, into the courts at *Westminster*, *id. s.*13.

18. Any such society may receive donations towards the supply of their stock or fund, and all such sums shall be applicable to the general purposes of such society, in like manner as the contributions of the several members of the society are to be applied under *s.* 12. of this act *id. s.*14.

19. If any member of any such society, established under this act, shall think himself aggrieved by any thing done or omitted to be done by such society, 2 justices for the county, &c. on complaint on oath, or affirmation by or on behalf of such person, may issue their summons to the principal officers of the society, by whatever name called, or one of them, if such complaint is made against such society collectively, and if made against any such officer, then they may summon him to appear before them at a time and place mentioned in the summons, and also at the same time and place summon all parties having the custody of the rules, &c. of such society; and such justices, at such time and place, whether the party summoned shall appear or not but on proof on oath or affirmation of such summons being duly served or left at his usual place of abode, shall peremptorily determine the complaint in a summary way, according to the meaning of such rules, &c., and shall make such order therein as they deem just, and such order shall be complied with and final, and not subject to appeal, or be removeable into any court of record at *Westminster*, *id. s.*15. [*See further as to* justices interfering where a member, or the widows and children of deceased members are refused relief, 49 *G.*3. *c.*125. 59 *G.*3. *c.*128. *s.*15. *post, pl.* 56.]

20. If provision is made by a general rule or order of any such society, and is confirmed, as hereby required, for a reference by arbitration of any dispute between the society, or persons acting under them, and any member thereof, the same shall be referred to such arbitrators as are named and elected, as by such rules, &c. required; and the award made by such arbitrators, according to such rules, shall be binding, final, and without appeal, or being subject to the control of 2 or more justices, as hereinbefore prescribed, *id. s.*16.

21. No member of any society, established under this act, who inhabits or resides in any parish, township, or place, not having a legal settlement there, or who shall come to inhabit, &c. there, and shall deliver to the churchwardens or overseers of the poor of such place, or either of them, a certificate under the hands of the stewards, presidents, wardens, or treasurers of such society, or any 2 of them, attested by one witness, thereby acknowledging the person mentioned therein to be a member of such society, shall, during the time such person continues a member, be removeable from any parish, &c. where such certificate has been delivered, until he shall actually become chargeable to such place, or is forced to ask relief of such place, and then, and not before, such person with his family may be removed to his last legal settlement, 33 *G.*3. *c.*54. *s.*17. [*extended* to all persons whether members of any such society or not. *See* Poor.]

22. Such certificate shall express the place of abode of the persons signing and attesting it, and one of such witnesses shall make oath before a justice for the county, city, or place, that he saw the same signed by the parties whose names it bears, and that the name of such witness thereunto set is of his own hand-writing, and such justice shall certify that such oath was made before him; and such certificate and oath of the execution thereof so certified, shall be taken and allowed in all courts as duly proved, and shall be received as evidence without other proof, *id. s.*18.

23. On complaint made by the churchwardens or overseers of the poor of any parish or place, where such certificate was delivered, to any justice of the county, city, or place where such person resides, such justice may cause such person to be summoned before him to be examined on oath as to the place of his last legal settlement, and such person shall obey such summons, and make oath accordingly; and such justice shall give an attested copy of such examination to the party making the same, to be produced before any other justices of the peace before whom he shall be again summoned to make oath, and on such 2d summons on production thereof, he need not make any further oath touching such matter, but shall permit a copy thereof to be taken by such last mentioned justice, *id. s.*19.

24. Two justices who have taken such examination, or before whom such copy has been produced at the request of such churchwardens and overseers, by order in writing under hand and seal, may adjudge and declare the place of last legal settlement of such person, or of such of his family as reside in such place under this act, without issuing any warrant of removal; and a duplicate of such order shall be transmitted to the quarter sessions to be holden next after the end of 20 days from time of making the same, to be filed of record, and a copy of such order attested by one witness, or a duplicate thereof, together with an attested copy of such examination annexed to such copy or duplicate, shall be delivered to the churchwardens or overseers of the place of such person's last legal settlement, 15 days previous to such sessions, and on proof on oath of the delivery of the same to them made before the sessions, such order shall be filed, and orders so filed shall be final and conclusive in ascertaining the place of last legal settlement of such person, unless appealed against within the time hereinafter mentioned, *id. s.*20.

25. All persons aggrieved by any such adjudication of such justices, may appeal to the quarter sessions holden next after the expiration of 15 days from the time of delivery of such copy or duplicate, and such sessions may receive such appeal, and determine its merits in like manner, as if the persons mentioned in such order had been by warrant actually removed, and may award costs as in like cases of appeals from orders of removal by any statute now in force, to be recovered as costs awarded under such statutes may be, *id. s.*21.

26. No member of any such society who shall reside in any parish or place under this act, shall thereby acquire any settlement therein by delivery and publication of any notice, unless the same shall be made after such person shall cease to be a member, and after revocation of his certificate, *id. s.*22.

27. No such member who shall so reside, and who shall be rated towards the rates or taxes of the parish, &c. where he resides, and duly pay same, shall thereby acquire any settlement in such parish, *id. s.*23.

28. No person who is an apprentice bound by indenture to, or who is an hired servant to, or with any person who came into, and resided in such parish under this act, not afterwards having gained a legal settlement therein, shall gain any settlement by virtue of such apprenticeship or hiring, but they shall have their settlements as if they had not been so bound or hired, *id. s.*24.

29. Every bastard born in any parish during the mother's residence there under this act, shall have the same settlement as the mother had at the time of its birth, *id. s.*25.

30. Whenever any overseer is put to any charge by maintaining any persons or their families residing in such parish under this act, or in removing any persons back to the places to which they belong, after they have become actually chargeable, such overseer shall be reimbursed the same by the overseers of the poor of the parish to which such person belongs, the same being ascertained by a justice residing near the place where such charges are incurred, to be levied in case of refusal of payment, by distress and sale of the last mentioned overseers' goods by warrant under hand and seal of such justice, *id. s.*26.

31. If any member of any society established under 33 *G.*3. *c.*54. offends against any of the rules, &c. thereof, 2 justices residing within the

county, riding, stewartry, city, or place, where such society is held, may, on complaint on oath by another member, issue their summons to the party complained of, and on his appearance, or in default thereof, on due proof on oath of service of such summons, such justices shall proceed to determine such complaint according to the rules, &c. of such society, confirmed as in such act mentioned, and shall make such order therein, as to them seems just; and in case they adjudge any money to be paid by the party complained of, and he shall not on notice thereof forthwith pay the same, such justices may issue their warrants under hand and seal, to levy the same by distress and sale of his goods, together with costs by them awarded, and the costs of such distress and sale, 49 *G.* 3. *c.* 125. *s.* 1.

32. If complaint is made to 2 such justices by any member of such society, of relief having been refused to him, to which he was lawfully entitled according to the rules of the same, such justices shall summon the officer of the society complained of, and on his appearance, or in default thereof, on due proof on oath of the service of such summons, shall determine the complaint, and award such money as appears due to be forthwith paid, together with costs not exceeding 10*s.*; and if the same is not forthwith paid in their presence, they shall, by warrant under hand and seal, cause it to be levied by distress, or distress and sale of the money, goods, securities, and effects of such society, together with the further costs attending the same, and in default thereof, then on the goods of such officer so neglecting, and so from time to time as often as complaint is made of the non-payment of any sum so ordered to be paid; provided that sums paid by or levied on such officer, and damages done to him thereby shall be repaid out of the money of the ciety, *id. s.* 3. [*see s.* 2. *pl.* 5.]

33. All orders made by such justices by virtue of 33 *G.* 3. *c.* 54., or this act, on complaint of a member of any such society, shall be made on the presidents, wardens, stewards, treasurers, or trustees, or other principal officers of the society to which the complaint relates, or one of them, at the discretion of the justices in the proper names of such officers, and such order may be served on the party therein named, either by delivering a copy to him or leaving it at his usual place of abode, and such service shall be binding on such officer and the society to execute the same, *id. s.* 4.

34. Every order, adjudication, or award of any justice or justices under this act shall be final, and not removeable into any court of law, or restrainable by the injunction of any court of equity, *id. s.* 5. [*These provisions* extended to widows and children of deceased members, 59 *G.* 3. *c.* 128. *s.* 15. *post, pl.* 49.]

35. For the further protection and encouragement of friendly societies, and for preventing frauds and abuses thereon, 59 *G.* 3. *c.* 128.

36. No society hereafter to be framed in *Eng.* or *Wa.*, or the members thereof, shall be entitled to the benefit of 33 *G.* 3. *c.* 54., 35 *G.* 3. *c.* 111., 43 *G.* 3. *c.* 111., and 49 *G.* 3. *c.* 125., unless constituted under the authority and according to the provisions of this act, *id. s.* 1.

37. When any persons in *Eng.* or *Wa.* shall intend to form under this act a friendly society or institution, whereby it is intended to provide by contribution, on the principle of mutual insurance, for the maintenance or assistance of the contributors, their wives or children, in sickness, infancy, age, widowhood, or other natural state or contingency, which is susceptible of calculation by way of average, such persons may apply by memorial, as in *s.* 4. *pl.* 39. mentioned, to the justices at quarter-sessions, or any adjournment thereof, for the county or place of separate jurisdiction, wherein such society is to be established, for a confirmation and approval of the rules of such institution, and of the tables of payments and allowances to be adopted therein; and if such such justices, or any committee by them appointed, consisting of not less than 3 justices, (of whom 2 shall be a quorum,) shall, on examination thereof, be satisfied that the contingencies to be provided for, whether specifically named in this act or not, are such as according to the meaning of this act are fit to be provided for by such society, and shall deem the rules and tables of such society, either in the form in which they were originally exhibited, or with such omissions, additions, or alterations as may be made therein by such justices, with the consent of the persons proposing to be trustees, to be fit and proper, and shall be satisfied that the formation of such society will be beneficial, regard being had to the existence of any other society already formed within the same district, such rules and tables so confirmed or amended, shall be deposited and enrolled according to the provisions of 33 *G.* 3. *c.* 54. *s.* 2. *pl.* 3., and a copy thereof, authenticated by the signature of two justices, shall be delivered to the trustees, and thenceforward become their rules, and be binding on all parties: provided that such justices shall not confirm and allow any tables of payments or benefits, or any rules dependent upon or connected with the calculation thereof, until it appears to such justices, that such tables and rules are such as have been approved by two persons known to be professional actuaries or persons skilled in calculation, as fit and proper, according to the most correct calculation of which the case will admit, 59 *G.* 3. *c.* 128. *s.* 2.

38. The justices, at quarter-sessions, for any county in *Eng.* or *Wa.* may make and publish general rules, for the formation and government of friendly societies under this act, and may require that the rules of all societies thereafter established, shall be made conformable to such general rules; and such justices may declare, that the rules proposed for the formation of such friendly societies, and made conformable to such general rules, may be exhibited to and confirmed by two justices in petty sessions; and in such case, and subject always to the direction of such general rules, such justices in petty sessions shall have the like powers, and their proceedings shall be subject to the like provisions, in regard to the formation of friendly societies, as are by this and former acts established in respect of the justices in general or quarter-sessions, *id. s.* 3.

39. Every such memorial as in *s.* 2. *pl.* 37. presented to the justices, shall set forth the names, residence, and occupation of 3 persons at the least, of whom the majority shall be substantial householders assessed to the relief of the poor, upon not less than 50*l.*, which persons shall be trustees, and the signature of such intended trustees shall be affixed to such memorial; and such society shall, in the manner prescribed by the rules thereof, elect other persons so qualified to fill vacancies among such trustees; and if such vacancy continues more than 3 months, so as to reduce the trustees below 3, the remaining trustees may nominate one other, to be the third trustee; and no trustee shall be removed from his office without his own consent, except with the approbation of 2 justices in petty sessions, *id. s.* 4.

40. As often as the trustees and persons having, under the rules of any such society, the management thereof, shall be desirous of making any alteration in such rules and tables, they may make further application by memorial to the justices in general or petty sessions, signed by the trustees or the major part of them, and such application shall be dealt with by the justices according to the provisions in *s.* 2., with respect the first establishment of such society, *id. s.* 5.

41. The trustees shall appoint one fit person or more to be treasurer or treasurers, and shall require such securities as they may deem necessary; and no bond or other security shall be chargeable with stamp-duty, *id. s.* 6.

42. All monies, goods, chattels and effects, and all securities for money, or other obligatory instruments and evidences, or muniments and all other effects, rights and claims of such institution, shall be vested in the trustees for the benefit of such institution, and the depositors therein, their respective executors or administrators, and on the death or removal of any trustee, shall vest in the successor for the same estate, without any assignment or conveyance, except the transfers of stocks and securities in the public funds; and shall for all purposes of action or suit, criminal or civil, at law or equity concerning same be deemed and stated to be the property of such trustees, in their proper names, without further description, and such trustees may bring or defend any prosecution or action, and may sue and be sued in their proper names, without further description, in all cases touching the property, &c. of such institution; and no suit or action shall be discontinued or abate by their death or removal, but their successors may proceed in the same, in name of the person commencing same; and such successors shall have like costs, as if the action had been commenced in their names, for the benefit of such institution, *id. s.* 7.

43. No society established under this act shall be dissolved, nor shall any division of the funds be made, otherwise than according to the rules, without the consent of the trustees or the major part; but no such consent of trustees shall be given, unless it shall have been certified by two professional actuaries or persons skilled in calculation, which persons shall have been approved as such by the justices, that, according to the most correct calculation of which the case will admit, the interest of all the contributors, and of all persons having claims thereon, in possession or expectancy, are, by the proposed scheme of dissolution fairly dealt with and secured, *id. s.* 8. [*see pl.* 16.]

44. The rules shall specify the place at which it is intended such society shall hold its meetings, and shall contain provisions with respect to the powers and duties of the members at large, and of such committees or officers appointed for the management of the affairs of such society, subject always to the provisions of this act with respect to the appointment and duties and powers of the trustees; and such society shall not be subject to the provisions and restrictions of 33 *G.* 3. *c.* 54. as to the appointment of committees, or otherwise, with respect to the management of such society, *id. s.* 9. [*see pl.* 7.]

45. Any society established under this act, may subscribe the whole or any part of its funds into the funds of any institution which shall have taken the benefit of 57 *G.* 3. *c.* 130., and 58 *G.* 3. *c.* 48. [*see* Banks for savings], *id. s.* 10. [*but see* 1 *G.* 4. *c.* 83. *same tit.*]

46. Any society established under this act, may pay directly into the bank of *Eng.* any sum not less than 50*l.*, to the account of the com-

missioners for the reduction of the national debt, upon the declaration of the trustees or two of them, that such monies belong exclusively to the society; and the cashiers shall receive such monies, and place the same into a new and separate account, to be raised in the name of such commissioners, denominated, 'The fund for the society established at *A.* in the county of *B.*, under an act of the 59th year of the reign of king *George* the third;' and all the provisions of such act of 57 *G.*3. *c.*130, with respect to the accounts of banks for savings, and the regulation of certificates, debentures, &c. concerning the same, shall be applicable to the monies paid into the bank under this act, 59 *G.*3. *c.*128. *s.*11.

47. Nothing in this act shall extend to prevent such trustees from investing any part of the funds of such society in any public stocks established by parliament, or from laying out the same upon real security at interest, *id. s.*12.

48. Such trustees shall not be liable to make good any deficiency which may arise in its funds, unless such persons shall have declared by writing under their hands, deposited and registered in like manner with the rules of such society, that they are willing to be answerable; and each of such persons may limit his responsibility to such sum, as shall be specified in such instrument, 59 *G.*3. *c.*128. *s.*13.

49. When such trustees shall be apprehensive that the funds of such society, together with the sum (if any) for which persons having formed such society shall have made themselves responsible, are likely to prove insufficient to make all the payments becoming due to the parties interested, according to the rules, such trustees shall forthwith state their apprehension, and the grounds thereof, to the justices in general or quarter sessions, or if the rules shall have been originally confirmed at the petty sessions, then to the justices in petty sessions; and such justices upon a full statement of the accounts and proceedings of such society, may make such order for the adjustment of the claims, as to them may appear fair and equitable: but any person who may think himself aggrieved by any such order of justices in petty sessions, may appeal therefrom to the quarter sessions next ensuing; whose decision shall be final, *id. s.*14.

50. "Whereas by 49 *G.*3. *c.*125. no provision is made for the relief of widows and children of deceased members of friendly societies, aggrieved by the officers or members thereof:" It is ENACTED, that justices shall have the like power in cases of complaint made by such widows and children, as they have under such act, or this act, in regard to the members themselves, *id. s.*15.

51. All the provisions of 33 *G.*3. *c.*54. and 49 *G.*3. *c.*125., for which no other provision is made by this act, shall be applicable to all societies formed under this act, *id. s.*16.

FUEL.

(STATUTE *repealed.*)

FOR THE ASSIZE OF COAL AND WOOD, 34 & 35 *H.*8. *c.*3. [REP. 7 *E.*6. *c.*7.]

(STATUTES *in force.*)

1. FOR ASSIZE OF FUEL, 7 *E.*6. *c.*7. [AMD. and in part CONF. 43 *El. c.*14.]

2. All talwood, billet, faggot, [and coals, REP. as to coals, 47 *G.*3. *S.*2. *c.*18. *s.*1.] sold in *London*, *Westminster*, and suburbs, and in all other cities, boroughs, and towns corporate, shall keep the following assizes,—Every talshide shall contain 4 feet in length, besides the carfe: if named of one, shall contain, within a foot of the midst, 16 inches about; if named of two, 23 inches about; if named of three, 28 inches about; if named of four, 33 inches about; if named of five, 38 inches about; every billet shall contain in length 3 feet, 4 inches; every billet, named a single, 7 inches and a half about; if named a cast, 10 inches about; if a two cast, 14 inches about; every faggot bound, 3 feet in length, with a band 24 inches about, besides the knot, 7 *E.*6. *c.*7. *ss.*1—2. 43 *El. c.*14. *s.*1. [see 43 *El. c.*14. *s.*4. *pl.*7. *ss.*6—7. *partly repealing this.*]

3. Billets may be made of two casts of these assizes, and marked only within 6 inches of the midst; and if one cast, shall be marked within 4 inches of the end thereof, 7 *E.*6. *c.*7. *s.*3.

4. No person shall buy wood, or fuel, or coals, [REP. as to coals, 47 *G.*3. *S.*2. c.78. *s.*1.] but consumers, or persons retailing to consumers, or wharfingers, or bargemen, on penalty of forfeiting treble value thereof if bought for gain; and no mark of assize shall be altered on a like penalty; to go one moiety to H. M. and the other to the party suing for same, by action of debt, or information in any court of record, without essoin, &c. *id. s.*5.

5. The limitation of actions for penalties under this act is one year, and, in default of payment, offender shall, in lieu thereof, be set on a pillory in next market town, at 11 on market day, with a billet or faggot bound to him, 7 *E.*6. *c.*7. *s.*6. [*sed Qu.; pillory being abolished* except for perjury, 56 *G.*3. *c.*138. *s.*1.]

6. Any person bringing for sale to, or selling talwood, [*billet*, see as to billet, *semb.* REP. 9 *A. c.*15. *s.*2. *pl.*11.] or faggot, in any city, borough or town corporate, of neither assize than that in 7 *E.*6. *c.*7. nor in *s.*4. hereof, the head officer of such city, &c. may call before him 6 lawful men of the city, &c. for presenting on their oaths whether the assize thereof is sufficient; and if not may sue same as forfeit, and deliver it to the overseers for distribution to the poor, 43 *El. c.*14. *s.*2.

7. Every talshide [marked ONE] being round shall contain 16 about

			Inch. of assize.
———	half round	——	19
———	quarter cleft	——	18½
——— [marked TWO]	round	——	23
———	half round	——	27
———	quarter cleft	——	26
——— [marked THREE]	round	——	28
———	half round	——	33
———	quarter cleft	——	32
——— [marked FOUR]	round	——	33
———	half round	——	39
———	quarter cleft	——	38
——— [marked FIVE]	round	——	38
———	half round	——	44
———	quarter cleft	——	43

all to be measured about within 6 inches of the midst, with the length limited in 7 *E.*6. *c.*7. *s.*2. *pl.*2. And where talwood will not cleave thus, that section shall be observed, 43 *El. c.*14. *s.*4.

8. All surplusage of compass between two measures, being above the one and under the other, shall be taken to be for buyer's benefit, *id. s.*5.

9. Faggots (besides the knot) shall contain in compass 24 round

		Inch. of assize.
Every faggot stick - - - - - - - -	36	long,
Except (to harden the binding) one stick - - -	12	

*id. s.*7.

10. All billets soever, on sale or laden in vessels in any port, shall be cut or marked of the following assize;—

In length 3 *feet* 4 *inches.*		*Inch of assize.*	
Billet called a [SINGLE,] being -	round -	7½	in compass
——— [CAST] shall be marked (ONE), and being - -	round	10½	——
———	half round	12½	——
———	quarter cleft	12	——
——— a [TROIS] shall be marked with 3 *notches in middle*, and being	round	13	——
———	half round	15	——
———	quarter cleft	14½	——
——— a [TWO CAST] shall be marked (Two) if - - -	round	15	——
———	half round	17½	——
———	quarter cleft	17	——
——— a [THREE CAST] marked *notch at each end and in middle*, if	round	18½	——
———	half round	21½	——
———	quarter cleft	21	——
——— a [FOUR CAST] marked (FOUR) - - - - -	round	21½	——
———	half round	24½	——
———	quarter cleft	24	——
——— a [FIVE CAST] marked (FIVE) - - - - -	round	23½	——
———	half round	27½	——
———	quarter cleft	27	——
——— a [SIX CAST] marked (SIX)	round	26	——
———	half round	30	——
———	quarter cleft	29½	——
——— a [SEVEN CAST] marked (SEVEN) - - - -	round	28	——
———	half ronnd	32½	——
———	quarter cleft	32	——
——— an [EIGHT CAST] marked (EIGHT) - - - -	round	30	——
———	half round	34½	——
———	quarter cleft	34	——
——— a [NINE CAST] marked (NINE) - - - - -	round	31½	——
———	half round	36½	——
———	quarter cleft	36½	——
——— a [TEN CAST] marked (TEN) - - - - -	round	33½	——

		Inch. of assize.	
Billet called a [Ten Cast] marked (Ten)	half round	38¼	in compass.
———	quarter cleft	38	———
——— an [Eleven Cast] marked (Eleven)	round	35¼	———
——— a [Twelve Cast] marked (Twelve)	round	36¼	———
——— a [Thirteen Cast] marked (Thirteen)	round	38¼	———
——— a [Fourteen Cast] marked (Fourteen)	round	39¼	———
——— a [Fifteen Cast] marked (Fifteen)	round	41	———
——— a [Sixteen Cast] marked (Sixteen]	round	42¼	———
——— a [Seventeen Cast] marked (Seventeen)	round	43¼	———
——— an [Eighteen Cast] marked (Eighteen)	round	45	———
——— a [Nineteen Cast] marked (Nineteen)	round	46¼	———
——— a [Twenty Cast] marked (Twenty)	round	47¼	———

9 *A. c.*15. *s.*1.

11. If billet is so exposed to sale, or in vessel, &c. not so assized, any justice or head officer of city or place where it is, may call before them 6 lawful men of the same parish to present, on their oaths, as to the sufficiency of its assize under this act; and if they present that such billets are not assized and marked or cut as in *s.*1., shall take them as forfeit, and deliver same to overseers for distribution to the poor, *id. s.*2.

12. General issue may be pleaded, and special matter given in evidence in actions for things done in pursuance of this act, and if plaintiff discontinue, is nonsuit, or has verdict of judgment on demurrer against him, defendant shall have treble costs, 9 *A. c.*15. *s.*3.

13. Owners of trees may cut, mark or omit to mark billets of what assize or length, &c. they please for their private use, *id. s.*4.

14. Beech billets are excepted from 9 *A. c.*15., 10 *A. c.*6. *s.*1.

15. All retailers of beech billets in *London*, *Westminster*, or *Bills of Mortality*, shall use assizes used before 9 *A. c.*15. [*semb.* 43 *El. c.*14. *pl.* 7.], or sell by weight if required by buyers, *id. s.*2.

FUSTIAN.

1. Against the deceitful making of fustians, 11 *H.*7. *c.*27. [Expl. 39 *El. c.*13. and recital in *s.*1.]

2. No instruments of iron, nor any untrue means, shall be used upon fustians within this realm, but only the broad shears, upon forfeiture of 20*s.*, to be levied for every default of persons offending herein, to go in moieties to H.M. and the party suing by action of debt, &c. or information, wherein no essoin, &c. allowed, 11 *H.*7. *c.*27. *s.*1.

3. The mayor and wardens of shearmen of the city of *London* may enter and search the workmanship of all persons occupying the broad shear, as well fustians as cloth, and the execution of this act to be as well of denizens as of strangers, *id. s.*2.

4. The mayor of *London* or his deputy, and the master and wardens of the mystery of cloth-workers of *London*, or persons by them appointed, may enter and make search as such mayor of *London* and wardens of shearmen might have done by 11 *H.*7. *c.*27. upon pain that persons resisting shall forfeit 20*s.*, to go one moiety to H.M. and the other to the party suing by action of debt, &c. or information in any court of record wherein no essoin, &c. shall be allowed, 39 *El. c.*13. *s.*2.

GAME.

(Statutes *repealed and expired.*)

1. For deer-hays and buck-stalls, 19 *H.*7. *c.*11. *s.*1. [Rep. 16 *G.*3. *c.*30. *s.*27. See rest of this act *pl.* 21, 22.]

2. Concerning wrongful taking up of hawk's eggs, and birds out of the nests, finding and taking up H. M.'s hawks, hunting in H.M.'s forest, park or chace, or other ground inclosed, and killing of conies in any H.M.'s lawful manor, which offences are made felony, 31 *H.*8. *c.*12. [Rep. 1 *E.*6. *c.*12. *s.*4. Rev. 3&4 *E.*6. *c.*17. and 7 *E.*6. *c.*11. Finally Rep. 1 *M. S.*1. *c.*1. *s.*5.]

3. Against buyers and sellers of pheasants and partridges, 32 *H.*8. *c.*8. [Exp.]

4. Concerning stealing of hawk's eggs, conies and deer, [making it felony to take the eggs or birds of the former, or to steal deer or conies in the night in lawful parks or warrens, or in the day-time with painted faces or vizors,], 32 *H.*8. *c.*11. [Rep. by general words of 1 *E.*6. *c.*12. *s.*4. and 1 *M. S.*1. *c.*1.]

5. Concerning cross-bows and hand guns, 33 *H.*8. *c.*6. [Virtually Rep. 6&7 *W.*3. *c.*13. *s.*3. and *s.*23. by 4 *J.*1. *c.*1. *s.*2.]

6. Against shooting of hail-shot, 2&3 *E.*6. *c.*14. [Rep. 6&7 *W.*3. *c.*13. *s.*3.]

7. For repealing 25 *H.*8. *c.*11. touching the taking wild-fowl at certain times in the year, 3&4 *E.*6. *c.*7. [Con. 21 *J.*1. *c.*28. *s.*9. but Exp., and see now 9 *A. c.*25. *s.*4. *pl.* 92. and 10 *G.*2. *c.*32. *s.*10. *id.*]

8. Against unlawful hunting in any park, forest, chace or other inclosed ground, 3&4 *E.*6. *c.*17. [Exp.]

9. For explanation of [3 *J.*1. *c.*13.] 7 *J.*1. *c.*13. [Con. 3 *C.*1. *c.*4. and 16 *C.*1. *c.*4., but Rep. (except *s.*2.) 16 *G.*3. *c.*30. *s.*27.]

10. Against burning of ling and heath, and other moor-burning in the counties of *York*, *Durham*, *Northumberland*, *Cumberland*, *Westmorland*, *Lancaster*, *Derby*, *Nottingham* and *Leicester*, at unseasonable times of year, 7 *J.*1. *c.*17. [*semb.* Exp.]

11. To prevent unlawful coursing, hunting or killing of deer, 13 *C.*2. *S.*1. *c.*10. [Rep. 16 *G.*3. *c.*30. *s.*27.]

12. For more effectual discovery and punishment of deer stealers, 3&4 *W.&M. c.*10. [Amd. 5 *G.*1. *c.*15., *but both* Rep. 16 *G.*3. *c.*30. *s.*27.]

13. To explain and amend several laws therein mentioned for the preservation of game, 3 *G.*1. *c.*11. [Rep. 48 *G.*3. *c.*93. *s.*1.]

14. For the better preservation of the game in *Scot.*, 24 *G.*2. *c.*34. [Rep. in part, 1 *G.*3. *c.*21. and entirely, 13 *G.*3. *c.*54. *s.*16.]

15. For better preservation of the game in *Eng.* 10 *G.*3. *c.*19. [Rep. 13 *G.*3. *c.*80. *s.*5.]

16. To amend [2 *G.*3. *c.*19.], 36 *G.*3. *c.*39. [Rep. 39 *G.*3. *c.*34. *s.*1.]

17. To amend [13 *G.*3. *c.*54.] 36 *G.*3. *c.*34. [Rep. 39 *G.*3. *c.*34. *s.*1.]

18. To extend the provisions of 17 *G.*2. *c.*5. *tit.* Vagrant, as far as they relate to destruction of game in the night, 39&40 *G.*3. *c.*50. [Rep. 56 *G.*3. *c.*130. and 57 *G.*3. *c.*90. *s.*5.]

19. To repeal 39&40 *G.*3. *c.*50. and to make other provisions in lieu thereof [relating to killing game in the night], 56 *G.*3. *c.*130. [Rep. 57 *G.*3. *c.*90. *s.*4.]

(Statutes *in force.*)

1. Concerning trespassers in parks and ponds, [vivariis, *warrens and fishings*, 2 *Inst.* 100.] it is not yet discussed, for the lords demanded the proper imprisonment of such as they should take therein, which H.M. denied, and therefore it was deferred, 20 *H.*3. *c.*11.

2. If any be attainted at suit of the party grieved for trespasses in parks and ponds, large amends shall be awarded, with 3 years imprisonment and fine at H.M.'s pleasure, if he have whereof, and shall find surety not to commit the like trespass; and if he cannot find surety, shall abjure the realm. And if any being guilty thereof be fugitive, and have no tenement sufficient, whereby he may be justified, as soon as H.M. shall find it by inquest, he shall be proclaimed from county to county, and if he come not, shall be outlawed, 3 *E.*1. *c.*20. *s.*1.

3. If none do sue within the year and day after the trespass done, H.M. shall have the suit; and those found guilty thereof by lawful inquest, shall be punished as above. And if such trespasser be attainted of taking tame beast or other thing in such parks by robbery, let the common law pass upon him, *id. s.*2.

4. Of trespasses in parks, 21 *E.*1. *S.*1. (*De Malefactoribus in Parcis.*)

5. If any forester, parker, or warrener, shall find any trespassers wandering within his liberty, intending to do damage therein, and that will not yield themselves to such foresters, &c. to abide the law after hue and cry made, for H.M.'s peace, but fly and defend themselves with force and arms, although such foresters, &c. or any being in H.M.'s peace, and coming in their company for arresting such offenders, being so found, do kill one or more of the latter, they shall not be liable to punishment for the same, *id. s.*1.

6. Such foresters, &c. shall beware that by reason of any previous ill-will they do not maliciously pretend that any person passing through their liberties, come thither to trespass or misdo, when of truth they did not so do, or were not found seeking occasion to do, or doing mischief, and so kill them, or they shall be liable for the death, *id. s.*2.

7. How he who taketh up another man's hawk shall use it,

34 *E.*3. *c.*22. [AMD. 37 *Ed.*3. *c.*19. and see 11 *H.*7. *c.*17. *s.*2. *infra*, *pl.*17. and 5 *El. c.*21. *s.*3. *infra*, *pl.*32.]

8. Every person who finds a falcon, tercelet, laner, laneret, or other falcon, which is lost, shall bring it to the sheriff, who shall make proclamation in all the towns of the county that he hath such hawk; and if the lord which lost it, or any of his men, comes to challenge him, and proves the same to be his lord's, let him pay the costs and have the falcon; and if none come within 4 months to challenge him, the sheriff shall have him, making satisfaction to the taker, if a simple man; and if he be a gentleman, and of estate to have the falcon, shall redeliver the falcon, taking of him reasonable costs for the time he had him in his custody; and if any man has taken such falcon, and conceals the same and be thereof attainted, he shall have 2 years imprisonment, and yield to the lord the price of the hawk, if he have whereof, and if not, shall abide the longer in prison, 34 *E.*3. *c.*22.

9. If any steal a hawk, and carry away the same, contrary to 34 *E.*3. *c.*22. it shall be done of him as of a thief that steals a horse, or other thing, 37 *E.*3. *c.*19.

10. FOR PREVENTING THE UNLAWFUL DESTRUCTION OF GAME, 13 *R.*2. *S.*1. *c.*13.

11. No artificer, labourer, or other layman, who hath not lands and tenements of 40*s. per ann.*, nor any clerk, if not advanced to 10*l. per ann.* shall have or keep any greyhound, lurcher, or dog to hunt, [REP. *semb.* as to this *qualification*, 22 & 23 *C.*2. *c.*25. *s.*3. *pl.*66.] nor shall use ferrets, hays, nets, hare-pipes, nor cords, nor other engines to destroy [deer, REP. 16 *G.*3. *c.*30. *s.*27.] hares, conies, nor other game, on pain of one year's imprisonment; and the justices of the peace shall enquire of and punish these offences, 13 *R.*2. *S.*1. *c.*13. *s.*1.

12. NO PERSON OF WHAT ESTATE, DEGREE OR CONDITION SOEVER [other than H.M.'s son,] [*semble* a *lord*'s son, see *Rot. Parl.* and recital of this act, 1 *R.*3. *nu.*16.] shall have any mask or game of swans of his own, or any other to his use, except he have freehold lands and tenements of 5 marks, *viz.* 3*l.* 6*s.* 8*d.* yearly value, above all yearly charges; and the swans of any subject not so qualified, may be seized by any person so qualified, as forfeited, and one moiety shall go to H.M., the other to the informer, 22 *E.*4. *c.*6. [*see an act* exempting the inhabitants of *Crowland*, in *Lincolnshire*, from the above penalties, *Rot. Parl.* 1 *R.*3. *nu.*16.]

13. AGAINST UNLAWFUL HUNTING IN FORESTS AND PARKS, 1 *H.*7. *c.*7.

14. In case of any unlawful hunting in the night, or with disguises, in any forests, parks, and warrens, any of H.M.'s counsel, or justices of the peace of such county where such hunting is had, to whom information thereof shall be given, may make a warrant to the sheriff, or other officer of such county, to arrest the offender, and to have him before the same or any other justice, or H.M.'s counsel, who shall examine him as to such hunting, and if he wilfully conceals the same, or any person offending with him, he is guilty of felony, which shall be inquired of and punished, on conviction, like other felonies; but if he confess the truth, his offence shall be as against H.M. but trespass finable to be assessed at the next general sessions of the peace for the county, and any rescous or obstruction offered to the person having execution of such warrant, shall be felony. And if any person be convict of any such hunting, with painted faces, visors, or otherwise disguised, to the intent that they should not be known, or of unlawful hunting in night-time, the persons so convict shall have like punishment as if they were convict of felony, *id. ibid.*

15. AGAINST TAKING OF PHEASANTS AND PARTRIDGES, 11 *H.*7. *c.*17.

16. No person may take *pheasants or partridges* by nets, snares, or other engines, out of his own warren, upon the freehold of any other person, without licence of the owner, upon pain of forfeiture of 10*l.*, the one half to the party that will sue for the same, and the other half to the owner or occupier of the ground, *id. s.*1.

17. Also no person shall take upon his own ground, or any other man's, the eggs of any falcon, goshawks, laners, or swans, out of the nest, upon pain of imprisonment of a year and a day, and fine at H.M.'s will; the one half to H.M., and the other half to the owner of the ground: and the justices of peace have authority to hear and determine such matter, as well by inquisition as information and proofs, *id. s.*2.

18. Also no man shall bear any hawk of the breed of *Eng.*, called a nyesse, goshawk, tassel, laner, laneret, or falcon, on pain of forfeiture of his hawk to H.M. And all persons that bring any nyesse or hawks from beyond sea, shall bring a certificate under the customers seal of the port where he first landed with the hawks, testifying that the hawks be of the parts beyond the sea, upon the same pain. And the person that bringeth such hawk to H.M. shall have a reasonable reward, or the hawk for their labour, *id. s.*3.

19. Also no man shall take any ayre, falcon, goshawk, tassel, laner, or lanerets, in their warren or woods, or in other place, nor purposely drive them out of their coverts accustomed to breed in, nor slay them for any hurt done, but suffer them to pass at their liberties, upon pain of 10*l.*, the one half to the party that will sue for the same by action of debt, by examination before the justices of the peace, information, or otherwise, and the other half to H.M., 11 *H.*7. *c.*17. *s.*4.

20. Provided that the moiety of the forfeiture given to the owner of the ground for taking of swans eggs, be to the owner of the swans, and not to the owner of the ground, *id. s.*5.

21. NO PERSON WITHOUT HIS OWN GROUND SHALL SLAY or take by craft or engine any herons, except with hawking or long bow, on pain of forfeiture for every heron 6*s.* 8*d.*, and no person without his own ground shall take any young herons out of the nest, without licence of the owner of the ground, on pain of forfeiture for every heron, 10*s.* 19 *H.*7. *c.*11. *s.*1.

22. Every man shall be admitted to sue for the said forfeitures by action of debt, &c.; and 2 justices of peace, in their sessions, may call before them any person suspected, and examine him in the premises; and if found in default, he shall be committed to prison, till he have found surety for payment of the forfeitures to H.M., and such justices shall have the 10th part of such forfeiture, *id. s.*2.

23. NO PERSON SHALL TRACE AND KILL ANY HARE IN THE SNOW, [see 1 *J.*1. *c.*27. *pl.*43.] and the justices of peace at every sessions, and stewards of leets, shall have power to inquire of such offenders; and after such inquisitions found, the justices of peace and stewards for every hare so killed shall cess upon every such offender 6*s.* 8*d.* to be forfeited to H.M., that shall be so found by the cessors, and the forfeiture found in every leet, shall be to the lord of the leet, 14 & 15 *H.*8. *c.*10.

24. AGAINST DESTRUCTION OF WILD FOWL, 25 *H.*8. *c.*11. and recital in *s.*1. [*s.*2. hereof is REP. 3 & 4 *E.*6; *c.*7. REV., 21 *J.*1. *c.*28. *s.*9., CON. 3 *C.*1. *c.*4. *s.*22., 16 *C.*1. *c.*4. *s.*2. but see now 9 *A. c.*25. *s.*4. *pl.*92. and 10 *G.*2. *c.*32. *s.*10. *id.*]

25. It shall not be lawful between the last of *May*, and the last of *Aug.* [altered to 1st *June*, and 1st *Oct.*, 10 *G.*2. *c.*32. *s.*10.] to take wild fowl with nets or other engines, on pain of one year's imprisonment, and to forfeit for every fowl 4*d.*, one-half to H.M. and the other half to him that will sue for the same, by action of debt, or information without essoin, &c., 25 *H.*8, *c.*11. *s.*2. [see note to last *pl.*]

26. Justices of peace may inquire, hear, and determine the offences aforesaid, as in cases of trespass, *id. s.*3.

27. Any gentleman, or other that may dispend 40*s.* by the year, of freehold, may hunt and take such wild fowl with their spaniels only, without using any net or other engines, except long bows, *id. s.*4.

28. From 1*st March* to the last of *June* yearly, no person shall withdraw, take, destroy or convey any eggs or wild fowl from or in any nest where they are laid, on pain of imprisonment for one year, and to forfeit for every egg of any crane or bustard, 20*d.*; and for every egg of bittour, heron, or shovelard, 8*d.*; and for every egg of mallard, teal, or other wild fowl, 1*d.*, one moiety to H.M., and the other to him that will sue for the same; and all justices of peace shall have power to inquire, hear and determine the same, *id. s.*5.

29. This act shall not extend to any persons that will destroy crows, choughs, ravens, and bustards, or their eggs, or any other fowl or their eggs not used to be eaten, *id. s.*6.

30. FOR THE PUNISHMENT OF UNLAWFUL TAKING OF FISH, deer, [REP. as to deer, *viz. s.*3—4. in part, by 16 *G.*3. *c.*30. *s.*27.] or hawks, 5 *El. c.*21. and recital in *s.*1.

31. If any person shall unlawfully break, cut down or out, or destroy any head or dam of any ponds, motes, stagnes, stews or several pits, wherein fish are stored by the owners, or shall wrongfully fish in any of the said ponds, &c. to the intent to destroy, take or steal any of such fish against the will of the owners, not having lawful title so to do, and thereof be convicted at the suit of H.M. or party grieved; he shall suffer imprisonment 3 months, and shall pay to the party grieved his treble damages; and after the 3 months expired, shall find sureties for his good abearing for 7 years, or shall remain in prison till they are found, 5 *El. c.*21. *s.*2.

32. If any person shall take away any hawks, or their eggs unlawfully out of the woods or ground of any person, (not having authority so to do,) and thereof be convicted as aforesaid, he shall likewise suffer imprisonment 3 months, and pay to the party grieved his treble damages and after such 3 months expired, shall find sureties for his good abearing for 7 years; or else remain in prison till they are found, *id. s.*3.

33. Nothing in this act shall extend to any park or inclosed ground hereafter made for deer, [REP. as to deer, 16 *G.*3, *c.*30. *s.*27.] without H.M.'s grant or licence, *id. s.*4. [*see* 3 *J.*1. *c.*13. as to conies in grounds inclosed for that purpose since 5 *El. c.*21.]

34. The party grieved may take his further remedy against all such offenders for his damages, and recover the treble value thereof, as well before justices of *oyer* and *terminer*, of assise, and of peace, as elsewhere, in any other H.M.'s courts of record; and on satisfaction of the treble damages, or on confession thereof by the party, before the justices in open sessions, the party grieved may release the suretyship of good abearing, 5 *El. c.*21. *s.*5.

35. The justices of *oyer* and *terminer*, and of assize, and of peace, and gaol-delivery, in their sessions, shall have power to hear and determine the offences aforesaid, as well on indictments before them, as by bill of complaint, information, or any other action, in which no essoin, &c. shall be allowed, 5 *El. c.*21. *s.*6.

36. If any person is bound before any such justices to H. M. for his good abearing for 7 years, according to this act, and shall within the 7 years come before the justices of peace of the county, where the offence was committed, in open sessions, and there acknowledge his offence, and satisfy the party grieved, as in *s.* 5. *pl.*34. the justices may within the 7 years discharge the recognizance, and the party, *id. s.*7.

37. FOR PRESERVATION OF PHEASANTS AND PARTRIDGES, 23 *El. c.*10. (and against taking them by nets, and untimely hawking, &c. *id. s.*1.)

38. No person shall take or destroy any pheasants or partridges with nets, snares, gins, engines, rowsting, lowffing, or other devices, in the night, on pain of forfeiture for every pheasant, 20*s.* and for every partridge 10*s.* which if he do not pay within 10 days after conviction, he shall have one month's imprisonment; and besides such forfeiture or imprisonment, shall put in bond with sureties, for 2 years, that he shall not take or destroy any partridges or pheasants contrary to this act, the bond to be taken by some justice of the county where the offence was committed, the one-half of which forfeitures to be to the lords of the liberties and manors, and the other to such as will sue for the same by bill, plaint, or information, wherein no essoin, &c. shall be allowed, 23 *El. c.*10. *s.*2.

39. If such person to whom the half of the said forfeiture is appointed, shall dispense with or procure any taking or destroying of partridges or pheasants contrary to this act; all such forfeitures as he should have shall be to the poor of the parish, and be levied or recovered by any of the churchwardens, *id. s.*3.

40. No person shall hawk, or with his spaniels hunt, in any ground where corn shall grow, (except in his own ground,) at such time as any eared or codded corn shall be standing upon the same, nor before such corn shall be shocked, cocked, hilled or copped; upon pain of forfeiture for every time that he shall so hawk or hunt (without the consent of the owner of the corn) to the owner of the said corn 40*s.*, to be levied or recovered in manner aforesaid, *id. s.*4.

41. The justices of assizes and of peace in their sessions, and stewards of leets, liberties, and lawdays, shall hear, inquire and determine, of all offences against this act; and every justice of peace in any county, shall have power to examine all offenders in the premises, if the offences shall not be before heard and determined by the justices of assize, or the stewards of leets, &c. and also shall take bond with sureties for the offenders appearance at the next general sessions of the peace to answer the offence and pay the penalties, or receive the punishment, *id. s.*5.

42. This act shall not extend to lowbellers, tramellers, or others, which shall unwillingly happen to take partridges or pheasants by night, under any tramel, lowbel, roadnet, or other engine, so as they do presently let them go without wilfully hurting them, *id. s.*6.

43. FOR THE BETTER EXECUTION OF THE INTENT AND MEANING of former statutes made against shooting in guns, and for preservation of pheasants and partridges, and against destroying hares with hare-pipes and tracing them in the snow, 1 *J.*1. *c.*27. and recital in *s.* 1.

44. Every person which shall shoot at, kill, or destroy with any gun or bow, any pheasant, partridge, pigeon, heron, mallard, duck, teal, widgeon, grouse, heathcock, moor-game, or any such fowl, [or any hare; REP., 48 *G.*3. *c.* 93. *s.*1.] or shall take or destroy any pheasant, partridge, or pigeon, with setting dogs and nets, or with any nets, snares, or instruments; or shall take the eggs of any pheasant, partridge or swans, out of the nest; or willingly break the same in the nest; or shall trace or course any hares in the snow; or take or destroy any hares with hare-pipes, cords, or other engines; and the same offences are proved by the confession of the party, or by the testimony of two witnesses on oath, [*one witness* as to taking and killing partridges and pheasants, 7 *J.*1. *c.*11. *s.* 8. *infra, pl.* 62.] before 2 justices of the county, city, or town corporate, wherein the offence is committed, or the party apprehended, shall be by them committed to the common gaol for 3 months, unless he forthwith on conviction pay to the churchwardens of the parish where the offence is committed, or himself apprehended, to the use of the poor, 20*s.* for every pheasant, partridge, pigeon, [*see further* as to pigeons, 2 *G.*3. *c.*29. *pl.*145–148.] heron, mallard, duck, teal, widgeon, grouse, heathcock, moor-game, or any such fowl, and for every egg of pheasant, partridge or swans, and for every hare which he shall take or willingly destroy; or unless after one month after commitment with 2 sureties he become bound by recognizance in 20*l.* a-piece to H. M., with condition that he should not shoot at, kill, take or destroy, any of the said games by the means aforesaid; which recognizance shall be taken by any 2 or more such justices, and returned to the next quarter sessions, as other recognizances for the peace, *id. s.*2.

45. Every person which shall have any greyhound for coursing of deer or hare, or setting-dog or nets to take pheasants or partridges [except persons seised in their own right, or in right of their wives, of lands or hereditaments of the clear yearly value of 10*l.* of some estate of inheritance, or for term of life of the yearly value of 30*l.* above reprizes, or possessed of goods to the value of 200*l.*] [all between brackets *semb.* REP. 22 & 23 *C.*2. *c.*25. *s.*3. *pl.*66.,] or shall be the sons of any knight or baron of parliament, or of some person of higher degree, or the son and heir apparent of an esquire, and being thereof convicted as aforesaid, shall by the said justices be committed as before expressed; except such person pay to the churchwardens of the parish where the offence shall be committed, or the party apprehended, to the use of the poor, 40*s.*, 1 *J.*1. *c.*27. *s.*3. [*See as to* selling game, *id. s.*4. *pl.* 101.]

46. No person shall be punished by any former law, for any offence for which by this law he may be punished; and all justices of assize in their circuits, and of peace in their quarter-sessions, and any 2 of the latter together out of sessions, may hear, punish, and determine, all offences against this act, and do every thing requisite for the execution thereof, 1 *J.*1. *c.*27. *s.*5.

47. Every person keeping hawk, (which at the quarter-sessions shall be licensed,) may shoot hail-shot in hand-guns or bird-pieces, at crow, chough, pie, rook, ring-dove, jay, or smaller birds, for hawk's-meat, to kill hawk's-meat according to the licence only, so that he, at the same sessions become bound to the king by recognizance in 20*l.* not to shoot at any the fowl or game prohibited by this law; and not to shoot in any gun within 600 paces of any heronry, nor within 100 paces of a pigeon-house, nor in any other park, forest, or chase, whereof the party so licensed or his master shall not be owner, keeper, or governor, for which licence and recognizance the clerk of the peace is to take only 12*d.*, *id. s.*7.

48. AGAINST UNLAWFUL HUNTING AND STEALING OF deer and conies, 3 *J.*1. *c.*13. [AMD. 7 *J.*1. *c.*13. *s.*34.; and both acts CON. 3 *C.*1. *c.*4. *s.*22. and indefinitely 16 *C.*1. *c.*4., but 3 *J.*1. *c.*13. *ss.*2—8. are REP. as to the penalties of hunting, &c. deer, therein, by 7 *J.*1. *c.*13. *s.*2.; and 16 *G.*3. *c.*30. *s.*27. and 7 *J.*1. *c.*13. *ss.*3—4. are REP. as to the penalties therein provided, for hunting, &c. deer, as above, by 16 *G.*3. *c.*30. *s.*27.]

49. "Recital, that [deer and, REP. in last *pl.*] conies in grounds, inclosed since 5 *El. c.* 21., are not sufficiently protected, 3 *J.*1. *c.*13. *s.*1."

50. If any person, shall in the night-time, [*or by day, id. s.*8. REP. as in *pl.* 56.], unlawfully break or enter into any park or grounds, inclosed with a wall, pale, or hedge, and used for keeping [deer or, REP. as in *pl.* 48.] conies, and unlawfully hunt, chase, take or slay any conies therein, against the will of their owners or occupiers, and thereof shall be convicted, at suit of H. M., or the party grieved, he shall suffer imprisonment 3 months, and shall pay to the party grieved treble damages and costs, to be assessed by the justices before whom he shall be convicted, and shall find sureties for his good abearing for 7 years, or else shall remain in prison till he find sufficient sureties during that time, *id. s.*2. [as to *hunting*, &c. conies in *uninclosed* warrens, see 22 & 23 *C.*2. *c.*25. *s.*4. *pl.*67.]

51. The justices of oyer and terminer, of assize [see WARRENS], in their circuits, and justices of peace and gaol-delivery in their sessions, shall have power to inquire, hear, and determine the said offences, by examination of the offenders, and to award process, as well on indictments taken before them, as by bill of complaint, information, or other action, wherein no essoin, &c. allowed, *id s.*3.

52. The party grieved may take his further remedy against such offenders for his damages, and recover the treble value, before the justices, mentioned in *s.*3., or in the courts at *Westminster;* and on satisfaction of treble damages to the party, or on acknowledgment thereof before the justices, the party grieved may release the suretyship of the good behaviour at any time within the seven years, *id. s.*4.

53. If any person, not having lands, tenements, or hereditaments of the yearly value of 40*l.* or not worth in goods 200*l.* shall use any gun, bow, or cross-bow, to kill [any deer or, REP. *see pl.* 48.] conies, or shall keep any engine, hayes, nets, ferrets, or cony-dogs, except such as shall have grounds inclosed, used for the keeping of conies, the increasing of which conies shall amount to the yearly value of 40*s.* to be letten, or keepers, or warreners in their grounds; any person having lands, &c. of the yearly value of 100*l.* in fee simple, tail, or for life, in his own right, or in that of his wife, may take from such malefactor, and to his own use keep such guns, &c. *id. s.*5.

54. If any person shall be bound for his good abearing, according to *s.*2., *pl.* 50. and shall within the 7 years come before the justices of the county where the offence was committed, in quarter-sessions, and there confess his offence, that he is sorry therefore, and satisfy the party grieved according to this act, the justices may within the 7 years discharge the recognizance, *id. s.*6.

55. Provided, that this act do not extend to any park or inclosed ground hereafter to be made for [deer, REP. *see pl.* 48.] conies, without licence of H. M., *id. s.*7.

56. This act shall not extend to any offence concerning the hunting, chasing, or killing of [deer, or REP. *ante, pl.* 48.] conies, in the day-time, but to such offences committed in the *night-time only*, 3 *J.*1. *c.* 13. *s.*8. [repealing *id. s.*2., *pl.* 50. as to such offences *in the day:* but REP. as to deer only, 7 *J.*1. *c.*13. *s.*2. *pl.* 50.]

57. To prevent the spoil of corn and grain by untimely hawking, and for better preservation of pheasants and partridges, 7 *J.* 1. *c.* 11. and recital in *s.* 1. [Con. 3 *C.* 1. *c.* 4. *s.* 22. and indefinitely 16 *C.* 1. *c.* 4.]

58. Every person which shall hawk at, destroy, or kill, any pheasants or partridges, with hawks or dogs, by colour of hawking, between 1*st July* and the 31*st Aug.*, the offence being proved by confession of the party, or by testimony of 2 witnesses upon oath, before 2 or more justices of peace of the county, city, or town corporate, wherein the offence shall be committed or the party apprehended, shall be by the justices committed to the common-gaol for one month, unless he forthwith pay to the church-wardens or overseers of the poor where the offence shall be committed, or the party apprehended, to the use of the poor, 40*s.* for every such hawking at any pheasant or partridge, and 20*s.* for every pheasant or partridge, which such person shall take, kill, or destroy, contrary to this statute, 7 *J.* 1. *c.* 11. *s.* 2. and see 39 *G.* 3. *c.* 34. *s.* 3. *infra*, *pl.* 142.

59. The party so punished shall not for the same offence be punished by any other law, *id. s.* 3.

60. No offenders shall be impeached by this act, unless accused within 6 months after the offence, *id. s.* 4.

61. Persons having free warren, and every lord of a manor, and every freeholder seised in his own right, or in the right of his wife, of lands, tenements, and hereditaments, to the clear yearly value of 40*l.*, of some estate of inheritance, or for term of life of the yearly value of 80*l.* above reprises, or worth in goods 400*l.* by themselves or their household servants sufficiently authorized for that purpose, may take pheasants and partridges, in the day-time only, in their own or their masters free warren, manor, and freehold, betwixt the feast of *St. Michael* and the birth of our Lord yearly, 7 *J.* 1. *c.* 11. *s.* 7. *semb.* Rep. 22 & 23 *C.* 2. *c.* 25. *s.* 3. *pl.* 66.

62. Every [*base and mean*, see preamble to this section, or *semb. unqualified*] person which shall take, kill or destroy, any pheasant or partridge, with setting-dogs and nets, or with any nets, snares, or engines; and if the offence is proved by confession of the party, or by testimony of *one* witness on oath, before two justices of the county, *&c.* wherein the offence shall be committed, or the party apprehended; shall be by them committed to the common gaol, there to remain 3 months, unless he pay to the church-wardens or overseers of the poor of the parish where the offence shall be committed, 20*s.* for every pheasant or partridge, which he shall take, kill, or destroy, contrary to this statute, and become bound by recognizance in 20*l.* to H. M., with condition that he shall not at any time thereafter, take, kill, or destroy any pheasant or partridge; which recognizance shall be taken by any one justice of the county, *&c.* where the offence shall be committed, and shall be returned to the next quarter-sessions, there to remain of record as other recognizances taken for the peace, *id. s.* 8.

63. Every constable and headborough shall (on bringing a warrant under the hands of two justices) have power to enter into and search the house of any person (other than those by this act allowed to take pheasants and partridges) being suspected to have any setting-dogs or nets, for the taking of pheasants and partridges, and wheresoever they find any such setting-dogs or nets, the same to take, kill, destroy, and cut in pieces, as things prohibited and forfeited, *id. s.* 9.

64. For better preservation of the game: and for securing warrens not inclosed, and the several fishings of this realm, 22 & 23 *C.* 2. *c.* 25. and recital in *s.* 1.

65. Lords of manors or other royalties, not under the degree of an esquire, may by writing under their hands and seals, authorize game-keepers within their royalties, who may seize all such guns, bows, grey-hounds, setting-dogs, lurchers, or other dogs, to kill hares or conies, ferrets, tramels, lowbells, hays or other nets, hare-pipes, snares or other engines, for the taking and killing of conies, hares, pheasants, partridges, or other game, as within such manors shall be used by any persons by this act prohibited to keep or use the same; and the said game-keepers, or any other persons thereunto authorized by warrant under hand and seal of any justice, may in the day-time search the houses or other places of any such persons prohibited to keep or use the same, as are suspected to have in their custody any guns, bows, greyhounds, setting-dogs, ferrets, cony-dogs, &c., hays, tramels, nets, lowbells, hare-pipes, snares, or engines, and the same may seize and keep, for the use of the lord of the manor, or otherwise may cut in pieces or destroy, as things prohibited, *id. s.* 2.

66. Every person not having lands and tenements, or some other estate of inheritance, in his own or wife's right, of the yearly value of 100*l.* or for term of life, or having leases for 99 years, or any longer term, of the clear yearly value of 150*l.* (other than the son and heir apparent of an esquire, or other person of higher degree, and the owners and keepers of forests, parks, chases, or warrens, being stocked with deer or conies for their necessary use, in respect of the said forests, parks, chases, or warrens) shall not have guns, bows, greyhounds, setting-dogs, ferrets, cony-dogs, lurchers, hays, nets, lowbells, hare-pipes, gins, snares, or other engines aforesaid; but shall be prohibited to keep or use the same, *id. s.* 3.

67. If any person shall enter wrongfully into any warren or ground lawfully used for breeding or keeping conies, (though not inclosed,) and shall chase, take, or kill, any conies, against the will of the owner or occupier, not having lawful title so to do, and shall be thereof convicted in manner following, the offender shall yield to the party grieved treble damages and costs, and suffer imprisonment 3 months, and after till he shall find sureties for his good abearing, 22 & 23 *C.* 2. *c.* 25. *s.* 4.

68. No person shall kill or take in the night any conies upon the borders of warrens or other grounds lawfully used for the breeding or keeping of conies; except such persons as shall be owners of the soil, or lawful possessors of the ground, or persons employed by them; on pain that every person so offending, and being thereof convicted in manner following, shall give the party injured such satisfaction as shall be appointed by the justice before whom he is convicted, and over and above pay down unto the overseers for the use of the poor of the parish, such sum, not exceeding 10*s.* as the justice shall think meet; in default whereof, the justice shall commit him to the house of correction, for any time not exceeding one month. *id. s.* 5.

69. If any person shall be found setting or using any snares, hare-pipes, or other like engines, and shall be thereof convicted, he shall be liable to the penalties in (*s.* 5.) *id. s.* 6.

70. If any person shall use any casting-net, thief-net, drag-net, tramel, shove-net, or other net; or any angle, hair, noose, troll, or spear; or shall lay any wears, pots, nets, fish-hooks, or other engines; or shall take any fish in any river, stew, pond, mote, or other water, without the consent of the owner of the water; and be thereof, or of any other the offences in this act, convict by confession of the offender, or by oath of one witness, within one month after the offence committed, before any justice; every such offender in stealing or killing fish, shall give to the party injured such satisfaction for his damages as the justice shall appoint, not exceeding treble damages; and over and above shall pay down unto the overseers for the use of the poor, such sum not exceeding 10*s.* as the justice shall think meet; and in default of payment, the same shall be levied by distress and sale of goods, by warrant of such justice; and for want of distress, the offender shall be committed to the house of correction, for such time as the justice shall think fit, not exceeding one month; unless he shall enter into bond, with one surety, to the party injured, not exceeding 10*l.* never to offend in like manner, *id. s.* 7.

71. Every justice before whom such offender shall be convict, may take, cut, and destroy, all such angles, spears, hairs, nooses, trolls, wears, pots, fish-hooks, nets, or other engines, wherewith such offender shall be apprehended, *id. s.* 8.

72. Every person aggrieved by any judgment given by any justice by virtue of this act, may appeal to the next quarter sessions; and such order as shall be made upon the said appeal shall be final, if no title to any land, royalty, or fishery, be therein concerned, *id. s.* 9.

73. This act shall not extend to the abridging of any royalty or prerogative royal of H. M. nor to alter the forest laws, *id. s.* 10.

74. For the more easy discovery and conviction of such as shall destroy the game of this kingdom, 4 & 5 *W.* & *M. c.* 23. (and recital in *s.* 1.)

75. Every law now in force for preservation of the game shall be put in execution, *id. s.* 2.

76. Every constable, headborough, and tithingman, being authorized by warrant of one justice under his hand and seal, may enter into and search the houses of suspected persons not qualified; and in case any hare, partridge, pheasant, pigeon, fish, fowl, or other game, shall be found, the offender shall be carried before some justice of the same county or division, and if he do not give a good account how he came by such game, [or shall not in convenient time, set by the justice, produce the party of whom he bought the same, or some credible person to depose upon oath such sale thereof; but such sale, or buying, &c. is prohibited, 58 *G.* 3. *c.* 75. *infra*, *pl.* 104–107.] shall be convicted by the justice of such offence, and shall forfeit for every hare, partridge, fish, fowl, or other game, not under 5*s.*, and not exceeding 20*s.* to be ascertained by the justice; one moiety to the informer, and the other to the poor of the parish where the offence was committed, to be levied by distress and sale of goods, by like warrant of the justice; and for want of distress, the offender shall be committed to the house of correction, for any time not exceeding one month, and not less than 10 days, there to be whipt and kept to hard labour. And in case any person not qualified shall keep or use any bows, greyhounds, setting-dogs, ferrets, cony-dogs, hays, lurchers, nets, tunnels, lowbells, hare-pipes, snares, or other instruments, for destruction of fish, fowl, or other game, and shall be thereof convicted as aforesaid, he shall be subject to the same penalties as are to be inflicted upon the persons who shall be found to have any hare, partridge, fish, fowl, or other game, as aforesaid. And if any person produced shall not before the justice give evidence of his innocence, as aforesaid, he shall be convicted in the same manner as the person first charged, and so from person to person, until the first offender be discovered, *id. s.* 3.

77. All lords of manors, or persons authorized by them as game-keepers

[under 22 & 23 *C.* 2. *c.* 25., and see now 57 *G.* 3. *c.* 90. *pl.* 206.] may within their royalties resist such offender in the night-time, in the same manner, and be equally indemnified, as if such fact had been committed within any ancient chase, park, or warren, 4 & 5 *W.* & *M. c.* 23. *s.* 4.

78. No person shall keep any net, angle, leap, piche, or other engine for taking of fish (other than the makers and sellers, or the owner and occupier of a river or fishery;) and the owner of any river or fishery, and all persons by them appointed, may seize and keep to their own use, every net, angle, leap, piche, and other engine, which they shall find used or laid, or in the custody of any person fishing in any river or fishery, without consent of the owner, &c.; and any person (being authorized by warrant of a justice, in the day-time) may search the houses or other places of any person hereby prohibited to keep the same, as shall be suspected to have in his custody any net, &c., and the same may seize and keep to their own use, or cut in pieces or destroy, as things prohibited, *id. s.* 5.

79. This act shall not abridge any fisherman or his apprentices, authorized to fish in navigable rivers with lawful nets, but they may use the trade of fishing as before, *id. s.* 6.

80. No *certiorari* shall be allowed, to remove any conviction or other proceeding for any matter in this act, unless the party against whom such conviction is made, shall, before the allowance thereof, become bound to the person prosecuting in 50*l.* with such sureties as the justice of peace before whom such offender was convicted, shall think fit, with condition to pay to the prosecutors (within one month after such conviction confirmed or *procedendo* granted) their costs to be ascertained upon their oaths; in default whereof, it shall be lawful to proceed to the execution of such conviction as if no *certiorari* had been awarded, *id. s.* 7.

81. Where any offender shall be punished by this act, he shall not incur the penalty of any other law for the same offence, *id. s.* 8.

82. If any action is brought for any thing done in pursuance of this act, the defendant may plead the general issue; and if the verdict shall pass with the defendant, or if plaintiff is nonsuit or discontinue, defendant shall have treble costs, *id. s.* 9.

83. If any inferior tradesman, apprentice, or other dissolute person, shall hunt, hawk, fish, or fowl (unless in company with the master of such apprentice, duly qualified), he shall be subject to the penalties of this act, and may be sued for the wilful trespass in coming on any person's land, and if found guilty, the plaintiff shall recover full costs, *id. s.* 10.

84. For preserving the red and black game of grouse, called heath-cocks, or heath-polts, no person on any mountains, heaths, forests, chases or other wastes, shall burn, between 2*d Feb.* and 24*th June*, any grig, ling, heath, furze, goss, or fern, on pain that the offender shall be committed to the house of correction for any time not exceeding one month and not less than 10 days, to be whipt and kept to hard labour, *id. s.* 11.

85. FOR BETTER PRESERVATION OF THE GAME, 5 & 6 *A. c.* 14. [MADE PERP. 9 *A. c.* 25. *s.* 1., and AMD. by rest of that act.]

86. All the laws in being for preservation of game shall continue, 5 & 6 *A. c.* 14. *s.* 1. [*see ss.* 2, 3. *infra*, *pl.* 99, 100.] 3 *G.* 1. *c.* 11. *s.* 2. *S. P.*

87. If any person not qualified so to do, shall keep or use any greyhounds, setting dogs, hays, lurchers, tunnells, or other engines to destroy the game, and shall be convicted by the oath of one or more witnesses, by a justice or justices where such offence is committed, the person so convicted shall forfeit 5*l.*, one half to the informer and the other half to the poor of the parish, to be levied by distress and sale of goods, by warrant of such justice; and for want of distress the offender shall be sent to the house of correction for 3 months for the first offence, and for every other offence 4 months; and any justice of peace, and the lords and ladies of manors within the said manors may take away any such hare, or any other game, from any such higgler, &c. or other person not qualified; and likewise may take away such dogs, nets, or other engines, which shall be in the custody of any persons not qualified to keep the same to their own use: and any lord or lady of a manor, by writing under hand and seal, may empower a gamekeeper [or gamekeepers, REP. 9 *A. c.* 25. *s.* 1.] upon the manor to kill hare, pheasant, partridge, or any other game; but if he shall under colour of the said power, kill or take the same, and afterwards dispose thereof without the consent or knowledge of the lord or lady, and shall be thereof convicted upon complaint of the latter and on oath of one witness, before any one justice, he shall be committed to the house of correction for 3 months, and kept to hard labour, 5 & 6 *A. c.* 14. *s.* 4.

88. If any person shall set fire to any ling, heath, or brakes growing upon the forest of *Sherwood*, or on any other land in the county of *Nottingham*, or shall cut any ling, &c. in order to be burnt to ashes on the ground, or shall burn the same on the ground within the said county, without licence from the owner of the soil, he shall forfeit to the owner of the soil 10*s.* and all the ashes; and every person who shall buy fern ashes of any such unlicensed person within the said county, shall forfeit for every peck 10*s.*, one moiety to the poor of the parish and the other to such as shall give information; and the keepers and officers of such parts of the said forest, and the owners of the soil where the said offences shall be committed, their servants and agents, may take away, for their own use, the scythes, rakes, &c. used for the purposes aforesaid, of every such offender; and any one justice, on complaint made for any of the said offences, may send his warrant to bring the person complained of before him; and if he be convict before him by the oath of one witness, he shall pay the penalties hereby imposed, and in default thereof, shall be committed to the house of correction to hard labour for one month, unless the penalties be in the mean time paid, 5 & 6 *A. c.* 14. *s.* 5.

89. No lord or lady of a manor shall make above one gamekeeper within one manor, with power to kill the game thereof, and the name of such person shall from time to time be entered with the clerk of the peace, such entry to be made and viewed without fee, and a certificate thereof to be granted by the clerk of the peace, on payment of 1*s.*; and in case any other gamekeeper whose name is not so entered, and who shall not be otherwise qualified to kill game, shall kill any hare, pheasant, partridge, moor, heath game, or grouse, or if any gamekeeper or other person not qualified in his own right to kill game, shall sell or expose to sale any hare, &c. the offender shall incur such penalties as are inflicted by 5 & 6 *A. c.* 14. *ss.* 2—3. *pl.* 99, 100. on higglers, carriers, innkeepers, or victuallers, for buying or selling of game, to be recovered as prescribed by that act, 9 *A. c.* 25. *s.* 1.

90. If any hare, &c. be found in the shop, house, or possession of any person not qualified in his own right to kill game, or entitled thereto under some person so qualified, the same shall be adjudged an exposing thereof to sale, *id. s.* 2., [see *pl.* 102, 103.]

91. If any person shall take, kill, or destroy any hare, &c. in the night-time, he shall incur such penalties as aforesaid, *id. s.* 3.

92. If any person, between 1*st July*, [altered by 10 *G.* 2. *c.* 32. *s.* 10. to *June*] and the 1*st* of *Sept.* [*October*, *id.*] yearly, shall by hays, tunnels, or other nets, drive and take away wild duck, teal, widgeon, or other waterfowl, in any fens, lakes, broadwaters, or other places of resort for wild fowl in the moulting season, such person being thereof convicted before one justice of peace, by the oath of one witness, shall, for every waterfowl so taken, forfeit 5*s.*, one moiety to the informer and the other to the poor of the parish; the same to be levied by distress and sale of goods, by warrant of the justice before whom the offender shall be convicted; and for want of distress the offender shall be committed to the house of correction for any time not exceeding one month nor less than 14 days, there to be whipt and kept to hard labour; and the justice shall order such hays, nets, or tunnels, that were used in driving and taking the said wild-fowl, to be seized and destroyed in the presence of such justice, *id. s.* 4. [as AMD. by 10 *G.* 2. *c.* 32. *s.* 10.]

93. FOR BETTER RECOVERY OF PENALTIES INFLICTED on persons who destroy the game, 8 *G.* 1. *c.* 19.

94. Where any person shall, for any offence against any law in being for preservation of the game, be liable to pay any pecuniary penalty on conviction before any justice of peace, any other person may either proceed to recover the said penalty by information before a justice, or sue for the same by action of debt on the case or by information in any court of record, &c. wherein no essoin, &c. or more than one imparlance shall be allowed, and the plaintiff if he recover shall have double costs, 8 *G.* 1. *c.* 19. *s.* 1. [AMD. 26 *G.* 2. *c.* 2. 2 *G.* 3. *c.* 19. *ss.* 5, 6.]

95. Provided that all suits to be brought by force of this act shall be brought before the end of the next term [or 2d term, 26 *G.* 2. *c.* 2. *s.* 1.] after the offence committed; and no offender shall be prosecuted for the same offence both by the way prescribed by this law and by the way prescribed by any of the former laws; and in case of any second prosecution, the person so doubly prosecuted may plead in his defence the former prosecution pending, or the conviction or judgment thereupon, 8 *G.* 1. *c.* 19. *s.* 2.

96. All actions to be brought by virtue of 8 *G.* 1. *c.* 19. for the recovery of any penalty for offences against any law for the preservation of the game, shall and may be brought before the end of the second term after the offence committed, 26 *G.* 2. *c.* 2. *s.* 1.

97. Any person soever may sue for and recover the whole of any such penalty for his own use by action of debt, or on the case, bill, plaint or information in any court of record at *Westminster*, wherein no essoin, &c. or more than one imparlance shall be allowed, and plaintiff if he recovers shall have double costs, and no part of the penalty recovered in such action shall be applied for the use of the poor of the parish wherein such offence is committed, *id. s.* 5.

98. No such action or information shall be brought but within 6 months next after the cause of action accrues, *id. s.* 6.

98. FOR PRESERVATION OF THE GAME BY PROHIBITING the possession of game by certain persons, and the buying or selling thereof by any person soever; [this title is framed to show the object of this section of 1 *J.* 1. *c.* 27. and of *ss.* 2—3. of 5 & 6 *A. c.* 14., to amend the latter of which 28 *G.* 2. *c.* 12. is declaredly passed, and 58 *G.* 3. *c.* 75. follows up its principle.] 1 *J.* 1. *c.* 27. *s.* 4., 5 & 6 *A. c.* 14. *ss.* 2, 3. [AMD. by 28 *G.* 2. *c.* 12., and 58 *G.* 3. *c.* 75.]

99. Every higgler, chapman, carrier, inn-keeper, victualler or alehouse-keeper, who shall have in his custody any hare, pheasant, partridge,

moor, heath-game or grouse, or shall buy, sell, or offer to sell any hare, &c. shall, (unless such game in the hands of such carrier be sent up by persons qualified to kill the game) be carried before some justice of peace; and on view, or on oath of one or more witnesses, shall be convicted, and shall forfeit for every hare, &c. *5l.* one half to the informer, and the other half to the poor of the parish; to be levied by distress and sale of goods, by warrant of the justice before whom such offender shall be convicted; and for want of distress the offender shall be committed to the house of correction, for the first offence, for three months, and for every other offence for four months; provided such conviction be within three months after such offence. And if any *certiorari* be allowed to remove any conviction or other proceedings concerning any thing in this act, the party against whom such conviction shall be made, shall, before allowance of such *certiorari*, become bound to the person prosecuting in *50l.* with such securities as the justice of peace, before whom such offender is convicted, shall think fit, with condition to pay unto the prosecutors, within 14 days after such conviction confirmed, or *procedendo* granted, their full costs, to be ascertained upon their oaths; and in default thereof, it shall be lawful to proceed for the execution of such conviction, as if no *certiorari* had been awarded, *5 & 6 A. c.*14. *s.*2.

100. Every person that shall destroy, sell or buy any hare, *&c.* and shall within 3 months make discovery of any higler, *&c.* that hath bought or sold, or offered to buy or sell, or has had in possession, any hare, *&c.* so as any one shall be convicted, as in *s.*2. *pl.* 87., shall be discharged of the penalties for killing and selling the same under *s.*2., and shall receive the same benefit as any other informer, *id. s.*3.

101. Every person who shall sell or buy to sell again any deer, hare, partridge or pheasant (except partridge and pheasant reared in house or brought from beyond sea) shall forfeit for every deer 40*s.*, hare or partridge 10*s.*, pheasant 20*s.*, to go in moieties to the party suing by indictment or information, and to the poor of the parish where the offence committed, 1*J.*1. *c.*27. *s.*4.

102. Every person whether qualified or not to kill game, who shall sell, expose or offer to sale any hare, pheasant, partridge, moor, heath game or grouse, shall incur the forfeitures and penalties of *5 & 6 A. c.*14. (*s.*2. *pl.* 87.) 28 *G.*2. *c.*12. *s.*1.

103. If any such hare, &c. (as in *s.*1.) shall be found in the shop, house, or possession of any poulterer, salesman, fishmonger, cook or pastry cook, the same shall be deemed an exposing to sale (within *s.*1.) and the forfeitures shall be recovered and penalties inflicted by such means and within such time, and shall be applied to the uses prescribed by *5 & 6 A. c.*14. *s.*2., or by this or any other act since made for preservation of game, *id. s.*2.

104. FOR MORE EFFECTUAL PREVENTION OF OFFENCES connected with the unlawful destruction and sale of game, 58 *G.*3. *c.*75.

105. If any person whether qualified to kill game or not, shall buy any hare, pheasant, partridge, moor, heath-game or grouse, and shall be convicted thereof within 6 calendar months, before any justice or magistrate acting for the county, riding, city, town, borough, division or place where such offence is committed, by the oath of one or more witnesses, he shall, for every hare, *&c.* so bought, forfeit *5l.* one half to the informer, and the other to the poor of the parish where the offence was committed; to be levied by distress and sale of the offender's goods, by warrant under hand and seal of the convicting justice or magistrate, rendering any overplus of such distress and sale to the party, after deducting the charges of making the same, 58 *G.*3. *c.*75. *s.*1.

106. "And for better discovery of such persons as shall buy or sell game;" every person who shall buy, sell, or offer to sell, or have unlawfully in possession any hare, &c. (as in *s.* 1.) and shall make discovery of any person that hath within 6 calendar months bought or sold any such game as aforesaid, so as any one shall be convicted of any such offence under this or any other statute in force, such discoverer shall be discharged from all penalties to which he may be liable at the time of making such discovery, by reason of the offences in *s.*1. prohibited, any thing in any former statute contained notwithstanding; and shall receive the same advantage as any other informer is entitled to under this act for such information, but nothing herein shall discharge such discoverer from any penalties for which a prosecution is actually pending, or conviction or judgment had against him at the time of making such discovery, *id. s.*2.

107. Wheresoever any person shall for any offence against this act, be liable to any penalty on conviction before any justice or magistrate as aforesaid, any other person may proceed to recover the same by information or conviction as aforesaid, or to sue for and recover the whole thereof for his own use, by action of debt or on the case, bill, plaint or information in any court of record wherein no essoin, *&c.* or more than one imparlance shall be allowed; with double costs to plaintiff if he recovers; but no such action, *&c.* or information shall be brought or exhibited but within 6 calendar months next after the offence, and in case of a second prosecution for one offence, the defendant may plead the former prosecution pending, or the conviction or judgment thereon had, *id. s.*3.

108. FOR PUNISHMENT OF SUCH PERSONS AS SHALL UNLAWFULLY kill or destroy deer in parks, paddocks or other inclosed grounds, 5 *G.*1. *c.*28. [VIRTUALLY AMD. 16 *G.*3. *c.*30. and 42 *G.*3. *c.*107. *s.*1.]

109. Every person or persons who shall enter into any park, paddock or other inclosed ground where deer are usually kept, and wilfully wound or kill any red or fallow deer there without consent of the owner of such park, &c. or of the person entrusted with the care of such park, *&c.* or who shall be aiding, *&c.* in the committing such offence, and being indicted for any such offence before any judge or justices of goal delivery for the county wherein such park, *&c.* shall lie, shall be convicted by verdict or confession, shall be transported for 7 years, and the court before whom such conviction is had, or any subsequent court held at the same place with like authority, may make over such offenders by order of court to the use of any person contracting for performance of such transportation, *id. s.*1. [*but see now* 42 *G.*3. *c.*107. *s.*1. *pl.* 112. and *id. s.*4. *pl.* 134., which only inflict transportation for a second offence.

110. Nothing herein shall repeal any former statute against deer stealing, and where any offender is punished under this act, he shall not be prosecuted or incur any penalty for the same offence by any other statute, *id. s.*2.

111. FOR MORE EFFECTUALLY PREVENTING THE STEALING of deer, and for repealing (*viz.* by *s.*27.) so much of 13 *R.*2. *S.*1. *c.*13. as relates to keeping engines for taking deer; and 19 *H.*7. *c.*11. *s.*1. as to the penalty of 10*l.* for keeping deerhays, or buckstalks, or stalking at deer without licence; and so much of 5 *El. c.*21. *ss.*3. & 4. and of 3 *J.*1. *c.*13. *viz. s.*2. & *s.*8. 7 *J.*1. *c.*13. *viz. s.*4. relating to killing deer; and 13 *C.*2. *S.*1. *c.*10., 3 *W. & M. c.*10., 5 *G.*1. *c.*15., 10 *G.*2. *c.*32. *ss.*7—9. against destroying deer, 16 *G.*3. *c.*30. [ENF. and AMD. 42 *G.*3. *c.*107. 51 *G.*3. *c.*120. does not extend to *Scot. s.*28.]

112. Every person who shall wilfully course or hunt, or take in any slip, noose, toil or snare, or who shall kill, wound or destroy, or shoot at, or otherwise attempt to kill, wound or destroy, or shall carry away any red or fallow deer, kept or being in the inclosed part of any forest, chace, purlieu or ancient walk or any *inclosed* park, paddock, wood or other *inclosed ground*, where deer have been or shall be usually kept, without consent of the owner or other due authority, or who shall knowingly be aiding or assisting therein, shall be deemed guilty of felony, and on conviction thereof on indictment shall be transported for seven years, 42 *G.*3. *c.*107. *s.*1. [altering the provision of 16 *G.*3. *c.*30. *s.*1. which section is REP. 42 *G.*3. *c.*107. *s.*6.]

113. Every person who shall wilfully commit any of the offences (mentioned in *s.*1.) in the *uninclosed part* of any forest, chase, purlieu or ancient walk, or shall be aiding, &c. therein, shall, for every such act of wilful coursing, &c. and for every such attempt to kill, &c. and for every deer so taken, killed, wounded, destroyed, shot at or carried away, in or from such uninclosed part of such forest, &c. forfeit *50l.* [which may be mitigated to not less than 20*l.* by the convicting magistrate, 51 *G.*3. *c.*120. *s.*1.] and if such offender shall be a keeper or person entrusted with the care of the deer in the forest, &c. wherein the offence committed he shall pay double that penalty, viz. 100*l.*, 42 *G.*3. *c.*107. *s.*2. *as* AMD. *by* 51 *G.*3. *c.*120. *s.*1.

114. Any one justice, on complaint made to him on oath that there is reason to suspect any person of having in his custody, or in any dwelling-house, out-house, yard, garden, or place, any red or fallow deer, unlawfully killed, or the head, skin, or other part thereof, or any slip, noose, toyle, snare, or engine, for taking of deer, may by warrant under his hand and seal cause such person and such house, &c. to be searched; and if any red or fallow deer suspected to have been killed, or the head, skin, or part thereof, or any slip, &c. suspected to be used for taking or killing deer, shall be found in his custody, or in such house, &c. may cause the same and such person in whose possession or house the same were found, to be brought before any justice; and if such person shall not produce before such justice the party of whom he received the same, or satisfy such justice that he came lawfully by such deer, or the head, skin, or part thereof, or had a lawful occasion for such slip, &c. or did not keep the same for any unlawful purpose, he shall forfeit not exceeding 30*l.*, nor less than 10*l.*, 16 *G.*3. *c.*30. *s.*4.

115. If any red or fallow deer, suspected to have been unlawfully killed, or the head, skin, or other part of such deer, shall, on search under a warrant from any justice, be found in the possession of any person, or in any dwelling-house, &c. or shall be proved to have been in the possession, house, &c. of any person who may be suspected to have come dishonestly by the same, and such person, or the owner of such house, &c. shall not, under the provisions aforesaid, be liable to conviction; then, for the discovery of the party who actually killed or stole such deer, it shall be lawful for any justice, as the evidence given and the circumstances of the case shall require, to summon before him every person through whose hands such deer, or the head, skin, or part thereof so found, shall appear to have passed, and if the person from whom such deer, or the head, &c. shall appear to have been first received, or who having had possession thereof, shall not give proof, to the

satisfaction of such justice, that he came lawfully by the same, he shall forfeit not exeeeding 30*l.* nor less than 10*l.*, 16 *G.*3. *c.*30. *s.*5.

116. If it appear, on the oath of a credible witness, that any person *hath had* in his possession, house, &c. any red or fallow deer, or the skin, head, or other part thereof, and shall be suspected to have come dishonestly thereby, then such person, and all other persons through whose hands the same shall appear to have passed under like suspicion, shall be proceeded against in like manner, and on conviction shall be subject to the same penalty, as if such deer, &c. had been found in the possession, house, &c. of such person, upon a search made under any warrant as aforesaid, *id. s.*6.

117. In case any person shall set, lay, or use, any net, wire, slip, noose, toyle, or other engine, for taking or killing deer, within any forest, chace, purlieu, or ancient walk, or in the ring or outer fence or bank dividing the same from the adjoining lands, or in any inclosed park, paddock, wood, or ground, where deer are, have been, or shall be usually kept, such person, not being the owner of such forest, &c. or entrusted with the care of the deer within the same, convicted of any of such offences, shall forfeit for the first offence, not exceeding 10*l.*, nor less than 5*l.*; and if afterwards convicted of any of the offences last mentioned, shall, on every conviction after the first, forfeit not exceeding 20*l.* nor less than 10*l.*, *id. s.*7.

118. If any person shall wilfully pull down or destroy, or cause to be pulled down or destroyed, the pales, or any part of the walls of any forest, chace, &c. (as in *s.*7.) or ground, where any red or fallow deer shall be then kept, without the consent of the owner or person intrusted with the custody thereof, or being authorised, such person shall be subject unto the forfeiture, in *s.*1. (see *pl.*112.) and *s.*3. *infra.*, *pl.*135. for the first offence of killing deer, *id. s.*8. [*Qu.* if extending to the penalty given by 42 *G.*3. *c.*107. *s.*2. *pl.*113.; but see 42 *G.*3. *c.*107. *s.*4. and *s.*5. *infra*, *pl.*134—135.]

119. If any person carrying any gun, or other fire-arms, or any sword, staff, or other offensive weapon, shall come into any forest, chace, park, &c. as in *s.*7. *pl.*117. or other ground where deer are usually kept, be the same inclosed or not, with an intent to shoot at, course, or hunt, or to take in any slip, &c. or to kill, wound, destroy, or take away any red or fallow deer, it shall be lawful for every ranger or keeper, or person intrusted with the care of such deer, to seize and take from such person, in and upon such forest, or other ground, to the use of the owner thereof, all such guns, fire-arms, slips, nooses, toyles, snares, or engines, and all dogs there brought for coursing deer, in the same manner as game-keepers of manors are impowered, within their manors, to seize and take dogs, nets, or engines, in the custody of persons not qualified to keep the same; and if any person shall there beat or wound any ranger or keeper, or his assistants, or shall attempt to rescue any person in custody of such ranger, keeper, or assistant, such person shall be guilty of felony, and being convicted, shall be transported for seven years, *id. s.*9.

120. Upon complaint or information on oath, of one witness, before one justice, of any offence against this act, it shall be lawful for such justice (except only where he is specially directed previously to summon the party before him) to cause the person charged by such complaint, to be apprehended by warrant, and to be brought before him, and he shall proceed to hear the matter of complaint, and to determine the same; and where it is provided by this act that the party complained of shall be summoned to appear, if he shall not appear, then, upon proof of the service of such summons, either personally, or by leaving the same at his place of abode, the justice may apprehend such party by warrant, and proceed as if no previous summons had been directed by this act, *id. s.*10.

121. All penalties shall be recoverable before one justice, on proof of the offence, by oath of one witness, or on confession of the offender; and one moiety shall be paid, for the use of H. M., into the hands of such person as the justice shall direct, and the other to the informer; and in case of non-payment thereof, with the charges of conviction, immediately on conviction, the said penalty and charges shall be levied by distress and sale of the goods of such offender, by warrant under the hand and seal of the justice, and for want of sufficient distress, the offender, except only where otherwise provided by this act, shall be sent by the said justice to the common gaol of the same county or place for one whole year, without bail, unless the penalty be sooner paid, *id. s.*11.

122. The justice, before whom any offender shall be convicted of having incurred any pecuniary penalty, immediately after conviction, may order him into custody, in case he shall not immediately pay the penalty, during such time, not exceeding three days, as such justice shall think proper to allow for return of the warrant of distress, *id. s.*12.

123. If it appear to the satisfaction of such justice, by confession of the convict or otherwise, that such party hath not goods sufficient to levy the penalty, such justice shall, without issuing any warrant of distress, proceed to commit the party convicted, as if a warrant of distress had been issued, and *nulla bona* returned, *id. s.*13.

124. If any person, committed for any first offence against this act, shall, before commitment, procure security to be given by two sureties, to the satisfaction of the justice before whom he shall be convicted, for payment of the penalty, with the charges, within six days, inclusive of the day of conviction, then such justice may accept such security, and on non-payment thereof at the time stipulated, cause the party and his sureties to be apprehended by warrant under his hand and seal, and commit them to the common gaol for such time as the party convicted was subject to have been imprisoned, in case no security had been given, unless the penalty be sooner paid, 16 *G.*3. *c.*30. *s.*14.

125. Any keeper or under-keeper of any forest, or other ground inclosed, where deer are, have been, or shall be usually kept, and their assistants, may seize upon the spot any person whom they discover hunting, coursing, killing, wounding, shooting at, taking, destroying, or carrying away, any red or fallow deer from any forest, chace, purlieu, or ancient walk, whether inclosed or not, or in any inclosed park, paddock, wood, or in any other inclosed ground, or attempting so to do, or in setting or laying any net, wire, slip, noose, toyle, snare, or other engine therein, for the taking, killing, or destroying of deer therein, and carry him before some neighbouring justice having jurisdiction, *id. s.*15.

126. In case any offender, for his first offence against this act, shall, for want of distress, be committed to gaol, and shall, whilst in gaol, obtain the consent in writing of the prosecutor, and also of the owner, ranger, forester, keeper, or other person chiefly intrusted with the care of the deer, for his enlargement, the general or quarter sessions may cause him to be brought before them, and by order may direct the keeper of such gaol to set him at liberty, *id. s.*16.

127. Any person who shall offend against this act, and shall make discovery of any other person who hath offended against the same, so as he be convicted, shall be discharged of all forfeitures by him incurred previous to such discovery, *id. s.*17.

128. The conviction of offenders against this act shall be certified by the justice to the next general quarter sessions, to be filed amongst the records, and shall be fairly written on parchment or paper in the following form:

'Be it remembered, that on the — day of — in the year — *A. B.* was, upon the complaint of *C. D.* convicted before — of the justices of the peace for — in pursuance of an act passed in the — year of the reign of his majesty king *George* the Third, for — [*as the case shall be*]. Given under — hand and seal, the day and year above written.'

Which conviction shall be good, and shall not be quashed for want of form, *id. s.*18.

129. No *certiorari* shall remove any conviction, unless the convict shall, before the allowance thereof, become bound to the prosecutor in 100*l.* with sufficient sureties approved of by the convicting justice, with condition to pay to the prosecutor, within thirty days after conviction confirmed, or a *procedendo* granted, the full costs and damages, to be ascertained upon their oath; and shall become also bound to the justice, with such sureties as such justice shall approve of, in 60*l.* for each offence, with condition to prosecute such writ of *certiorari* with effect, and to pay such justice the forfeitures, or to render the person convicted to such justice, within 30 days after such conviction confirmed, or a *procedendo* granted; and in default thereof, the penalty may be levied as if no *certiorari* had been awarded, *id. s.*19.

130. After confirmation of any conviction, by any of the superior courts at *Westminster*, and delivering the rule to the said justice, whereby such conviction hath been confirmed, such justice may proceed against the party convicted, as if a *procedendo* had been granted, *id. s.*20.

131. Persons aggrieved by the judgment of any justice, and not removing the matter by *certiorari*, may appeal from such judgment to the general or quarter sessions, next after the expiration of 20 days from the time of conviction; but the appellant shall give 6 days notice in writing to the prosecutor of bringing such appeal, and of the matter thereof, and shall enter into recognizance before some justice, with two sureties, approved by the justice, on condition to appear and try the same at the general or quarter session held next after the expiration of 10 days from the conviction, and to abide by the order of such court, and for payment of the costs by them awarded, which appeal shall be then examined, and finally heard and determined by such sessions; and in case such judgment shall be affirmed, the appellant shall pay the prosecutor his full costs, to be ascertained by order of sessions, *id. s.*21.

132. In case any person aggrieved, as aforesaid, shall have paid the penalty, or shall be then imprisoned; he may appeal on entering into recognizance by himself only, without any surety, conditioned as above, the penalty remaining in the hands of such justice or such person continuing in prison until the appeal determined, *id. s.*22.

133. All the provisions of 16 *G.*3. *c.*30. are extended to this act, and in default of payment of the penalties imposed by this act, with the charges of conviction, immediately on conviction, and for want of sufficient distress of the goods of the offenders he may be committed to

gaol by the convicting justice or justices for 6 months, unless the penalty and charges be sooner paid, 42 *G.*3. *c.*107. *s.*3.

134. Persons convicted of any offence for which a pecuniary penalty is imposed either by this act or by 16 *G.*3. *c.*30., and guilty of a second offence against *this act*, for which a pecuniary penalty is *in this act* (*s.*2. *pl.*113.) *before* imposed, shall, on conviction, be transported for seven years, *id. s.*4.

135. The justice before whom any person is convicted of a first offence against this act, for which a pecuniary penalty is imposed, shall transmit such conviction under his hand and seal to the next quarter-sessions for the county, division, city, town or place wherein such first offence was committed, there to be filed by the clerk of the peace amongst the records of the court; and the same, or a true copy, certified by such clerk or other officer, or proved to be true, shall be sufficient evidence to prove the conviction, *id. s.*5. and 16 *G.*3. *c.*30. *s.*3.

136. Nothing in this act extends to *Scot.* or *Ire.*, *id. s.*7.

137. No such conviction or judgment shall be set aside by the said court or sessions for want of form, or for want of stating or mistating any facts in case the facts alleged in the conviction be proved to the satisfaction of the court, but such appeal shall be decided on the merits only, nor shall such conviction or judgment be removed by *certiorari* into any court at *Westminster*, 16 *G.*3. *c.*36. *s.*23. [but *see s.*19. *ante*, *pl.* 129.]

138. Persons sued for any thing done in pursuance of this act may plead the general issue, and if a verdict pass for defendant, or if plaintiff discontinue, or is nonsuit, or has judgment against him on demurrer, defendant shall have treble costs, *id. s.*24.

139. Every prosecution for any offence under this act shall be commenced within 12 calendar months, and persons prosecuted under this act shall not be liable to prosecution for the same offences under any other act, or in any court of attachment, swainmote, eyre, or any forest court, *id. s.*25.

140. All actions shall be laid and tried in the county where the fact was committed, and shall be commenced within 6 calendar months after, *id. s.*26.

141. FOR BETTER PRESERVATION OF THE GAME in that part of *G. B.* called *Eng.*, 2 *G.*3. *c.*19. [not EXT. to *Scot. id. s.*3.]

142. No person shall on any pretence soever take, kill, destroy, carry, sell, buy or have in possession or use any *pheasant* between 1*st Feb.* and 1*st Oct.* in any year, [or *partridge* between 12*th Feb.* and 1*st Sept.*, *pl.*201., 2 *G.*3. *c.*19. *s.*1. *The provisions in s.*1. of this act respecting the limitation of the season for shooting, &c. *partridges* are *repealed* by 39 *G.*3. *c.*34. *ss.*1—2., and the new season fixed by that act (*s.*3.) between 1*st Sept.* and 1*st Feb.* is extended to *G. B.*, *id. ibid.*; and the same limitation in 13 *G.*3. *c.*54. *s.*1. as to the season of killing partridges in *Scot.*, though altered by 36 *G.*3. *c.*54. *s.*1. to the 1*st Feb.* and 14*th Sept.* in every year, is restored by the repeal of the latter act by 39 *G.*3. *c.*34. *s.*1.]; *black game* between 1*st Jan.* and 20*th Aug.*, *red game* between 1*st Dec.* and 25*th July*. [REP. as to the season of killing *black* and *red grouse*, 13 *G.*3. *c.*55. *s.*13. and see *s.*1. *infra. pl.*156.; *QU.* as to the season of killing partridges, and black and red grouse in *Ire.*]

143. Nothing in this act shall extend to any pheasant taken in the season allowed by *s.*1. and kept in any mew or breeding place, 2 *G.*3. *c.*19. *s.*2.

144. Every person convicted of any offence against this act [or against 39 *G.*3. *c.*34. *s.*3., *see* that section, *pl.*142.,] by the oath of one or more credible witnesses, shall, for every [partridge so taken, &c. in *G. B.*, 39 *G.*3. *c.*34. *s.*3.] pheasant [*see* as to the penalty for killing heath-fowl or grouse out of season, 13 *G.*3. *c.*55. *s.*2. *infra*, *pl.*157.] so taken, killed, destroyed, carried, sold, bought or found in his possession or use, contrary to the true intent and meaning of this act, forfeit and pay 5*l.* to the person who shall inform and sue for the same; and any person may recover such 5*l.* with costs by action of debt or information in any court of record at *Westminster*, with no essoin, &c. or more than one imparlance allowed therein, 2 *G.*3. *c.*19. *s.*4.

145. TO AMEND SO MUCH OF 1 *J.*1. *c.*27. *viz.* of (*s.*2.) as relates to the preservation of house doves and pigeons, by making the manner of convicting offenders more easy and expeditious, 2 *G.*3. *c.*29.

146. If any person shall shoot at with intent to kill, or shall by any means whatever kill or take with wilful intent to destroy any house-dove or pigeon, and shall be thereof convicted by confession or oath of one or more witnesses before one or more justices, he shall forfeit 20*s.* to the person who shall inform against, and prosecute him to conviction; and if the same be not forthwith paid on conviction, such justice may commit the offender to the common gaol or house of correction to hard labour, for not exceeding 3 nor less than one calendar month, unless the money be sooner paid, *id. s.*1.

147. Nothing herein shall hinder any owner of a dove-cote or pigeon-house, &c. from taking by himself or other duly authorized person, all house-doves or pigeons which shall at any time be taken in his own dove-cote, &c. *id. s.*2.

148. No person convicted of any offence against this act shall be liable to conviction under any other act, and all prosecutions under it shall be commenced within 2 months after the offence committed; and no person imprisoned for default payment of any penalty under this act shall be afterwards liable to pay the same, 2 *G.*3. *c.*29. *s.*3.

149. FOR THE MORE EFFECTUAL PRESERVATION OF FISH in fish-ponds and other waters, 5 *G.*3. *c.*14. *ss.*1—5. [See rest of this title and statute, WARREN.]

150. Every person who shall enter into any park or paddock fenced in and inclosed, or into any garden, orchard or yard adjoining or belonging to any dwelling-house in or through which any river or stream shall run or be, or wherein shall be any river, stream, pond, pool, moat, stew, or other water, and by any means soever shall steal, take, kill or destroy any fish kept therein without consent of the owner, or shall be aiding, &c. therein, or shall receive or buy any such fish knowing them to be stolen, and being thereof indicted in 6 calendar months after such offence before any judge or justices of gaol-delivery for the county wherein such park, &c. shall be, and shall be convicted of any such offence, shall be transported for 7 years, *id. s.*1.

151. Every person who shall commit such offence, and surrender himself to any justice of peace for the same county, or who being apprehended, or in custody for the same, or on any other account shall voluntarily make full confession thereof, and true discovery on oath of any accomplices, so as they may be apprehended, and shall on trial of the latter give evidence sufficient to convict them, shall be pardoned and discharged of his offences so confessed as above, *id. s.*2.

152. Any person who shall take, kill or destroy, or attempt to take, kill or destroy any fish in any river or stream, pond, pool or other water (not being in any park or paddock, garden, orchard or yard belonging to any dwelling-house, but in other inclosed ground, private property), and who shall be convicted thereof by the oath of one or more witnesses, shall forfeit for every offence 5*l.* to the owner of the fishery of such river, &c.; and one or more justices, on complaint on oath against any person, may issue their warrant to bring the offender before him or them; and if he be convicted before such justice, &c., or any other of such justices, by the oath of one or more witnesses, or by confession, he shall forfeit 5*l.* for the use of the person entitled thereto (as in *s.*4. next *pl.*), or in default payment, shall be committed to the house of correction for not exceeding 6 months, unless the penalty be sooner paid, *id. s.*3.

153. The owner of the fishery of such river, &c. (as in *s.*3.) wherein any offence in *s.*3. mentioned shall be committed, may sue for and recover the said sum of 5*l.* by action of debt or information, commenced within 6 calendar months after the offence committed, in any court of record at *Westminster*, in which no essoin, &c. or more than one imparlance shall be allowed, *id. s.*4.

154. Nothing in this act shall subject any person to the penalties who shall fish, &c. in any river, &c. (as in *s.*3.) or other water in which such person hath a right to take fish, *id. s.*5.

155. TO EXPLAIN AND AMEND THE SEVERAL LAWS now in being so far as they relate to preservation of moor or hill game, 13 *G.*3. *c.*55. not extending to *Scot.*, *id. s.*11. [AMD. 43 *G.*3. *c.*112., 50 *G.*3. *c.*67.]

156. No person shall kill, destroy, carry, sell, buy or have in his possession any heath fowl, commonly called black game, between 10*th Dec.* and 20*th Aug.* [between 10*th Dec.* and 1*st Sept.* in the New Forest, 43 *G.*3. *c.*112., and in *Somerset* and *Devon*, 50 *G.*3. *c.*67.], nor any grouse, commonly called red game, between 10*th Dec.* and 12*th Aug.*, nor any bustard between 1*st Mar.* and 1*st Sept.* in any year, 13 *G.*3. *c.*55. *s.*1.

157. If any person shall in any of the cases aforesaid offend contrary to this act, he shall, on conviction, for the first offence forfeit not exceeding 20*l.*, nor less than 10*l.*; and for the second and every subsequent offence, not exceeding 30*l.*, nor less than 20*l.*, *id. s.*2.

158. Such forfeitures may be recovered by action of debt or information, in any court of record at *Westminster*, or great sessions in *Wa.*, with no essoin, &c., or more than one imparlance allowed, to be brought within 6 months after the matter done, *id. s.*3.

159. Any person (except the person liable to pay such forfeitures) may proceed to recover any of them by information and conviction, before any justice, who, on due proof made on oath by one witness, or by confession of the accused, may cause the forfeiture to be forthwith paid; and, in case of neglect or refusal, may levy the same by distress and sale of the offender's goods, by warrant under his hand and seal, together with all costs attending the same, returning the overplus to the owner; to be applied, one moiety to the informer, and the other to the poor of the parish where such offence committed; and such justice may order such offender to be detained in custody till return is made to such warrant of distress, unless the party convicted shall give security, to the satisfaction of such justice, for his appearance before him on the day appointed for the return of the warrant of distress, not exceeding 5 days from the time of taking security, which security the justice shall take by recognizance or otherwise: and in case no distress can be had, such justice shall commit such offender to gaol, to hard labour for not exceeding 6 nor less than 3 months, unless the penalty and costs of prosecution be sooner paid, *id. s.*4.

160. No offender against this act shall be prosecuted for the same offence both by action of law and by information before a justice; but, in case of any second prosecution, the person so doubly prosecuted may plead the former prosecution, or the conviction thereupon had, 13 *G.* 3. *c.* 55. *s.* 5.

161. The form of the conviction shall be as follows, *viz.*

'Be it remembered, that on the — day of — in the year of our Lord — *A. B.* having appeared before me, or us — one or more of H. M.'s justices of the peace [*as the case may be*] for the county of — and due proof having been made, upon oath, by one or more credible witness or witnesses, or by confession of the party [*as the case may be*] is convicted of [*specifying the offence, with the time and place where the same was committed, and also specifying, if known, that it is the first, second, or any subsequent offence against this act, as the case shall be*]. Given under my hand and seal, [*or* our hands and seals,] the day and year aforesaid.'

which the justice shall cause to be wrote fairly upon parchment, and returned to the next quarter sessions, to be filed by the clerk of the peace among the records, *id. s.* 6.

162. Any clerk of the peace, on application made to him, may cause a copy of any conviction filed under this act, to be delivered to persons on payment of one shilling for every copy, *id. s.* 7.

163. No person shall be proceeded against by information before a justice, unless information be made on oath before some justice within 3 months, *id. s.* 9.

164. If any person is aggrieved by any thing done in pursuance of this act, by any justice, he may appeal to the general quarter sessions, and within 4 months after the cause of complaint shall have arisen, on giving 14 days' notice in writing of his intention to bring such appeal, and of the matter thereof, to the justice, and every other person against whom such complaint shall be made, and within 4 days after such notice, entering into a recognizance before some justice, with one surety, conditioned to try such appeal at, and abide the order of, and pay such costs as shall be awarded by the sessions; and such justice and person, having received notice of such appeal, shall return all proceedings had before them touching the appeal to the sessions, on pain of forfeiting 5*l.*; and the sessions, on due proof of the notice given, and of the entering into such recognizance as aforesaid, shall hear and finally determine such appeal, in a summary way, and award costs to the parties appealing or appealed against, to be levied as in *s.* 4. *pl.* 159.; and their determination shall be final; and no proceedings in pursuance of this act shall be quashed for want of form, or removed by *certiorari*, except as before mentioned, into any court of record at *Westminster*, *id. s.* 10.

165. Actions or informations for any thing done in pursuance of this act shall be commenced within 6 months, and laid in the county where the matter shall arise; and the defendant may plead specially, or the general issue; and if a verdict be given for the defendant, or if plaintiff be nonsuited, or discontinues after appearance or judgment against him on demurrer, defendant shall recover treble costs, *id.* s. 12.

166. FOR REPEALING 10 *G.* 3. *c.* 19., WHICH INFLICTED CERTAIN penalties on persons killing game in the night between one hour after sunset and one hour before sunrise, and for making other provisions for better preservation of game in *Eng.* in lieu thereof, 13 *G.* 3. *c.* 80.

167. If any person shall kill, take, or destroy any hare, pheasant, partridge, moor game, or heath game, or use any gun, dog, snare, net, or or other engine, with intent to kill, take, or destroy any hare, &c. in the night, *viz.* between 7 at night and 6 in the morning from 12 *Oct.* to 12 *Feb.*, and between 9 at night and 4 in the morning, from 12 *Feb.* to 12 *Oct.* such person, being convicted thereof on the oath of one witness, before one justice, shall forfeit for the first offence, not exceeding 20*l.*, nor less than 10*l.*,; and for the second, not exceeding 30*l.*, nor less than 20*l.*: but in case, on any information made on oath as aforesaid, before any justice, against any such offender, it appears that he hath already been convicted of a first and second offence against this act, then he shall commit him to the common gaol, there to remain till the next general quarter session, unless such offender shall have entered into a recognizance, with 2 sureties, to appear at such session, to be tried by indictment for the offence; and also shall bind over the informer to prosecute the offender by indictment: and the said general or quarter sessions shall direct the said indictment to be tried; and if such offender is convicted, then he shall forfeit and pay into court 50*l.*; and in case he shall neglect or refuse to pay the same, he shall be committed to the common gaol for not less than 6, nor more than 12 months, unless such penalty be sooner paid; and shall, if the justices think proper, be once publicly whipped at the expiration of such commitment, in the town or place where such gaol shall be, between 12 and one in the day, *id. s.* 1.

168. The justice shall cause the conviction to be made out as follows:

'Be it remembered, that on the — day of — in the year of our Lord — *A. B.* is convicted before me — one of H. M.'s justices of the peace for the county of — [*specifying the offence, with the time and place where the same was committed, and also specifying that it was the first or second offence against this act, as the case shall be.*] Given under my hand and seal, the day and year aforesaid.'

and to be fairly wrote on parchment, and returned to the next general quarter session, to be filed by the clerk of the peace among the records of the county, 13 *G.* 3. *c.* 80. *s.* 2.

169. Any clerk of the peace, on application, may cause a copy of any conviction, filed by him, to be forthwith delivered to such persons, on payment of 1*s.* for every copy, *id. s.* 3.

170. The penalties of a first, second, and third offence, on conviction at the sessions, together with costs ascertained by the justices before whom any offender shall be convicted, shall be forthwith paid by the latter, one moiety to the informer, and the other to the poor of the parish where the offence is committed; and in case he shall not pay the same, or give security for the payment thereof, such justice or justices shall, by warrant, cause the same to be levied by distress and sale, together with all costs of such distress, returning the overplus (if any) to the owner; and may order such offender to be detained in safe custody till return may conveniently be made to such warrant of distress, unless the party convicted give security, to their satisfaction, for his appearance before him or them on the day appointed for the return of the warrant, not exceeding 7 days from the time of taking such security, which security he or they may take by recognizance or otherwise: but if on such return no sufficient distress can be had, then he or they shall commit such offender to the common gaol for 3 months, unless the money forfeited be sooner paid, or until such offender, thinking himself aggrieved by such conviction, shall give notice to the informer that he intends to appeal to the next general quarter session, and shall enter into recognizance before some justice or justices, with two securities conditioned to try such appeal, and to abide the order of and pay the costs awarded by the sessions, which notice of appeal being not less than 14 days before the trial thereof, such person aggrieved may give, and the said justices, at such session, on proof of notice being given, and of entering into such recognizance, shall hear and finally determine such appeal in a summary way, and award costs to the parties appealing or appealed against; and the determination of such sessions shall be final, *id. s.* 4.

171. If any person shall, on a *Sunday*, or on *Christmas Day*, in the day time, take, kill, or destroy any hare, pheasant, partridge, heath game or moor game, or shall, on a *Sunday*, or on *Christmas Day*, use any gun, dog, net, or engine for taking, killing, or destroying any hare, &c., such person convicted in manner prescribed by this act, shall be subject to the like forfeitures as are before inflicted for other offences against this act, *id. s.* 6.

172. In case any person shall commit any offence against this act, whereby a penalty is incurred, and dwells in another county than that in which the offence was committed, the justice or justices before whom such information or indictment was had, may direct his or their warrant of apprehension, and of distress and sale, to any constable within such county where the offence was committed, to be by him carried to the justice residing near to the place where the offender dwells, to be signed by him on the back of the warrant, on proof on oath of the hand-writing of the justice, &c. who first granted the warrant; which indorsement shall be sufficient authority for the constable of such parish where he dwells, or where his goods or distress are to be found, or for such constable who shall bring the said warrant to be indorsed, to apprehend and convey such offender before the justice who first granted the warrant, or any other justice or justices of that county where the offence was committed, or for such constable to levy such penalty, by distress and sale, as if the person had lived in the county where the offence was committed; and also, where no sufficient distress can be found, to convey the offender before the justice who first granted the warrant of distress, or any other justice, &c. of that county where the offence was committed, to be dealt with according to law; and the justice of such other county who indorsed the warrant of distress or apprehension shall direct such constable to deliver over any money for penalties arising from such distress to the justice of the county who first granted the warrant, to be by him distributed according to this act: and in case such constable shall not pay the same, or deliver over all proceedings had upon such distress or warrant of apprehension, the justice who first granted the warrant, or the one who indorsed it, may commit such constable to the common gaol for 6 months, or until the money be paid, and the proceedings delivered over to the justice who first granted the warrant, or, in case of his absence or death, to any other justice of the same county, to be by him distributed according to this act: and no action, or indictment, or appeal, shall be brought by any person against the justice of such other county who indorsed such warrant for indorsing the same, *id. s.* 7.

173. No order or other proceeding shall be quashed for want of form, or be removed by *certiorari* into any court at *Westminster*, *id. s.* 8.

174. No person shall be proceeded against for offences against this

act, unless information be made thereof upon oath before some justice within one calendar month, 13 *G.*3. *c.*80. *s.*9.

175 To regulate game certificates in *G. B.* (Framed as the duties, which form the subject of the original title are expired), 25*G.*3. *c.* 50. [Conf. by 31 *G.*5. *c.*21. *s.*3. Amd. *id. s.* 4 and 10. N.B. For all the *duties* now payable on the different descriptions of game-certificates, and exceptions and exemptions therefrom, see 48 *G.*3. *c.* 55. *Sched.* L., and 52 *G.* 3. *c.* 93. *Sch. id. tit.* Taxes (Assessed).]

176. Every person in *G. B.*, who shall use any dog, gun, net, or other engine, for the taking or destruction of game, (not acting as a game-keeper, under a deputation duly registered,) shall previously deliver in a paper or account in writing, containing the name and abode of such person to the clerk of the peace or his deputy, [or to the collector, or if in *Scot.* to the sub-collector of assessed taxes, for the place where he resides, see 48 *G.*3. *c.* 55. *Sch.* L., and 52 *G.*3. *c.* 93. *Sch.* L. Rules, &c.]; or to the sheriff, or stewart-clerk of the county, stewartry, &c. where such person shall reside, and annually take out a certificate thereof, [paying 3*l.* 13*s.* 6*d.*, *see the schedules above cited*] 25 *G.*3. *c.*50. *s.*2.

177. Every deputation of a game-keeper, granted to any person by any lord or lady of a manor in *Eng.* or *Wa.*, shall be registered with the clerk of peace of the county in *Eng.* wherein the manor lies; and where granted by any proprietor of land in *Scot.* shall be registered with the sheriff or stewart-clerk of the county, &c. in which the lands lie; and the game-keeper so appointed shall annually take out a certificate thereof, paying [1*l.* 5*s.*, *see the schedules above cited*], *id. s.*2.

178. Every person delivering into the office of the clerk of the peace, or his deputy, or if in *Scot.*, into that of the sheriff or stewart-clerk, a paper in writing, containing his name and place of abode; and every game-keeper, to whom such deputation shall be granted, registering the same as aforesaid, and requiring a certificate thereon, shall be annually entitled thereunto; and such clerk of the peace, &c. shall thereupon issue a stamped certificate, to the effect following:

'I, *A. B.* clerk of the peace for the county of *C.* [*or, as the case may be*, deputy clerk of the peace, *or, if in Scot.* I, *A. B.* sheriff or stewart clerk of the county of *C.*] do hereby declare, That *E. F.* hath this day delivered into my office a paper, writing, or account, containing his name and place of abode, [*or, as the case may be*, hath this day registered a deputation,] whereby he is appointed a game-keeper by —, for the manor or lands of —, which I do hereby certify, in pursuance of an act of parliament, passed in the 25th year of K. *Geo.* the Third, intituled, An act for repealing an act, made in the 24th year of the reign of His present Majesty *G.*3. intituled, "An act for granting to H. M. certain duties on certificates issued with respect to the killing of game," and for granting other duties in lieu thereof.' *id. s.* 4.

179. The said clerk of the peace, &c. after signing such certificate, shall forthwith issue the same, stamped as above, to the person requiring the same; and shall, previous to its delivery, be entitled to receive from such person 1*s.* for his own trouble: and in case he shall neglect or refuse to issue to such person, so delivering in such paper, or registering such deputation, a certificate properly marked and stamped as above, he shall forfeit 20*l.*, and moreover be liable to pay to H. M., the duty payable on such certificate, *id. s.*5.

180. Every certificate issued by the clerk of the peace, &c. shall bear date on the day on which it is issued, and shall remain in force from thence until 1*st July*, next, and no longer; and any clerk of the peace, &c., who shall issue any certificate to any person, otherwise than above directed, shall forfeit 20*l.*, *id. s.*6.

181. Every person who shall use any greyhound, hound, pointer, setting-dog, spaniel, or other dog, or any gun, net, or other engine, for the taking or destruction of any hare, pheasant, partridge, heath-fowl, called black-game, or grouse, called red-game, or any other game whatsoever, without having obtained such certificate, he shall forfeit 20*l.*, *id. s.*8.

182. Every person to whom any deputation of a game-keeper shall be granted by any lord or lady of a manor in *Eng.* or *Wa.*, or by any proprietor of land in *Scot.*, and who, for 20 days next after such deputation shall first be granted, shall neglect or refuse to register the same, and take out a certificate thereon, as in *s.* 2., and not having obtained some certificate, in pursuance of this act, shall forfeit 20*l.*, *id. s.*9.

183. Nothing herein shall make it necessary for any of the royal family to take out any certificate, or restrain any person appointed by them, from using any dog, gun, net, or other engine, for taking of game within the forests, chases, parks, warrens, or other royalties to them belonging, *id. s.*10.

184. The clerks of the peace, &c. shall, in every year, on or before 1*st Aug.*, whenever they shall be thereunto required by the commissioners of [stamps, *semb. now* of] assessed taxes, make out and transmit to the head office in *London*, correct lists, in alphabetical order, of the certificates issued by them, distinguishing the duties paid on each certificate; and on the delivery thereof, the receiver-general of the [stamp duties, *quære, assessed taxes?*] shall pay to every clerk of the peace, &c. for making out such list ¼*d.* for the name of every person to whom such certificate shall have been issued, and which shall be inserted in such list; and in case any clerk of the peace, &c. shall neglect or refuse to make out such lists, or shall not insert in such list a full account as before directed, of all persons the same ought to contain, then such clerk of the peace, &c. shall forfeit 20*l.*, 25 *G.*3. *c.*50. *s.*11.

185. All the said lists shall be deposited and kept at the head office in *London*, and may, within office hours, be inspected by any person, on payment of 1*s.*, *id. s.*12.

186. The commissioners of [stamp duties, *quære*, as in *pl.*184.], shall, once or oftener, in every year, as soon as may be after the lists shall have been transmitted to them, cause the same to be inserted in the newspapers, circulating in each county, or in such public newspaper as to them shall seem most proper, *id. s.*13.

187. If any lord or lady of a manor in *Eng.* or *Wa.*, or proprietor of land in *Scot.*, shall make any new deputation of a game-keeper for any manor or lands in the room of the person already appointed, and to whom such certificate as aforesaid hath been issued, and shall register such new deputation with the clerk of the peace, &c. and shall obtain a new certificate thereon, the first certificate granted shall be void; and the person acting under the same, after notice to him given of such new certificate, shall be liable to the penalties prescribed by this act, as if no certificate had been granted, *id. s.*14.

188. If any person shall be found using any dog, gun, net, or other engine for the taking or destruction of game, by any other person who hath obtained a certificate in manner before directed, such other person producing such certificate, may demand from the person using such dog, &c. to produce a certificate issued to him; who shall, on such demand, produce such certificate to the person demanding the same, and permit it to be inspected; and every such person who shall refuse to produce a certificate issued to him, or not having produced such certificate, shall refuse, on demand thereof, to give in his christian and surname, and place of residence, or shall give in any false name or place of residence, shall forfeit 50*l. id. s.*15.

189. The certificate hereby directed to be issued by the clerks of the peace, &c. shall not authorize any person to use any greyhound, hound, pointer, setting-dog, spaniel, or other dog, or any gun, net, or other engine for the taking or destruction of game, at any time, or in any manner prohibited by law; nor shall give to any person any right to use any greyhound, &c. or any gun, &c. unless such person shall be qualified so to do, under the laws now in being, but shall be liable to the same penalties in the said laws contained, *id. s.*16.

190. No certificate, obtained under any deputation of a game-keeper, shall be pleaded or given in evidence, where the person having such certificate shall have used any greyhound, &c. or any gun, &c. out of or beyond the precincts of the manor, or lands for which such deputation was given, *id. s.*17.

191. As there are several cities and town that are counties of themselves, and have no clerks of the peace, every person residing in such cities, &c. may deliver in the paper before directed, to the office of the clerk of the peace, &c. or his deputy, of any county adjoining to such city, who is to issue his certificate to the person applying for the same, as before directed, in the same manner as if the person resided in the county; and upon neglect or refusal to issue such certificate, such clerk of the peace shall be liable to the same penalties as if he had refused or neglected to issue such certificate to any person applying for the same, resident in the county of such clerk of the peace, *id. s.*18.

192. Persons counterfeiting stamps, &c. shall be adjudged felons without clergy, *id. s.*19. *and* 31 *G.*3. *c.*21. *s.*5.

193. Provisions of former acts, relating to stamp duties, shall be in force in executing this act, *id. s.* 20.

194. All pecuniary penalties for offences against this act may be recovered in any courts at *Westminster*, for offences committed in *Eng.*, *Wa.*, or *Ber.*, and in the court of sessions, of justiciary, or of exchequer in *Scot.*, for offences committed in *Scot.*, by action of debt, &c. or information, with but one imparlance, wherein the plaintiff, if he recover, shall recover the same for his own use, with costs, *id. s.*21.

195. One justice, on information or complaint to him made, shall summon the accused, and the witnesses on either side, to appear before him; and on the appearance of the accused, or in default of his appearance according to such summons, shall proceed to hear and determine the matter in a summary way; and on due proof made thereof, either by confession or oath of one witness, may give judgement for the penalty; and award his warrant under his hand and seal, for levying any pecuniary penalties so adjudged on the goods of the offender, and to cause sale to be made thereof, in case they shall not be redeemed within 6 days, rendering to the party the overplus, if any; and where sufficient goods cannot be found to answer the penalty, to commit such offender to the common gaol, there to remain for 6 [*altered by* 26 *G.*3. *c.*82. *s.*7. 3] months, unless such penalty be sooner paid; and if he shall find himself aggrieved by the judgment of such justice, he may, on giving security to the value of such penalty, together with the costs awarded, in case such judgment shall be affirmed, appeal to the next general quarter ses-

sions, who shall summon and examine witnesses upon oath, and finally determine the same; and in case the judgment of such justices shall be affirmed, such justices may award the person to pay costs occasioned by such appeal, 25 *G.*3. *c.* 50. *s.* 22.

196. Every person summoned as a witness before such justice, either on the part of the prosecutor or of the accused, who shall neglect or refuse to appear, at the time appointed, without reasonable excuse for such neglect or refusal, to be allowed of by such justice, shall forfeit 10*l.* to be levied as before directed, *id. s.* 23.

197. The justice before whom any offender shall be convicted, shall cause the conviction to be made out thus: [The following form is substituted for that in 25 *G.*3. *c.* 50. *s.* 24. by 31 *G.*3. *c.* 21. *s.* 4.]

'Be it remembered, that on [*time of conviction*], at [*place of conviction*], *A. B.* [*offender*], of [*his addition*], was duly convicted before me, or us, [*name and style of convicting justice or justices*]; for that the said *A. B.* [*offender*], on, [*time of offence*], at [*place of committing it*], did [*here state the offence against the act according to the fact*], contrary to the form of the statute, and I [*or* we] do declare and adjudge that the said *A. B.* [*offender*] has forfeited for his said offence the sum of —*l.* to be distributed as the law directs. Given under my hand and seal, [*or* our hands and seals,] the day and year first above mentioned,' 31 *G.* 3. *c.* 21. *s.* 4.

198. Such justice or justices may mitigate any such penalties as they shall think fit, the reasonable costs of the officers and informers, as well in making as prosecuting the discovery, being always allowed over and above such mitigated penalty, and so as the mitigation do not reduce the penalties to less than a moiety of those incurred above such costs, and no such conviction shall be removeable by *certiorari* into any court soever, 25 *G.*3. *c.* 50. *s.* 25. [As to application of penalties not herein directed to be applied, see 26 *G.* 3. *c.* 82. *s.* 1. STAMPS; *sed qu. see pl.* 184.]

199. Every person prosecuted for any thing done under either of these acts may plead the general issue, and give the special matter in evidence; and if on the trial a verdict pass for defendant, or if plaintiff is nonsuit, defendant shall have treble costs, 25 *G.*3. *c.* 50. *s.* 28. 31 *G.*3. *c.* 21. *s.* 10.

200. FOR LIMITING THE TIME FOR KILLING PARTRIDGES IN *G. B.*, [this title is framed to show the object of the act, without noticing in this place the provisions by which it repeals other acts on this subject,] 39 *G.* 3. *c.* 34.

201. No person shall, on any pretence soever, take, kill, destroy, carry, sell, buy, or have in possession, or use any partridge, *within G. B.*, between 1st *Feb.* and 1st *Sept.* in any year, under the penalties by 2 *G.*3. *c.* 19. *s.* 4. *pl.* 144. imposed, 39 *G.*3. *c.* 34. *s.* 3. [*altering the* time of killing, &c. *partridges* limited by 2 *G.*3. *c.* 19. *s.* 1. *pl.* 142. which is expressly REP. by 39 *G.*3. *c.* 34. *ss.* 1, 2. [*NOTE, no exception* is here provided in favour of *partridges* taken in the season, and kept in any mew or breeding place, as in the case of *pheasants*, by 2 *G.*3. *c.* 19. *s.* 2. *pl.* 143. *but semble* partridges or pheasants reared in the house, or imported from beyond sea, may be bought and sold, 1 *J.* 1. *c.* 27. *s.* 4. *pl.* 101.]

202. IF ANY OFFICER OR SOLDIER shall, without leave of the lord of the manor, under his hand and seal first had and obtained, take, kill, or destroy, any hare, coney, pheasant, partridge, pigeon, or any other sort of fowls, poultry, or fish, or H. M.'s game, within the U. K., and on complaint thereof shall, on oath of one witness, be convicted before any justice, every officer so offending shall forfeit 5*l.* for use of the poor of the place where such offence is committed, and every commanding officer shall forfeit 20*s.* to be applied in like manner, for every such offence by any soldier under his command; and if, on such conviction and demand also made by constable or overseer, such officer shall not within 2 days pay the respective penalties, he shall forfeit his commission, 47 *G.*3. *c.* 32. *s.* 69., *and see* SOLDIERS.

203. TO REPEAL SO MUCH OF 2 *J.* 1. *c.* 27. *s.* 2. AS RELATES TO PENALTIES for *shooting at* hares, and also to repeal 3 *G.* 1. *c.* 11. relating to gamekeepers, 48 *G.*3. *c.* 93. and recital in *s.* 1.

204. The lord or lady of a manor may depute any person whatever, whether acting as gamekeeper, or retained as male servant to any other person or not, or *whether qualified or not*, to be a gamekeeper to any such manor, with authority to him as game-keeper to kill game within the same, *to his own use*, or for the use of any other person, to be specified in such deputation *whether qualified or not*, and no person so appointed game-keeper, and empowered to kill game as above, and not killing game for the use of the lord of the manor, shall be deemed, or entered, or paid for, as the game-keeper, or male servant of the lord or lady giving such deputation, *id. s.* 2.

205. Persons so appointed game-keepers shall have the same rights and powers, as if legally appointed to act as game-keeper to kill game for the use of the lord, *id. s.* 3.

206. FOR PREVENTION OF PERSONS GOING ARMED BY NIGHT for destruction of game, and for repealing by *s.* 5. 39 & 40 *G.*3. *c.* 50., and by *s.* 4. 56 *G.*3. *c.* 130. 57 *G.*3. *c.* 90.

207. If any person or persons, having entered into any forest, chase, park, wood, plantation, close, or other open or enclosed ground, with intent illegally to destroy, take, or kill game or rabbits, or with intent to aid, abet, and assist any person or persons illegally to destroy, take, or kill game or rabbits, shall be found at night, that is to say, between 6 in the evening and 7 in the morning, from 1st *Oct.* to 1st *Feb.*, between 7 in the evening and 5 in the morning, from 1st *Feb.* to 1st *April*, and between 9 in the evening and 4 in the morning for the remainder of the year, armed with any gun, cross-bow, fire-arms, bludgeon, or other offensive weapon, every such offender, being thereof lawfully convicted, shall be adjudged guilty of a misdemeanor, and shall be sentenced to transportation for 7 years, or to such other punishment as may by law be inflicted on persons guilty of misdemeanor, and as the court shall adjudge; and if any such offender shall return before the expiration of the term for which he is transported, he, being thereof duly convicted, shall be adjudged guilty of felony, and shall be sentenced to transportation for life, 57 *G.*3. *c.* 90. *s.* 1.

208. The rangers and owners, and occupiers of any such forest, &c. (as in *s.* 1.) their keepers and servants, and any other persons, may seize or assist in seizing such offenders, by virtue of this act, and by authority of the same may convey such offenders into the custody of a peace officer, who is to convey them before some one justice for the county or place where the offence was committed, or, in case such offenders shall not be so apprehended, then any such justice, on information on oath may issue his warrant for apprehension of such offenders; and if on apprehension it shall appear to him on oath, that the persons so charged have been guilty of the crime of being found armed at night as aforesaid, he may admit such persons to bail, and in default of bail may commit them to the county gaol until the next general quarter sessions, or general commission of gaol delivery, there to be tried; and, if in *Scot.*, until such persons shall be dealt with as any persons charged with a transportable offence may be dealt with according to the law of *Scot.*, *id. s.* 2.

209. If any person shall unlawfully enter into or be found in any forest, &c. (as in *s.* 1.) at night, according to the provisions of this act as to the night, [see *pl.* 207.] having any net, engine, or other instrument for the purpose and with the intent to destroy, take, or kill or shall wilfully destroy, take, or kill game, the rangers, and the owners and occupiers, their keepers and servants, and any other persons may seize or assist in seizing such offenders by virtue of this act, and convey such offenders into the custody of a peace officer, who is to convey them before some such justice, to be dealt with according to law, *id. s.* 3.

210. FOR FURTHER REGULATING THE APPOINTMENT OF GAMEkeepers in *Wa.*, 59 *G.*3. *c.* 102.

211. Every person seised in fee, or as of freehold, or otherwise beneficially entitled in his own right, to any lands in the principality, of the clear annual rent of 500*l.*, and not being within the bounds of any manor, lordship, or royalty, or being within such bounds, but enfranchised therefrom, may appoint by writing under his hand, a gamekeeper, to preserve, or to course, hunt, shoot at, or kill game for his use over such his lands, and over the lands of every other person, not being within the bounds of any manor, lordship, or royalty, who shall, by licence in writing under his hand, authorize him to appoint a gamekeeper or other servant, to preserve or kill game thereon, *id. s.* 1.

212. No gamekeeper having such appointment as aforesaid shall, during its continuance, be made liable to any penalties imposed by former statutes, for having game in custody, or for coursing, hunting, shooting at, or killing game, on any lands mentioned in his appointment, and whereon the person making the same, has any licence or authority to grant it, *id. s.* 2.

213. But nothing herein shall empower any person to make such appointment or licence to course, hunt, shoot at, or kill game upon his lands, situate within any such manor, &c. (unless enfranchised therefrom,) without the consent in writing of the proprietors of such manor, &c. [having right to pursue and kill game over such lands. *QU. the meaning?*] and where, in existing leases, the lessor hath not reserved the right of sporting, then no such appointments or licences shall be valid, without consent of the occupier, *id. ibid.*

214. Recital "that many manors, &c. in *Wa.* are extremely extensive, and that the restriction by 9 *A. c.* 25. *s.* 1. of only one gamekeeper to kill game within any manor, has tended greatly to the destruction of the game within the principality," the lords and ladies of such manors, &c. and the stewards of the crown for such manors, &c. as belong to H. M. within the principality, are respectively authorized to appoint gamekeepers for such divisions of their respective manors, as they think fit, each of whom shall have the like powers within such division, as any gamekeeper appointed for the whole of a manor hath by any act in force; but only one gamekeeper shall be appointed for each division, and all appointments under this act shall be registered with the clerk of the peace, in like manner, and shall be subject to all other enactments now in force as to the appointment of gamekeepers of manors, *id. s.* 3.

215. Every person making any appointment or licence under this act,

may revoke or render void such *consent*, [*see consent* by the occupier, *s.* 2.] appointment and licence, and grant other *consent*, *&c.* as often as he thinks proper, 59 *G.* 3. *c.* 102. *s.* 4.

216. This act shall not protect any persons killing game without a game certificate; or affect the rights of H. M., or his successors, or of any other person to any manor, &c. in the principality, *id. s.* 5.

GAMES AND GAMING.

(STATUTES *repealed.*)

1. AGAINST UNLAWFUL GAMES; (*viz.* prohibiting servants in husbandry, labourers, and servants of artificers, or victuallers, to use *tennis, foot-ball, coits, dice, casting the stone, kails* (viz. *nine-pins*), *and other such importune game,*) 12 *R.* 2. *c.* 6. [EXT. to *hand ball* by same persons, 11 *H.* 4. *c.* 4., *hand in and hand out*, and *quekborde*, 17 *E.* 4. *c.* 3. ALL REP. 33 *H.* 8. *c.* 9. *s.* 17. as to the penalties thereof, and entirely by 21 *J.* 1. *c.* 28. *s.* 11.]

2. No such persons shall play at any unlawful game, except playing *at tables*, but only for meat and drink, except at *Christmas*, 11 *H.* 7. *c.* 2. all *playing at tables* by the same persons prohibited, 19 *H.* 7. *c.* 12. [VIRTUALLY REP. 33 *H.* 8. *c.* 9. *s.* 17., and expressly by 21 *J.* 1. *c.* 28. *s.* 11. *& s.* 16. and see the later provisions of 30 *G.* 2. *c.* 24. *s.* 14., *&c. infra.*]

3. LICENCES OR PLACARDS TO KEEP GAMING-HOUSES, BOWLING alleys, &c. 33 *H.* 8. *c.* 9. *s.* 13. [REP. 2 *& 3 P. & M. c.* 9., which renders them void.]

(STATUTES *in force.*)

1. ALL SUITS TO BE PURSUED UPON ANY STATUTE FOR USING any unlawful game, or for not using of any lawful game, shall be sued and prosecuted, or otherwise determined at the general quarter-sessions or assizes, or leet of the county where the offence is committed, but in no wise out of such county, 31 *El. c.* 5. *s.* 7.

2. FOR DEBARRING UNLAWFUL GAMES, 33 *H.* 8. *c.* 9. *ss.* 11—24. [AMD. 2 *G.* 2. *c.* 28. *s.* 9.]

3. All former statutes for restraint of unlawful games are repealed, as to the penalties thereof, 33 *H.* 8. *c.* 9. *s.* 17.

4. No person shall for gain or living, keep any common house, alley or place, of bowling, coiting, closhe, cayles, half-bowl, tennis, dicing, table or carding, or any other game prohibited by statute heretofore made, or any unlawful new game on pain of 40*s. per* day forfeiture, [and of 6*s.* 8*d.* for every person resorting thereto, *s.* 12.]; *id. ss.* 11—12.

5. So where any justice shall find on his own view, or where it is proved before him, on the oaths of 2 or more witnesses, that any person hath used any unlawful game, contrary to 33 *H.* 8. *c.* 9., he may commit the offender to prison, unless he enter into recognizance with or without sureties at discretion of the justice, not to play at such unlawful games, 2 *G.* 2. *c.* 28. *s.* 9.

6. All justices, mayors, sheriffs and other head officers, in every city, town or borough, may enter all houses, places, and alleys, where such games are suspected to be used, and as well the keepers thereof, as the persons there playing may imprison, till the former find sureties to H. M.'s use, no longer to use such house, game or place, and till the latter are bound by themselves or their sureties at discretion of such justices, &c. not to play the same, or haunt such places, &c., 33 *H.* 8. *c.* 9. *s.* 14.

7. The mayors, &c. (as in *s.* 14., adding the word "constables"), shall make search weekly, or at farthest, once every month, where any such houses, plays or places are suspected to be kept; and if they do not make search once every month, if the case so requires, according to this act, and do not execute the same in all things, they shall forfeit 40*s.* for every month, *id. s.* 15.

8. No artificer, husbandman, apprentice, labourer, mariner, fisherman, waterman, nor any serving man, shall play at tables, tennis, dice, cards, bowls, closhe, coiting, logating or other unlawful game, out of *Christmas*, on pain of 20*s.*; and in *Christmas* may play thereat in their masters' houses or presence; and no person shall play at bowls in open places out of his garden or orchard, under pain of 6*s.* 8*d.*; and all justices, mayors, and other head officers, knowing any person using unlawful games, may commit such offender to ward till he be bound to H. M.'s use, not to use such unlawful games, *id. s.* 16.

9. Where such forfeiture is within any franchise or leet, one moiety shall go to the lord, and the other to any of H. M.'s subjects, that will sue for the same in any of H. M.'s courts by action, &c. or information, without essoin, &c. allowed; and where such forfeiture is out of any franchise or leet, one moiety shall be to H. M., and the other to any of H. M.'s subjects that will sue as above, *id. s.* 18.

10. All mayors and other head officers, shall, four times in the year, make proclamation of this act in every market within their jurisdictions, *id. s.* 19.

11. The justices of gaol delivery, assizes, and of peace, shall cause the same to be proclaimed in their circuits and sessions, *id. s.* 20.

12. But every master may licence his servants to play at cards, dice or tables with him, openly in his house or in his presence, or with any other gentleman repairing to their master as above, 33 *H.* 8. *c.* 9. *s.* 22.

13. Every nobleman and other having lands, or other yearly profit for term of life in his own right, or in his wife's right, to the yearly value of 100*l.*, may licence his servants or family to play within the precinct of his house, garden or orchard, at cards, dice, tables, bowls or tennis, as well amongst themselves as others repairing to the same, *id. s.* 23.

14. AGAINST DECEITFUL, DISORDERLY, AND EXCESSIVE GAMING, 16 *C.* 2. *c.* 7. and recital in *s.* 1.

15. Every person, of any degree or quality soever, who, at any time after 29th *Sept.*, 1664, shall, by any fraud, unlawful device, or ill practice soever, in playing at or with cards, dice, tables, tennis, bowls, skittles, shovel-board, or in or by cock-fights, horse or foot-races, dog matches, or other pastimes or games soever, or in or by bearing a share or part in the stakes, wagers or adventures, or in or by betting on the sides or hands of such as do or shall play, act, ride or run as above, win, obtain or acquire to himself or other, any sum of money, or other valuable thing, shall *ipso facto* forfeit treble the sum or value of money, or other thing so won or acquired, one moiety to H. M., and the other to the loser, suing for the same within 6 calendar months after such play; and in default of such prosecution, the same other moiety to such person as will sue for the same, within one year next after the 6 months expired in any of H. M.'s courts at *Westm.*; and such plaintiffs shall recover treble costs, *id. s.* 2.

16. If any person shall play at any games soever, other than with ready money, or shall bet on the sides of such as do, or shall play and lose any money or other thing exceeding 100*l.* at one time, and shall not pay down the same at the time, the party who loseth above 100*l.*, shall not be compellable to pay same, but all judgments, recognizances, mortgages, bonds and other securities, given for the same shall be void; and the person winning shall forfeit treble the value; one moiety to H. M., and the other to such as shall sue for the same within one year after such offence committed, in any of H. M.'s courts at *Westm.*, without essoin, &c. allowed; and such plaintiffs shall have treble costs, *id. s.* 3., [and see 18 *G.* 2. *c.* 34. *s.* 8., *infra*, *pl.* 34.]

17. FOR BETTER PREVENTING EXCESSIVE AND DECEITFUL GAMING, 9 *A. c.* 14. [CONF. 18 *G.* 2. *c.* 34. *s.* 10., AMD. virtually, 18 *G.* 2. *c.* 34. *s.* 3.]

18. All notes, bills, bonds, judgments, mortgages or other securities, given by any person where the whole or any part of their consideration is for money, or other valuable thing, won by gaming, or playing at cards, dice, tables, tennis, bowls or other game, or by betting on the sides or hands of such as game, or for repaying any money knowingly lent for such gaming, or lent at the time and place of such play to any person that shall play or bet, shall be void; and where such securities or conveyances shall be of lands, tenements or hereditaments, or shall incumber or affect the same, such securities, &c. shall enure for the use of such person as should be entitled to such lands, &c. in case the grantor, or the person incumbering the same, had been dead; and all conveyances made for preventing of such lands from coming to such person shall be void, 9 *A. c.* 14. *s.* 1.

19. Any person who shall at any sitting, by playing at cards, dice, tables or other game, or by betting as above lose in the whole the value of 10*l.*, and shall pay or deliver the same, or any part thereof, may within three months, sue for the money or goods lost, or any part thereof, from the winner, with costs, by action of debt founded on this act, in any of H. M.'s courts of record, in which no essoin, privilege of parliament, or more than one imparlance shall be allowed; in which actions, it shall be sufficient for the plaintiff to allege, that the defendants are indebted to the plaintiffs, or received to the plaintiffs' use the monies so lost and paid, or converted the goods won of the plaintiffs to the defendants' use, whereby the plaintiffs' action accrued to him according to the form of this statute, without setting forth the special matter; and in case the loser shall not without collusion sue, within the above time, any person by such action may sue for the same and treble the value thereof, with costs; the one moiety to the use of the defendant, and the other to the poor of the parish, *id. s.* 2.

20. Every person, who by this act is liable to be sued for the same, shall be obliged to answer on oath such bill as shall be preferred for discovering the money or any thing won at play, *id. s.* 3.

21. Any court of equity, where such bill shall be filed, may enforce its decree in that, as in other causes, 18 *G.* 2. *c.* 34. *s.* 3.

22. Upon the discovery and repayment of the money, or other thing so discovered, the discoverer shall be indemnified from any further penalty, 9 *A. c.* 14. *s.* 4.

23. Every person who shall, by any fraud in playing at cards, dice or any games, or by bearing a part in the stakes, or by betting on the sides or hands of such as game, win any money or other valuable thing; or who shall at any one sitting win above 10*l.*, shall on being convicted on an indictment or information, forfeit 5 times the value of the money or other thing won, and shall be deemed infamous, and suffer such corporal

punishment as in cases of wilful perjury; such penalty to be recovered by such person as shall sue for the same, 9 *A. c.* 14. *s.* 5.

24. Any two justices of peace may cause to be brought before them every person whom they shall have just cause to suspect to have no visible estate or calling to maintain themselves by, but do for the most part support themselves by gaming; and if they shall not make it appear that the principal part of their expenses is not maintained by gaming, such justices shall require of them securities for their good behaviour for 12 months, and in default thereof, commit them to the common gaol till they find such securities, *id. s.* 6.

25. If such person shall, during the time for which he shall be so bound to good behaviour, at any one time play or bet for any thing exceeding in all the value of 20*s.*, such playing shall be a breach of his behaviour, and forfeiture of his recognizance, *id. s.* 7.

26. In case any person shall assault and beat, or shall challenge or provoke to fight, any other person, upon account of money won by gaming or betting, he shall, being convicted upon indictment or information, forfeit to H. M., all his goods, and suffer imprisonment in the common gaol of the county 2 years, *id. s.* 8.

27. Nothing in this act shall hinder any person from gaming within the palaces of *St. James* or *Whitehall*, during such time as the sovereign shall be resident at either of the said palaces, or in any other royal palace where H. M. is actually resident, [9 *A. c.* 14. *s.* 9., 12 *G.* 2. *c.* 28. *s.* 10., 18 *G.* 3. *c.* 34. *s.* 6. s. r.] so as such playing be not in any house the freehold whereof shall be out of the crown, or in lease, and so as such playing be for ready money only, 9 *A. c.* 14. *s.* 9.

28. To MAKE MORE EFFECTUAL THE LAWS IN BEING TO prevent excessive and deceitful gaming, 18 *G.* 2. *c.* 34. *ss.* 1—10. [*See s.* 11. HORSE RACING.]

29. No person shall keep any house or place for playing, or permit any person within the same, to play at the game of roulet or roly poly, or at any other prohibited game, under the penalties of 12 *G.* 2. *c.* 28. (LOTTERIES), 18 *G.* 2. *c.* 34. *s.* 1.

30. If any person play at the said game of roulet, or at any game with cards or dice prohibited by law, he shall incur the penalties, and be liable to the prosecution by 12 *G.* 2. *c.* 28. directed, *id. s.* 2.

31. Persons having jurisdiction to hear informations on the statutes against gaming on any information exhibited before them for any offence committed against this act, or against 12 *G.* 2. *c.* 28. [LOTTERIES] or 13 *G.* 2. *c.* 19. [HORSE RACING] may summon any person other than the accused, to appear and give evidence at a certain day, time or place, and in case of his neglect to appear, or refusal to give evidence, he shall forfeit 50*l.* to be levied by distress and sale of goods by warrant under hands and seals of the persons issuing such summons, and if he have not sufficient goods whereon to levy the said 50*l.* he shall be committed to the common gaol for the county, city or place where such offence is committed for 6 months, *id. s.* 4.

32. No person other than the plaintiff or defendant in the cause shall be incapacitated from being a witness touching any offence against the laws against excessive gaming by reason of having played, betted or staked at any prohibited game, *id. s.* 5.

33. No privilege of parliament shall be allowed to any persons soever against whom any proceeding shall be had for keeping of any common gaming-house or any place for playing at any prohibited game, *id. s.* 7.

34. Every person who shall win or lose at play or by betting at any one time the sum or value of 10*l.*, or of 20*l.* within 24 hours, may be indicted for such offence in 6 months after the same is committed, either before the justices, of K. B. assize, gaol delivery, or grand sessions, and being lawfully convicted, shall be fined five times the value of the sum so won or lost, which fine, after reasonable charges allowed by the court to the prosecutors and evidence out of the same, shall go to the poor of the parish or place where the offence was committed, *id. s.* 8.

35. Every such offender who shall discover any other like offender so that he be convicted, shall be indemnified from all penalties by reason of such offence (if he has not been before convicted thereof,) and shall be a witness to prove same, *id. s.* 9.

36. This act shall not repeal the 9 *A. c.* 14., *id. s.* 10.

37. FOR PREVENTING GAMING IN PUBLIC-HOUSES BY journeymen, labourers, servants and apprentices, 30 *G.* 2. *c.* 24. *ss.* 14—23. [*see ss.* 1, 2. *tit.* CHEAT, *pl.* 6, 7. and *ss.* 3—13. in Sections, REP. and EXP.]

38. If any person licensed to sell any kind of liquors, or who shall sell, or suffer the same to be sold, in his or her house, out-houses, grounds, or apartments thereunto belonging, shall knowingly suffer any gaming with cards, dice, draughts, shuffle-boards, Mississippi or billiard tables, skittles, nine-pins, or with any other implement of gaming, in his houses, &c. by any *journeymen, labourers, servants or apprentices*, and is convicted on confession, or on the oath of one witness, before any justice or justices of the peace for the county, division, city, or place wherein the offence is committed, within 6 days after such offence, he shall for every such offence forfeit 40*s.* and for every like offence of which he is afterwards convicted, 10*l.*; all which sums so forfeited shall be levied by distress and sale of his goods, by warrant from the justice before whom convicted; which warrant the latter shall grant; and three-fourths of all sums so forfeited shall be paid to the churchwardens of the parish in which the offence is committed, for the use of the poor; and the other fourth to the person on whose information the party offending is convicted, 30 *G.* 2. *c.* 24. *s.* 14.

39. If any journeyman, apprentice or servant game in any house, out-house, ground or apartments thereto belonging, wherein any liquors are sold, and complaint is made on oath before any justice or justices of peace for the county or place where the offence is committed, such justice, &c. shall issue his warrant to some constable, tythingman, headborough, or other peace officer of the parish or place wherein the offence is charged, or where the offender resides, to apprehend and carry such offender before some justice acting for the county, &c. or place where the offence is committed, or the offender resides; and if he is convicted by oath of one witness or on confession, he shall forfeit any sum not exceeding 20*s.* nor less than 5*s.* as the justice shall think fit, every time he shall be convicted; and 1-4th of the money so forfeited shall be paid to the person on whose information the party is convicted, and the other 3-4ths applied for the use of the poor of the parish wherein the offence is committed, and shall be paid to the overseers of the poor of such parish; and if the party convicted shall not forthwith pay the sum so forfeited, such justice, &c. shall by warrant commit such offender to the house of correction, or other prison of the county, &c. or place in which he is apprehended, to be kept to hard labour for not exceeding one month, or till he pay the penalty, *id. s.* 15.

40. Any justice or justices of any county or place, &c. on complaint on oath of any offence against this act, within the same county, &c. or place, shall issue his warrant for bringing before him, or some other justice, the person charged with such offence; and the justice before whom such person shall be brought shall hear such complaint, and proceed to judgment and conviction; and if it appear by oath of any person to his satisfaction, that any person within his jurisdiction can give evidence on behalf of the prosecutor or accused, and who will not voluntarily appear to give evidence, such justice shall issue his summons to convene such person before him to be examined on oath concerning the premises; and if he neglect to appear, and no just excuse be offered, then (after proof by oath of such summons duly served) he shall issue his warrant to bring such witness before him, and on his appearance shall examine him on oath; and if he refuse to be examined on oath, without offering any just cause for such refusal, such justice may, by warrant commit every person so refusing to the public prison of the county, &c. or place, for any time not exceeding 3 months; and if he deem the evidence of such witness material, may bind over such witness unless a feme covert, [*see* 3 *M. & S.* 1.] or one under the age of 21 years, by recognizance in a reasonable penalty, to appear and give evidence at the next general or quarter sessions of the peace, or sessions of oyer and terminer, *id. s.* 16.

41. No person charged on oath with any offences punishable by this act, and which require bail, shall be admitted to bail before 24 hours notice be proved by oath to have been given in writing to the prosecutor, of the names and places of abode of the bail; unless the bail offered be known to the justice, &c. and he approve of them; and every such offender bound over to the general quarter sessions of the peace or gaol delivery, to answer such offences, shall be tried at the general quarter sessions of the peace, or sessions of oyer and terminer and gaol delivery held next after his being apprehended, unless the court think fit to put off the trial on just cause, *id. s.* 17.

42. In all actions, trials, and other proceedings in pursuance of this act, any inhabitant of the parish or place in which any offence is committed contrary to this act, shall be admitted to give evidence, and be deemed a competent witness, notwithstanding his being an inhabitant, *id. s.* 18.

43. The conviction shall be thus drawn, *viz.*:

'—— } BE it remembered, That on this — day of — in the — year of *to wit.* } H. M.'s reign, A. B. is convicted before — of H. M.'s justices of peace for the said county of — [*or* for the — riding *or* division of the said county of — *or* for the city, liberty, or town of — *as the case shall be*] for — and the said — do adjudge him or her to pay and forfeit for the same the sum of —. Given under — the day and year aforesaid.'

and shall be written on parchment, and transmitted to the next general quarter sessions of the peace for the county, &c. or place wherein such conviction was had, to be filed among the records there; and in case any person so convicted appeal from the judgment of the justice, &c. to the general or quarter sessions, the sessions shall on receiving the conviction, proceed to the hearing of the appeal according to *s.* 21. of this act, *id. s.* 19.

44. No *certiorari* shall be granted to remove any indictment, conviction, or other proceedings in pursuance of this act, *id. s.* 20.

45. Any person convicted as above, aggrieved by the judgment of the justice or justices before whom he is convicted, may appeal to the next general or quarter sessions of the peace for the county, division, city, or

place where such judgment is given; and the execution of the judgment shall be suspended, on his entering into a recognizance at the time of conviction, with two sureties, in double the sum adjudged to be forfeited, on condition to prosecute such appeal with effect, and abide the judgment of the sessions; which recognizance the justice or justices before whom such conviction was had shall take; and the sessions shall finally determine the appeal, and award such costs as to them appear just, to be paid by either party; and if on hearing the appeal the judgment of the justices, &c. before whom the appellant was convicted is affirmed, such appellant shall immediately pay the sum adjudged, with such costs as the sessions shall award; or in default of payment, shall suffer the pains and penalties by this act inflicted on persons who neglect to pay the respective forfeitures, 30 *G.*2. *c.*24. *s.*21.

46. No person by this act punished for any offence shall be punished for the same under any other law; and if any action be commenced for any thing done in pursuance of this act, the defendant may plead the general issue; and if the plaintiff be nonsuited, or discontinue after appearance, or if judgment is given for defendant on verdict or demurrer, he shall have double costs, *id. s.*22.

47. So much of 24 *G.*2. *c.*44. [Justices of Peace] as relates to rendering the justices more safe in the execution of their office, shall extend to justices acting in execution of this act; and no action shall be commenced against, or writ issued out, or copy or writ served upon, any peace officer, for any thing done in the execution of this act, till notice in writing be given to him, or left at his usual abode, by the attorney for the party commencing such action, &c. or suing out, or serving the copy of such writ, which notice shall contain the name and place of abode of the defendant, with the cause of action; and the name of the attorney shall be underwrote or indorsed thereon; and any peace officer may at any time within 14 days after such notice, tender amends for the injury complained of, to the plaintiff, or to the attorney, and if not accepted, defendant may plead such tender in bar, with the general issue, or any other plea, with leave of the court; and if on issue joined upon such tender, the jury find the amends tendered to have been sufficient, they shall find a verdict for the defendant; in which case, or if plaintiff is nonsuited, or discontinues, or if defendant has judgment on demurrer, defendant shall have his costs; and if the jury find no such tender was made, or that the amends tendered were not sufficient, and also find against the defendant on such other plea, the jury shall give a verdict for plaintiff, with such damages as they think proper, for which plaintiff shall have judgment, with costs, *id. s.*23.

GAUGING.

(Statutes *repealed.*)

1. The prices of *Gascon, Osey,* and *Spanish* wines, 5 *R.*2. *S.*1. *c.*4. [Rep. 7 *R.*2. *c.*11.]

2. Sweet wines and claret shall not be sold by retail in *Eng.* 5 *R.*2. *S.*1. *c.*5. [Rep. 6 *R.*2. *c.*7. and 7 *R.*2. *c.*11.]

3. Sale of sweet wines allowed at prices in 5 *R* 2. *S.*1. *c.*4. 6 *R.*2. *S.*1. *c.*7. [Rep. 7 *R.*2. *c.*11.]

(Statutes *in force.*)

1. All wines, red and white, imported into *Eng. Wa.* and *Ire.* to sell, shall be truly gauged by H. M.'s gauger, or his deputy; and every person making disturbance, and not suffering wines to be gauged, shall forfeit them, with imprisonment and ransom at H. M.'s will. Every gauger not ready by self or deputy to do his office when required, or committing fraud therein, to damage of buyer or seller, shall pay to the party grieved treble damages, and shall lose his office, with imprisonment, &c.; and the value of any quantity wanting in any such tun or pipe, shall be allowed by seller or buyer, [*and see* 18 *H.*6. *c.*17. and, 28 *H.*8. *c.*14. *s.*6. s.p.] 27 *E.*3. *S.*1. *c.*8. [Conf. 28 *H.*8. *c.*14. *s.*5.]

2. Every seller of a tun or pipe of wine, not gauged, shall forfeit the wine, or its value, to H.M., 31 *E.*3. *S.*1. *c.*5. [Conf. 28 *H.*8. *c.*14. *s.*5.]

3. All vessels of sweet, *Rhenish,* or other wine, and of vinegar, oil, honey, and other gaugable liquors imported into *Eng., Ire.,* or *Wa.,* shall be well gauged by our gaugers or their deputies, subject to 27 *E.*3. *S.*1. *c.*8., 4 *R.*2. *c.*1. [Conf. 28 *H.*8. *c.*14. *s.*5.]

4. No person shall be molested in the exchequer, nor elsewhere, for not gauging wines of *Rhine,* otherwise than of old times, 14 *R.*2. *c.*8.

5. All vessels of wine, oil, and honey, to be sold in *Eng.* shall be gauged by H.M.'s gauger, or his deputy, before they are sold, on pain of forfeiture thereof, or of their value, to H. M.; and abatement shall be made by the seller to the buyer of the proportionable price for the quantity wanting, on pain of forfeiture, notwithstanding any privy covenant between buyer and seller; and every person espying such forfeiture, and informing the lord treasurer, or barons of exchequer thereof, shall have half of the same, (*s.*1.) and the gauger shall take the same fee for gauging vessels of oil or honey as for wine, 18 *H.*6. *c.*17. *ss.*1—2. [Conf. 28 *H.*8. *c.*14. *s.*5.]

6. The gauge penny shall not be paid to the gauger till he or his deputies have gauged the wines, when he shall take it in satisfaction, and shall do the office of gauger in all places when required, on penalty contained in 27 *E.*3. *S.*1. *c.*8. *pl.*1., 23 *H.*6. *c.*15. [Conf. 28 *H.*8. *c.*14. *s.*5.]

7. To ascertain the contents of vessels of wine and oil, 1 *R.*3. *c.*13. [Conf. 28 *H.*8. *c.*14. *s.*5. and Amd. *id. s.*6.]

8. No person shall bring into the realm any butt of malmsey to be sold, unless it contain at least 128 gallons; nor any vessels of wine or oil except of the following measure, *viz.* 252 gallons *per* tun; 126 gallons *per* pipe; 63 *per* hogshead; 31½ *per* barrel; 18¼ *per* rundlet, 1 *R.* 3. *c.*13. *s.*1.

9. No vessels of wine or oil shall be put to sale till gauged by H. M.'s gauger or his deputy, on pain of forfeiture of the same, or of the value, to H. M., *id. s.*2.

10. Every foreign or other seller to any liege subject of any butt, &c. of wine or oil (as in *s.*1.), which is wanting in measure as above, shall rebate of such price to the buyer a due proportion of the price, on pain of forfniture of all wine and oil so sold, notwithstanding any privy contract between buyer and seller, *id. s.*3.

11. Every gauger, within the limits of his office, shall truly gauge all the butts, &c. (as in 1 *R.*3. *c.*13. *s.*1. *pl.*8.), and shall plainly and truly mark on the head of every such vessel its contents, on pain of forfeiture to the party to whose use such wine or oil is sold, 4 times the value of that which the vessel wants of its lawful contents, to be recovered, besides costs of suit, by original writ or bill, in any court of common law, or court having jurisdiction in the place where the offence is committed, by action of debt, and the seller shall make an allowance to the buyer for the full value of lack in the measure, at the rate of the whole price of the wine, oil, or other thing so sold, by that vessel marked, on pain of forfeiting double the value of such vessel, wine, and oil, to be recovered as above, 28 *H.*8. *c.*14. *s.*6.

GOLD AND SILVER. (*See* COIN.)

(Statutes *repealed and expired.*)

1. None shall convey gold or silver forth of the realm, without H. M.'s licence, 9 *E.*3. *S.*2. *c.*1. [Rep. 59 *G.*3. *c.*49. *ss.*11, 12.]

2. Searchers shall be appointed in out-ports to prevent the exportation of silver in money or otherwise, 17 *E.*3. *c.*1. *s.*2., and shall have the third part of all forfeitures, *id. s.*3. [Rep. 59 *G.*3. *c.*49. *s.*11.]

3. Merchants shall bring their gold and silver to H. M.'s exchanges, and carry out no more than they bring in, 27 *E.*3. *S.*2. *c.*14. [Rep. 59 *G.*3. *c.*49. *s.*11.]

4. None shall carry out of the realm gold or silver in plate or money, except the victuallers of fish that fish for herrings and import fish, 38 *E.*3. *S.*1. *c.*2. *s.*2. [Rep. 59 *G.*3. *c.*49. *s.*11.]

5. None shall export gold and silver without licence, 5 *R.*2. *S.*1. *c.*2. *ss.*1—3. [*See rest of this* title and statute, Departing Realm. Amd. 2 *H.*4. *c.*5. Both Rep. as to gold and silver, 59 *G.*3. *c.*49. *s.*11.]

6. For confirming former statutes against exporting gold or silver, 4 *H.*4. *c.*16. [Exp. and virtually Rep. 59 *G.*3. *c.*49. *ss.*10—11.]

7. It shall be felony to use the craft of multiplication of gold or silver, 5 *H.*4. *c.*4. [Rep. 1 *W. & M. S.*1. *c.*30. *ss.*1—2., and see *s.*3. *infra, pl.* 15.]

8. The price of silver gilt shall be 46*s.* 8*d.* at most, on pain of forfeiture, 2 *H.*5. *S.*2. *c.*4. [Rep. as to the above, 21 *J.*1. *c.*28. *s.*11., but see the remainder, *infra, pl.* 6.]

9. Gold or silver shall be brought to the mint in proportion to wool or tin exported, 8 *H.*5. *c.*2. [*semble,* Exp.]

10. For regulating the export of gold and silver, 2 *H.*6. *c.*6. [Rep. 59 *G.*3. *c.*49. *s.*11.]

11. For preventing export of gold and silver by alien merchants, 27 *H.*6. *c.*3. [Exp. and Rep. virtually by 59 *G.*3. *c.*49. *ss.*10, 11.]

12. Against carrying away coin, plate vessel or jewels out of realm, 4 & 5 *H.*7. *c.*23. [Rep. 59 *G.*3. *c.*49. *s.*11.]

13. For settling and adjusting the proportion of fine silver and silk, for the better making of silver and gold thread, and to prevent the abuses of wire drawers, 9 & 10 *W.*3. *c.*39. [Con. and Amd. 1 *A. S.*1. *c.*17. Both Exp.]

(Statutes *in force.*)

1. How vessels of gold shall be assayed, touched, and marked, 28 *E.*1. *c.*20.

2. No goldsmith shall make any vessel or other thing of gold or silver, except it be of true allay, *viz.* gold of a certain touch, and silver of the sterling allay or better, at the pleasure of him to whom the work belongeth; and none shall work worse silver than money. And no vessel of silver shall depart out of the hands of the workers, until it be assayed by the wardens of the craft, and marked with the *leopard's head,* and they shall work no worse gold than of the touch of

Paris. And the wardens of the craft shall go from shop to shop among the goldsmiths to assay if their gold be of the touch; and if they find any other than of the touch, the gold shall be forfeit to H. M.; and none shall set any stone in gold, except it be natural: and cutters of stones and of seals shall give to each their weight of silver and gold. And all the towns of *Eng.* where any goldsmiths be, shall be ordered as they of *London* be; and one shall come from every town to *London*, to be ascertained of their touch: and every goldsmith attainted that he hath done otherwise than is ordained, shall be punished by imprisonment, and ransom, at H. M.'s pleasure: the prerogative of the crown being saved, 28 *E.* 1. *c.* 20. [Rec. and Conf. *com. semb.* 12 *G.* 2. *c.* 26. *s.* 1. 38 *G.* 3. *c.* 69. *s.* 8.]

3. Goldsmiths shall make all vessels and work of silver of allay of good sterling; every master shall have his own mark, which shall be known by H. M.'s surveyors of the work and allay, but the same shall not be set on till the latter have made their assay, after which they shall set H. M.'s mark, and the goldsmith his mark, for which he will answer, 37 *E.* 3. *c.* 7.

4. No man shall gild or silver any locks, rings, beads, candlesticks, harness for girdles, chalices, hilts, nor pomels of swords, powder boxes, nor covers for cups made of copper or latten, on pain to forfeit to H. M. 100*s.*, and to make satisfaction to the party grieved, but (chalices excepted) artificers may work ornaments for the church of copper and latten, and the same gild or silver, so that in the foot or some other part, the copper and latten shall be plain, 5 *H.* 4. *c.* 13. [Amd. 2 *H.* 5. *S.* 2. *c.* 4. 8 *H.* 5. *c.* 3.]

5. No man shall gild any sheaths or metal but silver, and ornaments of holy church; nor shall silver metal, but knight's spurs, and the apparel pertaining to a baron or above that estate, on pain of forfeiture to H. M. 10 times the value of the thing so gilt, and shall be also imprisoned one year, and the justice shall inquire and determine thereof, and he who will sue for H. M. shall have one-third of the pecuniary penalty, 8 *H.* 5. *c.* 3.

6. Goldsmiths shall gild no silver worse than of allay of *English* sterling, being of reasonable price, on pain of forfeiting to H. M. the value of the thing so sold, 2 *H.* 5. *S.* 2. *c.* 4.

7. For regulating and ascertaining the fineness of silver work, 2 *H.* 6. *c.* 14. [Rec. and Con. *comm. semb.* 12 *G.* 2. *c.* 26. *s.* 1. 38 *G.* 3. *c.* 69. *s.* 8.]

8. No goldsmith nor worker of silver in *London* shall sell workmanship of silver, unless it be as fine as the sterling, except the same need solder, which shall be allowed; and no goldsmith nor jeweller, nor none that worketh harness of silver, shall set any of the same to sell within the city, before it be touched with the touch of the *leopard's head*, if it may reasonably bear the same, and also with a mark of the workman, upon pain of forfeiture of the double; and the mark of every goldsmith shall be known to the wardens of the craft; and if it be found that the keeper of the touch touch any such harness with the leopard's head, except it be as fine in allay as the sterling, he shall forfeit the double value to H. M. and the party, *id. s.* 1.

9. And in *York*, *Newcastle upon Tyne*, *Lincoln*, *Norwich*, *Bristow*, *Salisbury*, and *Coventry*, every of them shall have divers touches, according to the ordinance of the mayors, bailiffs, or governors, of the same towns, *id. s.* 2.

10. And no goldsmith, nor worker of silver, nor keeper of the said touches, within the same towns, shall set to sale, nor touch any silver in other manner than is ordained in *London*, upon pain of the said forfeiture; and no goldsmith, nor worker of silver, where no touch is ordained, shall work any silver, except it be as fine in allay as the sterling; and the goldsmith or worker shall set upon the same his mark before he set it to sale; and if it be found that it is not as fine as the sterling, the worker shall forfeit the double value; and the justices of peace, mayors, and bailiffs, shall hear, enquire, and determine, by bill or in other manner, of all that do contrary to the said ordinances, *id. s.* 3.

11. No finer of gold and silver, nor parter of the same by fire or water, shall allay no fine silver nor gold, nor none sell to any person but only to officers of mints, changes, and goldsmiths; and the masters of mints, changes, and goldsmiths, for all such fine gold and silver coming to them, shall answer the value after its fineness; and no finer or parter shall sell silver in mass, molten and allayed, upon pain of forfeiture of the same, H. M. to have one half, and the finder that will sue in exchequer the other half; and if any finer or parter of gold and silver, either by fire or water, allay or sell any fine silver or gold, otherwise than is ordained in this act, he shall lose the value thereof, H. M. to have the one half, and the finder that will sue in the exchequer the other half; also all fine silver shall be made so fine that it may bear 12 penny weight of allay in a pound weight, and yet be as good as sterling, and rather better; and every finer shall put his mark upon such fine silver, upon pain of the value, fou nd contrary, to be forfeit; H. M. to have the one half, and the finder that will sue in the exchequer the other half; and no goldsmiths shall melt or allay any silver but only for making of amels for divers works of goldsmithry, and for amending of plate, 4 & 5 *H.* 7. *c.* 2. *s.* 1. [*but* Rec. and *semble* Conf. 12 *G.* 2. *c.* 26. *s.* 1., 38 *G.* 3. *c.* 69. *s.* 8.]

12. Nor shall they sell fine silver, nor other silver allayed, molten into mass, to any person; this ordinance to be kept by the goldsmiths in every point, upon pain of forfeiture of the silver or value thereof; H. M. to have one half, and the finder that will sue in the exchequer the other half, *id. s.* 2.

13. For reformation of abuses in goldsmiths, 18 *El. c.* 15. [Rec. and Conf. 12 *G.* 2. *c.* 26. *s.* 1., and 38 *G.* 3. *c.* 69. *s.* 8.]

14. No goldsmith shall work, sell, or exchange, any plate, or other goldsmith's wares of gold, less in fineness than of 22 *carats*, [18 carats now allowed, 38 *G.* 3. *s.* 69. *s.* 1.] and they use no sother, [*and see* 12 *G.* 2. *c.* 26. *s.* 11.] amel, nor other stuffings, in their works, more than is necessary; and they shall not take above 12*d.* for the ounce of gold (besides the fashion) more than the buyer shall be allowed for the same at H. M.'s exchange or mint, upon pain to forfeit the value of the thing sold or exchanged; and no goldsmith shall make, sell, or exchange, any plate of goldsmith's wares of silver, less in fineness than of 11 *oz.* 2 *dwts.* [Alt. 8 *W.* 3. *c.* 3. *s.* 9. Restored 6 *G.* 1. *c.* 11. *s.* 1.] nor take above 12*d.* for every pound weight of silver, besides the fashion, more than the buyer shall be allowed for the same at H. M.'s exchange or mint; nor put to sale, exchange, or sell, any plate or goldsmith's work of silver, before he hath set his mark to so much thereof as may conveniently bear the same, upon pain to forfeit the value of the thing so sold or exchanged; and if any goldsmith shall make any goldsmith's work or plate, and the same shall be touched, marked, and allowed, by the wardens or masters of that mystery, and in the same there is found any deceit, the wardens and corporation of that mystery shall forfeit the value of the thing so exchanged or sold; one moiety to H. M., and the other to such party grieved as will sue for the same, by action, or information, with no essoin, and but one imparlance, 18 *El. c.* 15.

15. All gold and silver extracted by the art of melting, and refining metals, and otherwise improving them and their ores, [and extracting gold and silver thereout, *preamble in s.* 1.] shall be henceforth employed for no other use but increase of monies, and the place appointed for their disposal shall be the mint in the *Tower*, where they shall receive full value for their gold and silver so extracted, from time to time, according to its assay and fineness, and so for greater or lesser weight, and no gold or silver metal so refined and extracted, may be used or disposed of elsewhere in H. M.'s dominions, 1 *W.* & *M. S.* 1. *c.* 30. *s.* 3. [*see ss.* 1—2. *Stats.* Rep. &c. *pl.* 7.; *s.* 4. Mines.]

16. No person shall work any manufacture of silver less in fineness than 11 *oz.* 10 *dwts.* [altered from 11 *oz.* 2 *dwts.* as provided by 18 *El. c.* 13. *pl.* 14. which is Restored 6 *G.* 1. *c.* 11. *s.* 1. *post*, *pl.* 29.] of fine silver in every pound troy, nor put to sale or exchange any manufacture of silver (unless it be silver wire, or such things as in respect of their smallness are not capable of receiving a mark) until such manufactured silver shall be marked as follows, *viz.* with the worker's mark, to be expressed by the two first letters of his surname, the marks of the craft of goldsmiths, which instead of the *leopard's head* and the *lion*, shall for this plate be a *lion's head erased* and a *Britannia*, and a distinct variable mark to be used by the warden of the mystery, to denote the year in which such plate is made; on pain that all such manufactured silver which shall be made, exposed to sale or exchanged, contrary to this act, or the value thereof, shall be forfeited, one half to H. M., and the other half to persons that will seize or sue for the same, to be recovered in any court of record, by action, &c. or information with no essoin, &c. but one imparlance allowed; and if any person shall make any silver plate contrary to this act, and the same shall be touched, marked or allowed, by the wardens or masters of the said mystery, or those authorized by them for assaying plate, and if in the same there is found any deceit, the wardens and corporation of that mystery shall forfeit the value of the plate so deceitfully marked, one half to H. M., and the other half to any person that shall buy the same and be grieved thereby, to be recovered as aforesaid, 8 *W.* 3. *c.* 8. *s.* 9.

17. For appointing wardens and assay masters for assaying wrought plate, in the cities of *York*, *Exeter*, *Bristol*, *Chester* and *Norwich*, 12 & 13 *W.* 3. *c.* 4. [Amd. 1 *A. S.* 1. *c.* 9. *ss.* 3—5. 6 *G.* 1. *c.* 11. *ss.* 1—3. 41. Rev. and Conf. 12 *G.* 2. *c.* 26. *s.* 1. and 38 *G.* 3. *c.* 69. *s.* 8.]

18. The cities where the mints were lately erected, *viz. York*, *Exeter*, *Bristol*, *Chester* and *Norwich*, shall be appointed for assaying and marking of wrought plate, 12 & 13 *W.* 3. *c.* 4. *s.* 1.

19. In every of the cities aforesaid, the goldsmiths, silversmiths and plate-workers, being freemen of, and inhabiting, the said cities, and having served an apprenticeship to the trade of a goldsmith, silversmith or plate-worker, shall be incorporated a company of such city, to be called *The company of Goldsmiths* of such city; and shall be enabled annually to chuse two wardens, to continue one year; and if any of them die or remove out of such city, the company shall within one month chuse another in his room, *id. s.* 2.

GOLD AND SILVER.

20. No goldsmith, silversmith or plate-worker in the said cities shall make any manufacture of silver less in fineness than the standard which shall be appointed by law, nor shall put to sale or exchange any plate of silver, until marked as follows, *viz.* with the *worker's mark*, to be expressed by the *two first letters* of his surname, and also with the *lion's head erased*, and the figure of *Britannia*, and with the *arms of such of the cities* aforesaid wherein such plate shall be assayed, and also with a variable mark or letter in *Roman* character; which shall be annually changed on the election of new wardens, to denote the year; on pain that all such silver plate (except such things as by reason of their smallness, are not capable of receiving a touch) shall be forfeited, or the value thereof; one moiety to H. M., and the other to such as will sue for the same in any court of record in any place wherein such offence shall be committed, 12 & 13 *W.* 3. *c.* 4. *s.* 2.

21. There shall be an able man, experienced in assaying of gold and silver, elected by the company of goldsmiths in each of the said cities, for whom it shall be lawful to detain eight grains for every lb *troy* of silver he shall assay, four grains whereof shall be put into the box of diet, and the other four grains shall be allowed him towards his waste and spillings; and who immediately after his election, shall take the oath following, *id. s.* 4.

I *A. B.* do swear that I will be faithful and true to our sovereign lord king *George*, and will, so long as I shall continue an assayer, well and faithfully behave myself in the said office, and no undue profit to myself take, to the hurting or hindrance of any person that is owner or bringer in of any gold or silver in plate to be assayed, except of plate wrought only four grains of every lb. weight, to be taken and put into the box of diet, and other four grains to be taken likewise of every lb. weight of plate wrought (and not otherwise) towards my waste and spillings in making the said assays; and that I will touch nor gold nor silver, but what shall be of the goodness of, and according to, the standard of this kingdom, which for the time being is, or shall be, appointed by law, for wrought plate; and all such gold and silver as shall be brought to me to be touched, I will truly set down in writing, and the same at all times, as I shall be required, will duly and truly deliver again (except eight grains, as aforesaid) and will true accounts make thereof, when thereunto required by the wardens of the companies wherein I am chosen assayer; and that I will no assays make of things new wrought before they be marked with the mark of the maker or owner thereof; and that I will not put into the aforesaid box any silver, but that silver which I shall have scraped and taken from the plate which I shall assay and pass for standard.—So help me God.'

Which oath the mayor shall administer to such assayer, *id. s.* 5.

22. The boxes, wherein the diet of plate tried by the assayers is put, shall be locked up with three locks, and the keys kept by the wardens and assayers; and shall be at the charge of each company conveyed annually (if required by the lord chancellor) to H. M.'s mint at the Tower; and the diet therein contained shall be tried as the pix of the coin is tried; and if in any of the said diets there shall be found any deceit, such co. shall forfeit 50*l.* to be recovered as in *s.* 2. *pl.* 20., against such co., or any member thereof in his private capacity, to be disposed as aforesaid; and if any plate shall be touched, marked or allowed for good, by the assayers, and in the same there shall be found any deceit, such assayer shall forfeit double the value of the plate, as aforesaid, *id. s.* 6

23. Every person who shall be a goldsmith, silversmith or plate-worker, and shall inhabit in any of the cities, or in any other place where an assayer shall not be appointed, before he takes upon him to exercise any of the said trades, shall enter his name, mark, and place of abode, with the wardens of such co. of that city where an assayer is appointed; which shall be done by the wardens without fee; and if any such goldsmith, &c. shall not enter his name, mark, and abode, or shall strike any other mark, such goldsmith, &c. shall forfeit double the value of the plate so marked, to be recovered and disposed as aforesaid, *id. s.* 7.

24. Every goldsmith, silversmith and plate-worker, inhabiting in any place where an assayer shall not be appointed, shall first fix his mark on all his plate, (except such things as by reason of their smallness cannot receive the touch) and shall then send the same to some place where an assayer shall be appointed, and the same shall be there assayed; and if it is found to be of the fineness of standard, it shall be marked by the assayer; and he shall be paid by the owners of such plate, a sum not exceeding 6*d.* for every lb *troy*; and any goldsmith, &c. who shall work any silver plate less in fineness than the standard, or shall put to sale or exchange any silver plate (unless it be such things as in respect of their smallness are not capable of receiving a touch) before such plate shall be assayed and marked, shall forfeit the plate, or the value thereof, as aforesaid, *id. s.* 9.

25. The town of *Newcastle on Tyne* is appointed for assaying and marking wrought plate, and for executing the several powers in 12 & 13 *W.* 3. *c.* 4. mentioned, 1 *A. S.* 1. *c.* 9. *s.* 3.

26. The goldsmiths, silversmiths and plate-workers, freemen of, and inhabiting in, the said town of *Newcastle*, and having served an apprenticeship to the trade, shall be incorporated a co. of the said town, and shall be called *The Company of Goldsmiths of the Town of Newcastle upon Tyne*; which co. shall be enabled annually to chuse two wardens, to continue one year; and if either of them die or remove out of the town, the co. shall within one month chuse another, 1 *A. S.* 1. *c.* 9. *s.* 4.

27. All silver plate (except such things as by reason of their smallness are not capable of receiving the touch) shall be made of the same fineness, and assayed and marked with the arms of the said town and other the marks mentioned in 12 & 13 *W.* 3. *c.* 4.; and an assay-master shall be elected by the said company, who shall take such oath as is thereby prescribed before the mayor of *Newcastle*; and the said assay-master, and all the goldsmiths, silversmiths and plate-workers, inhabiting in the said town, shall observe all such matters, and be subject to such rules and forfeitures, as in the said act, mentioned, *id. s.* 5.

28. The old standard of 11 *oz.* 2 *dwts.* of fine silver at least, to be contained in every lb *troy*, [as in 18 *El. c.* 15. *pl.* 14. which was altered by 8 *W.* 3. *c.* 8. *s.* 9. *pl.* 16.] shall be restored instead of the new standard of 11 *oz.* 10 *dwts.* of fine silver in every such lb. *troy*, by 8 *W.* 3. *c.* 8. fixed, 6 *G.* 1. *c.* 11. *s.* 1.

29. No gold or silversmith or plate worker, shall be obliged to work any manufacture of silver according to the new standard, or be restrained from exchanging or selling any silver vessels, &c. so as the same contain 11 *oz.* 2 *dwts.* of fine silver at least in every lb. *troy*, and be touched, assayed and marked, as by the former acts and by this act is provided, *id. s.* 2.

30. No person shall work any silver vessel, &c. less in fineness than 11 *oz.* 2 *dwts.*, or put to sale or exchange any silver vessel, &c. (unless silver wire, or such things as in respect of their smallness are not capable of receiving a mark) till the same be touched, assayed and marked, as prescribed by the laws for touching, &c. and all the rules, powers, forfeitures, &c. provided by any former law in force, shall be continued, for securing the standard of 11 *oz.* 2 *dwts.*, *id. s.* 3.

31. Silver plate shall not be made less in fineness than 11 *oz.* 10 *dwts.* of fine silver in every lb. *troy*, or 11 *oz.* 2 *dwts.*; which two different standards of wrought plate shall be severally marked, *viz.* plate not less in fineness than 11 *oz.* 10 *dwts.* shall be marked with the *workman's mark*, *the mark of the wardens of the goldsmiths' company*, and a *lion's head erased*, and *a Britannia:* and all vessels of silver not less in fineness than 11 *oz.* 2 *dwts.*, shall be marked with the *worker's mark*, and *that of the wardens of the goldsmiths' company*, and with a *lion passant*, and a *leopard's head*; and no manufactures of silver shall be made of a coarser allay, under the penalties prescribed by any laws now in being, *id. s.* 41.

32. FOR BETTER PREVENTING FRAUDS AND ABUSES IN GOLD and silver wares, 12 *G.* 2. *c.* 26. [PUBLIC *clause*, *id. s.* 24.]

33. FOR ALLOWING GOLD WARES TO BE MANUFACTURED AT A standard lower than is allowed by law, [*viz.* by 12 *G.* 2. *c.* 26. and other Statutes] 38 *G.* 3. *c.* 69.

34. No person making or dealing in gold and silver wares in *Eng.* shall make or procure to be made any gold vessel, plate or manufacture of gold less in fineness than 22 [18, by 38 *G.* 3. *c.* 69. *s.* 1.] carats of fine gold in every lb. *troy*; nor make, &c. any silver vessel, plate, or manufacture of silver, less in fineness than 11 *oz.* 2 *dwts.* of fine silver in every lb. *troy*; nor sell, exchange, or expose to sale, or export out of this kingdom any gold vessel, &c. made less in fineness than 22 [18] carats of fine gold in every lb. *troy*; nor sell, &c. any silver vessel, &c. made less in fineness than 11 *oz.* 2 *dwts.* of fine silver in every lb. upon pain for every such offence of forfeiting 10*l.*, and for default of payment, the offender shall be committed by the court in which judgment is given, to the house of correction of the place where convicted, to be kept to hard labour for any time not exceeding 6 months, or until payment, 12 *G.* 2. *c.* 26. *s.* 1. as ALT. by 38 *G.* 3. *c.* 69. *s.* 1.

35. Nothing in this act shall extend to any jewellers' works, *viz.* any gold or silver wherein any jewels or other stones are set (other than mourning rings) nor to any jointed night ear-rings of gold, or gold springs of lockets, 12 *G.* 2. *c.* 26. *s.* 2.

36. If any shopkeeper or other person dealing in gold or silver wares (not being the maker or worker thereof) happen to export, sell, or expose to sale any gold or silver wares worse than the respective standards, and within 14 days next after notice of the coarseness thereof discover to the party grieved, or to the master, wardens, or clerk of any of the companies of goldsmiths belonging to the place within which such shopkeeper resides, the name and place of abode of the maker or of the person of whom such shopkeeper, &c. bought such coarse gold or silver wares, and produce him, if living, so that he may be prosecuted; and at any trial to be had against such maker or person of whom the same were bought, for such offence, give material evidence, and the judge before whom the cause is tried under his hand upon the record certify the same, and also that there did not on such trial appear any ground to believe that such shopkeeper, &c was privy to such fraud; or if such shopkeeper, &c. on the trial of any suit or prosecution against himself concerning the premises, prove that he delivered to such maker or worker a sufficient quantity of standard gold or silver to make the said wares, and paid a reasonable price for the fashion, or paid a market price for standard gold or silver of that weight, besides

a reasonable price for the fashion; in either of the said cases such shopkeeper, &c. shall be exempt from any penalty incurred by this act for exporting, selling, or exposing to sale such coarse gold or silver wares, and from any action or prosecution for the same, 12 *G.* 2. *c.* 26. *s.* 3.

37. It shall not be necessary for such shopkeeper, &c. who sold, &c. such coarse gold or silver wares to give such material evidence, or to procure such certificate in order to his indemnity, unless such trial against such maker or person of whom the same was bought, be had within 4 terms after such discovery, nor unless reasonable notice be given to such shopkeeper, &c. of the time of such trial, *id. s.* 4.

38. No person making or dealing in gold or silver wares, shall sell, exchange, or expose to sale in *Eng.* any gold or silver vessel, plate, or manufacture of gold or silver, or export the same, until such vessel, &c. of gold, being of the standard of 22 carats of fine gold per lb. troy, and such vessel, &c. of silver being of the standard of 11 *oz.* 2*dwt.* of fine silver per lb. troy, be marked with the mark of the maker, which shall be the first letters of his christian and surname, and with these marks of the Co. of goldsmiths in *London*, established by letters patent 4 *Jan.* 8 *C.* 2. *viz.* the *leopard's head*, *the lion passant*, [ALT. to the mark of a *crown*, and the figures 18 in lieu of the lion *passant*, under a like penalty, 38 *G.* 3. *c.* 69. *s.* 2.] and a distinct variable mark to denote the year in which such plate is made; or with the mark of the maker, and with the marks appointed by the assayers at *York*, *Exeter*, *Bristol*, *Chester*, *Norwich*, or *Newcastle-upon-Tyne*; or plate, being of the standard of 11 *oz.* 10 *dwts.* of fine silver *per* lb. weight *troy*, with the *mark* of the maker, which shall be the *first letters* of *his christian and surname*, and with these marks of the said company, viz. *the lion's head erased*, the *Britannia*, and the *mark to denote the year*; or with *the mark of the maker* and the *marks of one of the said cities or towns*; on pain, for every such offence, of forfeiting 10*l.* and for default of payment, of being committed by the court in which judgment is given to the house of correction where convicted, to be kept to hard labour, for any time not exceeding 6 months or until payment, *id. s.* 5. as ALT. by 38 *G.* 3. *c.* 69. *s.* 2.

39. Nothing in this act shall oblige any of the following wares of gold [or silver, REP. 30 *G.* 3. *c.* 31. *s.* 1.; see *id. s.* 35. present exemptions of silver wares,] to be marked by the respective companies of goldsmiths, *viz.* rings, collets for rings, or other jewels, chains, necklace beads, lockets, hollow or raised buttons, sleeve buttons, thimbles, coral sockets and bells, ferrils, pipe lighters, cranes for bottles, very small book clasps, any stock or garter clasps jointed, very small nutmeg graters, rims of snuff-boxes, whereof tops or bottoms are made of shell or stone, sliding pencils, tooth-pick cases, tweezer cases, pencil cases, needle cases, any philligree work, any sorts of tippings or swages on stone or ivory cases, any mounts, screws, or stoppers to stone or glass bottles, or phials, any small or slight ornaments put to amber or other eggs or urns, any wrought seals, or seals with cornelian or other stones set therein; or any gold [or silver, REP. as above] vessel, plate or manufacture of gold or silver so richly engraved, carved or chased, or set with jewels or other stones, as not to admit of an assay to be taken of, or a mark to be struck thereon, without damaging the same; or such other things as by reason of the smallness or thinness are not capable of receiving the marks, and *not* weighing 10 *dwts.* of gold [or, *silver*, REP. as above] each, 12 *G.* 2. *c.* 26. *s.* 6. [*and see* exemptions in 55 *G.* 3. 185. *Sched.* STAMPS (PLATE).]

40. Every working gold and silversmith, and other manufacturer of gold or silver, who shall work or make or cause to be wrought or made, any gold or silver plate or manufacture by this act required to be marked by the goldsmith's Co. or by the wardens and assayers as in *s.* 5. *pl.* 38. at the above cities, *&c.* shall from time to time send with every parcel of gold or silver to such assay-officers a note in writing, containing the day of the month and year, christian and surname, and abode of the worker or maker, all the species in such parcel of plate, the number of each species, and weight of each parcel; to be entered in the books of the said co. or of the said wardens, *&c.* and filed; and the officers making entry thereof and filing the same, shall monthly deliver on oath into the excise office, all the notes by them received for silver plate assayed or marked, or true copies thereof; and the commissioners of excise may monthly or oftener appoint a person to inspect the books in the assay offices, to check accounts of plate chargeable with duty, and for every default by such gold or silver manufacturer, officer of the goldsmiths' co., and of every warden or assayer in the premises, each of them shall forfeit 5*l.* and on non-payment shall be committed by the court in which judgment is given thereon, to the house of correction for 3 months hard labour, or until payment thereof made, *id. s.* 9.

41. No debenture shall be granted nor drawback paid on the exportation of such silver plate or manufactures as have been made 7 years or more before entry for exportation, *id. s.* 10.

42. Any warden or deputy warden of the company of goldsmiths in *London*, or any warden or assayer of *York*, *Exeter*, *Bristol*, *Chester*, *Norwich*, and *Newcastle-upon-Tyne*, having been a working goldsmith or silversmith may determine what solder is necessary in every piece of plate brought to the assay-offices to be marked, and how forward in the workmanship the same ought to be, and whether all the pieces are put together or not which are intended to be put together, on seeing the same; and when any of them adjudge any piece of plate to be too much charged with soder, or not forward enough in the workmanship, or the pieces not put together that are intended to be put together, or that any piece of plate is uncapable of being marked, he shall refuse to permit the same to be marked, 12 *G.* 2. *c.* 26. *s.* 11.

43. Every person aggrieved by determination of such warden or deputy warden of the company of goldsmiths in *London*, may appeal to the other wardens of the said company, or 2 of them, or to the meeting of the standing committee of the company; and if not satisfied with the determination of the said wardens or committee, may appeal to the court of assistants of the company, or may appeal in the first instance to the said court of assistants, by writing, desiring their judgment, who, upon such complaint, shall determine the same; but their determination shall be final, *id. s.* 12.

44. The wardens and commonalty of goldsmiths in *London*, or such person as the court of assistants of the said company shall appoint, may take of all such persons as send to the assay-office belonging to the said company, any piece of wrought plate of gold or silver to be marked, any prices not exceeding the following, *viz.* for assaying and marking gold watch cases or gold watch boxes, 10*s.* a piece, for gold hooks for watch chains, 10*d.* for gold buckles, 5*d.* for gold snuff-boxes, 1*s.* 3*d.* for every other piece of wrought gold weighing 30*oz.* or under, 2*s.* 6*d.* for such piece of wrought gold weighing above 30*oz.* to 50*oz.* 3*s.* 9*d.* and so in proportion, *id. s.* 13.

45. If any parcel or single piece of wrought gold be sent to the said office, which according to the rates shall not amount to 15*d.* then there shall be paid for assaying and marking a price not exceeding 15*d.*, *id. s.* 14.

46. The said wardens and commonalty, or such person as the court of assistants shall appoint, may take of all persons who send to the assay-office, any piece of large silver plate weighing 4 *lbs. troy* or less, for the assaying and marking a sum not exceeding 5*d.* and for every piece of such plate weighing above 4 *lbs. troy*, there shall be taken out a diet not exceeding ten grains *per* pound weight *troy*; and for assaying and marking the several small wares of silver following, of the person who brings the same to the assay-office any prices not exceeding the following, *viz.* for every sword-hilt 5*d.*, for every snuff-box 3½*d.*, for every pair of spurs 3½*d.*, for every watch case or watch box 2½*d.*, for every knife or fork-haft 1½*d.*, for every pair of buckles ½*d.*, for every pair of tea-tongs 1½*d.*, for every dozen of tea-spoons or tea-strainers 3½*d.*, for belt-buckles, belt-locks, runners, and pendants 2½*d.*, a piece, for every orange-strainer or nutmeg-grater 1½*d.*, for every dram-cup ½*d.*, for every dozen of seals 3½*d.*, for every salt-seller 1½*d.*, for every pair of clasps ½*d.*, and for every dozen of buttons 3½*d.*, *id. s.* 15.

47. If any parcel or single piece of wrought silver plate be sent to the said office, which according to the rates, shall not amount to 5*d.* there shall be paid for assaying and marking a sum not exceeding 5*d.*, *id. s.* 16.

48. If any person refuse to pay such prices, any warden or deputy warden of the said company may refuse to mark any of the plate of such person so neglecting to pay, until the same be paid, *id. s.* 17.

49. The assayers at *York*, *Exeter*, *Bristol*, *Chester*, *Norwich*, and *Newcastle-upon-Tyne*, may take the like rates for assaying and marking wrought plate of gold or silver, as the company of goldsmiths in *London*; and may refuse to assay or mark plate for default of payment, *id. s.* 18.

50. If the said prices raise more money than sufficient to defray the expences of the assay-offices, the overplus shall be applied in prosecuting offenders against this act; and if such prosecutions shall not require the whole overplus, then the prices shall be lessened by the respective companies of goldsmiths; and they shall take so much less for the assaying and marking wrought plate for the future, as will answer the purposes aforesaid, without bringing any profit to the said companies, *id. s.* 19.

51. The assay-office of the company of goldsmiths in *London* shall be kept open for taking in plate, from 7 in the morning, till 9 of the morning every working day or hall day; and the weigher shall take in the same, with the notes thereof, and shall weigh and take an account thereof before the same be assayed, and afterwards weigh the plate back, and deliver the same to the owner or his order; and whenever the common assayer of the company, or his assistant, (appointed by the court of assistants of the said company, and sworn truly to execute their offices,) or an assayer at *York*, *Exeter*, *Bristol*, *Chester*, *Norwich*, or *Newcastle-upon-Tyne*, shall find any parcel of plate to be of a coarser allay than the respective standards, and shall so report the same after three assays, then any warden or deputy-warden of the goldsmiths in *London*, or any warden of the company at any of the places aforesaid may cut and deface such parcel of plate, at any time after 3 days next after the last assay and not sooner, unless the person who sent the same desire it to be broken and delivered to him sooner; and there shall nevertheless be paid for assaying the same such prices as are before limited, *id. s.* 20.

52. Every person who shall make, or cause to be made, any gold

silver vessel, or manufacture of gold or silver in *Eng.*, shall first enter his new marks, names, and places of abode, in the assay-office of the company of goldsmiths in *London*, or in the assay-office at *York*, *Exeter*, *Bristol*, *Chester*, *Norwich*, or *Newcastle-upon-Tyne;* which new marks shall be different from their old marks, and all his old marks shall be broken or defaced in the presence of the assayer, on pain for every offence of forfeiting 10*l.*, and the further sum of 10*l.* for using any other mark; and for default of payment shall be committed by the court, in which such judgment is given, to the house of correction where convicted, to be kept to hard labour for any time not exceeding 6 months, or until payment, 12 *G.*2. *c.*26. *s.*21.

53. The said penalties and forfeitures shall be recovered, with full costs of suit, by action, &c. or information, in any court of record at *Westminster*; in which actions the defendants shall put in special bail; and wherein no essoin, &c. or more than one imparlance shall be allowed; and one moiety of the penalties shall go to H.M., and the other to the person who shall sue for the same, *id. s.* 22.

54. If any suit is commenced against any person for any thing done in pursuance of this act, the action shall be commenced before the end of the next term after the fact committed, and shall be laid in the county or place where the assay-office is whose officer is complained of, and the defendant may plead the general issue, &c., and if the plaintiff be nonsuited, or discontinue, or have verdict or judgment on demurrer against him, the defendant shall recover treble costs, *id. s.* 23.

55. The respective companies of goldsmiths in *London*, *Edinburgh*, [*Birmingham* and *Sheffield*, erected by 13 *G.*3. *c.*52. for plate made in those towns, or within 20 miles thereof, Amd. as to *Sheffield*, 24 *G.*3. *S.*2. *c.*20.], and the wardens and authorized assayers of gold at *York*, *Exeter*, *Bristol*, *Chester*, *Norwich* and *Newcastle on Tyne*, may touch, assay and mark with the mark in *s.*2. *pl.*38. of this act [and in *s.*5. of 12 *G.*2. *c.*26.], any gold vessel, plate or manufacture of the standard of 18 carats fine gold to every ℔ troy of gold brought to them for those purposes, under all the regulations of the laws in force, except as to the mark in *s.*2. directed to be used instead of the *lion passant*, 38 *G.*3. *c.*69. *s.*3.

56. Nothing in this act shall prohibit the making, selling, exchanging or exporting any gold plate or manufacture of the standard of 22 carats of fine gold in every ℔ troy, *id. s.*4.

57. Nothing herein shall be construed to authorize any person to touch, assay or mark with the mark in force before passing of this act, any gold plate or manufactures of a lower standard than 22 carats fine gold in every ℔ troy, *id. s.*5. [*semb.* Exp.]

58. Every person who shall work or make, or cause to be made, &c. or who shall sell, exchange or export, or cause to be sold, &c. any gold plate or manufacture not duly marked with one of the marks by law required to denote one of the respective standards of 22 or 18 carats of fine gold in every ℔ troy, shall forfeit 50*l. id. s.*6.

59. If any person shall forge, cast or counterfeit, or cause to be cast, &c. the mark or stamp used or directed to be used in pursuance of this act for the marking or stamping gold plate by the goldsmith's Co. in *London* or *Edinburgh*, or the *Birmingham* or *Sheffield* Co. [erected as in *pl.*55.], or by the wardens or assayers at *York*, *Exeter*, *Bristol*, *Chester*, *Norwich* or *Newcastle on Tyne*, or shall cast, forge or counterfeit, or cause or procure to be cast, &c. any mark, stamp or impression made or to be made with any mark or stamp used by the latter, or any of them, or shall mark or stamp, or cause, &c. any wrought plate of gold, or any wares of silver, brass or other metal gilt over and resembling plate of gold, with any forged mark or stamp in imitation of or to resemble any mark, &c. to be used by the co.'s wardens or assayers aforesaid, or any of them, or shall transpose or remove, or cause to be transposed, &c. from one piece of wrought plate to another, or to any vessel of silver, brass or other metal as aforesaid, any mark, stamp or impression made or to be made by the said co.'s wardens or assayers, or any of them, or shall sell, exchange or export any wrought gold plate or vessel of silver, brass or other metal with any such forged mark, &c. thereon, or with any mark, &c. transposed from any other piece of plate knowing such mark, &c. to be forged or transposed as aforesaid, or shall wilfully be possessed of any forged mark or stamp in imitation of any mark, &c. used by the said co.'s wardens or assayers, or any of them, every such offender shall, on conviction, be adjudged guilty of felony, and be transported for 7 years, *id. s.*7. [But the act for erecting the *Birmingham* and *Sheffield* assay offices inflicts 14 years transportation, for counterfeiting, &c. their stamps on silver plate, 13 *G.*3. *c.*52. *s.*14. *pl.*86. and see the note to 13 *G.*3. *c.*59., *infra*, *pl.*91.]

60. All gold vessels, plate and manufactures whatever of the standard of 18 carats of fine gold to every one ℔ weight troy, shall be touched, assayed and marked with the several marks directed to be used by this act, or by any acts in force previous to its passing, in making gold plate or manufactures, except the mark of the *lion passant* [*see ante*, *s.*2. *pl.*38. of this act, arranged with 12 *G.*2. *c.*26. *s.*5.] by the like persons, at such places, and under such powers and regulations, provisoes, exemptions, conditions, penalties, payments, rewards, subtractions and detentions on touching, &c. the same as gold plate, or of 22 carats standard, are subject to under 12 *G.*2. *c.*26. or by any acts therein recited, or otherwise, in force, and all the powers of those acts with regard to the touching &c. such gold plate, or selling or exporting the same, are extended to this act, 38 *G.*3. *c.*69. *s.*8.

61. To prevent counterfeiting gold and silver lace, and for settling the proportions of fine silver and silk, and for the better making of gold and silver thread, 15 *G.*2. *c.*20. Public *clause*, *s.*15. [Amd. by 28 *G.*3. *c.*7. Public *clause*, *id. s.*8.]

62. All copper, brass, and every metal inferior to silver, shall be spun upon thread, yarn, or incle only, and not spun, mixed, wove, wrought, or set upon silk; on pain that every offender therein shall forfeit 5*s.* for every ounce so spun or set upon silk, 15 *G.*2. *c.*20. *s.*1.

63. All silver wire to be drawn for the making of silver thread shall hold at least 11*oz.* 15*dwts.* of fine silver upon the *lb. troy;* and all silver to be gilt and made use of in the wire-drawer's trade, shall hold at least 11*oz.* 8*dwts.* of fine silver, upon the *lb. troy*, and shall not have less than 4*dwts.* 4*gr.* of fine gold, without allay, laid upon each pound weight of the said silver, on pain that the refiner or maker shall forfeit 5*s.* fo every ounce so made contrary to this act, *id. s.*2.

64. No gilt wire shall be coloured with verdigrease or deadhead, or other forced colour, on pain of forfeiting 2*s.* 6*d.* for every oz. so coloured; and for all gold and silver prepared as aforesaid, and reduced into plate, there shall be allowed at the least 6 oz. of the said plate to cover 4 oz. of silk; except large twist, freeze, freezon, frost and cheque, and except round brocade, used in making brocaded gold and silver silks or stuffs only, in which there shall be allowed at the least 6 oz. of the said plate to cover 5 oz. of silk; all which gold and silver plate shall be spun close upon well-boiled and light-died silk only, except frost, being run thin, and spun upon different coloured silk; and if any spinner or other person lay gold or silver plate upon any greater proportions of silk, or in any other manner than before directed, (except as before excepted), he shall forfeit 2*s.* 6*d.* for every ounce so spun, *id. s.*3.

65. If any person sell or offer to sale any gold or silver orrice lace, mixed with any other metal or materials than gold or silver, silk and vellum, he shall forfeit for every ounce 2*s.* 6*d.*, *id. s.*4.

66. If any person sell any gold or silver wire, plate, thread, lace, or fringe, by any other weight than *troy* weight, he shall forfeit for every ounce so sold 5*s.*, *id. s.*5.

67. If any maker or seller make or sell any goods mixed with gold or silver thread or plate, made contrary to the intent of this act, he shall forfeit 5*s.* for every ounce of gold and silver thread or plate so made or sold, *id. s.*6.

68. No gold or silver thread, lace, fringe, or other work made thereof, or any thread, lace, fringe, or other work made of copper, brass, or other inferior metal, or gold or silver, wire or plate, shall be imported into *G. B.* on pain of being forfeited and burnt, and also of 100*l.* to be paid by the importer for every parcel, *id. s.*7.

69. Every ingot of silver designed for gilt wire, shall be weighed in presence of the excise officer attending the forge, before being covered with gold, and shall be weighed in his presence, and marked by him after gold laid thereon, on penalty of 20*l.* for refusing to admit such officer, *id. s.*8.

70. Of the several penalties inflicted by this act, one moiety shall be to the use of H. M., and the other to him that shall inform or sue for the same: and may be recovered by action of debt, &c. or information in any court of record at *Westminster*, wherein no essoin, &c. or more than one imparlance shall be allowed, *id. s.*9.

71. If any person be sued for what he shall do in the execution of this act, he may plead the general issue; and if the plaintiff be nonsuit, discontinue, or lose verdict, defendant shall recover treble costs, *id. s.*10.

72. Every suit or prosecution to be brought by virtue of this act; shall be commenced in 6 months after the offence committed, *id. s.*11.

73. Nothing in this act shall extend to prohibit any copper, brass, or other metal inferior to silver (spun upon thread, yarn, or incle, as directed by this act,) being wrought or sewed with silk on any apparel used in theatrical entertainments only, *id. s.*14.

74. All copper, brass, and every other metal inferior to silver, shall be spu on thread, yarn, or incle only, and not spun, mixed, woven, wrought, or set on silk; and no person shall sell, or offer to sale, or export any copper, brass, or other metal inferior to silver, which shall be spun, &c. upon silk, upon pain of forfeiting 5*l.* for one oz. or any quantity less than one oz. and the further sum of 5*l. per* oz. for each quantity exceeding one oz. which shall be so spun, &c. on silk, or sold, or offered to sale, or exported, to be recovered and disposed of as after mentioned; and for default of paying down the penalty upon conviction, shall be committed by the court in which judgment shall be given, to the house of correction, to be kept to hard labour for not exceeding 6, nor less than 3 months, or till payment is made of the penalty; and also on pain that all such copper, brass, or other metal inferior to sil-

ver so spun, &c. on silk, or sold, or offered to sale, or exported, shall be forfeited, one moiety to H. M. and the other to such person as shall sue, 28 *G.*3. *c.*7. *s.*1.

75. No metal inferior to silver, which shall be gilt and drawn into wire, or flatted into plate, shall be spun or wrought into or upon, or mixed with lace, fringe, cord, embroidery, tambour work, or buttons, made in the gold and silver lace manufactory, or set upon silk, or made into bullion, spangles, or purl, or any other materials used in the making of lace, &c. or in imitation of lace, or of any of the materials used in the making thereof, or of any of them; and no person shall sell, or offer to sale, or export any metal inferior to silver, which shall be gilt and drawn into wire, or flatted into plate, and spun or woven, or wrought into or upon, or mixed with lace, &c. or set upon silk, or made into bullion, spangles, or purl, or any other materials used in making of lace, &c. or which shall imitate, or be meant to imitate lace, &c., or any of the materials used in the making thereof, or of any of them, upon pain that every person offending therein shall forfeit *5l.* for one oz. or any quantity less than one oz. and *5l.* per oz. for every quantity exceeding one oz. which shall be so spun or wrought into or upon, or mixed with lace, &c. or set upon silk, or made into bullion, spangles, or purl, or any other materials used in the making of lace, &c. or in imitation of lace, &c. or of any of the materials used in the making thereof, or of any of them, or sold, or offered to sale, or exported as aforesaid; and for default of paying down the penalty on conviction, shall be committed by the court to the house of correction, to be kept to hard labour for not exceeding 6, nor less than 3 months, or until payment be made of the penalty; and also upon pain that all such metal inferior to silver, which shall be gilt, and so spun or wrought into, or upon, or mixed with lace, &c. or set upon silk, or made into bullion, spangles, or purl, or any other materials used in the making of lace, &c. or in imitation of lace, &c. or of any of the materials used in the making thereof, or of any of them, or sold, or offered to sale, or exported, shall be forfeited, one moiety thereof to H. M. and the other moiety thereof to such person as shall sue, *id. s.*2.

76. No copper, brass, or other metal, which shall be silvered and drawn into wire, or flatted into plate, or made into bullion, spangles, or purl, or any other materials used in the making of lace, &c. or in imitation of lace, &c. or of any of the materials used in the making thereof, or of any of them, shall hold more, or bear a greater proportion than 3 dwts. of fine silver to the lb. avoirdupois of such copper, brass, or other metal; and no person shall sell, or offer to sale, or export any copper, brass, or other metal, silvered and drawn into wire, or flatted into plate, or made into bullion, spangles, or purl, or any other materials used in the making of lace, &c. or in imitation of lace, &c. or of any of the materials used in the making thereof, or of any of them, and which shall bear a greater proportion than 3 dwts. of fine silver to the lb. avoirdupois of such copper, &c. upon pain that each person offending therein, shall forfeit *5l.* for one oz. or any quantity less than one oz. and the further sum of *5l.* per oz. for each quantity exceeding one oz. which shall bear a greater proportion, or shall be sold, or offered to sale, or exported, and for default of paying down the penalty upon conviction, shall be committed by the court to the house of correction to hard labour for not exceeding 6, nor less than 3 months, or until payment be made of the penalty; and also upon pain that all such copper, brass, or other metal, which shall bear a greater proportion, or be sold, or offered to sale, or exported, shall be forfeited, one moiety thereof to H. M., and the other moiety to such person as shall sue, *id. s.*3.

77. No copper, brass, or other metal inferior to silver, whether gilt, or silvered, or stained, or coloured, or otherwise, shall be worked up or mixed with gold or silver, in any manufacture of lace, &c. and no person whomsoever shall sell, or offer to sale, or export any copper, &c. inferior to silver, whether gilt or silvered, or stained, or coloured, which shall be worked up or mixed with gold or silver, in any manufacture of lace, &c. upon pain that each person offending therein shall forfeit *5l.* for one oz. or less, and the further sum of *5l. per* oz. for every quantity exceeding one oz. of such lace, &c. which shall be so worked up, or mixed, or sold, or offered to sale, or exported; and for default of paying down the penalty upon conviction, shall be committed by the court to the house of correction, there to be kept to hard labour for not exceeding 6, nor less than 3 months, or until payment be made of the penalty; and also upon pain that all such lace so worked up, or mixed, or sold, or offered to sale, or exported, shall be forfeited, one moiety thereof to H. M., and the other to such person as shall sue, *id. s.*4.

78. All forfeitures and pecuniary penalties shall be divided, one moiety thereof to H. M. and the other with full costs to the person who shall inform or sue in any court of record at *Westminster*, by action of debt, &c. as in 15 *G.*2. *c.*20. *s.*9. *pl.*70., *id. s.*5.

79. Persons sued may plead the general issue, and if the plaintiff become nonsuit, discontinue, or verdict for defendant, he shall recover treble costs, 28 *G.*3. *c.*7. *s.*6.

80. Every action for any penalty incurred, shall be brought within 6 months after the offence committed, or after the discovery thereof, *id. s.*7.

81. For repealing 7 & 8 *W.*3. *c.*19. *s.*3. which restrains any person keeping an inn, tavern, alehouse, &c. or selling wine, ale, &c. by retail, from publicly using any wrought or manufactured plate, or any utensil or vessel thereof, except spoons, on penalty of forfeiting the same or their value with costs to the party suing, by bill or information, and for putting an end to such prosecutions, 9 *G.*3. *c.*11. and recital in *s.*1.

82. If any action, &c. is brought against any person hereby indemnified against all forfeitures incurred by 7 & 8 *W.*3. *c.*19. the general issue may be pleaded, and this act, and the special matter given in evidence, *id. s.*5.

83. For appointing wardens and assay masters for assaying wrought plate, [made] in the towns of *Sheffield* and *Birmingham*, [and within 20 miles thereof,] 13 *G.*3. *c.*52. and recital in *s.*1. Public *clause*, *id. s.*3. [Alt. and Amd. as to prices of assay in *Sheffield*, 24 *G.*3. *S.*2. *c.*20. *s.*1. Public *clause*, *id. s.*5. The following appear to be the only provisions of a public nature.]

84. Divers persons are incorporated a company of the town of *Birmingham*, and divers others of *Sheffield*, to be called "The Guardians of the standard of wrought plate," within those towns respectively, and to continue therein as long as they live therein, or within 20 miles thereof, 13 *G.*3. *c.*52. *s.*2. others may be chosen in place of those who die or remove, and 4 wardens shall be elected, *id. s.*3. [see as to election, bond, and oath of assayer, *id. s.*6.]

85. No silversmith or plate worker in either of those towns, or within 20 miles thereof, shall knowingly put to sale, exchange, or sell any silver vessel made therein, or within 20 miles thereof, till such silver vessel, plate, or manufactured silver (being of standard of 11 oz. 2 dwts. of fine silver *per* lb. troy, shall be thus marked, *viz.* with the initials of the worker, the lion *passant*, and the assay company's mark, *viz.* for the *Birmingham* company an anchor, for the *Sheffield* company a crown, *id. s.*3 to denote its goodness, and the place where it was assayed and marked, and also with a distinct variable mark or letter, which shall be annually changed on the election of new wardens for each company, to denote the year in which it is marked; or plate of the standard of 11 oz. 10 dwts. fine silver *per* lb. troy, with the above initials, figure of Britannia, mark to denote the year, and the assay company's mark, on pain that all such silver, &c. (except such things as from their smallness or thinness cannot receive a touch), which shall be made, exposed to sale, exchanged, or exported contrary to this act, shall be forfeited, or its value, one moiety to H. M., &c. and the other to such person as will sue, to be recovered by action of debt, &c. or information, in any court of record in any county or place wherein such offence shall be committed, and wherein no essoin, &c. or more than one imparlance shall be allowed, *id. ss.*4—5.

86. If any person soever shall cast, forge, or counterfeit, or cause, &c. to be cast, &c. any mark or stamp used for marking plate in pursuance hereof, or by any maker or worker of silver plate, or either of them; or shall cast, &c. or cause, &c. to be cast, &c. any mark, stamp, or impression in imitation of any mark, &c. made with any mark or stamp used, or to be used by the *Birmingham* or *Sheffield* companies, or by any maker, &c. of silver plate, or either of them, or shall stamp, &c. any silver wrought plate with any stamp forged in imitation of any stamp used as above, or shall transpose or cause to be transposed from one piece of wrought metal to another, or to any plated vessel, or vessel of base metal any stamp or impression made by or with any stamp used as above, or shall sell, exchange, expose to sale, or export any silver, wrought plate, or vessel of base metal with any such forged stamp, or impression thereon, or any stamp transposed from any other piece of plate, knowing such stamp to be forged, or transposed, as above, or shall wilfully have or be possessed of any stamp forged in imitation of any stamp used as above, such offender shall, on conviction, be transported for 14 years, *id. s.*14.

87. "Whereas it was by 13 *G.*3. *c.*52. *s.*15. enacted, that every working silversmith, or dealer in wrought plate, and every worker or dealer in any other metal plated with silver, who shall strike any letter on any vessel, &c. made of metal so plated, &c. or on any metal vessel, &c. made to look like silver, shall forfeit 100*l.* which was found to destroy emulation among the manufacturers of plated goods," it is enacted, that any manufacturer of goods plated with silver within *Sheffield*, or 100 miles thereof, may strike on any metal vessel, or thing plated or covered with silver, his surname, or in case of partnership, the name or firm thereof, and also some mark, figure, or device, to be struck at the end of such surname, or other name or firm; such mark, &c. not being the same, or in imitation of any mark used by any assay-office established by law for assaying wrought plate, without being subject to any penalty for so doing, 24 *G.*3. *S.*2. *c.*20. *s.*2.

GOLD AND SILVER.

88. Every such surname, name, or firm, shall be in plain and legible characters, struck with one punch only, and every such mark, figure, or device, shall, before it is used, be submitted to examination of the company of guardians of the *Sheffield* assay office, [*See* 13 *G.*3. *c.* 52. *ss.* 1—2. &c.] and approved by them at some of their public meetings, and registered in a book kept for that purpose, for which registry 2*s.* 6*d.* only shall be paid by the manufacturer, 24 *G.* 3. *S.* 2. *c.* 20. *s.* 3.

89. Every manufacturer of plated goods *within Sheffield or* 100 *miles thereof*, who shall at any time hereafter strike any name, mark, figure, or device on his plated goods, which has not been previously registered at the *Sheffield* assay-office, [see 13 *G.*3. *c.* 52. *ss.* 1—2. &c.] or which has been previously registered there by any other such manufacturer, shall forfeit to the wardens 100*l.*, to be recovered as in 13 *G.*3. *c.* 52. *s.* 4. *viz.* by action of debt or information, in any court of record in any county or place wherein such offence is committed, and wherein no essoin, &c. or more than one imparlance, shall be allowed, *id. s.* 4.

90. For punishing the offence of fraud and abuse in marking or stamping of gold and silver plate. [This title is framed from that of the above act.] 13 *G.*3. *c.*59.

91. Note (1.)—The first punishment of [casting, forging, or, *these terms first added* 13 *G.*3. *c.* 59. *s.*2.] counterfeiting stamps used by the goldsmith's company of *London*, or by the wardens and assayers for the cities of *York*, *Exeter*, *Bristol*, *Chester*, and *Norwich*, in 12 & 13 *W.*3. *c.* 4. mentioned, or by those of *Newcastle-on-Tyne* under 1 *A. S.* 1. *c.* 9. for assaying and marking of wrought gold and silver plate, was by penalty of 500*l.* (see 12 & 13 *W.*3. 4. *c.* 4. *s.*8.); that penalty was repealed by 12 *G.*2. *c.*26. *s.*7. and another of 100*l.* was imposed for the above offence, to which were added, "marking" wrought gold or silver plate "with a forged stamp, transposing any of the marks, stamps, or impressions made by any of the stamps of the above companies from one piece of wrought plate to another, or to any vessel of base metal silvered or gilt over, and resembling gold and silver; selling, exchanging, exposing to sale, or exporting plate with forged or transposed mark; or having such stamp in possession," (*id. s.*8.); that penalty was also repealed by 31 *G.* 2. *c.*32. *s.*14., and the above offences were declared felony without clergy, *id. s.* 15.; that provision was also repealed by 13 *G.*3. *c.* 59. *s.* 1. and "*the stamping any* wares of brass or other base metal, silvered or gilt over, and resembling gold or silver plate, with any such forged stamp" being added, transportation for 14 years was substituted, *id. s.* 2. (*which see infra, pl.* 93.); the like punishment is also provided for counterfeiting stamps used for marking *silver* plate by the assay companies of *Birmingham* and *Sheffield*; for transposing them as above, or for selling, exchanging, exposing to sale, or exporting any silver plate, or vessel of base metal, with such forged or transposed stamps thereon, 13 *G.*3. *c.*52. *s.*14. (*see ante, pl.* 86.); the above offences, as regards the stamps used for stamping *gold or silver* plate by the above companies of goldsmiths, in 12 & 13 *W.*3. *c.* 4. and 1 *A. S.* 1. *c.*9. mentioned, and by the *Birmingham* and *Sheffield* companies in 13 *G.*3. *c.* 52. [Note, no stamps for *gold* plate are appointed by that act, but see 38 *G.*3. *c.* 69. *s.*7. *ante, pl.* 59.] and by the *Edinburgh* goldsmiths' company, with the addition of the *king's head* made therein, by 24 *G.*3. *S.*2. *c.*53. *s.* 5., are *again* made felony without clergy, *id. s.* 16. *infra, pl.* 106. which, however, does not notice the provisions and still-existing contrary enactment of 13 *G.* 3. *c.* 59. *s.* 2. *pl.* 93. By a still later provision the same offences, as they regard the stamps on *gold* plate, as altered by 38 *G.*3. *c.*69. *s.*2. *pl.*38. (*viz.* a *crown*, and the figures 18, instead of the *lion passant*,) are declared felony, and punished by transportation for 7 years, *id. s.*7. *pl.* 59.

92. Note (2.)—The like offences against the stamps, used by the *Dublin* goldsmiths' company, on gold and silver plate made in *Ire.* are punished in like manner, 47 *G.*3. *S.*2. *c.*15. *s.*16. and cutting out such stamps, with intent to transpose them as above by a 200*l.* penalty, *id. ibid.*; the last quoted, as well as the two following enactments seem to have been made with a view to prevent the above offences, as peculiarly affecting the *stamp duties*, while it is submitted that the former regulations were more particularly directed to ascertain and fix the fineness and intrinsic value of wrought plate, as well as to prevent its illegal allay; thus the offences of forging stamps on gold or silver plate, and of uttering, selling, or exposing to sale the same, having thereon the impression of such forged stamp, and of privately using any stamp, die, or plate provided under direction of the commissioners of stamps, "*with intent to defraud* H. M. *of any of the duties under their management*," are declared felony without clergy, 52 *G.*3. *c.*143. *s.*7.; see Revenue, 55 *G.*3. *c.*185. *s.*7. see Stamps (*Plate*), and the provision of 52 *G.*3. *c.*143. *s.* 8. appears confined to stamps used by the commissioners to "*denote the duties granted to* H. M.:" whether, therefore, the provisions from 47 *G.*3. downwards, are to be considered more especially as revenue regulations, while the former enactments enure to that object, but are more particularly applicable to regulating the assay, &c. of gold and silver plate, or whether the whole are now blended, it is not our present object to determine; the existing provisions all apply to the stamps originally provided by 12 & 13 *W.*3. *c.*4. 1 *A. S.* 1. *c.* 9. and 12 *G.*2. *c.*26. *s.*5. as altered in slight particulars of device as above noticed; but the punishment of the above offences appears wholly indeterminate. It is therefore submitted that the confusion incident to the concurrent operation of so many co-existing but contrary enactments can only be remedied by repealing the whole existing provisions on the subject, and re-enacting the law thereon.—R. P. T.

93. If any person soever shall cast, forge, or counterfeit, or cause, or procure to be cast, &c. any mark or stamp used, *or to be used*, for marking, &c. gold or silver plate, *in pursuance of any statutes now in force*, by the goldsmith's company in *London*, or by the wardens or assayers at *York*, *Exeter*, *Bristol*, *Chester*, and *Norwich*, [these are the places provided for in the original statute, 12 & 13 *W.*3. *c.* 4.] or *Newcastle-upon-Tyne*, [this place by 1 *A. S.* 1. *c.* 9. and see 13 *G.* 3. *c.* 52. *s.* 14. as to forging, &c. stamps of *Birmingham* and *Sheffield* assay companies, *ante, pl.* 86.] or by any maker of gold or silver plate, or any or either of them, or shall cast, &c. or cause or procure to be cast, &c. any mark, stamp, or impression, in imitation of any mark, &c. made with any mark or stamp used, *or to be used as aforesaid* by the said company, or by the said wardens, or by any maker; or shall make, or stamp, or cause, &c. any wrought plate of gold or silver, or wares of brass, or other base metal, silvered or gilt over, and resembling plate of gold or silver, with any mark, &c. forged or counterfeited in imitation of or to resemble any such mark or stamp so used, *or to be used as aforesaid*, by the said company, wardens, &c. or maker; or shall transpose or remove, or cause, &c. from one piece of wrought plate to another, or to any vessel of base metal as aforesaid, any mark, stamp, or impression made, or to be made by any mark, &c. used or *to be used as aforesaid*, by the said company, wardens, &c. or makers, or shall sell, exchange, or expose to sale, or export, any wrought gold or silver plate, or any vessel of such base metal as aforesaid, with any such forged, &c. mark, &c. thereon, or any mark, &c. transposed, &c. from any other piece of plate, knowing the same to be forged, &c. or transposed, &c., or shall wilfully be possessed of any mark or stamp forged in imitation of any mark, &c. used, *or to be used as aforesaid*, by the said company, wardens, or maker, every offender, in either of the above cases, shall, on conviction, by order of the court before whom convicted, be transported for 14 years, 13 *G.*3. *c.*59. *s.*2. [see the note, last *placitum.*]

94. For imposing duties on gold and silver plate *imported* into, and *made* in *G. B.*, 24 *G.*3. *S.*2. *c.*53. [Amd. as to regulations of assay, marks, weights, &c. by 25 *G.*3. *c.*64. and 30 *G* 3. *c.*31.; the *duties* by *s.*1. of this act imposed as to plate *imported* into *G. B.* are lastly *repealed* by 5 *G.*3. *c.*52. *s.*1. and their present amount will be found in that act, *table* A. *tit.* Plate; for the present stamp duties on plate *made* in *G. B.* see Stamps, 55 *G.*3. *c.* 185. *sched. tit.* Plate.]

95. The duties on plate made in *G. B.* shall be under management of the commissioners of stamps, *id. s.* 2.

96. Every working gold and silver smith, or other manufacturer of gold or silver, who shall work or make, or cause to be wrought, any gold or silver vessel, plate or manufacture of gold or silver, required to be assayed, and marked, by the company of goldsmiths in *London*, *Edinburgh*, or by the *Birmingham* or *Sheffield* companies, [*gold* plate not provided for by 13 *G.*3. *c.* 52.] or by the wardens and assayers at *York*, *Exeter*, *Bristol*, *Chester*, *Norwich*, and *Newcastle upon Tyne*, shall send, with every parcel of such gold or silver, to the assay office of the said companies, cities, and places, a note, containing the day of the month and year, the christian and surname of the maker, and place of his abode, and also the species in such parcel of plate, and the number of each, with the total weight of such parcel, and also the money payable for the duty upon the total weight of such parcel; and also shall send and pay, with every such parcel, to the officer belonging to such assay office who shall receive such gold or silver so sent, the duty directed to be paid upon such parcel so required to be assayed, *id. s.* 4.

97. The wardens, or their deputy assay-master, weigher, or other person appointed by the said companies or assay-officers, shall mark with the following new mark, that is to say, with the mark of the *king's head*, besides the other marks, all such pieces of gold or silver plate so sent to be assayed; and shall, previous to assaying such plate, receive, for the use of H. M. from the person whose property is required to be assayed, 8*s.* [17*s.* by 55 *G.* 3. *c.* 185., *sched.* Plate.] for every ounce of gold plate; and 6*d.* [1*s.* 6*d. id. ibid.*] for every ounce of silver plate, brought to the said assay offices to be assayed, and shall give a receipt for the duty paid to the person bringing such plate; and in default of receiving such duty, such companies or assay-offices so assaying such plate, shall be accountable to H. M. for the duty, as if the same had been received, *id. s.* 5.

98. The assay-master, weigher, or officer of the assay-offices, who shall receive the said duties, with the notes, shall daily, as soon as he shall have entered the same in the book of the companies, deliver the said notes, and pay the duties by him received, to the clerk or accountant of the said companies, who shall file and enter the same, and keep account

in writing, in books to be kept for that purpose, of the duties so received, which account shall be open for the inspection of any person so authorised under the hands and seals of the commissioners of stamps to inspect the same, 24 *G.*3. *S.*2. *c.*53. *s.*6.

99. The person appointed by the companies to receive the duties, shall, where such plate is sent to be assayed in the rough state, as heretofore has been usual, make a deduction of 1-6th from the weight, and an allowance of 1-6th part of the duty, to the person bringing the same; and shall, at the bottom of the note, express the deduction from the weight, and allowance of the duty; provided nothing herein shall extend to any allowance being made on any quantity of silver plate, less in in weight than one ounce troy, nor to any fractional part of an ounce, 25 *G.*3. *c.*64. *s.*1.

100. No person soever, making or selling, trading or dealing in gold or silver wares, shall sell, exchange, or expose to sale, in *G. B.* any gold or silver vessel, plate, or manufacture of gold or silver, made after 1*st Dec.* 1784, or export the same out of *G. B.* until such time as such manufacture of gold, and of silver (of the standard directed by law,) shall be marked with the new mark before directed, *viz.* the *king's head*, besides all other marks already directed by law to be marked thereon, upon pain that such offender shall forfeit 50*l.*; and for default of not paying down the penalty upon conviction, shall be committed by the court in which judgment shall be given, to the house of correction, for not exceeding one year, nor less than six months, or till payment be made of the forfeiture; and also on pain that such manufacture of gold and silver, sold, exchanged, or exposed to sale, without having the mark thereon as directed, shall be forfeited, one moiety to H. M., and the other to such person who shall sue, 24 *G.*3. *S.*2. *c.*53. *s.*8.

101. Nothing in this act shall extend to any jeweller's works, *viz.* any gold [or silver, Rep. 30 *G.*3. *c.*31. *s.*1.] wherein any jewels or other stones shall be set (other than mourning rings), nor to any jointed night ear-rings of gold or gold springs of lockets, nor to compel any of the wares of gold [or silver Rep.] to be stamped with the stamp directed by this act, which are excepted in 12 *G.*2. *c.*26. *s.*6. *id. s.*9.

102. When any parcel of gold or silver shall in any of the assay-offices be found to be of a coarser allay than the standard, and shall be cut, broken, and defaced, then (and where no intended fraud shall appear) the duty paid on such parcel upon the delivery thereof to be assayed, shall be returned to the worker by the companies who shall deface such manufacture; and the said companies shall make an entry in the books before directed to be kept of the species and weight of each parcel cut, and the names of the persons to whom such plate did belong, and the amount of the duty returned, *id. s.*10.

103. The clerk or accountant of the company of goldsmiths in *London* shall, within 2 months after 25*th Mar.*, 24*th June*, 29*th Sept.*, and 25*th Dec.*, in every year, or at such other times, after the expiration of the 2 months, as may be appointed by the commissioners of stamps, giving a previous public notice of 14 days, or more, by advertisement in the *London Gazette*, deliver to the commissioners, or person appointed by them at the head office, true copies of the accounts before directed to be kept by such clerks or accountants, for the quarter completed before such day of delivery, or notice; and, at the same time, shall pay such sums which shall appear to be due on such accounts to the receiver-general of the stamp duties on stamped vellum, or other officer appointed to receive the same at the head office; upon pain of forfeiting, for every default in not delivering true copies of such accounts, 500*l.*; and for every default in payment of the monies due on such accounts, double the amount of the money due, *id. s.*13.

104. The wardens, or their deputies, or the clerk or accountant, or person appointed to receive the duty by the goldsmiths' company at *Edinburgh*, or by the companies of *Birmingham* and *Sheffield*, (see note to *s.*4 *pl.*96.) or the assay-offices at *York*, *Exeter*, *Bristol*, *Chester*, *Norwich*, *Newcastle upon Tyne*, or other cities where an assay-office shall or may be established, shall, within 2 months after 25 *Mar.*, 24 *June*, 29 *Sept.* and 25 *Dec.* in every year, or at such other times after the expiration of the 2 months as may be appointed by the head distributor, or person so to be authorized to receive the duties, giving a previous notice of 14 days, or more, by advertisement in the *London Gazette*, or in the newspaper published in the county where such head distributor resides, deliver to such head distributor, or person aforesaid, true copies of the accounts directed to be kept by such companies, for the quarter completed before such day of delivery; and, at the same time, shall pay to such head distributor, or person authorized, all money due upon such accounts, on pain of forfeiting, for every default in not delivering such accounts, 50*l.*; and for every default in payment of the monies due on such accounts, double the amount of the monies due on the said account, *id. s.*14.

105. The receiver-general of the stamp-duties, at the head office, and the head distributor of stamped vellum, or person appointed by the commissioner to receive the duties, shall make an allowance to all clerks, accountants, or persons appointed by such companies, for their trouble in originally receiving the said duties, and making out such account, at the rate of 6*d.* in the pound out of the monies by them accounted for and paid, 24 *G.*3. *S.*2. *c.*53. *s.*15.

106. If any person shall cast, counterfeit, or cause to be cast or counterfeited, the stamp used, or directed to be used in pursuance of this act, for stamping of gold or silver plate, or shall cast or counterfeit, or cause to be cast or counterfeited, any stamp in imitation of any stamp, or made with any stamp used; or shall stamp or cause to be stamped, any wrought plate of gold or silver, or any wares of brass or other base metal silvered or gilt over, and resembling plate of gold or silver, with any stamp which shall be forged, in imitation of any stamp used by the said companies or assayers, or by any maker or worker of gold or silver plate; or shall transpose, or cause to be transposed, from one piece of wrought plate to another, or to any vessel of such base metal as aforesaid, any stamp made with any stamp used as aforesaid by the assayers, &c. or by any maker of gold or silver plate, or shall sell, exchange, or expose to sale, or export out of this kingdom, any wrought plate or any vessel of such base metal, with such forged stamp, or any stamp which shall be transposed from any other piece of plate, knowing such stamp to be counterfeited or transposed, or shall wilfully have any stamp counterfeited, in imitation of any stamp used as aforesaid, such person shall be guilty of felony without benefit of clergy, *id. s.*16. [This provision is like that in 31 *G.*2. *c.*32. *s.*15., which was Rep. 13 *G.*3. *c.*59. *s.*1.; but this being the later provision, must, it is presumed, be considered in force as to all such stamps *with the addition of the king's head* made by *s.*5. of this act, *sed. Qu.* And see note, *pl.*91. *ante.*] and 38 *G.*3. *c.*69. *s.*7., inflicting transportation for 7 years for forging, &c. the stamps *on gold* plate, as altered by that act, [*ss.*1, 2.]

107. Penalties shall be divided, one moiety to H. M., and the other moiety, with costs, to the person who shall inform, in any court at *Westminster*, for offences in *Eng.*, *Wa.*, or *Ber.*, or in the exchequer in *Scot.*, for offences committed in *Scot.*, by action of debt or information, without essoin, or more than one imparlance allowed, *id. s.*17.

108. Persons sued may plead the general issue, and if a verdict pass for the defendant, or if plaintiff be nonsuit, defendant shall have treble costs, *id. s.*19.

109. In case any person shall, during the continuance of the duties imposed upon wrought plate, exported by way of merchandize for foreign parts, export any plate of gold or silver, wrought in this kingdom, which is charged with the duties of 8*s. per* ounce, and 6*d. per* ounce, [see the present duties, *ante*, *pl.*95.] and the same shall appear to have been made or marked after 1 *Dec.* 1784, and the duties paid, and shall give security before shipping thereof for exportation, that the quantities of such plate, intended to be exported, shall not be relanded in *G. B.*, and shall make proof on oath, that the same were actually made or marked after the said time, which security shall be taken in H. M.'s name, and the oath administered by the customer or collector of the port of exportation, without fee; then, without any notarial act as in the former act mentioned, the said customer or collector shall give to the exporter thereof a debenture, expressing the kinds and quantities of such plate so exported, or shipped to be exported; and the exportation or shipping thereof being certified by the searcher upon the debenture, the collector or receiver of the duty upon plate, at the assay offices where assayed, shall, upon the debenture so certified being produced to him, forthwith pay [a drawback, after the rate of 8*s. per* ounce troy of gold, and 6*d.* for every ounce troy of silver, *see note, above*] out of the duties then in the hands of the said receiver, without fee; and if such collector shall not have money in his hands to pay such debenture, then the receiver-general of the stamp duties is to pay the same out of the duties arising by this act, 25 *G.*3. *c.*64. *s.*3.

110. The exporters of gold and silver watches shall mark or engrave in the inside of every case or box of each watch, inclosing the works thereof, the same numbers and figures which shall be marked on the works of the watch inclosed in such case, *id. s.*4.

111. All securities and bonds, required to be taken as aforesaid, shall continue in force, until such exporter of wrought plate shall produce and deliver to such customer or collector the bill of lading thereof, and which shall have at the foot the receipt of the master of the vessel on board of which the said plate were shipped, and also a receipt or certificate on the back of such bill of lading, under the hand of the person to whom such wrought plate were consigned, certifying that the same have been received, and mentioning in such receipt or certificate the true kinds of plate consigned and received, and the name of the person consigning the same, and also, if such plate shall consist of watches, the numbers or figures marked in the inside of the case of each watch, then such securities shall be delivered up and cancelled, *id. s.*5.

112. Where the vessel on board of which such plate, &c. were shipped, shall be lost, or shall not, within 3 years, return to any port in *G. B.*, on proof thereof to the customer or collector at the port at which the drawback was received, and the bonds given, the said customer, &c. shall deliver up to such exporters their securities, that the

same may be cancelled, if no fraud in the mean time appeared, or no prosecution thereon shall have been commenced, 25 *G.*3. *c.*64. *s.*6.

113. The 12 *G.*2. *c.*26. (*s.*6.) as far as it relates to the not obliging the wares of silver therein specifically mentioned, *viz.* rings, jewels, settings, chains, &c., and such other wares of silver therein generally named, to be stamped; and also 24 *G.*3. *c.*53. *s.*9. as far as it relates to the not compelling any of the wares of silver to be stamped with the stamp directed by the last mentioned act, which are excepted in the said act, 12 *G.*2. *c.*26., shall cease, 30 *G.*3. *c.*31. *s.*1. [PUBLIC *clause*, *s.*6.]

114. Nothing in those acts shall oblige any of the following wares of silver to be stamped with the marks mentioned in the 12 *G.*2. or to be marked with the new mark of the *king's head*, mentioned in 24 *G.*3. *viz.* chains, necklaces, beads, lockets, any philligree work, shirt buckles or broaches, stamped medals, or spouts to china, stone, or earthenware tea-pots, or any of them, of any weight whatsoever, (*id. s.*3.) or shall oblige any of the following wares of silver to be stamped with the marks mentioned in 12 *G.*2. *c.*26. with the new mark of the *king's head*, mentioned in 24 *G.*3. *c.*53. *viz.* tippings, swages, or mounts, or any of them, not weighing 10 *dwts.* of silver each, save and except only necks and collars for castors, cruets, or glasses, appertaining to any sort of stands or frames, (*id. s.*4.) or shall oblige any wares of silver whatsoever, not weighing 5 *dwts.* of silver each, to be marked with the marks of 12 *G.*2. *c.*26. or 24 *G.*3. *c.*53. except only the following silver wares, *viz.* necks, collars, and tops for castors, cruets, or glasses appertaining to any sort of stands or frames, buttons to be affixed to or set on any wearing apparel, solid sleeve buttons, and solid studs, not having a bissilled edge soldered on, wrought seals, blank seals, bottle tickets, shoe clasps, patch boxes, salt spoons, salt shovels, salt ladles, tea spoons, tea strainers, caddy ladles, buckles (shirt buckles or broaches, before mentioned, excepted), and pieces to garnish cabinets, or knife cases, or tea chests, or bridles, or stands, or frames, *id. s.*5.

GREENWICH HOSPITAL.

1. FOR INCREASE AND ENCOURAGEMENT OF SEAMEN, 7 & 8 *W.*3. *c.*21.

2. "[Recital that *W. & M.* had granted certain land and the palace of *Greenwich* for a hospital for relief of seamen, their widows and children, *ss.* 1—3. and by letters patent of 10*th Sept.*, 1695, had also granted an annual sum out of treasury for maintenance thereof, *id. s.*4. [AMD. 2 *A. c.*6. *s.*19., 10 *A. c.*17., 2 *G.*2. *c.*7., 18 *G.*2. *c.*31. *ss.* 1—4.]

3. Every [*registered* REP. as to registry of seamen by 9 *A. c.*21. *s.*64.] seaman, mariner, waterman, fisherman, lighterman, keelman, or seafaring man disabled for sea service by age, wounds, or accidents, and not in a condition to maintain himself comfortably, and the widows and children of such of them as shall be killed or drowned in sea-service, shall, on certificate thereof from the captain, master, surgeon, and purser, or so many of them as were in the ship for the time being, under his or their hand and seal, to the governors of *Greenwich* hospital, shall be admitted and placed therein, and shall have provided for him during life out of the revenues, and according to the rules of such hospital, fitting lodging, meat, drink, clothing, and other necessaries; and the widows of such seamen, watermen, &c. who shall be slain or drowned in the sea-service, and the children of such as are not of ability to provide comfortably for themselves, shall be received into the said hospital, and provided for; and the latter shall be educated till they are fit to be put out, or of ability to maintain themselves; so far forth as the hospital shall be capable to receive such disabled seamen, and such widows and children, and as the revenues thereof will extend, 7 & 8 *W.*3. *c.*21. *s.*7.

4. Every seaman who shall serve in any of H. M.'s ships, or in any ship belonging to any H. M.'s subjects, shall allow out of the wages of such service 6*d. per mensem* for support of the said hospital, for the purposes aforesaid; which monthly allowance shall be collected as appointed by the commissioners for executing the office of lord high admiral, *id. s.*10.

5. Licences shall be given by order of M. H. or the admiralty, to any landmen desirous to apply themselves to the sea-service, to serve in merchants' ships, or other trading vessels, which shall be a protection against being impressed, for 2 years following the date of such licence; [provided that such landmen bring to the register 2 persons inhabitants or known in the place where they so enter themselves, who shall assert their knowledge of such landmen for 2 years past, and in what business they have known them employed; and any person who shall vouch any one for a landman who shall be proved to be a seaman, shall forfeit 20*l.*, and any seaman taking another's name, or person counterfeiting any licence, shall forfeit 20*l.* and be liable to such further punishment as by law may be inflicted for such misdemeanor; *Qu. if in force since* 9 *A. c.*21. *s.*64.] *id. s.*15.

6. When any vacancies happen in *Greenwich Hospital*, the commissioners executing the office of lord high admiral, may nominate any disabled seamen, their wives and children, and the widows and children of seamen slain or drowned in sea service, to be provided for in the hospital, 2 *A. c.*6. *s.*19.

7. Every person that shall serve H. M., or any other, in any of H. M.'s ships, or in any ship belonging to subjects of *G. B.* or *Ire.*, or of the dominions thereunto belonging, and every master working in his own ship, whether employed on the high sea or coasts, or in any port, bay, or creek, (other than such apprentices under the age of 18 years, as are exempted from payment of 6*d. per mensem*, by 2 *A. c.*6., and persons employed in any boat upon the coasts, in taking of fish which are brought fresh on shore into *G. B.* and *Ire.*, and persons employed in boats that trade only from place to place within any river, or in open boats upon the coasts,) shall pay the said 6*d. per mensem* for support of *Greenwich Hospital*, 10 *A. c.*17. *s.*1.

8. The master of every ship, not in H. M.'s service, shall deduct out of the wages accruing to such seaman 6*d. per mensem*, and pay the same to the officers appointed by the admiralty, *id. s.*2.

9. The admiralty may appoint receivers of the said duty, and authorise them to depute the collectors or other officers of customs of the out-ports, and of the ports of *Ire.*, or such other as they shall think fit to collect the same; and may make such allowance to them out of the said duties as they shall judge reasonable, *id. s.*3.

10. Such receivers, or their deputies, may by warrant, summon all masters, or in their absence the owners of ships, not in H. M.'s service, to appear at their office, so as the person summoned be not obliged to travel above 10 miles; and shall examine every such master or owner, as to the number and times of service of all persons belonging to such ships, who are chargeable with 6*d. per mensem*; and if such masters, &c. refuse when summoned (not having a reasonable excuse) to appear, or obstinately refuse to make discovery of the matters aforesaid on their oaths, or neglect to pay the monies due to the hospital within 14 days after they shall be cleared inwards, they shall forfeit 20*l.*, one moiety to the use of the said hospital, and the other to such person as shall sue for the same in any of H. M.'s courts of record; and if a verdict pass for plaintiff, he shall have double costs: and if any such master shall attempt to go to sea with his ship before he hath paid the said duty for the voyage preceding, such receivers, or their deputies, may stop such ship: and on the death or removal of any master, the owners shall deliver to the succeeding master a true account of the said duty due to the hospital, and money sufficient for payment of the same; and in default thereof, such receivers, &c. may stop such ship from proceeding to sea, *id. s.*4. [*See a like* provision as to privateers, 18 *G.*2. *c.*31. *s.*4. *pl.*30.]

11. Where by this act an oath is required to be taken, the solemn affirmation of quakers shall be accepted instead; and any quaker who shall on such affirmation declare any matter which shall be false, or any other person who shall willingly make a false oath, shall suffer like punishment as persons convicted of wilful perjury *id. s.*5.

12. No private contracts made by any seaman shall obstruct or delay payment of the duties appropriated to the said hospital, *id. s.*6.

13. Any person sued for any thing done in the execution of this act, may plead the general issue, giving this act and the special matter in evidence; and if plaintiff is nonsuit or loses a verdict, defendant shall recover treble costs, *id. s.*7.

14. Nothing in this act shall oblige the payment of the 6*d. per mensem* by any masters or servants of the hoys or vessels belonging to the port of *London*, and employed within the *North Foreland*, in bringing corn, fish, or other provisions for *London*, *id. s.*8.

15. The admiralty shall consider, as qualified for an admission into the said hospital, any seaman offering himself to be admitted, and producing a certificate of his having been wounded or hurt in defending any ship belonging to the subjects of H. M. against enemies, or in taking any ship from the enemy, and thereby disabled for sea service, *id s.*20.

16. FOR MORE EFFECTUAL COLLECTING IN *G. B.* AND OTHER H. M.'s dominions, the duties granted for support of *Greenwich* hospital, 2 *G.*2. *c.*7.

17. The several acts, [*viz.* 7 & 8 *W.*3. *c.*21., 8 & 9 *W.*3. *c.*23., 10 *A. c.*17. *ss.* 1—3., and now 18 *G.*2. *c.*31. *ss.*1—4.] concerning the duty of 6*d. per* month payable by all seamen for support of *Greenwich* hospital, shall extend to all ships belonging to H. M.'s subjects, within *Jersey*, *Guernsey*, *Alderney*, *Sark*, and *Man*, and within all H. M.'s dominions in *America*, as well as those within *G. B.* and *Ire.*, 2 *G.*2. *c.*7. *s.*1.

18. For better collecting such duty, the receivers thereof may depute any officers of the customs in the several ports of the said islands and colonies, or such other persons as they think fit, to collect the same; and the admiralty may make such allowance to them out of the duty, as they judge reasonable, *id. s.*2.

19. The collectors of the duty in the ports of the said islands and colonies, shall summon and examine on oath all masters and owners of ships belonging to H. M.'s subjects, as by 10 *A. c.*17.; and any such master, &c. who shall neglect to appear and make such discovery, &c. shall forfeit 20*l.*, *id. s.*3.

20. All masters, &c. of ships belonging to H. M.'s subjects within the

said islands or colonies, who shall sail from thence to *G. B.* or *Ire.*, and back to the said islands or colonies, shall pay such part of the said duty as shall be due at their arrival, and during their continuance in *G. B.* or *Ire.*, within the said kingdoms; and such part as shall be due at the time of their return to, and during their continuance in, the said islands or colonies, within the said islands and colonies; and all masters, &c. of ships, belonging to any subjects of H.M. within *G. B.* or *Ire.*, who shall trade from thence to any of the said islands or colonies, shall pay the said duty of 6*d. per* month, only in *G. B.* or *Ire.*, 2 *G.* 2. *c.* 7. *s.* 4.

21. The receivers of the duty, and their deputies, may by warrant, summon and examine on oath all masters, &c. of ships employed by the navy, victualling, ordnance, customs, post-office, or any other public offices of the crown, in H.M.'s service; and every such master, &c., refusing to appear, or to make discovery, or neglecting to pay the duty, shall forfeit 20*l.*, *id. s.* 5.

22. The secretaries or chief clerks of the navy, victualling-office, ordnance, custom-house, post-office, and all other public offices of the crown, usually employing ships for the service of H. M., shall, on 1 *Jan.* in each year, or within 20 days following, deliver into the office of the receiver of the duty in the port of *London*, a list of the ships that in the year preceding have been employed by such office, and of all ships which remain in the service of such office, and of such as shall be discharged, and of the names of the masters, &c. and the numbers of seamen employed in every such ship; and no treasurer or other officer belonging to such office, shall make out or pay any bill for the freight of any ship so employed, or pay any wages to any master, &c. till such master, &c. shall produce to such treasurer, &c. an acquittance signed by the receiver or his deputy, whereby it shall appear, that such master, &c. hath paid the said duty of 6*d. per* month, and that he is not more than 30 days in arrear to the hospital; and if any default is made by any secretary or other officer belonging to any of the public offices in any thing hereby directed, such secretary, &c. shall forfeit 50*l.*, *id. s.* 6.

23. All masters of merchant ships or other private vessels liable to the duty of 6*d. per* month, shall pay the said duty, before any such ships shall be cleared inward, in any ports of *G. B.* or *Ire.*, or of *Guernsey*, *Jersey*, &c. or of the colonies in *America*; and no officer of the customs shall clear inwards any merchant ship liable to the said duty, or grant any warrant, or give or make out any coquet, *transire*'s, returns, or discharges to such ships, nor suffer them to go out of any port, till the master, &c. produce to the officer an acquittance signed by the receiver, whereby it shall appear, that such master, &c. hath paid the said duty, and that he is not more than 30 days in arrear; and every master of such ship, who shall neglect to pay the 6*d. per* month, and also every officer of the customs, who shall make default in the premises, shall forfeit 20*l.*, *id. s.* 7.

24. Where by this act an oath is required, the solemn affirmation of quakers shall be accepted instead of such oath; and any quaker affirming any matter which shall be false, or any other, before any persons hereby authorized, who shall wilfully make a false oath, shall suffer the punishments of wilful and corrupt perjury, as provided by the laws of the places where such offence shall be committed, *id. s.* 8.

25. All penalties incurred by this act, within *G. B.* or *Ire.*, shall be recovered as by 10 *A. c.* 17. for the forfeiture of 20*l.* inflicted on the masters neglecting to appear, &c. and all penalties incurred within the islands of *Guernsey*, *Jersey*, &c. or the said colonies in *America*, shall be recovered as usual for other penalties incurred by virtue of penal laws within the said islands and colonies, together with double costs; and one moiety of the penalties shall be to the use of the hospital, and the other to the use of such persons as shall sue for the same, *id. s.* 9.

26. Any person sued for any thing done in execution hereof, may plead the general issue, and shall [see the terms, *ante*, *pl.* 13.] recover treble costs, *id. s.* 10.

27. Every officer or other person employed in any privateer or ship, having letter of marque belonging to any subjects, shall pay 6*d. per* month, or proportionably, during service in such ship for better support of *Greenwich* hospital, 18 *G.* 2. *c.* 31. *s.* 1.

28. The commander or owner of every privateer, &c. *as in s.* 1., shall detain out of the wages and shares of prizes payable to such officer or other person employed in his ship such duty of 6*d. per* month, (other than persons exempted by former acts,) and shall pay the same to the officers appointed by the admiralty on that behalf, *id. s.* 2.

29. The commander of every privateer, &c. (*as in s.* 1.) before he sails from any port of *G. B.* or *Ire.*, *Jersey*, *Guernsey*, *Alderney*, *Sark*, or *Man*, or within H.M.'s colonies in *America*, shall deliver to the customs collector a list signed by him of the names, ages, and descriptions of every person employed therein, and on arrival at, or return to any such port, shall deliver to such collector there a copy on oath of the list delivered to the collector of the port from which he sailed, and an account in writing, whether all or any of the men are returned; and if any are wanting, what is become of them, or on default shall forfeit 50*l.*, one moiety to the hospital, and the other to the party suing, *id. s.* 3.

30. The receiver of the 6*d.* duty, or his deputy, by warrant under his hand, may summon all such commanders, or in their absence the owners of such privateers, &c. (*as in s.* 1.) to appear at his office, (so as the person summoned be not obliged to travel above 10 miles,) and shall examine them as to the number and times of service of all persons employed in such ships, who are liable to such 6*d. per* month; and every such person refusing (without reasonable excuse) to appear, or to make discovery on oath, or to pay the monies due to the hospital within 6 calendar months after due notice from such receiver, &c. shall forfeit 50*l.*, one moiety to the hospital and the other to the party suing by action of debt, or information in any court of record without essoin, &c. allowed, with double costs to plaintiff if he obtain a verdict; and if such commander attempt to go to sea with such ship, before accounting with and paying the receiver, &c. the duty for the preceding voyage, the latter may stop his ship; and on death or removal of such commander, the owners shall deliver to the succeeding master an account of the 6*d.* duty due, and money sufficient for paying same, in default whereof the ship may be stopped as above, 18 *G.* 2. *c.* 31. *s.* 4.

31. FOR APPLICATION OF RENTS AND PROFITS OF THE ESTATES forfeited by attainders of *James*, earl of *Derwentwater*, and *Charles Radcliffe*, 8 *G.* 2. *c.* 29. [AMD. 13 *G.* 2. *c.* 30.]

32. FOR VESTING THE ABOVE ESTATES IN TRUSTEES for an absolute estate of inheritance for benefit of the royal hospital at *Greenwich*, 22 *G.* 2. *c.* 52. [AMD. 16 *G.* 3. *c.* 24.]

33. FOR VESTING THEM IN THE COMMISSIONERS AND GOVERNORS of *Greenwich* hospital, incorporated by letters patent, 16 *G.* 3. *c.* 24. [The titles only of these statutes are given as they appear of a personal nature.]

34. TO PREVENT THE RECEIVING OF CLOTHES AND GOODS belonging to *Greenwich* hospital, (Framed from the preamble to these sections,) 20 *G.* 2. *c.* 24. *ss.* 16—17. [virtually AMD. 54 *G.* 3. *c.* 110. *s.* 1.]

35. Every pawnbroker, or other person, who shall take to pawn, buy, exchange, or receive any clothes, linen, and other goods or stores belonging to H. M. or to the governor and directors of *Greenwich* hospital, appropriated to and for the wear of the pensioners or nurses thereof, during their continuance therein, and to the use of such hospital from any such nurse, pensioner, or other person on any pretence soever, or who shall cause the colour of such clothes, linen, or goods, to be changed, or the marks taken out or defaced, shall forfeit 5*l.* for every such offence, on conviction by oath of one or more witnesses, before any justice of the county, wherein such offence is committed; which penalty shall be levied by justice's warrant under his hand and seal, by distress and sale of the offender's goods and chattels, one moiety thereof to go to the informer, and the other to the use of the hospital; and in case no sufficient distress can be found, or the offender so convicted shall not pay the same in 4 days after conviction, such justice shall, at discretion and by like warrant, either commit him to gaol for 3 months, or cause him to be publicly whipped, *id. s.* 16.

36. Every pensioner or nurse of the hospital who shall run away from the same, and carry away with them any clothes, linen, stores, or goods, delivered to them to wear or use whilst they belong to the hospital, or any other clothes, goods, or stores belonging thereto, shall, on lawful conviction by oath of one witness, be committed to the common gaol or house of correction of the town, city, or county, where they were apprehended, for 6 months, *id. ibid.*, 54 *G.* 3. *c.* 110. *s.* 1. S.P.

37. In actions against any person, or against any governor, &c. or other house officer of such hospital concerned in the government thereof, or any servant or agent employed by them in collecting the rents thereof, or in any other matter relating to such house, for any thing done in execution of this act, or relating to such hospital, defendant may plead the general issue, and give the special matter in evidence, with treble costs if plaintiff is nonsuit or defendant has a verdict, *id. s.* 17.

38. TO PREVENT THE EMBEZZLEMENT OF CERTAIN PROPERTY belonging to *Greenwich* hospital, 54 *G.* 3. *c.* 110. *s.* 1. (PUBLIC clause, *s.* 7.)

39. The commissioners and governors of the hospital shall, from time to time, cause the clothes, linen, stores, and other articles, belonging to the hospital, and capable of being marked, to be marked, stamped, or branded with an anchor, surmounted with a naval crown, with 2 flags over the crown, and the letter G on one and H on the other side of such device, and any pawnbroker or other person who shall take in pawn, buy, exchange, or receive any clothes, linen, or other goods marked, &c. as above, from any person on any pretence soever, (such mark, &c. being considered sufficient evidence of the property,) or who shall cause such mark, &c. to be taken out, obliterated, or defaced, shall forfeit 10*l.* for every such offence, on conviction by oath of one or more credible witnesses before any one or more justices of the county, wherein the same is committed, to be levied by warrant under hand and seal of such justice or justices, by distress and sale of the offender's goods, one moiety to the informer, and the other to the use of the hospital; and in case any such offender so convicted shall not have sufficient goods and chattels, whereon distress may be made to the value of the penalty recovered, or shall not pay such penalty in 4 days after

conviction, then such *justice*, by warrant under his hand and seal, shall commit such offender to the county gaol for 3 months, *54 G.3. c.110. s.1.*

40. To IMPOWER THE COMMISSIONERS OF *Greenwich* HOSPITAL, after defraying the necessary expences thereof, to provide for such seamen, as being worn and become decrepid in the service of their country, shall not be provided for within that hospital, and to enable them to receive their pensions in the most convenient manner, and for preventing frauds and abuses therein, *3 G.3. c.16.* [EXT. by, and to be construed as one act with *46 G.3. c.100., id. s.5.* AMD. *comm. semb. 43 G.3. c.120. s.22.* and as to *s.3.* by *55 G.3. c.56. s.3.* and see *55 G.3. c.1.* Provisions as to *Ire. 54 G.3. c.110. ss.2—6.*]

41. The commissioners impowered to grant out-pensions to worn and decrepid seamen, *3 G.3. c.16. s.1.*

42. All assignments, bargains, sales, orders, contracts, agreements, or securities soever, given or made by any out-pensioner for any sums of money to become due on any such out-pension, are void, *id. s.2.*; [but see *59 G.3. c.12. s.30.*, POOR, *pl.* 126.]

43. The treasurer of the hospital shall make out 2 bills for every such out-pension, which shall be duplicates and joined together with oblique lines, flourishes, and devices, and made payable to the out-pensioner by the receiver-general of land-tax, collector of customs or excise, or clerk of cheque, respectively, according to the appointment therein; which being numbered and dated shall be *signed* [*QU.* if not now signed by the *paymaster of pensions*, *55 G.3. c.56. s.3.* next *pl.* and *pl.69*, and see *55 G.3. c.1. s.8.*, *infra*, *pl.70.*] by the treasurer or his first clerk, and attested by steward or clerk of the cheque of the hospital, *id. s.3.* [*see the form*, next *pl.* prescribed by *55 G.3. c.56. s.3.*, *semble* superseding that provided by *3 G.3. c.16. s.3.*]

44. Any 5 or more commissioners or directors of the hospital may direct the bills for payment of pensions to be made out in such form as to them appears most proper, and to be signed by the paymaster of pensions of the hospital, [*see 55 G.3. c.1. s.7. pl.69*] or in his absence by his chief clerk, or to be otherwise signed as to them shall seem fit, and until the commissioners, &c. shall otherwise direct, the bills shall be as follows:

'Sir, Royal Hospital, *Greenwich*.

'Pay to B. D. of —, in the county of —, out-pensioner of the royal hospital at *Greenwich*, upon producing the duplicate hereof, together with a certificate under the hands of the minister and church-wardens (or in *Scot.* under the hands of the minister and two elders) of the parish where he resides, that to the best of their knowledge and belief, he is the person named in such bill, the sum of —*l.* being an account of his pension, if the same shall be demanded within 6 calendar months from the date hereof, otherwise you are to return this bill to the paymaster of pensions of the said royal hospital.— *Paymaster*,' *55 G. 3. c.56. s.3.*

'NOTE.—The personating, or falsely assuming the name and character of any out-pensioner of *Greenwich* hospital, in order to receive the out-pension due to such out-pensioner, or procuring any other to do the same, is felony without benefit of clergy, by 3 *G. 3.*' (*viz. c.16. s.6. pl.48.*)

[*This warning* clause is *not* annexed to the form in *55 G.3. c.56. s.3.* but is here given from *3 G.3. c.16. s.3.* as this part does not seem superseded by *55 G.3. c.56. s.3.* See *54 G.3. c.110. s.6. infra, pl.54*, and the most comprehensive provision of this nature, *57 G.3. c.127. s.4. tit.* PRIZE.]

45. The bills being so made out and signed, shall be cut asunder indentwise through the oblique lines, flourishes or devices, and one of them shall be transmitted forthwith to the person specified therein, and the other to the said receiver-general, *&c.* who shall, if the duplicate is produced to them in 6 calendar months from its date, examine the same with the said certificate, and administer an oath, as to the truth thereof, to the person producing the same, and if satisfied of its truth, shall testify the same on the back of the bill, and shall pay (gratis) the out-pensioner the sum therein contained, taking his receipt on the back thereof; which bill so paid, shall, on production thereof at his office, be immediately repaid by the treasurer of the navy to such receiver-general, &c., or to his order; but if the duplicate of such bill be not produced in 6 months from date, or if the proper certificate of the out-pensioner is not produced with it, the bill shall be returned to the treasurer of *Greenwich* hospital, to be cancelled, after which, such part of the pension shall become payable as if the bill had not been made out, *3 G.3. c.16. s.3.*, [*see a similar* enactment, *43 G.3.c.119. s.13.* which also enacts, that all such bills and receipts so made and given, shall be free from stamp duty.]

46. Where such receiver-general, *&c.* (as in *3 G.3. c.16. s.3.* last *pl.*) on tender for payment of such duplicate, shall not have in his hands sufficient public money to answer the same, and shall refuse or delay the immediate payment thereof, he shall indorse thereon the day of tender, and cause of delay to pay the same, appointing thereon some future day of payment within 2 months at farthest from the day of tender, and shall deliver it back to the person presenting the same: and if he unnecessarily delay payment, or take any fee, &c. for payment thereof, he shall, on conviction before any 3 or more of the commissioners of land-tax, customs, or excise, or of the navy, if the person complained of be a clerk of the cheque, forfeit any sum not exceeding 50*l.* to the informer, recoverable like any penalty incurred under the customs or excise laws, *3 G.3. c.16. s.4.*

47. Bills so paid by the navy treasurer shall be allowed in his accounts with the treasurer of the hospital, as a payment of so much ready cash, *id. s.5.*

48. Any person knowingly personating, or falsely assuming the name or character of any person entitled, or supposed to be entitled to any such out-pension, or procuring any person so to do, in order to receive the money due, or supposed to be due thereon, shall, on conviction, suffer death as a felon without benefit of clergy, *id. s.6.* *54 G.3. c.110. s.6. infra, pl.54.*, [and see the last and most comprehensive provision of this nature, *57 G.3. c.127. s.4. tit.* PRIZE.]

49. In case any pensioner to whom *such duplicate of bill* [*viz.* for pension on *Greenwich* chest, now dissolved, *55 G.3. c.1. s.3—4.*] is remitted, shall be disabled from appearing personally before the receiver-general, collector of customs, or excise, or clerk of cheque, by bodily infirmity; which disability is certified in writing by the minister and church-wardens (or minister and elders in *Scot.*) of the parish where he is resident, or by his medical attendant, then the money shall be paid to any other person to whom such pensioner shall, by writing under his hand, to be indorsed on such duplicate order the same to be paid: such person at the time of demanding payment thereof, producing such duplicate of bill, with the respective certificates as to the identity of the pensioner, and his inability to appear in person, and giving a receipt for same at foot of such order, which order and receipt shall be free from stamp duty, *43 G.3. c.119. s.22.* [*but QU. if now in force*, as applying merely to pensioners on *Greenwich* chest, dissolved as above.]

50. So much of *33 G.3. c.23.* (*Ir.*) as relates to any provision for enabling seamen resident in *Ire.* to receive out-pensions granted to them by the commissioners and governors of the hospital, and for preventing frauds therein is REP., *54 G.3. c.110. s.2.*

51. The hospital treasurer or his deputy, legally authorized, shall, as occasion requires, make out 2 certificates for any out-pension granted by the said commissioners and govr. residing in *Ire.*, which certificates shall be duplicates, and joined together, with oblique lines or devices, and numbered, dated, and *signed*, [*QU.* if not now signed by the *paymaster of pensions*, *55 G.3. c.56. s.3. supra, pl.44.* and *pl.69.*, and see *55 G.3. c.1. s.8. infra, pl.70.*] by the said treasurer, deputy, or his first clerk, and attested by the steward of the hospital, or the clerk of the cheque, or his first clerk, and addressed to the collector of the district in *Ire.* in which the out-pensioner shall reside, and shall be written or printed in the form, or to the effect set forth in *schedule A.*, one of which shall be transmitted to the out-pensioner, and the other to the collector to whom it is addressed; and on production of the duplicate thereof to the collector, by the person entitled to receive the money therein mentioned, he shall examine it, and inquire into its truth, by oath of the person producing the same (which oath he shall administer) and being duly satisfied of its truth, shall immediately, without fee, pay to the person specified the sum mentioned thereon, taking his receipt on the back thereof for the same; but such claim shall be made to the collector in 9 months from the date, and in case such duplicate shall not be produced, and payment demanded within 9 calendar months from the date, the collector shall transmit the certificate to the hospital treasurer at *Greenwich*, *54 G.3. c.110. s.3.*

52. If such collector to whom tender of such duplicate is made for payment, shall not have in his hands public money sufficient to answer it, or shall refuse immediate payment, he shall indorse on the back thereof the day of tender, and cause of refusal to pay the same, and shall appoint thereon for its payment some future day within one month, at farthest, from its presentment, which, with its indorsement, shall immediately be delivered back to the person presenting it, and if on complaint to the commissioners of revenue in *Ire.* (who, or any 3 of whom, may hear and determine the same) it is proved to their satisfaction that such collector has wilfully or unnecessarily refused payment thereof, or that he, or any person employed by him, has taken any fee, gratuity, or deduction whatever, on account of such payment, they may fine him in not exceeding 50*l.*, recoverable like any penalty incurred under the customs or excise laws, *id. s.4.*

53. Every collector who shall pay any money to any person entitled to the same under this act, shall return the duplicate on which the receipt is indorsed, (*as in s.2.*) to the *above* commissioners (*s.3.*) who shall quarterly cause a certificate to be given to such collector, specifying the amount of the money paid by him within such quarter, and he shall be credited by them for the same, *id. s.5.*

54. Every person who shall knowingly personate, or falsely assume the name or character of, or procure another to personate, &c. any person to whom such certificate shall have been granted, in order to receive the money mentioned therein, or in order to receive any money due, or supposed to be due on account of any such out-pension, or who shall procure another person so to do, or who shall forge, or counterfeit,

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or procure to be forged, &c. any bill, certificate, letter of attorney, ticket, certificate, assignment, last will, or other power, authority, or document, soever, in order to receive such money, or shall willingly, &c. take a false oath, or procure another so to do, or shall utter, as true, any forged, &c., letter of attorney, &c. (as above) in order to receive payment of any money due, or supposed to be due for any out-pension, and is convict of any such offence, is guilty of felony, and shall suffer death as a felon without benefit of clergy, 44 *G.*3. *c.*110. *s.*6.

55. FOR IMPROVING THE FUNDS OF *Chatham* chest, and for transferring its administration to *Greenwich* hospital, [in a department called *Greenwich* chest,] and for ameliorating the condition of the pensioners on those funds, 43 *G.*3. *c.*119. [AMD. by 46 *G.*3. *c.*101. and 55 *G.*3. *cc.*1. 56. PUBLIC *clause*, *id. s.*4., but almost entirely EXP. since *Greenwich* chest was dissolved, by 55 *G.*3. *c.*1. *ss.*3—4. which act is AMD. as to *ss.*1—2. by 55 *G.*3. *c.*133. *s.*4.]

56. FOR ENCOURAGEMENT AND REWARD OF PETTY OFFICERS, seamen, and royal marines for long and faithful service, and for consolidation of the chest at *Greenwich*, with the royal hospital there, 55 *G.*3. *c.*1.

57. TO AUTHORIZE THE COMMISSIONERS AND GOVERNORS OF *Greenwich* hospital to transfer 1,355,400 3 *per cent.* consols, standing in the name of the "corporation of the chest of *Greenwich*," into the name of the commissioners, and to receive the dividends due on such annuities, 55 *G.*3. *c.*56., (and see *pl.*74.)

58. The chest at *Chatham* shall be removed from *Chatham* to *Greenwich* hospital, and called the *Greenwich* chest, [the chest dissolved 55 *G.*3. *c.*1. *s.*3., and its funds consolidated with those of the hospital, *id. s.*4.] 43 *G.*3. *c.*119. *s.*1.

59. The lands and hereditaments given by *s.*1. to the use of *Greenwich* chest, are vested in the body corporate of the "*supervisors of Greenwich chest*," therein mentioned, [dissolved 55 *G.*3. *c.*1. *s.*3. *pl.*65.] in trust to sell the same, and invest the purchase-money in the 3 *per cents.* for the use thereof, *id. s.*2. [This stock was consolidated with the hospital funds, 56 *G.*3. *c.*1. *s.*4.; and see 55 *G.*3. c. 56.]

60. The lands, &c. sold, shall be conveyed to the purchasers free of chest incumbrances, *id. s.*3.

61. The receipt of the *Greenwich* chest accountant for the purchase-money, shall discharge the purchaser who is not bound so see the investment thereof made, 46 *G.*3. *c.*101. *s.*4.

62. The commissioners on application made to them by any person claiming pensions for length of navy service, may apportion the pensions according to their length of service, allowing for previous service as a non-commissioned officer or private marine, or as a non-commissioned officer or private soldier in any land forces, 55 *G.*3. *c.*133. *s.*4.

63. The commissioners and governors of *Greenwich* hospital, out of their present funds, as well as out of those by this act, or at any time hereafter transferred to the use of the hospital, may grant pensions, remunerations or allowances to petty officers, seamen, and marines, who, on account of the length of their services, and good and faithful conduct, may be deemed deserving thereof, in like manner as pensions, *&c.* are now granted to petty officers, &c., wounded, disabled, or worn-out in H. M.'s service, 55 *G.*3. *c.*1. *s.*1.

64. The commissioners shall, in granting pensions, be hereafter guided by such regulation, scale, and proportion, as H. M. by order in council shall direct, *id. s.* 2.

65. From 1st *Jan.* 1815, the corporation of "Supervisors of the chest at *Greenwich*" [created 43 *G.*3. *c.*119. *s.*1. *pl.*59.] is dissolved, and all powers and duties exercised by them shall be transferred to and imposed on the commissioners and governors of *Greenwich* hospital, *id. s.*3.

66. All the funds of *Greenwich* chest shall belong to the above commissioners, as part of the hospital funds, and shall be paid over to the treasurer of the hospital in aid of the purposes of this act, and of the general funds of the hospital, *id. s.*4.

67. All stock standing in the names of any person on 1st *Jan.* 1815, in trust for the chest, shall be transferred to the above commissioners, *id. s.*5.

68. Compensation shall be made to the officers of *Greenwich* chest, who shall lose their offices by this act, and are not re-appointed under *s.*7. hereof, *id. s.*6.

69. One proper person shall be appointed accountant and paymaster of pensions in the royal hospital, with such clerks under him, with such salaries, and subject to the regulations directed by the commissioners, which paymaster and clerks shall be appointed to, and removeable from, their offices respectively, under the rules existing with regard to the other hospital officers, except the governor and treasurer thereof, *id. s.*7.

70. Such paymaster shall perform all acts and duties concerning out-pensions heretofore or hereafter granted from *Greenwich* hospital, as now by law required to be performed with regard to such duties, or to pensions *now* granted from the funds of *Greenwich* chest by the treasurer of the hospital, or accountant of the chest respectively; and the signature, acts, and deeds of the paymaster, with regard to all such pensions, shall be of as full value as if it were the signature, &c. of such treasurer or accountant respectively, 55 *G.*3. *c.*1. *s.*8.

71. Nothing herein shall enable the paymaster to draw any monies out of the bank, or to receive or give receipts for any monies on account of the hospital, or to exercise any power now vested in the treasurer for receipt and custody of any hospital funds, except as regards sums by the treasurer transferred or paid to the paymaster for payment or discharge of the out-pensions; for all which sums he shall be accountable, according to the regulations in force at the time, with regard to allowances issued for such purposes, *id. s.* 9.

72. All letters and packets addressed *to* such paymaster, on any affairs relating to the hospital, shall be free of postage; and all letters sent *by* him, relating to out-pensions, shall be sent free of postage, and shall be under cover with "*Out pensions, pursuant to act of parliament, fifty-fifth George the Third*" printed thereon, and the paymaster or his chief clerk shall write his name under the same; and if either shall convey under any such covers any writing, paper, or parcel, other than those relating to such out-pensions, the offender shall forfeit 100*l.*, *id. s.*10.

73. All the provisions and penalties, as well of death as otherwise, contained in any acts in force relating to out-pensions, granted by the commissioners, shall be applied to the purposes of this act, and to the pensions to be granted in pursuance of *ss.*1—2. *pl.*63—64., *id. s.*12.

74. The corporation of commissioners and governors of *Greenwich* hospital, by power of attorney in their corporate name, and under their corporate seal, may make any person their attorney, to transfer the sum of 3 *per cent. consols*, 1,355,400*l.* from the name of the corporation of the *Greenwich* chest into that of the above commissioners, and to receive all dividends due thereon for the purposes mentioned in 55 *G.*3. *c.*1., 55 *G.*3. *c.*56. *s.*1.

75. The bank indemnified for such transfer, and not required to see the application of the dividends, *id. s.*2.

76. TO EMPOWER THE COMMISSIONERS AND GOVERNORS OF *Greenwich* hospital to make certain allowances to old, infirm, wounded, or disabled officers in the royal navy, and to provide a fund for the payment thereof, and for the increase of pensions to disabled seamen and marines, 46 *G.*3. *c.*100.

77. The commissioners are empowered to grant certain allowances in addition to their half-pay, to old, infirm, or disabled captains, commanders, and lieutenants of the navy, not provided for in the hospital; provided that no such allowance and half-pay shall together exceed 3-4ths of the salary paid to officers of similar rank resident in the hospital, *id. s.*1.

78. Prize agents, under 45 *G.*3. *c.*72. to retain for use of the hospital 1*l.* 13*s.* 4*d. per cent.* on proceeds of prizes taken in the *then* war, *id. s.*2. [*Semb.* EXP.]

79. A like *per centage* on the amount of the net proceeds of droits of admiralty shall be retained for the use of the hospital, *id. s.*3. [and see 57 *G.*3. *c.*127. *s.*3. *infra*, *pl.* 84.]

80. A like *per centage* on amount of bounty money for ships taken in the *then* war, [*id. s.*4. *semb.* EXP.]

81. TO SETTLE THE SHARE OF PRIZE MONEY, droits of admiralty, and bounty money payable to *Greenwich* hospital, and for securing to that hospital all unclaimed shares of vessels found derelict, and of seizures for breach of revenue, colonial navigation, and slave abolition laws, 57 *G.*3. *c.*127.

82. *Greenwich* hospital is entitled to receive 5*l. per cent.* on the net proceeds of all prizes taken and condemned since 17th *June*, 1814, and on all grants to the royal navy and marines, and on all bounty monies, and seizures under the revenue, colonial navigation, or slave abolition laws, and also on all droits of admiralty arisen and payable to or amongst any crews of H. M.'s ships since 17th *June*, 1814. *id. s.*1.

83. All prize agents under any prize act now in force, *or hereafter passed*, shall, out of the net proceeds of all prizes taken and condemned since 17th *June*, 1814, and from the net proceeds of all bounty bills, and of all seizures under the revenue, colonial navigation, or slave abolition laws, and of all monies arising from derelicts, and of all grants which have come into their hands, retain for the use of the hospital; and shall (within 10 days after the account thereof examined and certified by the examiner of naval prize accounts, or if there is no such officer, in 10 days from notification of any distribution of the said monies), pay over to the hospital treasurer, his deputy, or appointee under hand and seal to receive same, the sum of 5*l. per cent.* on the net proceeds of every such prize grant, or other monies, which payment and the treasurer's receipt shall be a sufficient discharge to such agent for the same, in his account with the parties entitled to a share thereof, *id. s.*2.

84. The receiver of the droits of admiralty for the time being, as soon as possible, after the net proceeds arising therefrom have, from time to time, been ascertained, and after expiration of the period of appeal against any adjudication in relation thereto, shall deliver in an account thereof, and pay to the hospital treasurer or his deputy, &c. the 5*l. per cent.* on such net proceeds for the use of the hospital, *id. s.*3. [See *s.*4.

as to persons being seamen, for obtaining prize money, forging orders, &c. *tit.* PRIZE.]

85. When such *per centage* was paid into the hands of the hospital treasurer, the same shall be appropriated to the current services of the hospital, 57 *G.*3. *c.*127. *s.* 5.

86. *Greenwich* hospital is entitled to all forfeited and unclaimed shares of the proceeds arising from any vessels found derelict by any H.M.'s ships, and out of all seizures for breach of the revenue,colonial revenue, and slave abolition laws, made by any H. M.'s ships, and of and from all bounties given under the laws against the slave trade, and every person, agent for payment or distribution of all such proceeds and bounty, or other monies shall be subject to 54 *G.*3. *c.*93. *supra*, *id. s.* 6.

87. TO ENABLE THE GOVERNORS OF *Greenwich* hospital to continue to provide for the payment of out-pensioners thereof, 1 & 2 *G.*4. *c.*98.

88. The governors shall continue to pay all such out-pensioners as heretofore, out of the interest, or by sale of the principal of any capital stock, public funds, or annuities, vested in them as such governors for hospital purposes, other than those vested in them by legacy or bequest, to or for the benefit of the hospital; provided that, if in the judgment of the governors, the making any such payments may restore the annual income arising from the estates, rents, revenues, and public or other securities, and sums applicable to hospital purposes, below what may be sufficient for its necessary expences, then, before making such payments out of any interest, or sale of such principal, they shall require and receive from the treasury security, either by deposit or issue of exchequer bills to them, for all such sums so paid or to be paid, in order that the adequacy of the hospital funds, for the necessary expences thereof, may be fully secured, and the governors are hereby indemnified in making any such payments, and applying the funds under their control in paying such out-pensioners; and the treasury, by warrant under the hands of any 3 or more of them, may direct the proper officer of exchequer, either to deposit with or issue to them, from time to time, any such amount of exchequer bills, out of those granted by parliament towards the supplies of the year, as may be necessary to secure the amount of such payments, or necessary to enable them to make the same, *id. s.* 1.

89. Nothing herein shall require the governors to continue to pay any such out-pensions after the principal of the stock, &c. now in their possession, is exhausted, *id. s.* 2.

GUARDIAN AND INFANT.

(STATUTES *repealed and expired.*)

1. WARDSHIP OF HEIRS WITHIN AGE, 9 *H.*3. (*M.C.*) *c.*3. REP. 12 *C.*2. *c.*24. *ss.* 1—2.

2. NO WASTE SHALL BE MADE in the lands of heirs in ward, *id. c.*4. [*semb.* EXP. 12 *C.*2. *c.*24. *ss.* 1—2.]

3. OF MAINTAINING LANDS IN WARD, and restoring them to heirs, &c., *id. c.*5. [*semb.* EXP. as to the above since 12 *C.*2. *c.*24. *ss.* 1—2.; but see BENEFICE, *pl.* 1.]

4. HEIRS SHALL BE NAMED without disparagement, *id. c.*6.

5. IN WHAT CASE THE WARD SHALL PAY his lord the value of his marriage, 20 *H.*3. *c.*7. [REP. 12 *C.*2. *c.*24. *ss.* 1—2.]

6. FRAUDULENT CONVEYANCES TO DEFEAT a lord of his wardship shall be void, 52 or 54 *H.*3. *c.*6. [AMD. 34 & 35 *H.*8. *c.*5. *ss.* 15—17., REP. by, or EXP. since 12 *C.*2. *c.*24. *ss.* 1—2.]

7. PROCESS in a *communi custodia:* ward by reason of ward, *id. c.*17. [*semb.* REP. 12 *C.*2. *c.*24. *ss.* 1—2.]

8. PENALTY OF HEIR MARRYING without consent of guardian: and as to female ward, 3 *E.*1. *c.*22. [REP. 12 *C.*2. *c.*24. *ss.* 1—2.]

(STATUTES *in force.*)

1. THE PENALTIES FOR *ravishment of ward*, 20 *H.*3. *c.*6. [CONF. 3 *E.*1. *c.*22. *s.*1., VIRTUALLY AMD. 13 *E.*1. *West. Sec. c.*35.]

2. Of heirs led away or withholden, or married with force by their relations or other; IT IS PROVIDED, that any layman being convict thereof, shall [yield to the loser the value of the marriage, REP. 12 *C.*2. *c.*24. *s.*2., and shall] be imprisoned until [he hath so done, if the child be married, REP. as above, and until] he has satisfied H. M. of his trespass; [*viz.* by 2 years imprisonment, *comm. semb.* from 13 *E.*1. *c.*35. *West. Sec.*], and this to be done of heirs within 14 years of age; [the rest of the act is repealed, 12 *C.*2. *c.*24. *ss.* 1—2.], *id. ibid.*

3. PROCEEDINGS IN WRITS OF *ravishment of ward, &c.*, 13 *E.*1. *c.*35. *West. Sec.* [*semb.* REP. 12 *C.*2. *c.*24. *ss.* 1—2., but see 20 *H.*3. *c.*6. and 12 *C.*2. *c.*24. *s.*8., *sub fin. pl.* 13.; it is therefore inserted.]

4. The punishment of him who taketh away a ward, shall be 2 years imprisonment, though he restore the child unmarried; and if he marry the child after the years of consent, he shall abjure the realm, or have perpetual imprisonment, and thereupon the plaintiff shall have writ in this form; [see the *Latin text*, 8vo *Stat.* i. 194.], and suit shall be made against the party on whom complaint is made, till he come in by distress, if he have whereby he may be distrained, or also for his contumacy, he shall be exacted and outlawed; and if such heir be carried into another county, then a writ shall go to the sheriff of such shire, in this form; [see *Latin text*, *id. ibid.*] 13 *E.*1. *West. Sec. c.*35.

5. And the death of the heir shall not abate the proceedings, that the plaint may be tried to whom he ought to have been restored, had he been living; nor shall the ravisher be excused punishment by such death; and if the plaintiff die before the plaint determined, if the right belonged to him by reason of his fee, his heir shall resummon the plaint, and the plaint pass in due order; but if the right belongs to him by another title, as by gift, sale, or such like, the plaint shall be re-summoned, at suit of his executors, and the plea pass as above; so if defendant dies before plaint is determined or heir restored, the plaint shall proceed [by re-summons, between the plaintiff, his heirs or executors, and the executors of the defendant or his heirs, if the executors be not sufficient as to satisfaction for value of the marriage, as in 20 *H.*3. *c.*6., 3 *E.*1. *c.*22., REP. 12 *C.*2. *c.*24. *ss.* 1—2.], but not as to the pain of imprisonment, for none ought to be punished for another's offence; in the same manner, when plaints depend between parties for the ward of land, or of an heir or of both, by the writ of *præcipe tali, &c., quod reddat*, resummons shall be made between the heirs and executors of plaintiff and defendant, if death prevent any of the parties before plaint determined, and when they have passed to the great distress, a day shall be given within which three county courts may be holden at least, and open proclamation therein made, that the deforcer shall come into the bench at the day contained in the writ, to answer the plaintiff, when, if he come not, and proclamation is returned thrice, judgment shall pass for plaintiff, saving the defendant's right if after he will claim it; [in the same manner shall it be done in a writ of trespass, of ejection from such wardships *semb.* REP. 12 *C.*2. *c.*24. *ss.* 1—3.], 13 *Ed.*1. *West. Sec. c.*35.

6. THE AUTHORITY AND DUTY OF GUARDIANS in socage, 52 (or 54) *H.*3. c.17.

7. If land holden in socage be in custody of the friends of the heir, because he is within age, such guardians shall make no waste, sale or destruction of the inheritance, but shall keep it safely to his use, so that when he comes to lawful age, they shall answer to him the issues thereof by a lawful accompt, saving to themselves their reasonable costs, *id. ibid.*

8. IF A GUARDIAN OR CHIEF LORD, [*or* chief lord being guardian, *Fleta, lib.*1. *c.*12. *s.*4.], infeoff any man of land, which is the inheritance of any infant in his ward to his disherison, the heir shall forthwith have recovery by assize of *novel disseisin* against guardian and tenant; and the seisin, if recovered, shall be delivered by the justices to the next friend of the heir to whom the inheritance cannot descend, to improve to the use of the heir and to answer to him for the issues when he comes of age; [and the guardian shall lose custody of the thing recovered, and all the remainder of the inheritance holden in name of the heir; and if any other guardian than the chief lord do so, he shall lose the wardship altogether, and be grievously punished by H. M., 3 *E.*1. *c.*48. *s.*1.]

9. If the infant be carried away or disturbed by his guardian or any other, by reason whereof he cannot sue his assize, then may one of his *next friends* be admitted to sue for him, 3 *E.*1. *c.*48. *s.*2.

10. So in every case, where infants may sue, if they be eloigned, so that they cannot sue personally, their next friends shall be admitted to sue for them, 13 *E.*1. *c.*35. (*West. Sec.*)

11. IF AN INFANT BE HOLDEN FROM HIS HERITAGE, after the death of his father, cousin, grandfather or great-grandfather, whereby he is driven to his writ, and his adversary comes into court, and for answer alledges a feoffment, or pleads some other thing whereby the judges award an inquest, the inquest shall pass as if he were of full age, 6 *E.*1. *c.*2. [*Stat. Gloc.*, and the statute shall remain without limitation of time, *see Explanationes*, 8vo *Stat.* i. 136.]

12. INFANTS UNDER 14 YEARS OF AGE shall not be received into the four orders of friars, *viz.* friars, minors, augustines, preachers and carmelites, without the consent of their parents or next friends having them in custody, and shall remain for one year in the place where they are first received; and the chancellor is empowered to give relief to complainants, 4 *H.*4. *c.*17. [The principals of the above 4 orders in *Eng.* swear, laying their hands on their coifs, before the king, lords and commons to observe this statute, *id. ibid.*; but this statute seems EXP. *See* PAPIST.]

13. WHERE ANY PERSON HAS ANY CHILD UNDER 21 years old, and unmarried at the time of his death, the father of such child, whether born at his decease or in *ventre sa mere*, or whether such father be within 21 or of full age may by deed executed, or by last will in writing in presence of two witnesses, dispose of the custody and tuition of such children till they attain 21 years, or any lesser time to any persons in possession or remainder, other than popish recusants, which disposition shall be good against all persons claiming the custody or tuition of such children as guardian in socage or otherwise, and such persons to whom the custody of such children shall be so disposed or devised may main-

tain an action of ravishment of ward or trespass against any which shall wrongfully take away or detain them, and shall recover damages for the use of such children, 12 *C.*2. *c.*24. *s.*8.

14. Persons to whom the custody of such children shall be so disposed may take into their custody to the use of such children the profits of all lands of the latter, and also the custody, tuition and management of their goods and personal estate till their respective age of 21 years, or any lesser time, according to such deposition, and may bring such actions in relation thereunto as a guardian in socage may do, *id. s.*9.

15. This act shall not alter the custom of *London*, nor of any other city or town corporate, or of the town of *Berwick*, concerning orphans, nor discharge any apprentice from his apprenticeship, *id. s.*10.

16. To ENABLE INFANTS WHO ARE SEIZED AND POSSESSED of estates in fee, in trust, or by way of mortgage, to make conveyances thereof, 7 *A. c.*19. [EXT. 4 *G.*3. *c.*16.]

17. Any person under 21 years old, by direction of chancery or exchequer by order made on hearing all parties on the petition of the person for whom such infant shall be seized or possessed in trust, or of the mortgagor or guardian of such infant or person entitled to the monies secured upon any lands, tenements or hereditaments whereof any person shall be seized or possessed by way of mortgage, or of the person entitled to the redemption, may convey any such lands as the court shall by order direct, which conveyance shall be good in law, 7 *A. c.*19. *s.*1.

18. The same provision applies where such lands, &c. are situate within the duchy of *Lancaster*, or in either of the counties palatine, or in *Wa.*, under direction of the court of duchy chamber of *Lancaster*, or of exchequer of *Chester*, of the courts of chancery of *Lancaster* and *Durham*, and of great sessions in *Wa.*, 4 *G.*3. *c.*16. *s.*1.

19. Such infants being only trustees or mortgagors may be compelled by such order to make such conveyances in like manner as trustees or mortgagees of full age, 7 *A. c.*19. *s.*2., 4 *G.*3. *c.*16. *s.*2.

GUNPOWDER.

(STATUTES *repealed and expired.*)

1. FOR PREVENTING THE MISCHIEFS WHICH MAY HAPPEN from keeping too large quantities of gunpowder in or near the cities of *London* and *Westm.*, or the suburbs thereof, 5 *G.*1. *c.*26. AMD. 11 *G.*1. *c.*23. [BOTH REP. 11 *G.*3. *c.*35. *s.*15. and 12 *G.*3. *c.*61. *s.*31.]

2. TO PREVENT THE MISCHIEFS WHICH MAY HAPPEN by keeping too great quantities of gunpowder in any one place, or carrying the same together from one place to another, 22 *G.*2. *c.*38. [REP. 11 *G.*3. *c.*35. *s.*13. and 12 *G.*3. *c.*61. *s.*31.]

3. FOR REDUCING INTO ONE ACT THE SEVERAL LAWS relating to the keeping and carriage of gunpowder, and for more effectually preventing mischiefs by keeping or carrying it in too great quantities, 11 *G.*3. *c.*35. [REP. 12 *G.*3. *c.*61. *s.*31.]

(STATUTE *in force.*)

1. All persons, whether subjects or aliens, may import gunpowder, paying such customs for same as are limited by authority of parliament, 16 *C.*1. *c.*21. *s.*2. [*but see* 1 *J.*2. *c.*8., *infra*, *pl.* 4. *semble in force.*]

2. H. M.'s subjects of *Eng.* may at pleasure make and sell gunpowder, and also bring into this kingdom saltpetre, brimstone, or other materials for making it, *id. s.*3.

3. Putting in execution letters patent restraining these rights incurs a *premunire*, (under 16 *R.*2. *c.*5.) *id. s.*4.

4. None shall, without H.M.'s licence, import into *Eng.*, *Wa.*, or *Ber.*, by way of merchandize, any gunpowder, arms, ammunition or utensils of war, on pain of forfeiture of such goods to H. M., and treble value thereof, half to H. M. and half to the party suing for the same in debt or by information, 1 *J.*2. *c.*8. *s.*2, [REP. as to import thereof from *Ire.*, which shall be free, 46 *G.*3. *c.*121.]

5. Any person obtaining grant or patent for sole making or importing gunpowder, arms, &c. except for H. M.'s public stores, and putting same in execution, or molesting other lawful makers thereof, shall incur a *premunire* under 16 *R.*2. *c.*5., and be disabled to hold office under H. M., and their patent, &c. is void, 1 *J.*2. *c.*8. *s.*3.

6. H. M. may, by proclamation, prohibit the export of gunpowder, arms, or ammunition, 12 *C.*2. *c.*4. *s.*12. [AMD. and EXT. 29 *G.*2. *c.*16., 33 *G.*3. *c.*2. *ss.*3—5., and see as to lord lieutenant's power herein in *Ire.*, 49 *G.*3. *c.*76

7. So of saltpetre by order in council, 29 *G.*2. *c.*16. *s.*1.

8. All the above articles so prohibited to be exported and shipped on board any vessel in any port of *G. B.* in order to exportation, contrary to such order or proclamation, shall be forfeited, and may be seized by warrant of any magistrate, or customs or excise officer, with penalty of 100*l.* for every cwt. of saltpetre or gunpowder, and in proportion for any less quantity; 100*l.* for every 25 arms; and 100*l.* for every 2 cwt. of any ammunition, and in proportion for a less quantity, 29 *G.*2. *c.*16. *s.*2.

9. Persons aiding in shipping the same shall forfeit 100*l.* and treble value of such prohibited articles, *id. s.*3.

10. Masters of vessels taking on board, or permitting to be taken on board any such prohibited articles, forfeit 100*l.*, *id. s.*4.

11. H. M. may under this act prohibit the shipping such articles for carrying coastwise, *id. s.*5.

12. Penalties go two-thirds to H.M., and one-third to the seizer or party suing by bill or information, in any court of exchequer in *G. B.*, with no essoin, &c. allowed, *id. s.*6., and see *pl.*13.

13. Shipping such prohibited articles to be carried coastwise, subjects offender to penalties of 29 *G.*2. *c.*16. *s.*2. as if shipped for export, 33 *G.*3. *c.*2. *s.*3.

14. Every ship, vessel, or boat, on board which such prohibited articles shall be exported, carried coastwise, or on board which they are laden for either purpose, shall be forfeited, with all her guns, tackle, &c. and may be seized by the customs officers, *id. s.*4.

15. This shall not extend to H.M.'s ships, or to vessels employed by board of ordnance, or having on board arms and ammunition for their defence by admiralty licence, *id. s.*5.

16. FOR REGULATING THE MAKING, KEEPING, AND CARRIAGE of gunpowder in *G. B.* and to repeal (*s.*31.) the laws heretofore made for any of those purposes, 12 *G.*3. *c.*61. [Commencement 1 *July*, 1772, *s.*31. except as to penalties which commence from 1st *July*, 1773, *s.*4. and *s.*9., REP. as to part of *s.*21., by 54 *G.*3. *c.*152., and see 1 & 2 *G.*4. *c.*118. *s.*31., POLICE, *pl.*43.]

17. No person shall use or cause to be used any powder mill, or other engine, or in any manner manufacture gunpowder in any place within *G. B.*, except in places where the manufacture is now, (*viz.* 1st *July*, 1772,) actually carrying on, or where it afterwards shall become lawful so to do by obtaining a licence for that purpose, under the hereafter mentioned provisions, on pain of forfeiting all gunpowder made contrary hereto, and 2*s.* for every lb. thereof, 12 *G.*3. *c.*61, *s.*1.

18. Using pestle mill subjects the offender to same penalties, *id. s.*2.

19. No person shall in any mill or engine, make at one time under a single pair of mill-stones, any quantity of powder or materials to be made into it exceeding 40 lbs. on pain of forfeiting all gunpowder so made at one time and exceeding 40 lbs. and also 2*s.* for every lb. thereof, *id. s.*3.

20. Nothing herein extends to the powder mills now erected at *Battle*, *Browhunt*, *Seddelscombe*, and *Brede* in *Sussex*, so far as relates to making fine fowling powder, called "*Battle Powder*," *id. s.*5.

21. No greater quantity than 40 *cwt.* of powder shall be dried at one time in one drying stove, &c. on pain of forfeiture of overplus and 2*s.* for each lb. thereof, *id. s.*6.

22. No greater quantity than is necessary for the immediate work then carrying on in corning, drying, or dusting houses, &c. shall be kept therein, or in uny building adjoining thereto, except magazines of stone or brick, situate 50 yards from powder-mill, on like forfeiture of overplus, and 2*s.* for each lb. thereof, *id. s.*7.

23. Powder makers, besides such magazines near their mills, shall have another remote from them, for receiving and keeping all the powder made at such mill, as soon as convenient to remove it, on penalty of 25*l.* for every month during which they make gunpowder without it, and 5l. for every day of wilful neglect to remove same, not being hindered by weather or other impediment, *id. s.*8.

24. Such magazine shall be well built of brick or stone near the *Thames*, and below *Blackwall*, or in some other convenient place licensed by justices, as in *s.*16., *id. s.*8.

25. Makers of gunpowder keeping, or permitting to be kept, charcoal within 20 yards from any powder mill, engine, or drying, corning, or dusting house or magazine thereto belonging, shall forfeit 5*l.* for every week during which it is so kept, *id. s.*10.

26. No dealer in gunpowder shall keep more than 200 lbs. and not being such, more than 50 lbs. in any house, mill, magazine, store, or warehouse, shop, cellar, yard, wharf, or other building or place occupied by the same person, (all such buildings adjoining to each other, and occupied together, being to be deemed one house within this act,) or on any river or other water, (except in carriages loading, unloading, or passing on the land, or in ships, boats, or vessels, loading, &c. on water, or detained there by tide or bad weather,) within *London* or *Westminster*, or 3 miles of either, or within any city, borough or market town of *G. B.*, or one mile thereof, or within 2 miles of any palace or house of residence of H. M., his heirs and successors, or any queen consort or dowager, or of any H. M.'s powder magazine; or within half a mile of any parish church; or in any other part of *G. B.*, except as hereinafter excepted, on penalty of forfeiture of the surplus above the quantity hereby allowed to be kept, and 2*s.* for every lb. of such surplus *id. s.*11.

27. 300 lbs. of powder may be kept for the use of any mine, or colliery, in any magazine, or warehouse within 200 yards thereof, and out of the limits mentioned in *s.*11., *id. s.*12.

28. The justices for each county or division in *G. B.* may, on application to them in quarter-sessions by any person, (he having given notice in writing of his intention to make such application, as also of the place proposed for such purposes 14 days before making it, to an overseer or churchwarden of the parish in which it is proposed to erect such new mill and magazine, or of an adjoining parish, if the place is extra-parochial, who shall cause such notice to be read on the next *Sunday* in the parish church after divine service,) license the erecting powder mills, and proper offices adjoining thereto, or magazines for keeping unlimited quantities of powder, not being in *London* or *Westminster*, and being out of the fixed limits in *s.*11., 12 *G.*3. *c.*61. *s.*13.

29. Persons aggrieved by refusal of quarter sessions to license such mills and magazines, or to appoint pieces of ground for magazines remote from any mills, may apply to the sessions for a special case thereupon, and the justices then present shall certify the special circumstances of the case in question, with the proofs offered for and against the application, in order to its removal by *certiorari* into K. B., in the return to which writ they shall state the same; and K. B. may judge of the merits, and if it think fit, may make order on the justices to grant such licence, or make such appointment at next quarter sessions, without fresh application, and the costs of such *certiorari* shall be awarded at discretion of K. B., *id. s.*14.

30. No person shall be liable to penalties under this act for keeping unlimited quantities of gunpowder without such licence, in any magazine apart from the powder-mill, and already built and used for that purpose, and out of the fixed limits in *s.*11., till 6 months after an adjudication of the quarter sessions that the same is dangerous, which adjudication they shall not have authority to make, except on complaint to them of such magazine by some householder of the parish in which the magazine is, and after due summons of the owner to answer the same, and after examination on oath of witnesses on both sides; and unlimited quantities of gunpowder may be kept in magazines licensed under former acts, *id. s.*15.

31. Quarter sessions shall, on application to them by any powder maker, appoint pieces of ground, not within *London* or *Westminster*, or the limits in *s.*11., and not exceeding one acre in one place, with the use of convenient roads thereto, on which pieces he may erect magazines for keeping gunpowder in any quantity, after having agreed with the owners of such grounds for purchase thereof; and if any owner shall not agree, or from any impediment cannot agree, such justices shall issue a warrant to the sheriff of the county or other officers having returns of writs within their jurisdiction, to impanel and return before them a jury, who, on oath to be administered by the justices, shall inquire into the true value of the ground, with the use of the roads thereto; and their verdicts shall be kept with the records of the sessions, whose judgment thereon shall be final: and the justices may send for any persons interested, and may examine any parties or witnesses on oath, and the money adjudged, not exceeding 30 years' purchase, shall be paid to the owners of the ground, according to their interests therein, in proportions adjudged by the justices: and on such payment, or in case of refusal to accept the money, then on leaving the same with the sessions for the owners' benefit, the inheritance of the ground and use of the roads thereto shall vest in the purchasers, *id s.*16.

32. No person shall have or convey at one time, within *G. B.*, more than 25 barrels of gunpowder in any carriage by land, or than 200 barrels in any vessel by water, (except in vessels with gunpowder imported from, or exported by sea, or going coastwise,) and all gunpowder (with that exception) conveyed on land or water, shall be in barrels close joined and hooped without iron about them, and so secured as to prevent its scattering in the passage; and each barrel shall contain no more than 100 lbs. of gunpowder, and when conveyed by land, shall be enclosed in a leather or saltpetre bag, and in a carriage completely covered with wood, painted cloth, tarpaulin, or wadmill tilts over the gunpowder therein; and no gunpowder shall be conveyed in any vessel by water (except as above) that hath not a close deck, and as soon as it is put on board it shall be covered with raw hides or tarpaulins; and all gunpowder otherwise conveyed (except as above) within *G. B.* in greater quantity, or in other manner than above prescribed, and the barrels containing it may be seized by any person who shall have the same authority to use for that purpose, during 24 hours after seizure, the carriage or vessel in which such gunpowder shall be seized, with the tackling, beasts, or accoutrements, belonging thereto, on paying a recompense for use thereof, and to detain such gunpowder and barrels as is given in *s.*23. to persons searching under warrant of a justice, which seizure shall be for his own use on conviction of the offender, *id. s.*18.

35. When any vessel having stale, condemned, or returned gunpowder on board arrives at the wharf, &c. where it is to be landed, no person shall begin to unload or shall bring down to such wharf with intend to load in such vessel any other gunpowder, till the whole or a part of the former be first unloaded and carried away from the same, and after such unloading and carrying away part of such gunpowder, no person shall begin to load or bring down with intent to load any greater quantity than the part carried away on pain of forfeiting all gunpowder so brought down or loaded contrary hereto, 12 *G.*3. *c.*61. *s.*19.

34. If any person having the care of any barge, except vessels with gunpowder imported from, or to be exported to places beyond sea, or going coastwise loaded with gunpowder, or other person on board the same, shall bring, have, or use or permit any person to bring, &c. any charcoal, or other combustible matter, or any fire or lighted candle, or shall smoke or permit any person to smoke on board, such person shall forfeit *5l.*, *id. s.*20.

35. No person having the care of any carriage, used for conveyance of gunpowder by land, shall, after beginning to place or load therein any quantity, or beginning to unload the same thereout, stop at any place of loading, or in the loading or unloading suffer any longer time to pass than with all diligence shall be necessary for loading and unloading; and no person having the charge of any vessel used for conveyance of gunpowder by water, (except in the case of vessels loading for import or export of gunpowder, or going coastwise) shall, after beginning to load or unload, stop at any wharf, or in loading or unloading, suffer any longer time to pass than with all diligence is necessary for loading or unloading, not exceeding 18 hours, unless hindered by weather; and every such vessel, except as above, having completed her loading, shall depart from the place of loading on her course the first ensuing tide, unless hindered by weather, or other impediment, *id. s.*21.

36. Other articles may be conveyed in the same carriage, and on board the same vessel, 54 *G.*3, *c.*152. repealing the latter part of 12 *G.*3. *c.*61. *s.*21.

37. These provisions for conveyance, loading, &c. of gunpowder, only apply to vessels, carriages, &c. carrying above 100 lbs. of gunpowder, 12 *G.*3. *c.*61. *s.*22.

38. Where demand is made, and reasonable cause of suspicion assigned on oath by any one person, any justice may issue his warrant for searching in the day-time any house, mill, &c. (as in *s.*11.) wharf, or other place, or any carriage or vessel in which gunpowder is suspected to be made, kept, or carried contrary to this act, and all gunpowder found on such search to be made, kept, or carried contrary hereto shall be seized and immediately removed in its barrels by the searcher to any proper place in conformity with this act; and if seized in any carriage or vessel, may use the latter, its tackle, horses, &c. for the purpose of removal, for 24 hours on paying recompence for such use, to be settled by the justices hearing the complaint, after the seizure, or on non-payment immediately after such settlement, shall be recoverable by distress and sale as in *s.*26. and may detain the same and the barrels till it is adjudged before 2 or more justices whether it is forfeited or not, and such searcher or seizer shall not be liable to any suit for such detainer, or for any loss of or damage happening to the gunpowder or barrels, except by their own or agent's wilful act, *id. s.*23.

39, Powers under such warrant are extended to *Thames* police surveyor on board all ships in the river, except H. M.'s ships, 47 *G.*3. *S.*1. *c.*37. *s.*2.

40. No commander of a vessel lying in the *Thames*, and outward bound shall receive on board more than 25 lbs. of gunpowder, (except for H. M.'s service) before her arrival at, over, against, or below *Blackwall*, and every commander of a vessel entering the *Thames*, shall, (with that exception) put ashore in proper places (as in *s.* 8. 13, &c.) before arrival there, or in 24 hours, if the weather permit after coming to anchor or to place of unloading there any larger quantity than 25 lbs. (except for H. M.'s service,) on pain of forfeiture of all the surplus afterwards found on board, with the barrels, and 2*s.* for every pound thereof, *id. s.*24.

41. The master, warden, and assistants of the *Trinity House*, shall appoint one or more searchers for unlawful quantities of gunpowder in vessels in the *Thames* who may enter any ship for same, (except H. M.'s ships) above *Blackwall*, at any time between sunrising and sunsetting, and search the same for unlawful quantities of gunpowder, and shall have all powers of persons acting under justices warrant, as in *s.*23., *id. s.*25.

42. All penalties hereby given shall be recoverable before 2 justices, on proof of the offence by oaths of one or more witnesses, or on confession of the offender, to go in moieties to H. M. and informer; and where the penalty is pecuniary, in case of nonpayment, it shall be levied with costs thereof by distress and sale of offender's goods under such justices' warrant, or in default of sufficient distress the offender shall be sent to the house of correction to hard labour for any time from 3 to 6 months, *id. s.*26.

43. No person shall be prosecuted for any offence against this act after 14 days from seizure, or from the offence committed: and in actions for any thing done under this act, defendant may plead general issue, and give special matter in evidence, and if he have verdict or judgment on demurrer, &c. or if plaintiff is nonsuit, or discontinues after issue joined, defendant shall have treble costs, *id. s.*27.

44. Actions for acts done under this act shall be laid and tried in the county where the act is done, and shall be commenced within 6 months, 12 *G.*3. *c.*61. *s.*28.

45. Nothing herein extends to H. M.'s powder mills or magazines, or to hinder trial of powder by his officers, or to the keeping it in his magazines at *Barking*, *Creeksmouth* in *Essex*, and *Erith Level*, in *Kent*, or near *Liverpool*, or *Bristol*, or to any carriage thereof under special order of the board of ordnance, specifying the quantity and time for which it is in force: or to the carriage of gunpowder with forces on march, or militia on annual exercise, or sent for their use, *id. s.*29.

46. Unlimited quantities may be carried in close decked vessels, &c. as in *s.*18. from vessels below, to magazines also below *Blackwall*, or from the latter to ships below that place going beyond sea or coastwise, *id. s.*30.

GYPSY, *or* GIPSY. (*See* VAGRANT.)

(STATUTE *repealed.*)

FOR THE PUNISHMENT OF PERSONS CALLING THEMSELVES *Egyptians*, 5 *El. c.*20. [REP. 23 *G.*3. *c.*51.]

STATUTES *in force.*

1. FOR PUNISHMENT OF EGYPTIANS, 22 *H.*8. *c.*10. (and recital in *s.*1.) and 1 *&* 2. *P. & M. c.*4. *s.*1. [REP. as to *s.*3. by 1 *G.*4. *c.*116. *s.*1.]

2. Outlandish people, calling themselves *Egyptians*, using no craft, and going from place to place in companies, deceiving the people that they by palmistry can tell fortunes, and committing felonies and robberies, shall not be suffered to come within this realm; and if they do, shall forfeit to H. M. all their goods, and be commanded to avoid the realm within 15 days, on pain of imprisonment; and every sheriff, justice, or escheator, may seize such goods to H. M.'s use, and account thereof in exchequer, [and if any such stranger shall commit felony, the inquest that shall pass between H. M. and the party shall be altogether *English*. A similar provision 1 *&* 2 *P. & M. c.*4. *s.*3. is REP. 1 *G.*4. *c.*166. *s.*1.] 22 *H.*8. *c.*10. *s.*2.

3. Every person who can prove, by two persons, before the party who seizeth such money or chattels of the *Egyptians*, that any part of the same were taken from him, shall be restored to the same, on pain to forfeit to the party making such proof the double value, by action of debt, without essoin, &c. allowed, *id. s.*3.

4. Every justice, sheriff, or escheator, seizing such goods, shall have to his own use a moiety thereof, and on account to be made for the other, the accountant shall pay no fee, *id. s.*4.

5. Every person who willingly brings into this realm any such *Egyptians*, shall forfeit 40*l.*, 1 *&* 2 *P. & M. c.*4. *s.*2.

6. *Egyptians* remaining in *Eng.* a month shall suffer death, *id. s.*3. [REP. 1 *G.*4. *c.*116. *s.*1.]

7. Every person suing for any passport for any such *Egyptians* to abide within this realm, contrary hereto, shall forfeit 40*l.*; and every such licence shall be void, one moiety of the forfeiture being to H. M. and the other to the seizer, *id. s.*6.

8. This act shall not extend to children not above 14, nor to charge any person as accessary to any offence specified herein, *id. s.*8.

HABEAS CORPUS. (*See* LIBERTIES AND RIGHTS.)

1. FOR BETTER SECURING the liberty of the subject, and for prevention of imprisonment beyond the seas, 31 *C.*2. *c.*2. [AMD. 43 *G.*3. *c.*140., 44 *G.*3. *c.*102., 56 *G.*3. *c.*100.]

2. "*Recital of the* great delays made by sheriffs and other officers, having custody of persons accused of criminal matters, in making returns to writs of *habeas corpus*, by standing out to an *alias* and *pluries*, contrary to their duty and the known law of the land, and to the subject's great charge and vexation," 31 *C.*2. *c.*2. *s.*1.

3. When any person shall bring any *habeas corpus* directed to any sheriff, gaoler, or other person, for any person in their custody, and the writ shall be served upon the said officer, or left at the prison with any of the under officers, the officer shall within 3 days after service thereof (unless the commitment were for treason or felony expressed in the warrant) upon payment or tender of the charges of bringing the prisoner, to be ascertained by the judge or court that awarded the same, and indorsed upon the writ, not exceeding 12*d. per* mile, and upon security given by his own bond to pay the charges of carrying back the prisoner, if he shall be remanded, and that he will not make escape by the way, make return of such writ, and bring the body before the lord chancellor, or the judges or barons of the court from whence the writ shall issue, or before such other person before whom the writ is returnable, according to the command thereof, and shall certify the causes of his detainer; unless the commitment be in any place beyond the distance of 20 miles from the place where such court or person shall be residing; and if beyond 20 miles, and not above 100 miles, then within 10 days; and if beyond 100 miles, then within 20 days after such delivery, *id. s.*2.

4. All such writs shall be marked in this manner, *per statutum tricesimo primo Caroli Secundi regis*, and shall be signed by the person that awards the same; and if any person shall stand committed or detained for any crime, (unless for felony or treason expressed in the warrant,) in vacation time, he (if other than persons convict or in execution) or any one on his behalf, may complain to the lord chancellor, or any justice of the K. B. or C. P. or baron of the exchequer of the degree of the coif; and the lord chancellor, justices or barons, or any of them, on view of the copies of the warrants of commitment and detainer, or on oath that such copies were denied to be given to the prisoner by the person having him in custody, are required, on request made in writing by such person, or any on his behalf, attested by two witnesses present at the delivery of the same, to grant a *habeas corpus* under the seal of such court whereof he shall be a judge, directed to the officer in whose custody the party is, returnable *immediatè*, before the lord chancellor, or such justice, baron, or any other justice or baron of the degree of the coif, of the said courts; and on service thereof the officer or his deputy shall bring such prisoner before the lord chancellor, or such justices, barons, or one of them, before whom the writ is returnable, and in case of his absence, before any other of them, with the return of such writ, and the causes of commitment and detainer; and thereupon, within 2 days, the lord chancellor, or such justice or baron, shall discharge the prisoner, taking his recognizance, with one or more sureties, in any sum according to their discretions, having regard to the quality of the prisoner, and the nature of his offence, for his appearance in the court of K. B. the term following, or at the next assises, sessions, or gaol delivery, for such county or place where the commitment was, or where the offence was committed, or in such other court where the offence is cognizable; and shall certify the writ, with the return and the recognizance into the court where the appearance is to be made, unless it appear to him that the party is detained upon a legal process, order, or warrant, signed and sealed with the hand and seal of any such justice or baron, or some justice of peace for such matters for which the prisoner is not bailable, 31 *C.*2. *c.*2. *s.*3.

5. If any person shall have wilfully neglected 2 whole terms after his imprisonment to pray a *habeas corpus*, he shall not have any *habeas corpus* in vacation time in pursuance of this act, *id. s.*4.

6. If any officer or his deputy shall neglect to make the returns, or to bring the bodies of the prisoners, according to the commands of the writ; or on demand made by the prisoner, or in his behalf, shall refuse to deliver, or within 6 hours shall not deliver, to the person demanding a copy of the warrants of commitment and detainer of such prisoner, such person in whose custody the prisoner shall be, shall for the first offence forfeit to the party aggrieved 100*l.*, and for the second 200*l.* and is disabled to hold his office: the said penalties to be recovered by the party grieved, his executors or administrators, against such offender, his executors or administrators, by action of debt, &c. or information in any of the courts at *Westminster*, wherein no essoin, &c., wager of law, stay of prosecution by *nolle prosequi*, nor more than one imparlance, shall be allowed; and any recovery at the suit of any party grieved shall be sufficient conviction for the first offence; and any after recovery, &c. for any offence after the first judgment, shall be a sufficient conviction for the second offence, *id. s.*5.

7. No person set at large upon a *habeas corpus* shall be again imprisoned for the same offence, other than by the legal order and process of such court wherein he shall be bound by recognizance to appear, or other court having jurisdiction: and if any person shall knowingly recommit or imprison, or cause to be re-committed, &c. for the same offence any person set at large as aforesaid, he shall forfeit to the party grieved 500*l.*, any colourable variation in the commitment notwithstanding, *id. s.*6.

8. If any person committed for high treason or felony expressed in the warrant, upon his prayer in open court the first week of the term, or first day of the sessions of *oyer* and *terminer* or general gaol delivery, to be brought to trial, shall not be indicted in the next term or sessions after such commitment, the judges of K. B. or justices of *oyer* and *terminer* and general gaol delivery, are required, upon motion made in court the last day of the term, sessions, or gaol delivery, to set at liberty the prisoner on bail; unless it appear to them on oath, that the witnesses for

H. M. could not be produced the same term, &c.; and if any person committed as aforesaid, upon his prayer the first week of the term or day of the sessions, &c. to be brought to trial, shall not be indicted and tried the second term, &c. or shall be acquitted, he shall be discharged, 31 *C.* 2. *c.* 2. *s.* 7.

9. Nothing in this act shall discharge any person charged with any process in any civil cause, *id. s.* 8.

10. If any subject of this realm shall be in custody for any criminal matter, he shall not be removed into custody of any other officer, unless by *habeas corpus*, or other legal writ; or where the prisoner is delivered to the constable or other inferior officer to carry to some common gaol; or where any person is sent by order of any justice of assize, or of peace, to any common workhouse, or house of correction; or where a prisoner is removed from one place to another within the same county, in order to his trial or discharge; or in case of sudden fire, infection, or other necessity: and if any person shall sign or countersign any warrant for such removal contrary to this act, as well he, as the officers that obey the same, shall incur the forfeitures in *s.* 5. *pl.* 6. mentioned, both for the first and second offence, to be recovered by the party grieved, *id. s.* 9.

11. Any prisoner may obtain his *habeas corpus*, as well out of chancery or exchequer, as K.B. or C.P.; and if the lord chancellor, or any judge or baron of the degree of the colf, in the vacation, on view of the copies of the warrants of commitment or detainer, or on oath that such copies were denied, shall deny a *habeas corpus* by this act required, being moved for as aforesaid, they shall forfeit to the party grieved 500*l.*, *id. s.* 10. [see 3 *B.& A. Rep.* 420.]

12. An *habeas corpus* according to this act may be directed into any county palatine, the cinque ports, or other privileged places, and the islands of *Jersey* or *Guernsey*, *id. s.* 11.

13. No subject of this realm, being an inhabitant of *Eng.*, *Wa.*, or *Ber.*, shall be sent prisoner into *Scotland*, *Ireland*, *Jersey*, *Guernsey*, or places beyond the seas; and every such imprisonment is hereby adjudged illegal: and any subject so imprisoned may maintain an action of false imprisonment in any of H. M.'s courts of record against the persons by whom he shall be so committed, detained, imprisoned or transported, and against any person that shall contrive, write, seal or countersign, any warrant or writing for such commitment, &c. or shall be advising or assisting in the same; and shall recover treble costs, besides damages, which shall not be less than 500*l.* in which action no delay, &c. shall be allowed, except such rule of court made in open court as in justice shall be necessary for special cause expressed in the rule; and the person who shall knowingly write, seal or countersign any warrant for such commitment, detainer or transportation, or shall so commit, &c. any person contrary to this act, or be advising or assisting therein, being lawfully convicted, shall be disabled to bear any office of trust or profit, and shall incur the penalties of the statute of *præmunire* 16 *R.* 2. *c.* 5. and be incapable of any pardon from H. M. of the said forfeitures or disabilities, *id. s.* 12.

14. Nothing in this act shall give benefit to any person who shall by contract in writing agree with any merchant or owner of a plantation, or other, to be transported to any parts beyond the seas, *id. s.* 13.

15. If any person convicted of felony shall pray to be transported, and the court shall think fit to leave him in prison for that purpose, such person may be transported to any parts beyond the seas, *id. s.* 14. [see TRANSPORTATION, *post.*]

16. If any person resiant in this realm shall have committed any capital offence in *Scot.* or *Ire.*, or any of the islands or foreign plantations of H. M., he may be sent to such place, to receive trial, as before making this act, *id. s.* 16.

17. No person shall be sued for any offence against this act, unless within two years after the offence committed, in case the party grieved is not then in prison; and if he be in prison, then within two years after the decease of the person imprisoned, or his delivery out of prison, *id. s.* 17.

18. After the assizes *proclaimed* of the county, no person shall be removed from the common gaol upon *hab. corp.* in pursuance of this act, but upon any such *hab. corp.* shall be brought before the judge of assize in open court, *id. s.* 18. but after the assizes *ended*, every person may have his *hab. corp.* according to this act, *id. s.* 19.

19. If any suit be brought for any offence against this law, defendant may plead the general issue, not guilty, or *nil debet*, giving all special matter in evidence, *id. s.* 20.

20. Where any person appears to be committed by any judge or justice of peace, and to be charged as accessary before the fact to any petty treason or felony, or on suspicion thereof, or with suspicion of petty treason or felony, specially expressed in the warrant, he shall not be removed or bailed by virtue of this act, *id. s.* 21.

21. TO ENABLE THE JUDGES OF H. M.'S COURTS OF RECORD at *Westminster* to award writs of *habeas corpus* for bringing persons detained in gaol before courts martial, and the several commissioners therein mentioned, 43 *G.* 3. *c.* 140.

22. Any judge of H. M.'s courts of K.B. or C.P. or any baron of the exchequer of the degree of the coif, at his discretion may award a writ of *habeas corpus* for bringing up any prisoner detained in any gaol in *G. B.* or *Ire.*, before any court martial, or any commissioners of bankrupt, or for auditing public accounts, or other commissioner acting under authority of any commission or warrant from H. M. for trial, or to be examined touching any matter depending before such courts martial or commissioners respectively, and the like proceedings shall be had upon such writ of *habeas corpus* so to be awarded as upon other such writs for bringing persons detained in gaol before magistrates or courts of record for the above purposes, 43 *G.* 3. *c.* 140.

23. FOR MORE EFFECTUAL ADMINISTRATION OF JUSTICE IN *Eng.* and *Ire.* by the issuing of writs of *habeas corpus ad testificandum*, 44 *G.* 3. *c.* 102.

24. Any judge of K.B. or C.P. or baron of exchequer of the coif in *Eng.* or *Ire.*, or any justice of oyer and terminer or gaol delivery, being such judge or baron, may at his discretion award a writ of *habeas corpus* for bringing any prisoner detained in gaol before any such courts or any sitting of *nisi prius*, or before any other court of record in *Eng.* or *Ire.*, there to be examined as a witness, and to testify of the truth before such courts or any grand or petit or other jury in any matter civil or criminal, at any time depending therein, *id. s.* 1.

25. Every justice of great sessions in *Wales* and county palatine of *Chester*, shall have like authority within his jurisdiction, *id. s.* 2.

26. FOR THE MORE EFFECTUALLY SECURING THE LIBERTY of the subject, 56 *G.* 3. *c.* 100.

27. Where any person shall be confined (otherwise than for some criminal matter, and except persons imprisoned for debt, or by process in any civil suit) within *Eng.*, *Wa.*, or *Ber.*, or the isles of *Jersey*, *Guernsey*, or *Man*, any baron of exchequer or justice of K.B. or C.P.; and where any person shall be so confined in *Ire.*, any baron of the exchequer, or justice of K.B. or C.P. in *Ire.* may, upon complaint made to them, if it appears upon affidavit or affirmation that there is a reasonable ground for such complaint, award in vacation time a writ of *habeas corpus ad subjiciendum*, under the seal of the court of which he is a judge, to be directed to the person in whose custody the party so confined shall be, returnable immediately before the person awarding the same, or any other judge of the same court, *id. s.* 1.

28. If the person to whom any writ of *habeas corpus* shall be directed under this act, upon service of such writ, either by actual delivery or leaving the same at the place where the party is confined, with his servant or agent, shall wilfully neglect or refuse to make a return, he shall be guilty of contempt of court; and the justice or baron, before whom the writ is returnable, upon proof made by affidavit of wilful disobedience, may issue a warrant for apprehending and bringing before him, or some other justice or baron of the same court, the person so disobeying, in order to his being bound to H. M., with two sufficient sureties, in such sum as the warrant expresses, with condition to appear in court at a day in the ensuing term to be mentioned in the warrant, to answer the matter of contempt; and in case of his neglect or refusal to become bound, such justice or baron may commit such person to the gaol of such court, till he shall have become bound, or shall be discharged by order of the court in term time, or by order of one of the justices or barons thereof, in vacation; and the recognizances to be taken thereupon shall be returned and filed in such court, and shall continue in force till the matter of contempt has been heard, unless sooner ordered by the court to be discharged: but if such writ shall be awarded so late in the vacation by any one such justice or baron, that, in his opinion, obedience thereto cannot be conveniently paid during such vacation, the same may, at his discretion, be made returnable in court, at a day certain in the next term; and such court shall proceed thereupon, and award process of contempt in case of disobedience, in like manner as on disobedience to any writ originally awarded by such court: but if such writ shall be awarded by the court of K.B. or C.P. or exchequer of *Eng.* or *Ire.*, (which last court shall have power to award such writs,) but so late that, in the judgment of the court, obedience thereto cannot be conveniently paid during such term, the same shall, at the discretion of such court, be made returnable at any day certain in the then next vacation, before any justice or baron, or if in *Ire.*, before any justice or baron of the same court, who shall proceed thereupon, in such manner as by this act directed concerning writs issuing during the vacation, *id. s.* 2.

29. In all cases, though the return is good and sufficient in law, the justice or baron, before whom the return is made, may proceed to examine into the truth of the facts set forth in such return, by affidavit or affirmation, and do therein as to justice shall appertain; and if such writ is returned before any one such justice or baron, and it appears doubtful to him on such examination, whether the material facts set forth in the return, be true or not; in such case such justice or baron may let to bail the person so confined, on his entering into a recognizance with one or more sureties; or in case of infancy or coverture, or other disability, on security by recognizance, in a reasonable sum, to

appear in court upon a day certain in the term following, and so from day to day as the court shall require, and to abide such order as the court shall make; and such justice or baron shall transmit into the same court, such writ and return, together with such recognizance, affidavits, and affirmations; and thereupon the court shall proceed to examine into the truth of the facts, in a summary way, and to determine touching the discharging, bailing, or remanding the party, 56 *G.*3. *c.*100. *s.*3.

30. The like proceeding may be had in the court, for controverting the truth of the return, although such writ shall be awarded by the court itself, or be returnable therein, *id. s.*4.

31. A writ of *habeas corpus*, according to this act, may run into any county palatine, or cinque port, or other privileged place, within *Eng.*, *Wa.*, *Ber.*, *Jersey*, *Guernsey*, and *Man*,, and also into any port, harbour, road, creek, or bay, upon the coast of *Eng.*, *Wa.*, or *Ire.*, although the same should lie out of the body of any county, *id. s.* 5.

32. The provisions of this act, touching the making of writs of *habeas corpus* issuing in vacation returnable into the said courts, or for making such writs awarded in term time returnable in vacation, and also for making wilful disobedience thereto a contempt of court, and for issuing warrants to apprehend and bring before such justices and barons persons wilfully disobeying such writ, and in case of refusal or neglect to become bound for committing them to gaol, respecting the recognizances so to be taken, and the proceedings thereon as aforesaid shall extend to all writs of *habeas corpus* awarded under 31 *C.*2. *c.*2. and 21 *&* 22 *G.*3. *c.*22. *Ir.* in as ample a manner as if such writs and the cases arising thereon had been specially provided for herein, *id. s.*6.

HACKNEY COACHES, CHAIRS, &c.

(STATUTE *expired.*)

FOR LICENSING AND REGULATING HACKNEY COACHES and stage coaches, 5 *&* 6 *W.* *&* *M.* *c.*22. [*semble* EXP. and REP. by the effect of 9 *A.* *c.*23. *ss.*1—22.]

(STATUTES *in force.*)

1. FOR LICENSING AND REGULATING HACKNEY COACHES and chairs, 9 *A.* *c.*23. *ss.*1—22. 49. 54. [number of hackney chairs encreased 10 *A.* *c.* 19. *ss.*158, 159. (these acts MADE PERP., 3 *G.*1. *c.*7. *s.*1.) EXPL. as to licences, 12 *A.* *S.*2. *c.*14. AMD., 1 *G.*1. *S.*2. *c.*57. *s.*1—7. (see the rest of this act, CARRIAGES); hackney chairs encreased to 400, 12 *G.*1. *c.*12. *s.*15—17.; all the above acts CON. 16 *G.*2. *c.*26. *s.*4., and so long as any former acts relating to hackney coaches are in force, 33 *G.*2. *c.*25.; number of hackney coaches encreased, 11 *G.*3. *c.*24.; lastly to 1100 by 42 *G.*3. *c.*78.; additional weekly rent, 24 *G.*3. *S.*2. *c.*27., which is AMD. 26 *G.*3. *c.*72.; coach stand removed out of *New* and *Old Bond Street*, 32 *G.*3. *c.*62.; as to licensing hackney chariots and carriages drawn by one horse, 54 *G.*3. *c.*147. *s.*15., *pl.*102., 55 *G.*3. *c.*159. *s.*4. *post*, *pl.*107.]

2. H. M. may nominate and appoint any persons not exceeding 5 to be commissioners for regulating and licensing all hackney coaches, which shall be permitted to be driven for hire, or kept within the cities of *London* or *Westminster*, and the suburbs thereof, or within all places comprized within the weekly bills of mortality, which commissioners shall execute the powers hereby given, 9 *A.* *c.*23. *s.*1. [EXT. to *Kent* and *Essex*, *pl.*49.]

3. Such commissioners, or the major part of them, shall, under their hands and seals, license all such persons who keep or drive any hackney coach or coach horses within such limits, not exceeding 800; and on each licence the weekly sum of 5*s.* shall be reserved to H. M., to be paid monthly, with such conditions therein to be inserted for the more effectual payment thereof, as such commissioners think fit, *id. s.*2.

4. The commissioners of hackney coaches, under their hands and seals, may license over the number of 800 hackney coaches authorized by 9 *A.* *c.*23. *s.*2. any additional number not exceeding 200 to be employed for hire, within the cities of *London* and *Westminster* and weekly bills of mortality, so that the number of licensed coaches does not exceed 1000, and on each of such licences 5*s.* weekly shall be reserved, to be paid during the continuance of such licence, in like manner and with like penalties and conditions to be inserted therein as in other such licences, and such coaches, and the drivers and keepers thereof, shall have the same benefit, and be liable to the same rules, penalties, &c. as are lawfully prescribed in relation to keepers of hackney coaches; and the renters of such licences, and the drivers of such coaches, and all persons who shall drive or let to hire any hackney coach within such limits without licence, shall be liable to all the penalties they would have been if this act had not been made, 11 *G.*3. *c.*24. *s.*1. [application of money, general issue, double costs, *ss.*2—4. *post*, *pl.*13—14.]

5. The commissioners of hackney coaches, or major part of them, may, under their hands and seals, beside the 1000 hackney coaches allowed by 9 *A.* *c.*23. and 11 *G.*3. *c.*24., license in like manner not exceeding 100 more to be employed within the proper limits, so that the number of licensed hackney coaches shall not at one time exceed 1100 and a weekly sum of 5*s.* shall be reserved on each such licence to H. M., to be paid during the continuance of the licence, in like manner and under like penalties and conditions as other hackney coach licences, and such coaches and the keepers or drivers thereof, shall have the same rates and benefits, and be liable to the same rules, orders, and penalties as were before this act passed, lawfully prescribed to hackney coaches, and the renters of such licences, and the drivers of such coaches; and all persons who shall presume to drive, or let to hire any hackney coach, or coach horses, or carry any person for hire within such limits without licence, shall be liable to all forfeitures as they would have incurred if this act had not been made, 42 *G.*3. *c.*78. *s.*1. [*application of* money, general issue, double costs, *ss.*2—4. as in 11 *G.*3. *c.*24. *s.*4. *post*, *pl.*14.]

6. Such commissioners or the major part of them, may also in like manner license 200 hackney chairs within such limits, reserving in like manner to H. M. the yearly sum of 10*s.* to be paid quarterly, 9 *A.* *c.*23. *s.*3.

7. The commissioners of hackney coaches may in like manner license any additional number of hackney chairs not exceeding 100, so that the number of such licensed chairs shall not exceed 300 [400, 12 *G.*1. *c.*12. *s.*15.] at one time, 10 *A.* *c.*19. *s.*158., 12 *G.*1. *c.*12. *s.*15.

8. Hackney chairs thus licensed shall pay the yearly rent of 10*s.*, and shall be subject to the like rules, &c. as other hackney chairs and chairmen licensed under the 9 *A.* *c.*23., and persons carrying any chair within the limits in 9 *A.* *c.*23. *s.*1. *pl.*2. mentioned, without such licence, shall incur the like penalties for using unlicensed chairs, as if this act had not been made, 10 *A.* *c.*19. *s.*159.

9. On each of such licences there shall be reserved to H. M. the annual sum of 10*s.*, to be paid quarterly with such conditions, &c. to be inserted therein, as such commissioners shall think proper, and such chairs shall have the same rates and benefits, and be subject to the same rules and penalties, &c. as by former acts prescribed in relation to such chairs, 12 *G.*1. *c.*12. *s.*16.

10. The money to arise by such licences together with certain other money herein mentioned, shall go to form a yearly fund of 186,670*l.*, towards paying the principal sum of 2,602,200*l.*, with interest for the same at 6 *per cent.* hereinafter mentioned, (*viz.* in *s.*55. and it is a loan of that sum,) 9 *A.* *c.*23. *s.*54.

11. The money to arise by the rents of the encreased number of chairs under this act shall be added to the fund by 9 *A.* *c.*23. *s.*54. established, 12 *G.*1. *c.*12. *s.*17.

12. The rents arising by the additional number of hackney coaches, shall be applied to the same purposes, and subject to the same penalties as other rents of such coaches are appropriated by parliament, 11 *G.*3. *c.*24. *s.*2., 42 *G.*3. *c.*78. *s.*2.

13. The treasury may reward the commissioners of hackney coaches, and the officers employed by them, for their labour, and discharge such incident expences as attend the execution of this act, in such manner as they see fit, 11 *G.*3. *c.*24. *ss.*3—4., 2 *G.*3. *c.*78. *s.*3.

14. Persons sued for any thing under this act, may plead the general issue, giving this act and special matter in evidence, and that the same was done in pursuance hereof; and if it so appears, a verdict shall be recorded for the defendant; and if the plaintiff is nonsuited, or discontinues after appearance, or has judgment against him on verdict or demurrer, the defendant shall have double costs, with usual remedy to recover same, 11 *G.*3. *c.*24. *s.*4., 42 *G.*3. *c.*78. *s.*4.

15. Places of abode of the owners of hackney coaches, shall be registered at *Guildhall*, under penalty of 20*s.*, 11 *G.*3. *c.*29. *ss.*113—115 (*Local act.*)

16. An additional duty shall be paid to H. M. by all persons licensed to drive or keep any hackney coach, or coach horses, within *London*, *Westminster*, or the suburbs thereof, or within the weekly bills of mortality, of the weekly sum of 5*s.* for every coach so licensed, to be paid monthly; and all the powers, clauses, penalties, and matters in other acts relating to hackney coaches, or the owners, renters, or drivers thereof, shall be in full force with relation to this additional duty, and shall be applied and put in execution in levying thereof, 26 *G.*3. *S.*2. *c.*27. *s.*1.

17. Such additional duty shall be paid into the exchequer distinctly from other branches of the public revenue; and the auditor shall keep a book wherein to enter such additional duty separately, and it shall form a fund for the payment of the several charges by 27 *G.*3. *S.*2. *c.*10. (*Lottery act*) imposed, *id. s.*9. [and see 9 *A.* *c.*23. *s.*54. *pl.*10.]

18. No person shall drive or let to hire any hackney coach or coach horses, within such limits, without a licence from such commissioners, upon forfeiture of 5*l.*, nor carry any hackney chair for hire without such licence, upon forfeiture of 40*s.*; and no horse shall be used in any hackney coach under the size of 14 hands; and every licensed coach and chair shall have a mark or figure on each side; and if one person shall be licensed to keep several hackney coaches or chairs, he shall have distinct figures; and no person shall put the same figure on his coach

or chair which is appointed for another, or shall deface such figure, upon forfeiture of 5*l.*, one moiety to the informer, and the other to H. M.; and such commissioners shall in the first place license all persons who have been ancient coachmen or chairmen, or the widows of any of them unless they neglect to take out such license within a time to be allowed by such commissioners, being not less than 20 days, 9 *A.* .23. *s.* 4. [*see as to the distinct figures*, 55 *G.*3. *c.*159. *s.* 7. *post*, *pl.*109.]

19. The commissioners for licensing hackney coaches and chairs shall, in the first place license the widows of hackney chairmen who die possessed of any licences, unless such widows shall neglect to take licences within a reasonable time, to be limited by the commissioners, but not to be less than 20 days, 12 *A. S.* 1. *c.*14. *s.*1.

20. Such widows, and their chairs and servants, shall be liable to such rules, penalties and orders, as any other licensed chairmen are by 9 *A. c.*23. and 10 *A. c.*19. liable, *id. s.*2.

21. If any such commissioners shall license more than 800 [1100 *see* 42 *G.*3. *c.*78. *pl.*5.] coaches, or 200 [now 400, *pl.*7.] chairs, to be in being at one time, he shall forfeit 100*l.*, to be recovered by any person who will sue for the same, by action of debt, &c. or information, in any court of record wherein no essoin, &c. and only one imparlance is allowed, 9 *A. c.*23. *s.*5.

22. *Hackney Coach Fares* established 9 *A. c.*23. *ss.*6—7.; new ones granted 7 *G.*3. *c.*44. *ss.* 13—14.; those fares Rep. and new ones granted, 24 *G.*3. *S.*2. *c.*27. *ss.*4—5., which are Rep. 26 *G.*3. *c.*72. *ss.*1—2. and new ones granted, which were increased by 39 & 40 *G.*3. *c.*47. *s.*1.; but all former fares are Rep. and new ones established by 48 *G.*3. *c.*87. *s.*1. and *sched.* A. and B. (*post*, *pl.*100.)

23. No person shall pay to the chairman for an hackney chair, carried any distance within such limits, more than the rate by this act allowed for an hackney coach driven 2-3ds the same distance; and the commissioners shall publish the several rates hereby allowed to chairmen; and if any hackney coachman or chairman shall refuse to go, or shall exact more for his hire than the rates hereinbefore limited, he shall forfeit 40*s.*, 9 *A. c.*23. *s.*8.

24. If any hackney coachman or driver shall refuse to go at, or shall exact more for his hire than shall be appointed, he shall forfeit a sum at the discretion of such commissioners, not exceeding 3*l.* nor under 10*s.*; such offences to be determined and the penalties levied as by 9 *A. c.*23. *s.*13. *pl.*29. is directed, concerning the 40*s.* penalty, 1 *G.*1. *S.*2. *c.* 57. *s.*2.

25. Such commissioners shall appoint under-officers, with moderate allowances, and they shall not take for their licences or for any thing by them done under this act, any gratuity or fee, other than what is to be paid to H. M. upon pain to forfeit their offices, and to be incapable of any grant thereof, or of any other office; only the clerks may take 2*s.* 6*d.* for ingrossing each licence, 9 *A. c.*23. *s.*9.

26. Such commisioners and other officers shall take an oath for the due execution of their offices, and shall not execute the powers hereby given till such oath has been taken, *id. s.* 10.

27. The commissioners shall pay the money hereby arising over the charges of collectors into the exchequer, and upon oath deliver to the treasury books of accounts, containing all the licences granted, and the names and surnames of the persons to whom granted, and the profits thereby accruing, once in every year, *id. s.*11.

28. Such weekly and other rents and sums and all forfeitures and penalties by this act, or by any bye-laws made by the commissioners under *s.*16. of this act, *pl.*30. (the penalties to be incurred by the commissioners excepted) shall be levied by warrant under hand and seal of 3 of such commissioners, by distress of the goods of the offender, which shall be sold within 10 days, and the overplus shall be returned to the owner, the charges of making the distress being first deducted, with the costs of the warrant, if within 7 days' notice he does not pay the penalty incurred without such warrant, and if no distress can be had, the offender shall be committed by like warrant till the penalty is paid; and if the rent be behind 14 days, the commissioners (without demanding the arrear) may revoke the licence and grant it to another, *id. s.*12.

29. Offences against the act (except those of the commissioners) may be heard and determined by 3 commissioners in a summary way, upon the oath of one witness, or upon confession, (the party being summoned,) one moiety to H. M. and the other to the informer, *id. s.*13. [General issue, and no *certiorari*, *ss.* 14. 15. *see post*, *pl.* 42—43.]

30. Such commissioners, or the major part of them, may make such orders and bye-laws to bind persons only who have hackney coach or chair licences, and annex such penalties for the breach thereof as they think fit, so as such orders, &c. be agreeable to this act, and be for the better execution thereof, and for the good government of the persons so licensed, and be not repugnant to the law, *id. s.*16.

31. The commissioners authorized to put 9 *A. c.*23. in execution, may make such bye-laws to bind all persons licensed to keep hackney coaches, the renters of such licences, and drivers of such coaches, and annex such penalties as they think fit; so as the same are agreeable o the intent of this and former acts, and for the good government of the persons licensed, such renters and drivers: such bye-laws to be approved and put in execution as by the act directed, 1 *G.*1. *S.*2 *c.*57. *s.*1. [39 & 40 *G.*3. *c.*47. *s.*9. *post*, *pl.* 80.]

32. Such rules and bye-laws, so to be made, shall be approved of by the lord chancellor and the two chief justices, and the chief baron, and when allowed shall be published, and the breach of any of the rules hereby appointed, and the penalties thereon, shall be punishable, and shall be inflicted and executed by any justices of peace, or any chief magistrate of the county, city, or place where the offence is committed; but no person shall be punished twice for the same offence, 9 *A. c.*23. *s.*17. [*see* 1 *G.*1. *S.*2. *c.*57. *s.*7. *pl.*44., 4 *G.*3. *c.*36. *s.*2. *pl.*52.]

33. All such penalties which shall be levied by any justice or magistrate under this act, or such bye laws, or H. M.'s part thereof, shall be transmitted to the receiver-general of the revenues of the hackney coaches, &c., and certified to such commissioners within 10 days after levied, upon forfeiture of double the sum, two-thirds to H. M., and the other third to the informer, *id. s.*18. [altered 10 *G.*3. *c.* 44. *s.*7. *post*, *pl.* 67.]

34. Upon complaint to such commissioners that a coachman or chairman hath offended, he shall be summoned, (see *pl.*45. and 66.) and if he refuse to appear, or is found guilty of a misbehaviour, they may revoke his licence for giving abusive language, or otherwise, and license another in his place, *id. s.*19. [*see post*, *s.*49. *pl.*38.]

35. Such coachmen or chairmen so licensed may ply on the Lord's day, notwithstanding 29 *C. c.*7., *id. s.*20.

36. An account of the profits arising by licensing coaches and chairs shall be made annually before the auditors of the imprests, [commissioners of public accounts now, see Accounts Public, *pl.*19.] *id. s.*21.

37. If any refuse to pay a coachman or chairman his just hire, or shall cut or break any coach or chair wilfully, any justice of the peace may grant a warrant against the offender, and, upon proof on oath, award satisfaction to the party grieved; and upon refusal to make satisfaction, may bind him over to the next sessions, which shall finally determine the matter, and for non-payment levy by distress, *id. s.* 22. [*see* 55 *G.*3. *c.*159. *s.*6. *post*, *pl.*108.]

38. If any person driving a coach, or carrying a chair for hire, under the licence of another person as his servant, shall be guilty of any misbehaviour, by demanding more than his fare, or giving abusive language, or other rude behaviour, and being convict by oath of one witness before such commissioners, or one justice for *London*, *Westminster*, *Middlesex*, or *Surrey*, he shall forfeit not exceeding 20*s.* to the poor of the parish where the offence was committed; or if not able to pay, shall be sent to *Bridewell* or some house of correction, to be kept to hard labour for 7 days, and have the public correction of the house, *id. s.*49. [*see ante*, *s.* 19. *pl.*34.]

39. No person shall stand, ply, or drive for hire with any coach soever, hearse, or coach horses, or shall let or hire any mourning coach or coach horses, to attend any funeral within the cities of *London* and *Westminster*, or the weekly bills of mortality, except persons licensed by the commissioners of hackney coaches, on pain to forfeit 5*l.*, to be recovered, levied, and applied as by 9 *A. c.*23. *s.*4., *pl.*18. directed in case of persons driving any unlicensed hackney coach for hire, 1 *G.*1. *S.*2. *c.*57. *s.*3.

40. If any person shall drive a mourning coach to any funeral, except the same have a number fixed on the fore-standard of such coach or hearse, or in some other place to be appointed by the commissioners, or except the same be the coach of some gentleman attending the master or mistress, or any of his family, the commissioners upon information may summon the driver, and on his not appearing may proceed; and though no express hiring shall be proved, yet unless the party appear and prove a previous order from the owner of such coach, &c. to attend at such funeral, it shall be adjudged a driving for hire; and the party shall forfeit 5*l.*, to be recovered of the driver or the undertaker of such funeral, to be levied and applied as aforesaid, 1 *G.*1. *S.*2. *c.*57. *s.*4. [Ext. to coaches in general, 7 *G.*3. *c.*44. *s.*10. *post*, *pl.*54.]

41. If any person shall drive a mourning coach or hearse to any funeral within *London*, *Westminster*, or the suburbs thereof, or within 5 miles of *Temple Bar*, except the same has a number fixed on the fore-standard, shewing it to be a licensed coach or hearse let to hire, the commissioners of hackney coaches, on information given, shall summon driver, and on his appearance or default, may proceed against him, and although no express hiring be proved, it shall be deemed a driving for hire, and the offender shall forfeit 5*l.*, to be recovered and applied as other penalties for the like offence are under the hackney coach laws [*see* 9 *A. c.*23. *s.*4., *pl.*18. 1 *G.*1. *S.*2. *c.*57. *s.*4. last *pl.*] 24 *G.*3. *S.* 2. *c.*27. *s.*7.

42. Persons sued for any thing done under this act may plead the general issue, and give this act [and the special matter, 1 *G.*1. *S.*2. *c.*57. *s.*5.] in evidence, and if a verdict or judgment on demurrer shall pass against the plaintiff, or if he is nonsuited, discontinues or forbears prosecuting, the defendant shall have double costs, with the usual remedy to recover the same, 9 *A. c.*23. *s.*14., 1 *G.*1. *S.*2. *c.*57. *s.*5.

43. No *certiorari* shall supersede execution or other proceedings on any order made by such commissioners under this act, but such execution, &c. may be had notwithstanding such writ, 9 *A. c.* 23. *s.* 15., 1 *G.* 1. *S.* 2. *c.* 57. *s.* 6.

44. The alderman of every ward of the city of *London*, and every justice within his jurisdiction in *London*, *Westminster*, and the weekly bills of mortality, may inflict the like penalties, and levy them in the same manner for any offences against this act as such commissioners may; but no person shall be punished twice for the same offence, 1 *G.* 1. *S.* 2. *c.* 57. *s.* 7.

45. If the owner of any such licensed coach neglects to appear before the commissioners of hackney coaches on complaint made, with his proper driver, upon third summons left at his place of abode, entered with such commissioners, they may revoke the licence of such person and grant it to another, 24 *G.* 3. *S.* 2. *c.* 27. *s.* 3. [see *pl.* 66.]

46. All persons now or to be licensed shall be subject to all the rules, orders, bye-laws or matters, as may be lawfully prescribed in relation to drivers or keepers of hackney coaches and their renters, 24 *G.* 3. *S.* 2. *c.* 27. *s.* 6. [*See s.* 8. CARRIAGES, *pl.* 12.]

47. Persons sued for any thing done under this act may plead the general issue, and give the special matter in evidence; and if the defendant has a verdict, or the plaintiff is nonsuited, the defendant shall have treble costs, 24 *G.* 3. *S.* 2. *c.* 27. *s.* 10., 26 *G.* 3. *c.* 72. *s.* 4.

48. If any hackney coachman, his renter or driver, shall be in arrear of any of the rents made payable by any licence granted by such commissioners for any longer time than is therein expressed, such commissioners may revoke such licence, and levy the rent on the goods of such owner or renter, in like manner as he may on the owner, 26 *G.* 3. *c.* 72. *s.* 3. [see similar clause, *pl.* 82.]

49. TO EXTEND THE LAWS RELATING TO HACKNEY COACHES to the counties of *Kent* and *Essex*, 4 *G.* 3. *c.* 36. [for rest of this act, BANKRUPT. Offences committed by hackney coachmen within certain districts punished, 11 *G.* 3. *c.* 28. EXP. as to *ss.* 3, 4.]

50. All the new squares, buildings and streets within the parishes of *St. Mary le bone*, *St. George Hanover Square*, *St. George the Martyr*, *Queen Square*, and *St. George Bloomsbury* in *Middlesex*, and also all the burying grounds within 5 miles of the cities of *London* or *Westminster* belonging to any of the parishes within such cities, or the parishes aforesaid, shall be deemed within such cities according to this act, and the jurisdiction of the commissioners of hackney coaches and of justices of peace, and all the provisions therein contained, shall extend to such squares and places, 11 *G.* 3. *c.* 28. *s.* 1.

51. The commissioners of hackney coaches may order licensed hackney coachmen to provide check strings or wires, and every such coachman plying for hire without such check shall forfeit 5*s.*, to be levied and recovered in like manner as other penalties may be, by (9 *A. c.* 23. *s.* 13. *pl.* 29. *s.* 17. *pl.* 32.) any hackney coach law in force, 11 *G.* 3. *c.* 28. *s.* 2. [General issue and double costs, *s.* 5., similar to 11 *G.* 3. *c.* 24. *s.* 4. *ante*, *pl.* 14.]

52. Justices of the peace for *Kent* and *Essex* shall have the same authority within their respective jurisdictions to put the laws in execution against the drivers of licensed hackney coaches for offences committed against such laws as the commissioners of hackney coaches, the aldermen and justices of *London*, *Westminster*, *Middlesex* and *Surrey* now have, 4 *G.* 3. *c.* 36. *s.* 2. [*See* 9 *A. c.* 23. *s.* 17. *ante*, *pl.* 32.]

53. FOR EXPLAINING AND AMENDING SEVERAL ACTS OF PARLIAMENT relating to hackney coaches and chairs, 7 *G.* 3. *c.* 44. *ss.* 10—22., [AMD. and REP. as to *s.* 11. by *s.* 4. of 10 *G.* 3. *c.* 44. *ss.* 4—9., 12 *G.* 3. *c.* 49., 32 *G.* 3. *c.* 47. (PUBLIC *clause*, *s.* 5.), further AMD., and regulations as to increasing fares, and new fares established 39 & 40 *G.* 3. *c.* 47., REP. as to the fares, (*ss.* 1 and 11.) 48 *G.* 3. *c.* 87. *s.* 2., which see, *post*, *pl.* 88.]

54. Upon every information before the commissioners against any person, for driving for hire, or letting to hire, any hackney coach, contrary to 9 *A. c.* 23., although no express hiring shall be proved, yet unless the party accused shall appear, and make proof to the commissioners, that no money or other gratuity was paid, or agreed to be paid for the use of the coach, the same shall be deemed a driving for, or a letting to hire; and every person offending shall incur the like penalty as if money, &c. was actually proved to be paid, 7 *G.* 3. *c.* 44. *s.* 10. [See as to hearses and mourning coaches, 1 *G.* 1. *S.* 2. *c.* 17. *ss.* 3—4. *ante*, *pl.* 39—40.]

55. Every coachman, licensed by such commissioners, plying for hire within *London* or *Westminster*, [or within the weekly bills of mortality, and the suburbs of such cities, 12 *G.* 3. *c.* 49. *s.* 1.] shall be obliged on every day of the week, at seasonable times to go any where, within the distance of 10 miles from *London* or *Westminster*; and in case of refusal, shall be liable to the like penalty and punishment as in cases of refusal, [see 9 *A. c.* 23. *s.* 8. *pl.* 23.] to carry for hire, 7 *G.* 3. *c.* 44. *s.* 12. and 12 *G.* 3. *c.* 49. *s.* 1., [*see exception* from this clause, made in favour of hackney coaches used as stages, 12 *G.* 3. *c.* 49. *s.* 2., *post*, *pl.* 70.]

56. Every licensed hackney coachman, and his renter or driver, plying for hire within the cities of *London* or *Westminster*, or the suburbs thereof, shall be compellable in every day of the week, (unless [he has been out 12 hours REP., 55 *G.* 3. *c.* 159. *s.* 12. *post*, *pl.* 96.] or shall have some reasonable excuse,) to go to any place within the distance of 10 miles, in case such coachman shall have time to return by or before sunset, [see the hours specified, 48 *G.* 3. *c.* 87. *s.* 3. *post*, *pl.* 89.] or the fare shall undertake to return in such coach, 32 *G.* 3. *c.* 47. *s.* 1.

57. Every hackney coachman so plying, shall be obliged to go at any hour of the night, [unless he has been out 12 hours; *but see pl.* 89.] or has some excuse, on all public turnpike roads, that shall be lighted up, within 2 miles and a half, from the extreme parts of the carriage-way pavements of *London* or *Westminster*, where a regular continuation thereof doth extend, 32 *G.* 3. *c.* 47. *s.* 2. [*see* 39 & 40 *G.* 3. *c.* 47. *s.* 5. *post*, *pl.* 76.]

58. In every case where any person, for offences mentioned in any law relating to hackney coaches and chairs, shall be liable to be committed to prison, such commissioners, or 3 of them, either may commit such offender to prison, for not exceeding one month, or, by warrant under their hands and seals, to *Bridewell* in *London*, or some other house of correction, there to be kept to hard labour, for not exceeding one month; and also to receive the correction of such house, if the commissioners shall so think fit to order, 7 *G.* 3. *c.* 44. *s.* 15.

59. The commissioners, or 3 of them, in all cases where they may now, by law, commit any offender convicted before them to *Bridewell*, or any other house of correction *may* commit such offender, by warrant, immediately to *Bridewell* in *London*, or some other house of correction; there to be kept to hard labour for not exceeding one month, and also to receive the correction of the house, if the commissioners think fit, 10 *G.* 3. *c.* 44. *s.* 5.

60. If any person duly licensed to let or drive for hire any hackney coach, shall be guilty of misbehaviour in his employment, such commissioners, or 3 of them, may either revoke such coachman's licence, or inflict a penalty not exceeding 3*l.*, upon conviction for every such offence, to be paid to the poor of the parish where the offence was committed; and if any person so convicted shall not be able, or shall refuse to pay, he shall be committed to *Bridewell*, or some other house of correction, there to be kept to hard labour for 30 days, 7 *G.* 3. *c.* 44. *s.* 16.

61. Any hackney coachman, may take 12*s.* 6*d.* for a day's work or hire, reckoning 12 hours to the day, *id. s.* 17. [*Qu.* if REP. *see* 48 *G.* 3. *c.* 87. *s.* 1. *pl.* 88.]

62. Every licensed hackney coachman, or his driver, who shall drive with any hackney coach on the Lord's day, shall be liable to do the like work, as well without the weekly bills of mortality as within, as on any other day of the week, *id. s.* 18.

63. Former acts concerning jurisdiction of commissioners, &c. continued, *id. s.* 19. [see *s.* 20. CARRIAGES, *pl.* 17.]

64. No writ of *certiorari* shall supersede execution or other proceeding on any orders of such commissioners under this act; but execution, &c. may be had thereon, *id. s.* 21.

65. Persons sued for any thing done under this act, may plead the general issue, and give this act and the special matter in evidence; and if a verdict or judgment on demurrer shall pass against the plaintiff, or if he is nonsuited, or discontinues after appearance, the defendant shall have treble costs, with the usual remedy to recover the same, *id. s.* 22.

66. Every person licensed to carry or let for hire a hackney-chair, who shall neglect or refuse (being summoned) to appear before the commissioners in person, or by his renter, upon any complaint made, without some reasonable excuse, to be approved of by the commissioners, shall forfeit 10*s.*; and if such person shall *not* appear, together with his renter, upon the 3d summons, without such reasonable excuse, the commissioners may determine the complaint, notwithstanding the absence of the party offending, upon the oath of one witness, and impose the penalty, 10 *G.* 3. *c.* 44. *s.* 6.

67. All the offences mentioned in 7 *G.* 3. *c.* 44. or this act, may be determined, and all the forfeitures recovered and levied, not only by the commissioners, but also by any justice, mayor, bailiff, or other magistrate, as by 9 *A. c.* 23. directed, *id. s.* 7.

68. H. M.'s part of all penalties which shall be levied by any justice, mayor, bailiff, or other magistrate, shall be by him transmitted to the receiver general of the revenues arising by hackney coaches and chairs, and also a certificate thereof to the commissioners for licensing and regulating the same, within 10 days after the levying any such penalty, upon pain of 10*l.*; one moiety to H. M., and the other to him that will inform, *id. s.* 8.

69. Persons sued for any thing done under this act, may plead the general issue, and give this act and the special matter in evidence: and if a verdict shall pass against the plaintiff, or if he shall discontinue, or be nonsuited, or have judgment on demurrer against him, the defendant shall have treble costs, *id. s.* 9.

70. The commissioners of hackney coaches or other persons, shall not fine or punish any licensed hackney coachman, his renter, or driver,

for refusing to carry a fare out of the ordinary course of his stage-work or duty, who shall regularly employ his coach as a stage coach, to and from places in the neighbourhood of *London* and *Westminster*, and shall by painting in legible characters, plainly denote the same to be a stage coach, 12 *G.*3. *c.*49. *s.*2. [*see as to* these stages, 44 *G.* 3. *c.* 88., *post*, *pl.*84.]

71. Every person hiring an hackney coach, to go any further distance than the regular continuation of the carriage-way pavement after sun-set, shall be liable to pay to the coachman, not only his lawful fare, but also 6*d.* for every distance not exceeding half a mile, that such coachman shall have to return to the end of such pavement, after setting down his fare, unless the fare shall return in such coach, such additional fare to be recovered as any other fare may be; and in case such coachman shall refuse to go, or shall exact more than his fare, he shall be liable to the penalty inflicted by the hackney coach laws for such offences, 32 *G.* 3. *c.* 47. *s.*3.

72. No proceeding to be had against any offender under this act shall be quashed for want of form, or be removeable by *certiorari* into any court at *Westminster*, with general issue and treble costs as in 9 *A. c.* 20. *s.*14. *ante*, *pl.* 42., but nothing in this act shall lessen or abridge any of the bye-laws now in being relative to such hackney coach owners, their renters, or drivers, *id. s.*4.

73. Whenever the average price of oats, published in the *London Gazette*, according to 31 *G.*3. *c.*30. shall exceed 25*s.* per quarter, the commissioners of hackney coaches may cause an addition to be made to the rates and fares hereinafter allowed to be taken, in the proportions here set forth, (*viz.*) upon every fare amounting to 2*s.* the additional sum of 6*d.*; amounting to 4*s.* the additional sum of 1*s.* and so in like proportion on every increase of 2*s.*, 39 & 40 *G.*3. *c.*47. *s.*2.

74. Such additional fare shall not be paid unless such coach has been the full distance, or kept waiting the full period allowed for 2*s.* or 4*s.*, or any such increase of 2*s.*; and may be recovered as other such fares may be; and such commissioners shall, when they increase such fares, publish a notice thereof in the *London Gazette*, specifying when the increase is to commence, and how long it shall continue so, and the period of commencement shall be 7 days at least from the time when notice published, and such additional price may be continued until such average shall be reduced to one guinea a quarter, and for 30 days after, *id. s.*3.

75. Such commissioners may appoint such persons with such moderate allowance as they think fit, to inspect all hackney coaches by them licensed, and the horses used in drawing the same, and such persons shall four times in every year, and at all times when such commissioners deem it proper, inspect such coaches and horses, and examine their state and condition, and report the same to the commissioners, who may suspend the licence of any person whose coach is found defective in safety, repair, or cleanliness, or whose horses are insufficient, and continue such suspension until the defect is properly rectified; and if any person shall refuse to permit his coach or horses to be inspected, or shall produce such persons any other coach or horses than those *bonâ de* and ordinarily driven under such licence, the commissioners may supersede such licence, *id. s.* 4.

76. Hackney coachmen whose coaches are found standing in the street, and not hired, shall be deemed to be plying for hire, although not standing on the regular stand, and they shall be compellable to go with any person desirous to hire them, and if any complaint shall be made to such commissioners, of refusal to go, such coachman shall be obliged to prove that he was hired at the time when applied to; and in case he cannot produce such evidence, he shall be liable to the like penalties as may by any act [9 *A. c.*23. *s.*8. 1 *G.* 1. *S.*2. *c.*57. *s.*2. *ante*, *pl.*23—24.] in force be inflicted in cases of refusal to carry for hire by such coachman, 39 & 40 *G.* 3. *c.*47. *s.* 5. [See *ante*, 7 *G.*3. *c.*44. *s.*12., *pl.*55.]

77. But when he shall produce such evidence, such commissioners shall require the party who summoned him, to make him such allowance for loss of time as they deem proper, *id. s.* 6.

78. Such commissioners may require all persons licensed to keep, drive, or let, any hackney coach, to enter in a book at their office, the name and place of residence of the person driving such coach, and such commissioners may grant leave for him to drive, and on complaint made against such driver by the owner of the coach or other person, they may revoke or suspend such leave; and in case of omission to enter such driver's name and residence, or in case such owner shall permit any person not so entered, and to whom no leave is granted, unless for any period between a driver leaving a coach, and the next meeting of such commissioners, they may revoke or suspend the licence of such person, *id. s.* 7.

79. No person shall attend at any hackney coach standing, or at any place of public resort as a waterman to hackney coachmen, unless he shall be authorized under the hand-writing of such commissioners, on pain to be liable to such penalty as may be imposed by any rule, &c. of such commissioners made in pursuance hereof, *id. s.* 8.

80. Such commissioners may make rules, orders, &c. for governing and regulating drivers of hackney coaches and persons who attend as watermen at hackney coach stands, or places of public resort, and may annex penalties for the breach thereof, not exceeding 40*s.* nor less than 5*s.* for any one offence, and may alter and amend such rules, &c., 39 & 40 *G.*3. *c.*47. *s.*9. [See 9 *A. c.*23. *s.*16., *ante*, *pl.*30.]

81. No person shall carry for hire any person in any sedan chair, (unless the same is hired for 12 hours at least) within the cities of *London* and *Westminster*, or the suburbs thereof, or within the weekly bills of mortality, without having a licence from the commissioners of hackney coaches, on pain to forfeit 40*s.* to be recovered, levied, and applied in any penalty for the like offence under any other act [9 *A. c.*23. *s.*4. *pl.*30.] may be, *id. s.* 10.

82. If any hackney coachman, or his renter, shall be in arrear of payment of any rents reserved, or their licences, for longer time than is therein mentioned, the commissioners of hackney coaches may revoke such licences, and levy the rents upon the goods and chattels of the owners or renters, in such manner as they may now do on the owner, *id. s.*12. [See similar clause, 26 *G.*3. *c.*72. *s.*3. *ante*, *pl.*48.]

83. Persons sued for any thing done under this act, may plead the general issue, and give this act and special matter in evidence; and if defendant has a verdict, or the plaintiff is nonsuited, the defendant shall have treble costs, *id. s.* 13.

84. For explaining and amending 12 *G.*3. *c.*49. (*ante*, *pl.* 55. 70.) and several (*stamp*) acts relating to hackney coaches, employed as stage coaches, and for indemnifying the owners of hackney coaches who have omitted to take out licences pursuant to 25 *G.*3. *c.* 51., 44 *G.*3. *c.* 88., [Rep. as to so much as authorizes the commissioners of hackney coaches to license hackney coaches to be used as stage coaches, and as exempts the owners of hackney coaches from payment of the milage duties, 55 *G.*3. *c.*185. *s.* 11. See Stamps (*Stage Coaches*).]

85. The commissioners for hackney coaches, with the approbation of the treasury, may license as many owners of hackney coaches licensed by them as may appear necessary, to ply for hire and employ as public stated stages, such their licensed hackney coaches, to and from such places to such distances from *London* and *Westminster*, and the borough of *Southwark*, as well within as without the weekly bills of mortality, under and subject to such conditions as the treasury shall require, provided that the owners or renters of such hackney coaches do plainly denote and distinguish their coaches to be stated stages to and from such place for which licensed by painting same on their coaches, 44 *G.*3. *c.*88. *s.*1.

86. Licenced owners of hackney coaches are not liable to the penalty for omitting to take out licences from the commissioners of stamps for stage coaches, under 25 *G.*3. *c.* 51., although used as stage coaches to and from places within 10 miles of *London* and *Westminster*; and persons against whom prosecutions for such penalties shall be brought, shall be indemnified, *id. s.*2.

87. For repealing the rates and taxes taken by licensed hackney coachmen, and for establishing others in lieu thereof, and for amending several laws relating to hackney coaches, 48 *G.*3. *c.* 87. [Expl. and Amd. and hackney chariots authorized to be licensed, 54 *G.*3. *c.* 147. which is Rep. as to *ss.*1—13., and Amd. (and carriages drawn by one horse, and additional chariots authorized to be licensed,) by 55 *G.*3. *c.*159. and recital in *s.*1.]

88. All former rates and fares set forth in former acts, and heretofore taken for the hire of hackney coaches, within *London*, *Westminster*, and the suburbs thereof, and within the weekly bills of mortality, or other places whither hackney coaches are compellable to go, shall be repealed, and in lieu thereof the persons licensed by the commissioners for hackney coaches to drive, keep, or let to hire any hackney coach, with horses, within such limits, and persons acting under them, may demand for the hire of such coach the rates and fares set forth in the Schedules hereto annexed, marked (A.) and (B.), calculating for time or distance, at the option of the coachman, 48 *G.*3. *c.*87. *s.*1. [*Such rates* and fares shall be calculated by the hour or mile, and not also by the day, as heretofore allowed, *id. s.*2.]

89. Every hackney coachman plying for hire within such limits, shall be obliged on every day of the week, after 8 in the evening, between *Lady-day* and *Michaelmas-day*, and after 5 in the evening between *Michaelmas-day* and *Lady-day*, to go the distances, and under the circumstances, in 32 *G.*2. *c.*47. *s.*1. *pl.* 56., and 39 & 40 *G.*3. *c.*47. *pl.*76. mentioned, *id. s.*3.

90. So much of 48 *G.*3. *c.*87. (*s.*4.) as authorizes coachmen to demand certain fares over the ordinary fares, where they drive into the country after certain hours, shall be repealed and the additional fares here mentioned shall be paid: *viz.* in case any hackney coach or chariot shall be hired in any part of *London* and *Westminster*, and the suburbs thereof, the borough of *Southwark*, or any place adjoining thereto, where there is a regular continuation of carriage way pavement, or at any hackney coach stand beyond such pavement, and discharged after

7 o'clock in the evening between *Michaelmas-day* and *Lady-day*, and after 9 o'clock between *Lady-day* and *Michaelmas-day*, at any place where there is not a regular continuation of carriage way pavement, there may be demanded, besides the ordinary fare the full fare allowed by 48 *G.*3. *c.*87. to the nearest extremity of such continued carriage way pavement, or to any stand for hackney coaches beyond such continuation of carriage way pavement, where such coach or chariot was hired, at the option of the party discharging it; and in case any such coach or chariot shall be hired and driven into the country, and there discharged in the day time, and not after the hours aforesaid, there may be demanded for the return thereof to such pavement or stand, at such option, for each mile above 4 miles, the additional fare of 6*d.*; but no such allowance shall be made for any lesser distance than 4 miles, 55 *G.*3. *c.*159. *s.*5.

91. If any hackney coachman, when discharged in the country, pick up promiscuous passengers, and is thereof convicted by the oath of one witness, before such commissioners, he shall forfeit from 20*s.* to 3*l.* in their discretion; but this shall not prevent such coachman from taking up regular fares, in the proper course of their employment, 48 *G.*3. *c.*87. *s.*5.

92. Every hackney coachman shall carry four adult persons in his coach, and a servant outside, at one time, and shall not be compellable to carry more; but if he agree to carry above that number, he may demand for every such additional person 1*s.* above his fare; or if hired to drive into the country, and there wait, and shall return with such additional person, he shall be entitled to demand 1*s.* for going, and 1*s.* for coming back, above his regular fare, *id. s.*6.

93. Every hackney coachman may refuse to carry more than 4 adult persons (not being children in arms or lap) in his coach but if he shall agree to carry, or actually shall carry, above that number, he shall be entitled to receive for such additional person, of what age soever, 1*s.* over the regular fare, under the circumstances, and as by 48 *G.*3. *c.*87. *s.*6. allowed, 54 *G.*3. *c.*147. *s.*14.

94. Every hackney coachman taking persons to *Vauxhall*, or other place of public resort, and being desired to wait, may receive a reasonable sum in hand, over and above his fare, to be accounted for on his being discharged, 48 *G.*3. *c.*87. *s.*7.

95. Hackney coachmen who shall, in civil and explicit terms, declare to persons desirous to hire his coach, either that he is actually hired, or has been out 12 hours, and shall afterwards be summoned to answer for his refusal, and shall on complaint prove that he was *boná fide* hired, or had been out 12 hours, and it shall appear that he did not use uncivil language, shall not be punished for such refusal; and the commissioners before whom the complaint is heard, may require the party who summoned such coachman, to make him a reasonable compensation for loss of time, not exceeding 5*s.* nor less than 3*s.*, to be levied and recovered as other penalties may be, under any act relating to hackney coaches, *id. s.*8.

96. No driver who shall ply for hire shall refuse, although he has been out 12 hours, to go with any person who is desirous of hiring him, to any distance prescribed by law, at the established fares, 55 *G.*3. *c.*159. *s.*12.

97. No owner or driver of any stated figured (but see *pl.* 109.) stage on his way to *London*, shall take up any person as a passenger after he has entered the paved streets of *London*, *Westminster*, or *Borough of Southwark*, nor on his return into the country shall he take up any passenger for the purpose of setting him down in any such streets, such owner or driver knowing the intention of the passenger to get down in such streets, under a penalty of from 20*s.* to 3*l.*, in the discretion of such commissioners or the major part of them, before whom the complaint is heard, and they may revoke the licence of such owner so offending more than once, but such penalty shall not be incurred if such passenger so taken up and set down had previously taken his place for the country at a booking-house, and had paid the full fare, 48 *G.*3. *c.*87 *s* 9.

98. No owner of any such stage shall have more than two booking houses between the place from whence his stage shall set out, in town and country, nor shall remain more than 20 minutes at one of such houses, under a penalty of from 20*s.* to 40*s.*, in discretion of major part of the commissioners hearing the complaint, 48 *G.*3. *c.*87. *s.*10.

99. If any hackney coachmen, his renter, or driver, shall take more for his hire than the rates hereby limited, he shall be subject to the like penalties and punishments, to be levied, recovered, and inflicted by such persons and in such manner as by hackney coach laws allowed, [9 *A. c.*23. *s.*8. &c. *ante*, *pl.* 23, 24.] and such fares may be recovered in such manner as hackney coach fares, by any act of parliament, [*viz.* 9 *A. c.* 23. *s.*22. *pl.* 27., and see *infra*, *pl.* 108.] are recoverable, 48 *G.*3. *c.*87. *s.*11.

100. For every hackney coach hired and taken any distance there shall be paid the rates and fares following; that is to say,

		s.	d.
For every distance within	And not exceeding	One mile	1 0
Above one mile		One mile and a half	1 6
Above one mile and a half		Two miles	2 0
Above two miles		Two miles and a half	3 0
Above two miles and a half		Three miles	3 6
Above three miles		Three miles and a half	4 0
Above three miles and a half		Four miles	4 6
Above four miles		Four miles and a half	5 6
Above four miles and a half		Five miles	6 0
Above five miles		Five miles and a half	6 6
Above five miles and a half		Six miles	7 0
Above six miles		Six miles and a half	8 0
Above six miles and a half		Seven miles	8 6
Above seven miles		Seven miles and a half	9 0
Above seven miles and a half		Eight miles	9 6
Above eight miles		Eight miles and a half	10 6
Above eight miles and a half		Nine miles	11 0
Above nine miles		Nine miles and a half	11 6
Above nine miles and a half		Ten miles	12 0
Above ten miles		Ten miles and a half	13 0
Above ten miles and a half		Eleven miles	13 6
Above eleven miles		Eleven miles and a half	14 0
Above eleven miles and a half		Twelve miles	15 0

And so for any further distance after the like rate and proportion of 6*d.* for every half mile, and an additional 6*d.* for every two miles completed, 48 *G.*3. *c.*87. *Sch.* or *Tab.* A.

101. For every hackney coach hired and taken for any time there shall be paid the rates and fares following; that is to say,

		s.	d.
For any time within	And not exceeding	Thirty minutes	1 0
Above thirty minutes		Forty-five minutes	1 6
Above forty-five minutes		One hour	2 0
Above one hour		One hour twenty minutes	3 0
Above one hour twenty minutes		One hour forty minutes	4 0
Above one hour forty minutes		Two hours	5 0
Above two hours		Two hours twenty minutes	6 0
Above two hours twenty minutes		Two hours forty minutes	7 0
Above two hours forty minutes		Three hours	8 0
Above three hours		Three hours twenty minutes	9 0
Above three hours twenty minutes		Three hours forty minutes	10 0
Above three hours forty minutes		Four hours	11 0

And for any further time after the rate and proportion of 6*d.* for every 15 minutes, *id. Sch.* B.

102. Such commissioners may, under the hands and seals of the major part of them, as opportunity shall occur by vacancy, in the number of licensed coaches, license a limited number of hackney chariots, so as the number of such chariots do not exceed at one time 200, and so as the aggregate number of licensed carriages shall not exceed 1100, and on each such licences 5*s.* weekly shall be reserved to H. M., to be paid from the commencement of such licence, in like manner and under like penalties and conditions therein to be inserted as in other licences granted in pursuance of any act now in force relating to hackney coaches; and such chariots, and the drivers and keepers thereof, shall in respect thereof have the same rates and benefits, and be liable to the same orders, rules, bye-laws, pains and penalties, as by law prescribed for the drivers or keepers of hackney coaches; and the renters of such licences (other than such as are repugnant to this act) and all persons who shall presume to drive or let to hire any hackney chariot or chariot horses, or carry any persons for hire within the cities of *London* and *Westminster*, or the suburbs thereof, or within the weekly bills of mortality, without such licence, shall be liable to all such penalties, &c. that may be imposed by any act [9 *A. c.*23. *s.*18.] relating to hackney coaches, 54 *G.*3. *c.*147. *s.*15.

103. Such commissioners, with the consent of the treasury, may license an additional number of hackney chariots, not exceeding 200, over and above the number in 54 *G.*3. *c.*147. *s.*15. mentioned, as they see fit, 55 *G.*3. *c.*159. *s.*2.

104. The money arising by the rents of such hackney chariots, shall be subject and applicable to the like purposes, and under the like penalties, as rents on hackney coaches are applicable and appropriated by parliament, 54 *G.*3. *c.*147. *s.*16. [see 9 *A. c.*23. *s.*54. *ante*, *pl.* 10.]

105. No owner or driver of any hackney chariot, shall be compellable to carry more than [two, 54 *G.*3. *c.*147. *s.*17., altered by 55 *G.*3. *c.*159. *s.*3. to], three persons [not being children in arms or lap], in his chariot, and a servant outside at the same time; but if he agrees to carry, and shall actually carry a greater number, he shall be entitled to receive for each additional person 1*s.* over the regular fare; and if he shall drive into the country, and wait there, and return with any such additional person, he shall receive 1*s.* for going, and 1*s.* for coming back, 54 *G.*3. *c.*147. *s.*17. 55 *G.*3. *c.*159. *s.*3.

106. If any person is sued or prosecuted for any thing done under

this act, they may plead the general issue, and give special matter in evidence; and if defendant gets a verdict or plaintiff is nonsuited, or has judgment against him on demurrer, or if he discontinues or is non-prossed, the defendant shall have treble costs, 48 *G.*3. *c.*87. *s.*12., 54 *G.*3. *c.*147. *s.*18.

107. Such commissioners, with the approbation in writing of the treasury, under their hands and seals, may license such number of carriages with 2 wheels, drawn by one horse, as may be specified in such approbation; and the owners and drivers of such carriages, shall be charged with the like sum for licences, as are now payable for licences for hackney coaches, and may demand 2-3ds of the fares established by law for hackney coaches and chariots, and need not carry more than 2 persons; and all orders, rules, penalties and clauses, in any act of parliament contained, relating to hackney coaches or chariots, within *London* and *West.*, shall apply to all such carriages, and the owners and drivers thereof, and persons using the same, in like manner as if here re-enacted, 55 *G.*3. *c.*159. *s.*4.

108. If any person shall refuse to pay the driver of any hackney coach or chariot, or any chairman, the money due for the hire of his coach, &c., or shall wilfully deface or injure the same, any justice on complaint thereof, may issue his summons or warrant for bringing offender before him, and on proof on oath may award satisfaction to the complainant for his damages and costs, and a compensation for loss of time; and on refusal to pay the same, may commit the offender to prison for any time not exceeding one month, or until the money is paid, *id. s.*6. [*See* 9 *A. c.*23. *s.*22., *ante*, *pl.* 37.]

109. The commissioners for regulating hackney coaches may direct the numbers and modes of distinction, as well inside as outside, to be used in each coach or chariot, and they may make orders in respect thereto; and owners of any coaches or chariots refusing to comply therewith, shall be subject to a revocation of his licence, and shall forfeit not exceeding 10*l.* in the discretion of the commissioners, to be levied in case of non-payment, by distress on his goods and chattels, *id. s.*7. [*See* 9 *A. c.*23. *s.*4. *ante*, *pl.* 18.]

110. On the complaint of the owner of any hackney coach or chariot licensed by such commissioners against his driver, or by a driver against his master, such commissioners may enquire into the same, and award such compensation as seems proper; and may punish them by inflicting a penalty not exceeding 10*l.*, to be levied in case of non-payment, by distress on their goods, *id. s.*8.

111. Every driver, in whose coach or chariot any property is left, and who shall not carry such property within four days after the same was left, in the state found to the hackney coach-office, and deposit the same with the clerks there, shall be subject to a penalty not exceeding 20*l.*, in discretion of the major part of the commissioners, and the clerk with whom such property is deposited, shall give a receipt for it, and enter in a book a description of it, with the name and address of the driver bringing the same, and the day on which brought; and the owner, on due proof to such commissioners that the property is his, shall have it returned, previously paying all expences incurred, together with such reasonable sum to the driver who brought the same, in reference to the value of the property, as such commissioners shall award; but if such property is not proved to belong to some person, within one year, the same, (having been advertised as such commissioners direct,) may be sold; and after the expences incurred and deducted, the balance of its produce shall be paid to the driver who deposited the same, *id. s.*9.

112. No agreement made with any such drivers for the payment of more than the established fare, shall be binding on the party making the same, but such party may refuse on discharging the coach or chariot to pay any sum beyond his fare; and in case he does pay it in pursuance of agreement or otherwise, he may recover the overplus on complaint made against such driver; and such driver shall forfeit any sum not exceeding 5*l.*, to be levied by distress on his goods, *id. s.*10.

113. If any such driver shall leave his coach or chariot, at any theatre or other place of public resort unattended, whether hired or not, the inspector of hackney coaches, officer of police, constable or other peace officer, watchman or patrole, shall drive away the same, and deposit it at the nearest place of deposit, and the driver shall be subject to a penalty not exceeding 5*l.*, to be levied as (in *s.*10.) aforesaid, *id. s.*11.

114. Such commissioners, or the major part of them, or any justice, when necessary, may, on complaint before them, against any owner or driver of any hackney coach or chariot, or against any waterman or assistant to such coachman, or against any chairman, issue their summons for their appearance, or their warrant for their apprehension, to be examined touching such complaint, or to answer same, *id. s.*13.

115. Any such driver, chairman, or waterman, who use any insulting or abusive language, or other rude behaviour, or who shall obstruct any inspector of hackney coaches, officer of police, or of the peace, in execution of his duty, and who shall, on complaint made before any justice of peace or such commissioners, be convicted of the same, shall be subject to a penalty, at their discretion, not exceeding 10*l.*, and in default of payment the party may be committed to prison, for not exceeding 2 months, 55 *G.*3. *c.*159. *s.*14.

116. All pecuniary penalties, &c. to be recovered under this act, or other acts relating to hackney coaches, shall go in moieties to H.M. and the informer, *id. s.*15.

117. All penalties for any offence against any act relating to hackney coaches, now in force, and the clauses and provisions thereof, unless hereby altered, shall be in as full force as if this act had not been made, *id. s.*16.

118. To AUTHORIZE THE DRIVING AND KEEPING a hackney coach or chariot, under the same licence, 57 *G.*3. *c.*125.

119. Any holder of a licence already, or which may be granted, may keep or drive either a hackney coach or chariot, under the same licence, without being subject to any penalty; provided that no such person shall drive for hire, at one time, more than one carriage under one licence; and, in licences to be granted, it shall be expressed that the same authorizes the driving and keeping of a hackney coach or chariot, but no more than one carriage at the same time, *id. s.*1.

120. If the holder of such licence shall use or drive for hire under such licence more than one carriage at the same time, within *London* or *Westminster*, or the suburbs thereof, and the places comprised in the weekly bills of mortality, or any other places where, by law, such coaches or chariots are to be driven, he shall, on conviction, by oath of one witness, before the major part of the commissioners, forfeit not exceeding 10*l.*, in their discretion, to go in moieties to H. M. and the informer, and to be levied and recovered as other penalties under the hackney coach acts may be, or otherwise such commissioners may revoke the licence, *id. s.*2.

121. Any person may require a hackney coachman to drive for a stated sum, a distance in his discretion; and in case he shall exceed the distance agreed on, he shall not demand more than the sum for which he engaged to drive, *id. s.*3.

HATS AND CAPS.

(STATUTES *repealed and expired.*)

1. FOR FULLING OF HATS AND CAPS, 22 *E.*4. *c.*5. [REV. 7 *E.*6. *c.*8. REP. 1 *J.*1. *c.*25. *s.*35.]

2. TOUCHING HATS AND CAPS, 4 & 5 *H.*7. *c.*9. [REP. 3 *H.*8. *c.*15. 21 *J.*1. *c.*28. *s.*11.]

3. CONCERNING HATS AND CAPS, 3 *H.*8. *c.*15. [REP. 1 *J.*1. *c.*25. *s.*36.]

4. LIMITING THE PRICES OF WOOLLEN HATS, BONNETS, and caps, made beyond seas and brought to be sold within this realm, 21 *H.*8. *c.*9. [REP. 1 *J.*1. *c.*25. *s.*37.]

5. FOR THE TRUE fulling and thicking of caps, 7 *El.*6. *c.*8. [EXP and REP. 1 *J.*1. *c.*25. *s.*37.]

6. FOR THE SALE of hats and caps made beyond the sea, 1 *M.* S.2. *c.*11. [REP. 1 *J.*1. *c.*25. *s.*39.]

7. FOR THE TRUE making of hats and caps, 8 *E. c.*11. [REP. 17 *G.*3. *c.*55. *s.*1.]

8. FOR THE MAKING of caps, 13 *El. c.*19. [REP. 39 *El. c.*18. *s.*45.]

9. FOR THE BETTER execution of former laws touching the making of hats and felts, and for the more restraint of unskilful and deceivable workmanship therein used, to the wrong of all sorts of the people of this realm, 1 *J.*1. *c.*17. [REP. 17 *G.*3. *c.*55. *s.*1.]

10. FOR GRANTING TO H. M. certain duties on licences to be taken out by persons vending hats by retail, and also on hats sold under such licences, and for laying additional duties on hats and caps exported, 24 *G.*3. *S.*2. *c.*51. [REP. as to the duties on *licences and hats* and others imposed, 44 *G.*3. *c.*98. *s.*1. *and Sched.*, and altogether by 51 *G.*3. *c.*70., *and as to* the duty on importation, 27 *G.*3. *c.*13., 59 *G.*3. *c.*52.; *see tab.* A. *tit.* HATS.]

11. FOR THE better collection of the duties on hats, 36 *G.*3. *c.*125. [REP. 51 *G.*3. *c.*70.]

(STATUTES *in force.*)

1. TO PREVENT THE exportation of hats out of any of H.M.'s colonies or plantations in *America*, and to restrain the number of apprentices taken by the hat makers in such colonies, &c.; and for the better encouraging the making of hats in *G.B.*, 5 *G.*2. *c.*22. [PUBLIC *clause*, *s.*11.]

2. No hats or felts whatsoever, dyed or undyed, finished or unfinished, shall be shipped on board any vessel, in any place within the *British* plantations, or loaden on any horse or carriage to be exported out of such plantations to any other *British* plantation or other place, *id. s.*1.

3. All offenders and offences against this act shall be liable to the penalties and forfeitures following, *viz.* such hats or felts so exported, shipped, or loaden contrary to this act, shall be forfeited, and the offender shall forfeit 500*l.*; and every master mariner, porter, carter, waggoner, boatman, or other person, knowing of such offence and aiding therein, shall forfeit 40*l.*, which penalties and forfeitures may be

recovered by action of debt, &c., or information in the courts of record of *G. B.*, or in such of the plantations wherein the offence was committed, in which suit no essoin, &c. and only one imparlance shall be allowed, and shall go, one moiety to H. M., and the other to the party suing, 5 *G.* 2. *c.* 22. *s.* 2.

4. Any person may seize and convey to H. M.'s warehouses all such hats and felts as they may find in any vessel or boat, or see carried and laid on shore near the sea or any navigable river or water, or laden on any horse, cart, or other carriage, in order to be exported out of such plantation contrary to this act, and the persons seizing shall be indemnified for so doing, *id. s.* 3.

5. If any commissioner or other officer of customs of any port within the *British* plantations, or any farmer of customs there shall suffer to be taken any entry outward, or sign any cocket, warrant, or sufferance, for the shipping or exporting of hats or felts, dyed, &c. as in *s.* 1., or shall wittingly suffer the same to be done, he shall forfeit his office and 500*l.*, to be recovered and applied as in *s.* 2., *id. s.* 4.

6. Offences against this act shall be tried in the county where the goods are laden on board, or else in the county or place in *G. B.*, or the plantations where such offender shall be apprehended, or the goods seized, and such trial shall be in such manner and form as if the offence had been committed where the trial takes place, *id. s.* 5.

7. If any action, &c. or information is commenced against any person for what he shall do in pursuance hereof, he may file common bail, or enter a common appearance, and plead the general issue not guilty, and give this act and the special matter in evidence; and if the plaintiff is nonsuited, discontinues, or has verdict or judgment on demurrer against him, the defendant shall have treble costs and damages, *id. s.* 6.

8. No person residing in any of H. M.'s plantations in *America*, shall make any felt or hat of or with any wool or stuff, unless he has first served as an apprentice in the trade of felt making for 7 years; nor shall any felt or hat maker in such plantations retain or employ any person as a journeyman or hired servant, other than such as have served an apprenticeship in such trade for 7 years; nor shall any felt or hat maker in such plantations have more than 2 apprentices at once, or take any apprentice for less than 7 years, upon pain to forfeit 5*l.* for every month he shall offend in the premises contrary to this act, to go one moiety to H. M., and the other to the party suing by action of debt, &c. or information in any court of such plantations, wherein no essoin, &c. and only one imparlance shall be allowed, *id. s.* 7.

9. No person inhabiting in such plantations shall retain or set to work, in the art of hat or felt making, any black or negro, under penalty of 5*l.* for every month wherein such person shall so offend, to be recovered and applied as in *s.* 7., *id. s.* 8.

10. This act shall not charge any person lawfully exercising such art, with any penalty for setting his sons to making hats or felts in his own house, so as such sons be bound by indenture of apprenticeship for 7 years at least, which term shall not expire till they have attained 21 years of age, *id. s.* 9.

11. For the better regulating the hat manufacture, 17 *G.* 3. *c.* 55. [Public *clause*, *s.* 11.]

12. Every master hat maker shall take and employ one journeyman hatter for every apprentice he shall employ, provided a sufficient number of journeymen, who have served as apprentices, offer themselves, or in default thereof, he shall be disabled from taking more than two apprentices in his trade, *id. s.* 2.

13. If any journeyman hatter, hat-maker, piece-master, servant, workman, or other person employed in making or finishing hats or felts, shall be convicted in manner prescribed by 22 *G.* 2. *c.* 27. (*s.* 12. *tit.* Manufacture,) of having kept up, acted in, made, entered into, signed, sealed, or having been knowingly concerned in any contract, agreement, or rule of any club or combination by such act declared illegal, or of attempting to put any illegal bye-law or rules in execution, or of departing from his service before his time of hiring is expired, or of quitting or returning his work before the same is finished according to agreement, or of wilfully spoiling or destroying any goods or work, such person so convicted, before he is entitled to appeal to the quarter sessions, or before the proceedings under any such conviction are suspended, shall enter into recognizance with 2 sureties in 5*l.* each, before a justice for the county, city, or place, where the offence was committed, for the appearance of the party convicted at such sessions, to prosecute such appeal, and abide the judgment of such sessions, and the justices there shall finally determine such appeal, and award costs to either party; and if, on hearing such appeal, the judgment appealed against is confirmed, the appellant shall immediately be committed to the common gaol, in pursuance of the original order of conviction, for the time ordered by such order, and until he shall pay the costs awarded by such sessions, *id. s.* 3.

14. Every person, whether employed in such trade or not, who shall attend any meeting, club, or combination, by 22 *G.* 2. *c.* 27. (*tit.* Manufactures,) declared illegal, or who shall summon, give notice to, or call on any person employed in the trade of hat-making to attend any such meeting, &c., or to pay any money, fine, or contribution, for the use thereof, or who shall collect or demand any money from any such person for any such purposes, or shall persuade, entice, intimidate, or endeavour to persuade, &c. him to be concerned in any such illegal meeting, &c. or to turn out against, or quit the employ of his master, and every person who shall pay any money, or enter into any subscription towards the support of any such meetings, &c. shall, on conviction before two justices of the county, city, or place, on oath of one witness, be committed to the common gaol, or house of correction of such county, &c. for not exceeding 3 months, 17 *G.* 3. *c.* 55. *s.* 4.

15. So much of 5 *El. c.* 4. *s.* 31. as restrains any person from setting up the occupation of a master hat-maker, hat-maker, or felt-maker, unless such person has been brought up as an apprentice therein, shall be Rep., *id. s.* 5.

16. No person exercising the trade of a master hatter, hat-maker, or felt-maker, shall, during the continuance of his trading, be capable of acting as a justice of peace in the execution of any act relative to the punishment of any journeyman hat-maker or apprentice, offending against the same, *id. s.* 6.

17. This act shall not be deemed to repeal or alter 22 *G.* 2. *c.* 27. or any act therein mentioned, but the same shall remain in full force, *id. s.* 7.

18. Persons convicted before one justice of any offence against this act, may appeal to the next general or quarter sessions to be held for the county, city, or place, giving immediate notice of the intention to bring such appeal, and finding security to satisfaction of the convicting justice, for being present at such sessions, and for prosecuting such appeal with effect, and abiding the judgment of the court; and the justices in such sessions shall finally determine the matter, and award reasonable costs to either party; and if such conviction is affirmed, such appellant shall be committed to the common gaol or house of correction, for not exceeding 3 months, 17 *G.* 3. *c.* 55. *s.* 8.

19. No action for any thing done under this act shall be brought against any justice, constable, or other officer, or any other person, unless the same is commenced within 3 calendar months next after the doing of such matter, *id. s.* 9.

20. Persons sued for any thing done under this act, may plead the general issue, and this act, and special matter, in evidence, and if the plaintiff is nonsuited, discontinues, or forbears prosecution, or has judgment against him on demurrer, the defendant shall have double costs, with the usual remedy to recover the same, *id. s.* 10.

21. For repealing the hat duty in *G. B.*, 51 *G.* 3. *c.* 70.

22. The duties on licences for selling hats, and on hats imported, by 44 *G.* 3. *c.* 98. *Sched.* A. *tit.* Licence, and *Sched.* B. *tit.* Hats, shall cease, *id. ibid.*

HAWKERS AND PEDLARS.

(Statutes *repealed and expired.*)

1. For tinkers and pedlars, 5 & 6 *E.* 6. *c.* 21. [Rep. 1 *J.* 1. *c.* 25. *s.* 42.]

2. For licensing hawkers and pedlars; for a further provision of the interest, for the transport debt for reducing *Irc.*, 8 & 9 *W.* 3. *c.* 25. Exp. 9 & 10 *W.* 3. *c.* 27., [Con. 12 & 13 *W.* 3. *c.* 11. *s.* 11. 3 & 4 *A. c.* 4. *s.* 2., 5 & 6 *A. c.* 19, *s.* 1., 6 *A. c.* 5. *s.* 3., and Made Perp. 1 *G.* 1. *S.* 2. *c.* 12. *s.* 8., Rev. 29 *G.* 3. *c.* 26. *s.* 2.; *but* Rep. 50 *G.* 3. *c.* 41. *s.* 1.]

3. For granting to H. M. additional duties on hawkers, pedlars, and petty-chapmen, and for regulating their trade, 21 *G.* 3. *c.* 78. [Rep. 29 *G.* 3. *c.* 26. *s.* 1.], 29 *G.* 3. *c.* 26., [Rep. as to 16—18., by 35 *G.* 3. *c.* 91.], both which acts are in part Rep., 50 *G.* 3. *c.* 41. *s.* 1.; and as the residue, except 29 *G.* 3. *c.* 26. *s.* 20., *infra*, *pl.* 5., is *verbatim* with 50 *G.* 3. *c.* 41., they may be deemed Rep. or at least superseded accordingly.]

(Statutes *in force.*)

1. For the better preventing hawkers, pedlars, and petty-chapmen, exercising their trades, without being duly licenced; and to declare wholesale dealers in woollens and linens not subject to laws respecting such hawkers, &c., 3 & 4 *A. c.* 4. *s.* 4. & 14. (This title is framed from these sections.)

2. Every person being actually trading as an hawker, pedlar, or petty-chapman, for which he ought to be licensed, who shall not, on demand, have his licence ready to produce, shall be adjudged to forfeit, as if he had so traded without a licence; and shall in such case be committed, and the forfeiture recovered and levied as hereby, or by any former act relating to hawkers, &c. directed; and if any person shall lend or let out to hire any such licence, such person, and the party trading under the same, shall forfeit 40*l.*, to go in moieties to H. M., and the person suing for the same by action of debt, &c. or in-

formation in any court of record, to be recovered with full costs, 3 & 4 *A.* *c.* 4. *s.* 4. (*see* 50 *G.* 3. *c.* 41. *s.* 17. & 19., *post*, *pl.* 23. *and* 25.)

3. All persons trading in the woollen or linen manufactures of this kingdom, and selling the same by wholesale, shall not be deemed hawkers, pedlars, or petty-chapmen under any act; but such persons and those employed by them, may sell by wholesale only the said manufactures, *id.* *s.* 14.

4. FOR THE RELIEF OF THE WHOLESALE TRADERS AND DEALERS IN *English* bone-lace, by obviating several doubts in the several acts for licensing hawker's and pedlars, 4 *G.* 1. *c.* 6. [AMD. 29 *G.* 3. *c.* 26. *s.* 20., 52 *G.* 3. *c.* 108.]

5. No person, being a [maker, 4 *G.* 1. *c.* 6. or] wholesale trader in [*English* bone, 4 *G.* 1. *c.* 6. 29 *G.* 3. *c.* 26. *s.* 20.] lace, [in woollen, linen, silk, cotton, or mixed goods, or any goods, ware, or manufactures of *G.B.*, 29 *G.* 3. *c.* 26. *s.* 20., 52 *G.* 3. *c.* 108.] and selling the same by wholesale, shall be deemed an hawker, pedlar, or petty-chapman, within the meaning of any act relating to them; but all such persons, their [children, 4 *G.* 1. *c.* 6. 29 *G.* 3. *c.* 26. *s.* 20.] apprentices, servants, or agents, selling by wholesale only, may go from house to house, to any of their customers, who sell the same again by wholesale or retail, without being subject to the penalties and duties contained in act touching hawkers, pedlars, &c. 4 *G.* 1. *c.* 6., 29 *G.* 3. *c.* 26. *s.* 20., 52 *G.* 3. *c.* 108. *s.* 1.

6. FOR PLACING THE DUTIES OF HAWKERS AND PEDLARS under the commissioners of hackney coaches, 50 *G.* 3. *c.* 41. [AMD. 52 *G.* 3. *c.* 108., see *s.* 1. of this act, *last pl.* See as to *Scot.*, 55 *G.* 3. *c.* 71.]

7. The 9 & 10 *W.* 3. *c.* 27. and all acts made for continuing, altering, or regulating the duties thereby imposed, as far only as such acts relate to such continuance, &c. and all powers, &c. contained in any act of parliament relating to the collection of such duties, shall be repealed; provided that nothing herein shall revive any act repealed by any of the acts repealed by this act, 50 *G.* 3. *c.* 41. *s.* 1.

8. All licences to be granted under this act, shall continue in force until 1*st August* next following the dates of such licences, *id.* *s.* 2.

9. The commission by which commissioners are appointed for licensing hawkers, pedlars, and petty chapmen, shall cease, *id.* *s.* 3. [see *s.* 17. *post*, *pl.* 23.]

10. The treasury, out of the monies raised by this act, may pay to the commissioners for licensing hackney coaches, their clerks, or any other persons, such sums as they may deserve for their service, or have expended in the execution of this act; and the treasury may grant such pensions by way of compensation to the commissioners and other persons employed in the office for granting licences to hawkers, &c. at the time of the passing of this act, as to them seems fit, so as the same shall not exceed the amount of their salaries, *id.* *s.* 4.

11. This act shall not hinder any person from selling or exposing to sale any sorts of goods or merchandize in any public mart, market, or fair, legally established within *Eng.*, *Wa.*, and *Ber.*, *id.* *s.* 5., 50 *G.* 3. *c.* 41. *s.* 4.

12. There shall be paid to H. M. the rates and duties following, *viz.* by every hawker, pedlar, petty chapman, and every other trading person, going from town to town, or to other men's houses, and travelling either on foot or with horses, or otherwise, in *Eng.*, *Wa.*, or *Ber.*, carrying to sell or exposing to sale any goods, a duty of 4*l.* for each year; and every person so travelling with an horse, ass, or mule, or other beast bearing or drawing burthen, 4*l.* more yearly for each beast he shall so travel with, *id.* *s.* 6.

13. No such hawker, &c. so travelling shall, either by opening a room or shop, and exposing to sale any goods, &c. by retail in any town, parish, or place, not being a householder there, or the same not being his usual place of abode, or by any other means, sell, either by himself or by any auctioneer, whether licensed or not, broker, appraiser, agent, servant, or other person on his behalf, any goods, &c. by outcry, knocking down of hammer, candle, lot, parcel, or any other mode of sale at auction, or whereby the highest bidder is deemed the purchaser; and every person selling contrary to such prohibition shall forfeit 50*l.*, *id.* *s.* 7.

14. The duties hereby imposed, shall be under the management of the commissioners for hackney coaches, who shall employ such additional clerks and officers as may be required for collecting, recovering, paying, and accounting for the same, and shall themselves receive such additional allowances as may be approved by the treasury, *id.* *s.* 8.

15. Every hawker, &c., subject to these duties, shall annually take out a licence as herein-after mentioned, which shall continue in force for such time as in *s.* 2. provided, *id.* *s.* 9.

16. Every hawker, &c. so travelling, shall, at the time of receiving his licence, and without any discourt, pay all duties imposed upon him to the commissioners for hackney coaches, or some person authorized by the major part of them, in writing, under their hands and seals, and upon payment thereof a licence shall be granted to such person, subscribed by one of such commissioners, for him to travel and trade according to this act, and according to the duties which shall then be paid, 50 *G.* 3. *c.* 41. *s.* 10.

17. Any person duly authorized by the present commissioners to grant licences in any place within *Eng.*, *Wa.*, and *Ber.*, except the cities of *London* and *Westminster*, may grant licences under this act, as if they had been duly authorized under this act by the commissioners of hackney coaches, until such last mentioned commissioners shall annul their authority, *id.* *s.* 11.

18. Before any person shall receive any licence so to trade or travel, he shall produce to the commissioners for hackney coaches or their deputy appointed for licensing hawkers, &c. a certificate signed by some one clergyman officiating within the parish, chapelry, or place wherein he has his usual residence, and also by two reputable inhabitants thereof, attesting that he is of good character, and reputation, and is fit to be licensed to exercise the trade of a hawker, &c. *id.* *s.* 12.

19. Such certificate so to be produced as aforesaid, shall be in the form or to the effect following;—

'We *A. B.* the minister, and *C. D.* and *E. F.* being 2 householders residing at — in the parish, chapelry, or otherwise, [*as the case may be*] of — in the county of — do hereby certify, that *G. H.* hath been known to us for the space of — years last past, and during all that time hath usually resided in the said parish, chapelry, or otherwise, [*as the case may be*], of — and is a person of good character and reputation, and is a fit person to be licensed to exercise the trade of a hawker, pedlar, and petty chapman. Dated the — day of —.

A. B. Minister.
C. D. }
E. F. } Householders.'

20. Every person to whom any such licence shall be granted under this act, and who shall trade under colour thereof, shall cause to be written, in large capitals, upon every pack, box, bag, trunk, case, cart, or waggon, or other vehicle or conveyance in which he shall carry his goods, &c. and of every room and shop in which he shall so trade; and likewise upon every hand bill or advertisement which he shall distribute or publish, the words "Licensed Hawker," together with the number, name, or other mark of distinction so written upon his licence, on pain to forfeit 10*l.*, *id.* *s.* 14.

21. If any person other than to whom such licence has been so granted, shall write or cause to be written, or kept or continue written, upon any pack, &c. or in any room or shop in which he shall sell or expose to or keep for sale any goods, &c. the words "Licensed Hawker," or "Licensed Pedlar," or any other words to that effect, he shall forfeit 10*l.*, *id.* *s.* 15.

22. Every hawker, &c. as in *s.* 6., who shall be convicted of knowingly dealing in, or selling any smuggled, contraband, or prohibited goods, &c. or any goods, &c. fraudulently or dishonestly procured, either by himself or through the medium of others, with his privity, shall, after such conviction, forfeit his licence, be incapable of holding any new licence, or trading under the same, over and above such incapacities, and penalties to which he is liable for such illegal trafficking and dealing, *id.* *s.* 16.

23. If any such hawker, &c. so travelling, shall so trade without or contrary to or otherwise than as allowed by such licence, he shall forfeit 10*l.*; and if any person trading under any licence so to him granted, upon demand made by any person authorized or appointed to demand any such licence by the commissioners for licensing hawkers, &c. [*see* *s.* 3., *ante*, *pl.* 9.] or any two of them, under their hands and seals, and upon producing such authority to such person so trading, or upon demand made by any justice of peace, mayor, constable, or other officer of the peace of any county, &c. town corporate, borough, or place where he shall so trade, or by any officer of customs or excise, or by any person to whom such hawker, &c. shall offer any goods to sale, shall refuse to produce his licence, or shall not have his licence ready to produce, then the person so refusing, or not having his licence ready to produce, shall forfeit 10*l.*, and for non-payment thereof shall suffer as a common vagrant, and be committed to the house of correction, *id.* *s.* 17.

24. If any person shall forge or counterfeit any licence by this act directed to be granted, or travel with, or produce any such forged or counterfeited licence for any such purposes, he shall forfeit 300*l.*, *id.* *s.* 18.

25. In case any person shall let out or lend any licence so granted to him, or shall trade with or under colour of any licence granted unto any person, or of any licence in which his real name is not inserted as the name of the person to whom the same is granted, such persons shall forfeit 40*l.*; and in case any person shall be convicted or have judgment against him for lending his licence contrary to this act, such his licence shall be void, and he shall be incapable of having any licence again granted to him; provided that nothing herein shall subject to such penalty any servant travelling for a licensed master, with the licence of such master, and for his benefit, or any licensed master sending such servant to travel with such licence, *id.* *s.* 19.

26. Any person may seize and detain for a reasonable time any such hawker, &c. who shall be found trading without a licence contrary to this act, or who being found trading shall refuse to produce to such person a licence according to this act, after being required so to do, in order to give notice to a constable, headborough, tithingman or other peace officer, who shall carry such person so seized, unless he shall in the mean time produce his licence, before some justice of peace of the county or place where such offence was committed, who shall examine into the fact charged, and upon the proof either by confession or by the oath of one witness, that the person so brought before him had so traded, and no such licence being produced by such offender before him, shall convict such offender, and thereupon by warrant under his hand and seal cause such sum of 40*l.* to be levied by distress and sale of his goods, &c. or of the goods with which such offender was found trading, rendering the overplus to the owner, after deducting charges of such distress, and out of such sale may pay such penalties, and in the mean time may commit such offender to the common gaol or house of correction for the county, &c. town or place, until such penalties and charges are levied by such distress and sale, or until the same be otherwise paid, *50 G. 3. c. 41. s. 20.*

27. Every constable or other officer of the peace who shall neglect upon due notice, or on his own view, to be aiding in the execution of this act, being thereunto required, and shall be thereof convicted upon confession, or by the oath of one witness before any justice for the county or place where the offence was committed, shall forfeit 10*l.*, *id. s.* 21.

28. Any persons who on the 1st day of *May* were duly licensed to trade as hawkers and pedlars, may set up, occupy, use or exercise any craft, mystery, or occupation, occupied within this realm, in any place where there shall be resident inhabitants, although they have not been brought up in such craft, &c. 7 years as apprentices; and also may set any person to work in such craft, &c. although such person has not been apprentice therein, any penalty contained in *5 El. c.* 4. to the contrary notwithstanding; and if any such person or their wives or children shall be prosecuted for exercising any such craft, &c. in any city or place, and shall make it appear that they had such licence, they shall upon the general issue pleaded be found not guilty, in any action, &c. or information, or indictment for such cause; and in all cases where costs are allowed, such persons so acquitted shall receive double costs, and no such persons, their wives or children, during the time they shall exercise such craft, &c. in any parish or place, shall be removeable therefrom to his last legal settlement, until such person shall become actually chargeable to such parish, any law *not* [*Qu. now?*] in being relative to the settlement of the poor notwithstanding, *id. s.* 22.

29. Nothing in this act shall prohibit any person from selling any printed papers licensed by authority, or any fish, fruit, or victuals, nor the real workers, or makers of any goods, &c. of *G. B.*, or their children, apprentices, or known agents usually residing with such real workers or makers only, from carrying abroad or exposing to sale, and selling by retail or otherwise, any of such goods, &c. of their own making, in any mart, market, or fair, and in every city, borough, town corporate, and market town, nor any tinkers, coopers, glaziers, plumbers, harness menders, or other persons usually trading in mending kettles, tubs, household goods, or harness, from going about and carrying with them proper materials for mending the same, *id. s.* 23.

30. All pecuniary penalties incurred under this act, of a greater sum than 20*l.*, shall be recovered with costs in any of the courts of record at *Westminster*, by action of debt, &c. or information, wherein no essoin, &c. and only one imparlance shall be allowed, and one moiety of every such penalty shall belong to H. M. and the other to the person who shall sue for the same, *id. s.* 24.

31. In all cases where the pecuniary penalty by this act imposed does not exceed 20*l.*, it shall be recoverable before one justice of peace of the county, riding, shire, division, city, liberty, town or place, wherein the offence was committed, on proof of the offence, either by confession or by the oath of one witness, and one moiety thereof shall belong to H. M., and the other to the informer prosecuting for the same, and in case of non-payment, such justice, by warrant under his hand and seal, shall cause the same to be levied by distress and sale of the offender's goods, or of the goods with which he is found trading, and the overplus, after deducting the penalty and expence of the distress and sale, being rendered to the owner; and shall also commit the offender to the prison of such county, &c. until such penalties and charges be levied by such distress and sale, or until the same be paid, and such justice by his warrant may cause such offender to be apprehended and brought before him to answer any charge for any such penalty, and may commit him to prison until the hearing of such complaint, unless he shall enter into a recognizance before such justice, with 2 sureties in a sufficient sum, to be ordered by such justice to appear at the hearing of such complaint, *id. s.* 25.

32. No person committed to any gaol or house of correction for any offence against this act, shall be detained longer than 3 months, *id. s.* 26.

33. If any person shall find himself aggrieved by the judgment of any such justice, he may, upon entering into a recognizance with 2 sureties, to be approved by such justice, to the amount of such penalty and forfeiture, together with a sum which such justice shall deem adequate to the amount of the costs which may be awarded, conditioned to pay the penalties, and costs adjudged in case such judgment is affirmed, appeal to the justices at the next general sessions for the county or place, who may summon and examine witnesses upon oath, and finally determine the same, or at their discretion may state the facts specially for the determination of the court of K. B. thereon; and in case the judgment of such justice is affirmed, such justices or court of K. B. may award the person to pay such costs occasioned by such appeal as to them seems meet, *50 G. 3. c. 41. s. 27.*

34. A conviction in the form or to the effect following, *mutatis mutandis*, as the case may happen to be, shall be good, without stating the evidence, and without alleging more than the substance of the offence in all cases wherein any such justice hath power to convict under this act.

'Be it remembered, that on the — day of — in the year of our Lord — at — in the county of — *A. B.* came before me *C. D.* one of H. M.'s justices of the peace for the said county, residing near the place where the offence herein-after mentioned was committed, and informed me that *E. F.* of — in the said county of — [*here set forth the fact for which the information is laid*] whereupon the said *E. F.* being duly summoned to answer the said charge, appeared before me (and having heard the charge contained in the said information, acknowledged and voluntarily confessed the facts therein stated to be true) but in his [*or* her] defence alleged, [*here setting forth the substance of the defence*] [*or* voluntarily confessed the said charge to be true, *or* did not make any defence against the said charge,] whereupon the same was fully proved on the oath of *G. H.* a credible witness, [*or* said that he [*or* she] was not guilty of the said offence, whereupon the same was fully proved on the oath of *G. H.* a credible witness, *or as the case shall be*], [*or* did not appear before me pursuant to the said summons, but the said charge was fully proved on the oath of *G. H.* a credible witness, *or as the case shall be*,] and therefore it manifestly appearing to me, that the said *E. F.* is guilty of the offence charged in the said information, I do hereby convict him [*or* her] of the said offence, and do adjudge that he [*or* she] hath forfeited the sum of — or his [*or* her] licence and the sum of — of lawful money of *G. B.*, to be distributed as the law directs according to the form of the statute in such case made and provided. Given under my hand and seal the —.' *id. s.* 28.

35. No conviction upon this act shall be removed by *certiorari* or otherwise into K. B. or any court, save upon an appeal as in *s.* 27. directed, *id. s.* 29.

36. Every justice before whom any person shall be convicted of any offence under this act, shall receive H. M.'s share of the penalty levied or paid under such conviction, and such justice, his executors or administrators, shall pay all such sums which he shall so receive, at the next general sessions of the peace after he has received the same, into the hands of the clerk of the peace or other such like officer for the county or place, who shall remit the same forthwith, without fee, to such commissioners for licensing hawkers, &c. [*see ante, s.* 3.] or to such person as the greatest part of them shall appoint; and every justice, his executors or administrators, shall immediately on such payment made to any clerk of the peace or other such officer, transmit a like schedule to such commissioners, or to such person so by them appointed, *id. s.* 30.

37. All the powers, rules, penalties and forfeitures, exemptions, and things whatsoever, which by *9 & 10 W. 3. c.* 27., or by any other law now in force relating to the duties by that act granted, are provided, settled, or established (other than so far as the same are inconsistent with or repugnant to this act, and other than in such cases for which different provisions are prescribed by this act), shall be exercised and put in execution for the managing, levying, recovering, and paying the several duties hereby granted, as fully as if all such powers, &c. were repeated in this act, *id. s.* 31.

38. Every person who shall be summoned as a witness to give evidence before any justice of peace touching any matter relative to this act or *9 & 10 W. 3. c.* 27., and who shall neglect to appear at the time and place for that purpose appointed, without a reasonable excuse, to be allowed by such justice, or appearing shall refuse to be examined upon oath and give evidence, shall forfeit 10*l.*, *id. s.* 32.

39. The several duties herein-before granted, shall be paid into the hands of the cashier of the duties on hawkers, &c. who shall keep a distinct account thereof, and pay the same (the necessary charges of raising, paying, and accounting for the same being deducted) into the exchequer, at such time and in such manner as the duties now charged on hawkers, &c. are directed to be paid; and in the office of the auditor of such receipt, shall be kept a book in which all the monies arising from such rates and duties and paid into the exchequer, shall be entered separate from all other monies paid to H. M.; and such money so paid into the exchequer shall be made part of the consolidated fund, and be subject to all the charges to which the duties upon hawkers and pedlars were liable immediately before the passing of this act, *id. s.* 33.

40. If any person is sued for any thing done in pursuance of this act, he may plead the general issue and give the special matter in evidence; and if a verdict shall pass for the defendant, or the plaintiff is nonsuited, or has judgment against him upon demurrer, or discontinues, or is non-prossed, such defendant shall have treble costs, 50 *G.* 3. *c.* 41. *s.* 34.

41. The 50 *G.* 3. *c.* 41. shall not prohibit any person from carrying about coals in carts, or on horses, asses, &c. and selling the same by retail, or subject them to the duties and penalties thereby imposed, 52 *G.* 3. *c.* 108. *s.* 2.

HEALTH (PUBLIC).

1. FOR THE CHARITABLE RELIEF AND ORDERING OF PERSONS infected with the plague, 1 *J.* 1. *c.* 31. and recital in *s.* 1. [CON. 3 *C.* 1. *c.* 4. and indefinitely, 16 *C.* 1. *c.* 4.]

2. The mayor, bailiffs, head officers, and justices of peace of every city, borough, town corporate and place privileged, or any two of them, shall have power to tax every inhabitant, and all houses and hereditaments within the city, &c. for the relief of persons infected or inhabiting in houses and places infected therein, and levy the same on the goods of the party refusing to pay, by warrant of the mayor, &c. 1 *J.* 1. *c.* 31. *s.* 2.

3. If the party to whom such warrant is directed shall not find goods, the mayor, &c. shall by like warrant cause such person to be committed to the gaol until he satisfy the taxation, *id. s.* 3.

4. If the inhabitants of any city, &c. find themselves unable to relieve their poor infected persons, then upon certificate thereof by the mayor, &c., such justices of the county of or near such city, &c. may tax the inhabitants of the county within 5 miles of the place infected at weekly rates, to be levied by warrant from such 2 justices, by sale of goods, and in default thereof by imprisonment of the body of the party taxed, *id. s.* 4.

5. If any such infection shall be in any borough, town corporate or privileged place, where there are no justices, or in any village or hamlet, any 2 justices of the county may tax the inhabitants of the county within 5 miles of the place infected, at weekly rates, for relief of the places infected, to be levied by warrant from such justices by sale of goods, and in default thereof by imprisonment of the body of the party taxed; such taxes, &c. made by such justices of the county for the relief of such cities, &c. where there are no justices being disposed of as they think fit, and where there are such justices, then in such writ as the mayor, bailiffs, &c. as in *s.* 1. shall think fit, *id. s.* 5.

6. All which rates made within any city, &c. shall be certified to the next quarter sessions for the city, &c. and rates made within any county to the quarter-sessions of the county; and if the justices at such sessions shall think it fit such rate should continue, or be enlarged, or extended to any other parts of the county, the same shall be so enlarged, &c. and every constable and other officer that shall wilfully make default in levying such money, shall forfeit 10*s.* to be employed on such charitable uses, *id. s.* 6.

7. If any person infected, or being or dwelling in any house infected, shall be by the mayor, bailiffs, constable, or other head officer of any city, borough, town corporate, privileged place or market town, or by any justice of peace, constable, headborough, or other officer of the county, commanded to keep his house, and shall wilfully and contemptuously disobey such appointment, attempting to go abroad, or going abroad, and resisting such keepers or watchmen as shall be appointed to see them kept in, such watchman with violence may enforce them to keep their houses; and if any hurt come by such enforcement to such disobedient persons, the watchmen and their assistants shall not be impeached therefore. And if any infected person so commanded to keep house shall wilfully and contemptuously go abroad, and converse in company, having any infectious sore upon him uncured, such person shall be adjudged a felon, and suffer death; but if such person shall not have any such sore found about him, he shall be punished as a vagabond ought to be by 39 *El. c.* 4. [but which act is REP. by 12 *A. St.* 2. *c.* 23.] and be bound to his good behaviour for one year, *id. s.* 7.

8. No attainder of felony by this act shall extend to any corruption of blood, or forfeiture of goods or lands, *id. s.* 8.

9. The justices, mayors, bailiffs, and other head officers aforesaid, may appoint searchers, watchmen, examiners, keepers, and buryers, for the persons and places infected, and minister unto them oaths for the performance of their offices, and give them other directions as for the present necessity shall seem good, *id. s.* 9.

10. No mayor, justice, &c. shall by force of this act do any thing within either the universities, or within any cathedral church, or the precincts thereof, or within the colleges of *Eaton* or *Winchester*; but the vice-chancellor of either of the universities, and the bishop and dean of every cathedral church, and the provost or warden of either of such colleges shall have all such power within their precincts, as any mayor, &c., *id. s.* 10.

11. FOR PRESERVATION OF HEALTH AND MORALS OF PUBLIC apprentices, and others employed in cotton and other mills and factories, 42 *G.* 3. *c.* 73. [AMD. 59 *G.* 3. *c.* 66. PUBLIC *clause*, *s.* 8. and 60 *G.* 3. *c.* 5. like clause, *s.* 3.]

12. All cotton and woollen mills and factories at any time employing 3 or more apprentices, or 20 or more other persons, shall be subject to this act, and the master or mistress shall act in strict conformity to its regulations, 42 *G.* 3. *c.* 73. *s.* 1.

13. No child not full 9 years old shall be employed in any kind of cotton spinning, or previous preparation of cotton, 59 *G.* 3. *c.* 66. *s.* 1.

14. No person under 16 years of age shall be employed in any such work, or in cleaning or repairing any such mill, manufactory or building, or any mill work or machinery therein for more than 12 hours daily, between 5 *a. m.* and 9 o'clock *p. m.* exclusive of meal times, *id. s.* 2.

15. No apprentice shall work more than 12 hours in any one day, between 6 *a. m.* and 9 *p. m.* exclusive of meal times, and on no occasion shall be employed between 9 *p. m.* and 6 *a. m.*, 42 *G.* 3. *c.* 73. *s.* 4.

16. Every person under 16 shall have half-an-hour for breakfast, and one full hour for dinner daily, the latter between 11 *a. m.* and 4 *p. m.* 60 *G.* 3. *c.* 5. *s.* 2. [instead of 11 and 2. as by 59 *G.* 3. *c.* 66. *s.* 3.]

17. Where time is lost on account of a want, or excess of water in such mills, &c. the time of labour may be extended by one hour *per* day till the lost time is made good, 59 *G.* 3. *c.* 66. *s.* 4.

18. In case of one or more mills being suddenly destroyed by fire or other accident, the proprietors thereof having other mills kept at work during the day, may for 18 months from such fire or accident employ the persons previously employed at the destroyed mills in the night time at their other mills for not exceeding 10 hours *per* night, 60 *G.* 3. *c.* 5. *s.* 1.

19. Apprentices shall be constantly furnished by masters, &c. with two suits of clothes, and suitable linen stockings, hats and shoes, a new suit being delivered once a year, 42 *G.* 3. *c.* 73. *s.* 3.

20. The ceilings and interior walls of all the rooms of such mills, &c. shall be washed with quick lime and water twice a year, and care shall be taken to admit fresh air by sufficient windows, 42 *G.* 3. *c.* 73. *s.* 2. 59 *G.* 3. *c.* 66. *s.* 5.

21. Apprentices shall be instructed in every working day for the first 4 years of their apprenticeship in reading, writing, and arithmetic, at the expence of the master, &c. 42 *G.* 3. *c.* 73. *s.* 6.

22. Sleeping apartments of male and female apprentices shall be distinct, and two only shall sleep in one bed, *id. s.* 7.

23. Apprentices shall be instructed in the Christian religion, for at least one hour on *Sundays*, at the master's expence, and in *Eng.* and *Wa.*, (if the parents are of the church of *Eng.*,) shall be taken once a year for examination by the rector or curate, or in *Scot.*, by the minister of the parish: and after 14, and before 18 years of age, shall be prepared and sent to the bishop for confirmation, or shall receive the sacrament if in *Scot.*; and shall be sent once a month to the divine service of the established church, in *Eng.* or *Scot.*, and the master, &c. shall have divine service performed once at least on *Sunday* to those who cannot attend, and shall take due care that his apprentices regularly attend divine service according to this act, *id. s.* 8.

24. The justices of peace of every county or place, where such mills, &c. are situate, shall yearly at *Midsummer* sessions appoint two visitors, &c. being either one justice and one clergyman, or both justices, who shall report to quarter sessions on the condition of such mills, with power of appointing two visitors to every 6 mills, *id. s.* 9.

25. If the visitors find any infectious disease appearing to prevail in any such mill or factory, they or either of them may require the master forthwith to call in some competent medical person, to ascertain its nature and probable effects, and to apply remedies and regulations for preventing the infection, and curing the sick, which medical person shall report to the visitors, as often as required, their opinion in writing of the nature, progress, and present state of the disease, and its probable effects, the master paying all medical expences, *id. s.* 10.

26. Every person molesting the visitors in the execution of their powers under this act shall forfeit from 5*l.* to 10*l.*, *id. s.* 11.

27. Printed or written copies of this act shall be hung up by the master, &c. in two or more conspicuous places on such mill or factory, and shall be constantly kept and renewed, so as to be legible and accessible to the persons employed therein, 42 *G.* 3. *c.* 73. *s.* 12.

28. A copy of this act, or a full and true abstract of its regulations, signed by the proprietor, manager, or overseer, shall be hung up in a conspicuous part of such mill, manufactory, or building, and shall be kept and renewed so as to be always legible, 59 *G.* 3. *c.* 66. *s.* 6.

29. Masters, &c. of such mill or factory, wilfully offending against *this* act, (*but see next pl.*) forfeit not more than 5*l.* nor less than 40*s.* at discretion of the justices convicting, as in *s.* 15. *pl.* 32. one half payable to informer, and the other to the overseers of the poor in *Eng. and Ire.*, and to the minister and elders in *Scot.*, of the parish or place where such offence is committed, in aid of the poor rate thereof, in

Eng. and *Ire.*, and for benefit of the poor thereof in *Scot.*, but the information must be laid within one month after the offence committed, 42 *G.*3. *c.*73. *s.*13.

30. Every such master, &c. wilfully offending against 42 *G.*3. *c.*73. or this act, shall, for each offence, forfeit not more than 20*l.*, nor less than 10*l.*, at discretion of the justices convicting, as in *pl.*32. to be paid one half to the informer and the other to the overseers of poor in *Eng.*, to churchwardens in *Ire.* and to the minister and elders in *Scot.* of the parish or place where the offence is committed, in aid of poor rate in *Eng.*, and for the benefit of the poor thereof in *Ire.* and *Scot.*, but all informations for offences against either act shall be laid within 3 calendar months after the offence, and all penalties inflicted by this act shall be levied and applied as by 42 *G.*3. *c.*93. directed, 59 *G.*3. *c.*66. *s.*7.

31. Every such master, &c. shall, at the Epiphany sessions, annually make entry in a book kept by the clerk of the peace of the county or division in which his mill or factory is situate, of every such mill, &c. occupied by him or her wherein 3 or more apprentices, or 20 or more other persons are employed, paying such clerk 2*s.* only for each entry, 42 *G.*3. *c.*73. *s.*14.

32. All offences for which a penalty is imposed by this act [and *semb.* by 59 *G.*3. *c.*66., see *s.*7. *pl.*30.], shall be heard before 2 or more justices of peace acting for the place where the offence is committed, and all penalties hereby imposed, and costs attending conviction, shall and may be levied by distress and sale of offender's goods by warrant under hand and seal of any 2 or more like justices, rendering any overplus to the offender; which warrant such justices shall and may grant on conviction of the offender, either by confession or on oath of one or more witnesses; and in case such distress cannot be found, and such penalties and costs are not forthwith paid, such justices shall, by warrant, commit the offender to the common gaol or house of correction for not exceeding 2 calendar months, unless the same be respectively sooner paid, but no such distress warrant shall issue till 6 days after conviction, and an order made on the offender for payment thereof, and no such conviction shall be removable into any court soever, *id.* *s.*15.

33. Conviction shall be as follows:

'*County of*——} Be it remembered, that on the — day of — in the year —, *to wit.* } *A. B.* was, upon the complaint of *C. D.*, convicted before — of the justices of the peace for the said county of — [*or* for — of or in the said county of — *as the case may be*,] in pursuance of an act passed in the 42d year of the reign of H. M. K. *G.* the third for [*or, as the case may be*] Given under our hands and seals the day and year above written.'

and shall be certified to the next general quarter sessions, there to be filed among the records of the county, &c., *id.* *s.*16.

HEMP AND FLAX.

(STATUTES *expired.*)

1. CONCERNING SOWING OF FLAX AND HEMP, 24 *H.*8. *c.*4. [CON. 28 *H.*8. *c.*9., 31 *H.*8. *c.*7., 33 *H.*8. *c.*17. *s.*1. EXP., REV. 5 *El.* *c.*5. *ss.*28, 29. which is REP. 35 *El.* *c.*7. *s.*21., and therefore again EXP.]

2. FOR GRANTING A BOUNTY ON THE IMPORTATION into this kingdom of hemp of the growth of *Ire.* for a limited time, 19 *G.*3. *c.*37. EXP.

3. FOR GRANTING A BOUNTY UPON THE IMPORTATION of hemp and rough and undressed flax from H. M.'s colonies in *America*, 4 *G.*3. *c.*26. [REV. and CON. 26 *G.*3. *c.*53. *s.*12., 46 *G.*3. *c.*29. *s.*4., 48 *G.*3. *c.*23. *s.*1. *all now* EXP.]

4. FOR PERMITTING THE IMPORTATION OF FLAX AND FLAX SEED into this kingdom in ships or vessels belonging to any kingdom or state in amity with H. M. for a limited time, 35 *G.*3. *c.*100. [CON. 42 *G.*3. *c.*16. both EXP.]

(STATUTES *in force.*)

1. NO PERSON SHALL WATER ANY HEMP OR FLAX in any river, running-water, stream, brook or other common pond where beasts are used to be watered, upon pain to forfeit 20*s.* for each time so doing, in moieties to H. M. and the party grieved, or the party suing for same in any court of record, leet or law day by action of debt, &c. or information wherein no essoin, &c. or other dilatory plea shall be admitted, 33 *H.*8. *c.*17. *s.*2.

2. FOR ESTABLISHING A FUND FOR THE ENCOURAGING OF THE raising and dressing of hemp and flax, 7 *G.*3. *c.*58. *s.*5. [APPROPRIATED 10 *G.*3. *c.*40. AMD. 21 *G.*3. *c.*58., 26 *G.*3. *c.*43.] [N.B. The duties granted for the forming of this fund are REP. by 27 *G.*3. *c.*13. but *see s.*65. of this act, *post*, *pl.* 4.; and the 21 *G.*3. and 26 *G.*3. are both it seems EXP. *see s.*15. of the former and *s.*13. of the latter act, and it should therefore seem that these bounties are not now payable.]

3. Out of the duties by this act granted on linens imported 15,000*l.* shall be annually set aside in part as a fund for encouragement of raising and dressing of hemp and flax in this kingdom, 7 *G.*3. *c.*58. *s.*5. [*but the duties made to cease*, 27 *G.*3. *c.*13., 43 *G.*3. *c.*68., 49 *G.*3. *c.*98., 59 *G.*3. *c.*52.]

4. 6335*l.* 15*s.* shall annually be set apart at the exchequer out of the duties of customs hereby imposed as a fund for the encouragement of raising and dressing hemp and flax in this kingdom, to be applied as by 10 *G.*3. *c.*40., 21 *G.*3. *c.*58. and 26 *G.*3. *c.*43. directed, 27 *G.*3. *c.*13. *s.*65. [NOTE. The duties by this act imposed have been several times REP. and new ones granted, and lastly by 59 *G.*3. *c.*52., but there does not appear in this act any reservation in favour of this bounty as to 21 *G.*3. and 26 *G.*3. *See* the note, *pl.* 2.]

5. H. M. may, by his sign manual, direct the distribution and payment of the 8000*l.* *per ann.* from the commencement of the 7 *G.*3. *c.*58., and annually afterwards, or of 8 fifteenth parts of the sum already due, or which shall grow due, and be kept apart in the exchequer for the encouragement of raising and dressing hemp and flax in this kingdom pursuant to 7 *G.*3. *c.*58., 10 *G.*3. *c.*40. *s.*1. [REP. and distribution put under the commissioners of trade, 21 *G.*3. *c.*58. *s.*1., and that section REP. and distribution put under management of the treasury, 26 *G.*3. *c.*43. *s.*1., but both those acts have since apparently EXP. *See s.*15. of the former and 13 of the latter.]

6. The treasury may issue their warrants for payment to proper persons of 7000*l.* *per ann.* from the commencement of 7 *G.*3. *c.*58., and annually afterwards, or of 7-15th parts of the sum already due, and kept apart, and which shall hereafter grow due and be kept apart, in the exchequer for the encouragement of raising and dressing hemp and flax; this kingdom, pursuant to 7 *G.*3. *c.*58., as the same becomes due, unto the receiver general of crown rents and casualties in *Scot.* without fee, to be by him answered without fee, to the order of the commissioners and trustees for encouraging fisheries, manufactures and improvements in *Scot.*, and other persons after named, *id.* *s.*2.

7. The same plan, methods, rules, &c., whereby such funds appropriated for the improvement of the fisheries and manufactures by 13 *G.*1. *c.*30. are ordered to be laid out, shall be followed in distributing the money issued under this act, for the encouragement of raising hemp and flax in *Scot.*, *id.* *s.*3.

HERETIC.

(STATUTES *repealed and expired.*)

1. FOR THE ARRESTING AND APPREHENSION of erroneous and heretical preachers, 5 *R.*2. *S.*2. *c.*5. [CONF. 25 *H.*8. *c.*14. *s.*2., REP. 1 *E.*6. *c.*12. *s.*3., REV. 1 & 2 *P. & M.* *c.*6., which is REP. 1 *El.* *c.*1. *s.*15.]

2. FOR THE REPRESSING OF HERESIES and punishment of heretics, 2 *H.*4. *c.*15. [This is the first statute that authorised capital punishment by burning. REP. 25 *H.*8. *c.*14. *s.*1., but REV. as above, *pl.*1.]

3. FOR THE SUPPRESSION OF HERESY and Lollardy, 2 *H.*5. *S.*1. *c.*7. [CONF., REV. *and* REP. *as above*, *pl.*1.]

4. FOR THE PUNISHMENT of heresy, 25 *H.*8. *c.*14. [REP. 1 *E.*6. *c.*12. *s.*3.]

(STATUTES *in force.*)

1. FOR TAKING AWAY THE WRIT *De heretico comburendo*, 29 *C.*2. *c.*9.

2. The writ commonly called *breve de heretico comburendo*, with all process thereon, in order to execute the same, and all punishment by death in pursuance of ecclesiastical censures, shall be utterly abolished, *id.* *s.*1.

3. Provided nothing herein shall abridge the jurisdiction of protestant archbishops or bishops, or any other judges of any ecclesiastical courts, in cases of atheism, blasphemy, heresy or schism, and other damnable doctrines; but that they may proceed to punish the same according to ecclesiastical law, by excommunication and other ecclesiastical censures not extending to death in such sort as before this act, *id.* *s.*2.

HIDES AND SKINS. (*See* LEATHER MANUFACTURE.)

(STATUTES *repealed.*)

1. FOR THE BUYING OF RAW HIDES and calves skins, 3 & 4 *E.*6. *c.*9. [REP. 5 *El.* *c.*8., *which act and all other acts thereby* REP., *are* REP. *by* 1 *J.*1. *c.*22., *which is also* REP. *by* 48 *G.*3. *c.*60. *s.*1.]

2. FOR PREVENTING THE DAMAGING of raw hides and skins in the flaying thereof, 9 *A.* *c.*11. *ss.*11—12. [REP. *as to s.*11., 39 & 40 *G.*3. *c.*66 *s.*1., and as to *s.*12., by 56 *G.*3. *c.*110. *s.*4.: this title is framed from these sections.]

(STATUTES *in force.*)

1. FOR THE DUE MANUFACTURING OF HIDES AND SKINS, 5 *El.* *c.*22. *s.*1.; CONF. 8 *El.* *c.*14. [*This title* is framed from these sections.]

2. NO PERSON SHALL MAKE ANY PELTS; *viz.* pull, shear, clip or take away the wool of any sheep skin or lamb skin, or buy any skin of

any stag, hind, buck, doe, goat, fawn or kid, or the pelts or skins of any of them, unless they make of them tawed or tanned leather, or parchment, or otherwise convert them into semits, parmers, or other their own uses, on pain to forfeit the value of such pelts or skins, and 2*s.* 6*d.* for every skin or pelt so bought, or pelt so made, 5 *El. c.* 22. *s.* 1. [CONF., except so far as it may prevent the intercourse with *Spain*, 8 *El. c.* 14.

3. FOR RELIEF OF SUCH AS LAWFULLY USE THE TRADE and handicraft of skinners, 3 *J.* 1. *c.* 9. [RECITAL of a charter to the Eastland merchants, 21 *El. s.* 1.]

4. No person shall dress in his house, or by any workmen, not being artizan skinners, any black coney skins of this kingdom, nor shall carry beyond the seas, nor pack or lade to the intent to carry beyond the seas, any black coney skins, of the breed of this realm, unless the same shall first be towed and perfectly wrought, dressed and packed, within this realm, by artizan skinners or tawers unto the said skinners, upon pain of forfeiture of such skins, or the value thereof, *id. s.* 2.

5. No merchant, shall buy or contract for any coney skins or lamb skins, called morkins, of the breed of this realm, or being within this realm, under the number of 1000 black coney skins, or 3000 grey coney skins, or 2000 lamb skins called morkins, at a time, to be delivered at one time, (except it be to the artizan skinners), nor shall the same within this realm in parcels, under the numbers aforesaid, unless it be to the artizan skinner, upon pain of forfeiture of the skins or the value, *id. s.* 3.

6. No person shall take or keep any servant, journeyman or apprentice, to work with him therein, except the person using such trade have served seven years as an apprentice, and use the trade of a skinner, upon pain of forfeiture of the double value of all such skins or furs as shall be dressed or wrought by such persons or their servants, *id. s.* 4.

7. All forfeitures by this act shall be distributed; one moiety to H. M., and the other to such as shall seize the skins or furs, or sue by action of debt or information, in any court of record, wherein no essoin, &c. *id. s.* 5.

8. FOR BETTER PREVENTING THE DAMAGING OF RAW hides and skins in the flaying thereof, 39 & 40 *G.* 3. *c.* 66. *ss.* 2—20.; PUBLIC clause, *s.* 20., (for the rest of this act, see LEATHER, &c.) [AMD. 41 *G.* 3. (U. K.) *c.* 53., see 43 *G.* 3. *c.* vi., *but which is* REP. 48 *G.* 3. *c.* lxxi.]

9. The mayor, bailiff, or other head officer, of every city, town corporate, borough, or market town, having such head officer; or any 2 justices of peace or magistrates, having jurisdiction within any city, &c. where there is no such head officer, and in cities, &c. where there are not 2 such magistrates, then any 2 justices for the division, county, riding, shire, or stewartry, within which such city, &c. shall lie, may within 3 months after this act passed, appoint some place for the examining and inspecting of all raw hides and skins of all oxen, bulls, cows, heifers, steers or stirks, calves, hogs or pigs, sheep, lambs, horses, mares or geldings, killed, slaughtered, or flayed within such city, &c. or within such distance thereof, as may be fixed by the persons choosing such place, so as such distance is not less than 2, or more than 3 miles from such city, &c. and such persons shall also appoint proper days and hours for such inspection, and give notice thereof, and of such distance, to be put up in legible characters in some part of such place so appointed; and the persons so appointing such place shall also, at the same time, annually or oftener, appoint some person to be inspectors of hides and skins within such city, &c. or the districts thereof, and appoint others in their places, in case of death or removal, 39 & 40 *G.* 3. *c.* 66. *s.* 2.

10. Any mayor or other person authorised by 39 & 40 *G.* 3. *c.* 66. *s.* 1. to appoint a place for the inspection of raw hides and skins, may choose any place within any district ascertained under that act, whether it be within any city, town corporate, borough, or market town or not, 41 *G.* 3. *U. K. c.* 53. *s.* 1.

11. If any 6 or more, or in case of any difference of opinion of the majority of the tanners, curriers, or other persons manufacturing of leather, and not journeymen, apprentices, or persons working for hire, but residents in, and carring on such trade, &c. in such city, &c. and who have delivered in writing their names, places of abode, and occupations, shall recommend to the persons hereby authorised to appoint inspectors 2 persons as proper for the office, where one is necessary, or 4 where 2 are necessary, then one or 2 as the case requires of such persons shall be appointed to the office, provided that 2 or more persons in partnership shall be considered as one only in such recommendation; provided that when any complaint is made by any person interested, or dealing in raw hides or skins in any place appointed for the inspection thereof, of any misconduct or neglect of duty in such inspector, and due proof thereof is made to the satisfaction of the persons hereby authorised to appoint such inspector, such persons shall discharge such inspector, and appoint another in his place, 39 & 40 *G.* 3. *c.* 66. *s.* 3. [*See* further provision as to this recommendation, 41 *G.* 3. *U. K. c.* 53. *s.* 2. *post*, *pl.* 27.]

12. If any butcher or other person shall wilfully, negligently, or carelessly cut, or flaw, or gash the hide or skin of any ox, bull, cow, &c. (as in *s.* 2. *pl.* 9.) so as to occasion injury, or render it less useful for making leather, or shall flay the hide of any ox, bull, cow, heifer, steer, stirk, or calf, below the knee or gambrele, and shall be convicted thereof before one justice of the county, city, or town, where the hide is found, upon the oath of any inspector under this act, or any witness, he shall forfeit for every hide, &c. so cut, &c. below the knee the fines following, (*viz.*) not exceeding 10*s.* or less than 1*s.* for the raw hide or skin of every ox bull, cow, heifer, steer, or stirk, so wilfully or negligently cut, &c. in the flaying hereof, or that shall be so flayed below the knee or gambrele; and not exceeding 5*s.* or less than 1*s.* for the hide or skin of every horse, &c.; and not exceeding 6*d.* or less than 3*d.* for the hide or skin of every hog, pig, sheep, or lamb, so wilfully, &c. damaged by cuts, gashes, or flaws in the flaying thereof, 39 & 40 *G.* 3. *c.* 66. *s.* 4. [but see 2 next *pl.*]

13. No fine imposed by 39 & 40 *G.* 3. *c.* 66. *s.* 4. for the wilful or negligent cutting, gashing, or flawing any raw hide or skin, of any ox, bull, cow, heifer, steer, or stirk, in the flaying thereof, or for flaying the same below the knee, shall exceed 5*s.* or of any calf, 2*s.* 6*d.*; or for so gashing, &c. any hide of any horse, mare, or gelding, 2*s.* 6*d.*, 41 *G.* 3. *U. K. c.* 53. *s.* 4.

14. Provided no butcher or other person shall be liable to any penalty or forfeiture by 39 & 40 *G.* 3. *c.* 66. or this act imposed for the flaying any hide of any ox, bull, cow, heifer, steer, stirk, or calf, below the knee, in any case where the hide is not flayed more than 2 inches below the knee, *id. s.* 5.

15. Every inspector of hides and skins under this act shall, before he begins to execute his office, take an oath duly to perform the same, which shall be administered by the persons authorised to appoint them, and which shall be in the words following:

'I, *A. B.* do swear that I will faithfully and diligently execute the office of inspector of hides and skins, according to the true intent and meaning of an act passed in the fortieth year of the reign of H. M. king *George* the Third, intituled an act [*here set forth the title of this act*] without favour or affection, prejudice or malice, to any person whomsoever. So help me God.'

and which inspectors shall examine and mark as herein directed all raw hides and skins flayed within their respective districts, and shall have for the same the fees following, (*viz.*) for the hide of every ox, bull, cow, heifer, steer, or stirk, horse, mare, or gelding, 1*d.*; and for every calf, hog, or pig skin, one halfpenny; and for every sheep or lamb skin one farthing; and if any person, other than such inspector, or a person authorised by him, shall stamp or mark any raw hide or skin with the stamp usually used by him, such person shall forfeit 20*l.*, 39 & 40 *G.* 3. *c.* 66. *s.* 5.

16. Any such inspector, on examining of any raw hide or skin that has been damaged in the flaying, may impose such penalty for the wilful or negligent gashing, &c. thereof, or flaying the same contrary to this act, not exceeding one-half of the highest penalty imposed by *s.* 4. *pl.* 12. in respect of such damage as he deems reasonable, without having the same adjudged by a justice, in pursuance hereof, but subject to the determination of arbitrators summoned in pursuance of *s.* 12. in case the owner or any other person in his behalf shall dispute the penalty, and give notice in writing of his determination to have the same determined by such arbitrators, *id. s.* 6.

17 Where such inspectors shall deem any person liable to an higher penalty, in respect of such damage than such half penalty, he shall proceed to recover the same by information before a magistrate or justice, as in *s.* 16. directed, *id. s.* 7.

18. The whole penalty imposed by any inspector, as in *s.* 6. or adjudged by any magistrate or justice, on the information of any inspector, shall be given to such inspector, *id. s.* 8. [*See s.* 14. *post*, *pl.* 26.]

19. So much of 39 & 40 *G.* 3. *c.* 66. *s.* 8. as gives the whole penalty to the inspectors REP., and instead thereof, one half only of such penalties, which by such act are given to the inspectors, shall be paid to them, and the other shall go towards the execution of such act, and this act in manner, by 39 & 40 *G.* 3. *c.* 66. *s.* 16. directed, provided this act shall not prevent any reward to be given to such inspectors out of such other half, as in such act (*s.* 14.) directed, 41 *G.* 3. *U. K. c.* 53. *s.* 7.

20. Inspectors under this act shall have 2 marks, one with the letter S. to denote good hides, and the other with the letter D. to denote damaged ones; with the first he shall mark on or near the tail every raw hide or skin which is not damaged in the flaying, and with the latter he shall mark on one of the fore shanks every raw hide, &c. which is damaged, on being paid the penalty hereby imposed for wilful or negligent cutting, gashing, or flawing of any hide or skin in the flaying, or for flaying the same contrary to this act; and if the person, to whom such damaged hide belongs, shall refuse to pay such penalty, or the money by *s.* 5. allowed for inspecting and marking any raw hide or skin, such inspector may seize such hide or skin; and unless the penalty is paid in less than 48 hours after such seizure, or unless notice is given of the owner's intention to have such hide or skin produced, and the dispute decided by arbitrators appointed under *s.* 12. of this act, such inspector may sell the same, and retain the penalty and the expences incurred, rendering the overplus to the owner, 39 & 40 *G.* 3. *c.* 66. *s.* 9.

21. If any butcher or other person residing in any city, &c. as in *s.* 2. or within the district thereof, for which an inspector is appointed, shall

wilfully neglect to bring any raw hide or skin belonging to him, by this act required, to be marked, to some place appointed, in pursuance hereof, for (*s.* 2. *pl.* 9.) the examining and inspecting of raw hides, within the hours prescribed; or if such butcher or person shall remove from such place any raw hide or skin that has been flayed within any such city, &c. or the district thereof, that has not been examined and marked by some inspector, or person authorized by him, and approved by the magistrate of the district, he shall forfeit not exceeding 5*l.* nor less than 40*s.* for each hide so neglected to be brought to such place within such hour, or so removed, 39 & 40 *G.* 3. *c.* 66. *s.* 10.

22. Every butcher or other person required by 39 & 40 *G.* 3. *c.* 66. to bring any raw hides or skins to any place appointed for inspection of such hides, &c. under such act, shall bring them as in such act prescribed, within 10 days from the time of flaying thereof, and if he neglects so to do, shall forfeit the penalties by that act *s.* 10. imposed on persons wilfully neglecting to bring raw hides or skins to any such place, according to such act, 41 *G.* 3. *U. K. c.* 53. *s.* 6.

23. If any such butcher or person shall give notice in writing to such inspector, of his intention to carry his hides or skins to any other place where an inspector is appointed under this act, for any period not less than one calendar month following the date of such notice, then such butcher, &c. may carry such their hides or skins to such place during the period mentioned in such notice, to have same examined and marked, and may renew such notice for not less than one calendar month, 39 & 40 *G.* 3. *c.* 66. *s.* 11.

24. In case any difference of opinion or dispute arise between any butcher or other person, and any inspector, whether any hide or skin has been injured in the flaying, or rendered less useful for leather, within this act, any magistrate or justice before whom such difference or dispute is brought, shall within 48 hours, summon 5 impartial persons in the working or manufacturing of leather, to whom, or to any 3 of them such dispute shall be referred, and who shall finally determine the same within 24 hours; and before they act in hearing the matter, they shall take an oath before such magistrate, &c. to do equal justice between the parties concerned, and such magistrate shall cause the hide or skin in dispute to be produced to them, and the difference or dispute to be heard, and the decision of the major part of such persons shall be conclusive and binding, and the party against whom the same is given shall pay the costs of summoning and attendance of such persons, and the expences incidental thereto, to be ascertained and allowed by such magistrate, *id. s.* 12.

25. Every person duly summoned upon any such dispute, who shall neglect to attend at the time and place mentioned in such summons, unless he can give satisfactory reasons for his non-attendance, shall forfeit 40*s.*, *id. s.* 13.

26. All penalties and forfeitures hereby imposed, and not otherwise disposed of, shall be distributed as follows, (*viz.*) one half to the persons informing and prosecuting to conviction every such offenders, and the other shall be applied for the better executing this act, either in rewarding any inspector of raw hides, acting in the district where the penalty was incurred, or in paying any charges that may arise in establishing any such place for inspection of raw hides and skins, or for any purpose relating to the care and improvement, or continuing of such place in such manner as the persons appointing such place, to whom the moiety, when recovered, shall be paid, shall direct, with the approbation of any 6 or more, or in case of difference of opinion of the majority of the persons dealing in the manufactory of leather, (not being journeymen, apprentices, or persons working for hire for any master currier, or manufacturer of leather) who shall deliver their opinions in writing to such persons as in *s.* 3. *pl.* 11. directed, in case of recommendation of inspectors; and if any person to whom any such moiety shall be paid, shall misapply the same, he shall forfeit double the sum so retained or misapplied, to be sued for and applied as other penalties by this act imposed may be, *id. s.* 14. [but see next *pl.*]

27. So much of 39 & 40 *G.* 3. *c.* 66. *ss.* 3—14. as requires that any recommendation of any persons to be inspectors under such act, or any approbation in relation to the distribution of penalties, to be by 6 or more persons, being either tanners, curriers, or other persons manufacturing or dealing in the manufactory of leather, shall be repealed, and any shoemakers, sadlers, or other persons working or dealing in leather, not being journeymen or apprentices, or persons working with or for any shoemaker or worker in leather, for hire, and who shall then be residing and carrying on such trade within any city, liberty, borough, or market town, or the district thereof, and who have, as by 39 & 40 *G.* 3. *c.* 66. *s.* 3. delivered in writing their names, places of abode, and occupations in leather, may join with tanners, skinners, curriers, or other persons manufacturing of leather, in the recommending persons to be inspectors of raw hides and skins, under the recited act, and also in giving any approbation in relation to the distribution of such penalties, as by the said act directed, 41 *G.* 3. *U. K. c.* 53. *s.* 2.

28. No recommendation of any persons to be inspectors under 39 & 40 *G.* 3. *c.* 66. *s.* 3. or this act, shall be good, unless 3 tanners, skinners, curriers, or other persons manufacturing leather, shall join therein, nor shall any such approbation of any shoemaker, sadler, or other person, so working or dealing in leather, in relation to such penalties be good, unless 3 tanners, &c. join therein, 41 *G.* 3. *U. K. c.* 53. *s.* 3.

29. Nothing herein shall extend to the cities of *London*, or *Westminster*, or the borough of *Southwark*, or any of the liberties thereof within 15 miles of the royal exchange, 39 & 40 *G.* 3. *c.* 66. *s.* 15. [*Provisions* of this act EXT. *to London by* 43 *G.* 3. *c.* cvi., *but* that act REP. and other provisions made, 48 *G.* 3. *c.* lxxi.]

30. Every penalty and forfeiture hereby imposed, shall be recoverable before one justice for the county, riding, or division, or any magistrate of any city, &c. *as in s.* 2. *pl.* 9. where the offence was committed, upon conviction by confession, or oath of one witness, and shall be levied by warrant under hand and seal of such justice, or magistrate, by distress and sale of the offender's goods, and if no distress can be found, and the penalty and costs are not forthwith paid, such justice or magistrate by the like warrant may commit the offender to the common gaol or house of correction, for not exceeding one month, or until [*Qu.* unless] penalty be sooner paid, 39 & 40 *G.* 3. *c.* 66. *s.* 16.

31. Persons aggrieved by the judgment of such justice or magistrate, may, when the penalty adjudged shall exceed 10*s.*, and upon giving security to the amount of the penalty, together with such costs as may be awarded in case the judgment is affirmed, appeal to the next general or quarter sessions, and the justices there may finally determine the matter, and award reasonable costs in case judgment is affirmed, and no such judgment or conviction shall be removeable by *certiorari*, *id. s.* 17.

32. Any information for any offence against this act shall be laid before one justice or magistrate within 3 days after the offence was committed, otherwise it shall be of no effect, *id. s.* 18.

33. Every information under 39 & 40 *G.* 3. *c.* 66. for wilfully or negligently cutting, flawing, or gashing any raw hide or skin, shall be made within 3 days after such hide has been inspected, and any inspector or other person may lay any other information for any other offence under such act within 14 days after the offence is committed, 41 *G.* 3. *U. K. c.* 53. *s.* 8.

34. Every such conviction before one justice shall be in the form following, and shall be certified to the next quarter sessions, to be filed amongst the records of the county, 39 & 40 *G.* 3. *c.* 66. *s.* 19.

'Be it remembered, that on the — day of — in the year —, A. B. was on the complaint of C. D. convicted before — of the justices of the peace for the said county of —, [*or* for the riding or division of such county of —, *or* for the said city, liberty, district, or town of —, *as the case may be*,] in pursuance of an act passed in the 40th year of the reign of H. M. king *George* the third, for [*or as the case may be.*] Given under — hand and seal the day and year above written.'

or the magistrate may issue his summons to convene such witness before him, at a time therein to be fixed, although such person is not within his jurisdiction; and if such person shall neglect to appear, having no just excuse, he shall forfeit 40*s.*, to be recovered as other penalties under 39 & 40 *G.* 3. *c.* 66. *ss.* 14—16. and this act, and be applied towards execution of such acts, provided such witness need not be compelled to travel more than 6 miles by reason of such summons, 41 *G.* 3. *U. K. c.* 53. *s.* 10.

35. All the provisions of 39 & 40 *G.* 3. *c.* 66. and this act relating to the examination and expection of raw hides and skins, shall extend to all raw hides and skins flayed in *G. B.* that may be found within the limits of any district ascertained under such act, without reference to whether they were flayed within such limits or not, 41 *G.* 3. *U. K. c.* 53. *s.* 9.

36. If it be made out by oath of any person to any justice or magistrate, that any person, whether living within or out of his jurisdiction, can give material evidence on either side, in any prosecution under such act or this act, and who will not voluntarily appear and be examined touching the premises, such justice or magistrate shall issue his summons to convene such witness before any such justice, &c. at such seasonable time as shall be fixed in such summons, though such person be not at time of such summons within jurisdiction of such justice, &c.; and if any person so summoned shall not appear at the time appointed by such summons, having no just excuse, he shall forfeit for every such offence 40*s.*, recoverable as any other penalty, under either act, and to be applied towards executing the purposes of both; but no person shall be obliged to travel above 6 miles by reason of such summons, 41 *G.* 3. *U. K. c.* 53. *s.* 10.

37. FOR PERMITTING HIDES TO BE TAKEN OUT OF THE WOOZE, in order to be shaved, or to have the thin parts cut therefrom, 56 *G.* 3. *c.* 110. *ss.* 4. (*s.* 5. LEATHER, &c.) 6, 7. [This title is framed.]

38. Any tanner may take out of the wooze and shave any hide or skin, or cut the thin parts therefrom, provided that he give 6 days' notice in writing to the proper excise-officer of his intention so to do, specifying therein the day and hour when he will take such hides or skins out of the wooze, and the number of them, and whether so taken out for shaving or for cutting off the thin parts, and every tanner who

shall take out such hides or skins for such or any other purposes, excepting for shifting into other wooze, or shall remove or conceal any hide or skin, or piece thereof, not being the shaving thereof, from the sight of such officer, so that the duties shall not be duly accounted for and paid, shall forfeit 200*l.*, 56 *G.*3. *c.*110. *s.*4. [*see s.*5. LEATHER, &c.]

39. Every tanner, tawer, or dresser of hides and skins, or pieces thereof, shall hang up the same when taken out of the wooze for that purpose, separate from all others taken out of the wooze for such purpose on any former day, and shall continue them apart till the surveying officer has taken an account thereof, on pain to forfeit 100*l.*, *id. s.*6.

40. The penalties hereby inflicted shall be recovered as other excise penalties, or by action of debt, &c. or information in the courts of record at *Westminster*, or exchequer in *Scot.*, and shall go in moieties to H.M. and the informer, *id. s.*7.

HIGHWAYS. (*See* TURNPIKES.)

(STATUTES *repealed and expired.*)

1. HIGHWAYS LEADING FROM ONE MARKET TOWN TO ANOTHER shall be enlarged, so that there be neither dyke, tree, nor bush, whereby a man may lurk to do hurt within 200 feet of the one side, and 200 feet of the other side of the way, 13 *E.*1. *S. Wynt. c.*5. 8*vo ed.*217. (*see pl.* 5.)

2. FOR THE AMENDING of highways, 2&3 *P.&M. c.*8. [CONF. 5 *El. c.*13. MADE PERP. 29 *El. c.*5. *s.*2. *See pl.*5.]

3. FOR FURTHER AMENDING and repairing highways, 18 *El. c.*10. (*see pl.*5.)

4. FOR AMENDING highways in the isle of *Sheppey*, in the county of *Kent*, 27 *El. c.*26. [*see pl.*5.]

5. FOR THE AMENDMENT of highways in the counties of *Sussex*, *Surrey*, and *Kent*, 39 *El. c.*19. [REP. together with all the foregoing acts, by 7 *G.*3. *c.*42. *s.*57.]

6. FOR ENLARGING AND REPAIRING the common highways, 13&14 *C.*2. *c.*6. [*in part* REP. 22 *C.*2. *c.*12., 30 *C.*2. *c.*5. *the first and last of these acts* are also EXP.]

7. ADDITIONAL ACT FOR THE BETTER REPAIRING highways, 22 *C.*2. *c.*12. [REP. all but *ss.*2—4. 10., (which see, BRIDGES,) by 7 *G.*3. *c.*42. *s.*57.]

8. FOR THE BETTER REPAIRING AND AMENDING the highways, 3 *W.&M. c.*12. [REP. as to *ss.*24—25., which see *tit.* CARRIER, by 7 *G.*3. *c.* 42. *s.*57.]

9. FOR THE BETTER AMENDING AND REPAIRING the highways, and explanation of the laws relating thereunto, 7&8 *W.*3. *c.*29. [REP. 7 *G.*3. *c.*42. *s.*57.]

10. FOR ENLARGING common highways, 8&9 *W.*3. *c.*16. [REP. as to so much, which enjoins the drawing with a pole or with double shafts, 6 *A. c.*29. AMD. 9 *A. c.*18.; these 3 acts REP. *in toto*, 7 *G.*3. *c.*42. *s.*57.]

11. FOR MAKING THE LAWS FOR REPAIRING HIGHWAYS, more effectual, 1 *G.*1. *S.*2. *c.*52. [EXT. to market towns, 9 *G.*2. *c.*18. *s.*2., and both acts REP. 7 *G.*3. *c.*42. *s.*57.]

12. FOR MAKING MORE EFFECTUAL SEVERAL ACTS PASSED for repairing and amending the highways of this kingdom, 5 *G.*1. *c.*12. [REP. 7 *G.*3. *c.*42. *s.* 57.]

13. TO EXPLAIN AND MAKE MORE EFFECTUAL THE LAWS in being, to oblige the possessors of lands adjacent to common highways to cut and keep low such hedges as are adjoining to the said highways, 7 *G.*2. *c.*9. [REP. 7 *G.*3. *c.*42. *s.*57.]

14. FOR THE PRESERVATION OF THE PUBLIC ROADS IN *Eng.*, 14 *G.*2. *c.*42. [REP. as to so much as obliges persons not travelling for hire to make use of waggons with wheels bound with tyre of a certain breadth, 15 *G.*2. *c.*2., and EXPL. and AMD. 21 *G.*3. *c.*28. *ss.*1—2. (*see* the rest of this act CARRIER.) The first 2 of these acts REP. by 7 *G.*3. *c.*42. *s.*57. and *ss.*1—2. of 21 *G.* 2. *c.* 28. REP. by 7 *G.* 3. *c.*40. *s.* 61.]

15. FOR THE PREVENTING OF THE INCONVENIENCES and dangers that may arise from the present method of digging gravel, sand, stone, chalk, and other materials on the several commons and waste grounds within this kingdom, for the repair of the highways and for other purposes, 26 *G.* 2. *c.*28. [REP. 7 *G.*3. *c.*42. *s.*57.]

16. TO EXPLAIN, AMEND, AND REDUCE INTO ONE ACT the several statutes now in being, for the amendment and preservation of the public highways of this kingdom, and for other purposes, 7 *G.*3. *c.* 42. [EXPL. and AMD. and in part REP. 8 *G.*3. *c.*5., and REP. *in toto* except *s.*57., 13 *G.* 3. *c.*78. *s.*83.]

17. ALL THE FOREGOING ACTS, AND 14&15 *H.*8. *c.*6. and 26 *H.*8. *c.*7. [both which are local acts REV. by 8 *G.*3. *c.*5. *s.*3.] 2 *W.&M. S.*2. *c.*8. 1 *G.*1. *S.*2. *c.*11. 16 *G.*2. *c.*29. and 30 *G.*3. *c.*22. so far as it relates to places out of *London* and *Westminster*, or the weekly bills of mortality, are REP. 7 *G.*3. *c.*42. *s.*57.

18. FOR PROCURING RETURNS RELATIVE TO THE EXPENCE and maintenance of the highways, 53 *G.*3. *c.*47. EXP. [for the rest of this title and statute, see POOR.]

19. NOTHING IN THIS ACT CONTAINED TOUCHING THE MAKING and returning lists of qualified persons to be surveyors, and their appointment, nor the repeal of 3 *W.&M. c.*12. relating to such surveyors, shall extend to *Bristol*, but the acts passed previous to 7 *G.*3. *c.*42. relating to surveyors of highways, and to cleansing, paving, &c. the streets, &c. of *Bristol*, shall remain in force, and the competent number of persons, of which a list is directed by 3 *W.&M. c.*12. to be returned for each parish to the special sessions, for the appointment of surveyors, shall be 10 at least as far as concerns *Bristol*, 8 *G.*3. *c.*5. *s.*4. [*see* 13 *G.*3. *c.*78. *s.*85. *infra.*]

(STATUTES *in force.*)

1. FOR PREVENTING THE CARRIAGE OF EXCESSIVE LOADS of meal, malt, bricks and coals, within 10 miles of the cities of *London* and *Westminster*, 6 *G.*1. *c.*6. [REP. as to meal, malt, and coals, 11 *G.*3. *c.*51. *s.*4. See also local act, 4 *G.*3. *c.*39. *s.*25.]

2. No person shall carry at one load in the cities of *London* and *Westminster*, or within 10 miles thereof, in waggons or carts, having their wheels shod or bound with tire or streaks of iron, more than 750 bricks, on pain to forfeit one of the horses, together with the gears, bridles, and halters used therewith, to any person who will seize the same, in such manner and to such uses as the penalties under 5 *G.*1. *c.* 121. (which is REP. 7 *G.*3. *c.*42. *s.*57.) may be, 6 *G.*1. *c.*6.

3. So much of 4 *G.*3. *c.*39. *s.*25. (local act for paving *Westminster*,) as enacts that no person shall carry at one load, within the limits, mentioned in 6 *G.*1. *c.*6. in any waggon or cart, having the wheels thereof bound with iron, more than one chaldron of coals, shall be REP., 11 *G.*3. *c.*51. *s.*4.

4. TO EXPLAIN, AMEND, AND REDUCE INTO ONE ACT OF parliament the statutes now in being, for the amendment and preservation of the public highways within *England*, and for other purposes, 13 *G.*3. *c.*78. [AMD. as to assessments, 54 *G.c.*109. 3. *s.*1—3. and as to stopping up ways, 55 *G.*3. *c.*68. See as to statute duty, 34 *G.*3. *c.*74. *post, pl.*102. &c.]

5. On *Sept.* 2. unless it be *Sunday*, and then on the following day, the constables, headboroughs, tythingmen, churchwardens, surveyors of highways, and householders, being assessed to any parochial or public rate, of every parish, township, or place, shall assemble at the church or chapel of such parish, &c. or if no church, &c. then at the usual place of meeting, at 11 in the forenoon, and the major part of them so assembled, shall make a list of the names of 10 persons, living within such respective parishes, &c. who have each an estate in lands, tenements, and hereditaments, within such parish, &c. in their own or their wives' right, of 100*l.* annual value, or a personal estate of the value of 100*l.* or who are occupiers of houses, lands, &c. of the yearly value of 30*l.*, and if there shall not be 10 persons so qualified, then they shall insert in such list the names of so many as are qualified, together with the names of so many of the most sufficient inhabitants, not qualified, as shall make up 10, if so many can be found; if not, so many as are there resident, to serve the office of surveyor of the highways; and the constable, headborough, or tythingman, shall, within 3 days after such meeting, transmit a duplicate of such list to one of the justices within the limit of the county, riding, division, hundred, city, corporation, precinct or liberty where such parish shall lie, living in or near the same; and shall also return the original list made at such meeting to the justices at special sessions to be held for the highways within that limit, in the week next after *Michaelmas* or quarter sessions in every year; and shall also, within three days after making such list, give personal notice to, or cause notices in writing to be left at the abode of the persons contained in such list, informing them of their being named, to the intent that they may appear before the special sessions to accept such office, if appointed thereto, or to shew cause against their being appointed; and such justices shall hold such special sessions at such convenient place within their limits, as they judge proper; and shall give notice of the time and place where they intend to hold the same to the constables, &c. of such parish, &c. 10 days before the holding of the session; and the justices then and there, from such lists, according to their discretion, and the largeness of the parish, by warrant under their hands and seals, shall appoint one, 2 or more of such persons, if, in opinion of such justices, qualified for the office, if not, one, 2 or more, of the other substantial inhabitants, or occupiers of woods, tithes, lands, &c. within such parish, living within 3 miles thereof, and within the same county, fit to serve the office of surveyor of the highways for such parish, if such can be found; which appointments shall, by the constables, &c. be notified to every person appointed by the justices, within 3 days after appointment, by serving him with the warrant, or by leaving the same, or a copy thereof, at his house or abode: and every person appointed, if he accepts the office, shall be surveyor for the parish for the year ensuing, and shall take upon him and execute such office; and such justices shall then and there give such of the surveyors as personally appear before them a charge, for the better performance of their duty, according to this act;

and if any of such persons appointed, whose names were contained in such list, and who were served with such notice, shall refuse or neglect to appear at such special sessions, and accept such office, if appointed thereto, or shall not, within 6 days after being served with such warrant or appointment, signify his acceptance thereof, either in person, or by writing to one of such justices, he shall forfeit *5l.*; and in case any person appointed, whose name was not contained in such list, shall neglect to accept such office, or shall not within 6 days after being served with such appointment, shew to one of the justices signing such appointment, sufficient cause why he should not serve, he shall forfeit 50*s.*; provided no person who hath been appointed and served the office for one year, shall be liable to be appointed for the same parish within 3 years from such first appointment and service, unless he consent thereto; but if no list be made and returned, or if such justices shall make such appointment, and the person appointed shall refuse to serve, such justices or 2 of them, shall, at such special sessions, or at some subsequent special sessions, to be held within one month after, nominate some other person to be surveyor, and shall fix such salary to be paid to such surveyor, to be appointed as last mentioned, out of the said forfeitures, and all other forfeitures, fines, penalties, assessments and compositions, to be paid, levied and raised under this act, within such parish, &c. as such justices shall think fit, not exceeding 1-8th part of what shall have been raised by an assessment of *6d.* in the pound, for the use of highways within such parish, where such assessment is raised, and observing the same restriction, from the best information they can get of the probable amount of such an assessment, where none hath been already made; and such justices shall, if they think fit, require the constables, &c. and surveyor, of such parish, or any of them, to return to them an account in writing, of the sum which such assessment of *6d.* in the pound hath raised, or will raise, within such parish, &c.: and if the constables, headboroughs, tythingmen, churchwardens, surveyors of the highways, and such householders shall neglect to make such list, or if the constable, &c. of any parish, &c. shall not return such list of names when made, and such duplicate thereof, and give such notice, and serve such warrant, as in this act directed; or if such constable, &c. and surveyor, neglect to return such account of the amount of such assessment, when required, every constable, headborough, tythingman, churchwarden or surveyor shall forfeit 40*s.*, 13 *G.*3. *c.*78. *s.*1.

6. Where such justices, upon neglect or refusal of the person nominated surveyor to accept the office, shall appoint any other person for such surveyor, with a salary, such justices shall appoint one substantial inhabitant of such parish for assistant to such surveyor, until the next annual appointment of surveyors according to this act; and if the person appointed assistant shall, upon notice of such appointment, refuse to accept that office, he shall forfeit 50*s.*, and in that case such justices may appoint any other substantial inhabitant for assistant; and if such second appointed assistant shall refuse to accept the office, he shall forfeit 50*s.*; and such justices shall appoint any other person inhabiting in such parish, assistant, who shall be entitled to the forfeitures last mentioned, and also to some further salary (to be paid as the surveyor's) if such justices think it necessary, and order the same; provided no person appointed assistant for one year shall be liable to be appointed assistant for the same parish, &c. within 3 years next following such first appointment, without his consent, *id. s.*2.

7. The surveyor of every parish, who shall not reside therein, but is appointed with such salary, shall, if required by the churchwarden, overseer, or any principal inhabitant, at the time of his appointment, or within 14 days after, give a bond without stamp to some proper person within such parish, &c., nominated by such justices, with sufficient surety, to account for the money which shall come into his hands as surveyor, which bond is good in law, *id. s.*3.

8. The assistant so appointed shall, to the best of his skill, assist the surveyor, whenever requested by him, in calling in and attending the performance of the statute duty; in collecting the compositions, fines, penalties, and forfeitures; in making and collecting the assessments; in making out and serving the notices authorized by this act; and in such other matters as are required of him by the surveyor: and such assistant shall account with, and pay to such surveyor, according to this act, all money which shall come into his hands as assistant; and in default he shall forfeit double the value of the money received, and not paid and accounted for; if assistant shall wilfully neglect the performance of any of the duty required from him by this act, he shall forfeit from 40*s.* to *5l.*, at the discretion of the justices of the limit within which such assistant is appointed; and such surveyor shall send orders, in writing, upon the assistant, for payment of all sums due to any person for work or materials which amount to 40*s.*; and such surveyor shall not be responsible for any money received by the assistant and not actually paid to him or his order, *id. s.*4.

9. If two parts out of three of those assembled in such parish, &c. for nomination of surveyors, as in *s.*1., shall agree in the choice of any particular person of skill to serve the office of surveyor, and in the settling of a certain salary for his trouble therein, and shall return the name of such person, together with the list in *s.*1. directed, to the justices at such sessions to be held in the week next after the *Michaelmas* quarter sessions, then such justices, if they think proper, may appoint such person surveyor for such parish, &c., and allow him the salary mentioned in such agreement, which shall be raised and paid as the salary in *s.*1. mentioned: and in case any surveyor appointed under this act shall die, or become incapable of executing that office before such next special sessions for appointing surveyors, such justices, or 2 of them, shall, at some special sessions, appoint such person as they think proper, to execute the office until such next sessions; and if such deceased surveyor had a salary, they may allow the same to his successor; and if the justices at their special sessions, or at any time afterwards, pursuant to this act, shall appoint more than one person for surveyor, all persons so appointed shall be comprehended under the word *surveyor* in every part of this act, 13 *G.*3. *c.*78. *s.*5.

10. No tree, bush, or shrub, shall stand in any highways, within 15 feet from the centre thereof (except for ornament or shelter to the house, building, or court-yard of the owner thereof), or hereafter be planted within such distance; but the same shall be cut down, grubbed up, and carried away by the owner or occupier of the land, within 10 days after notice to him or his agent, given by the surveyors, on pain of forfeiting for every neglect 10*s.*, *id. s.*6.

11. The possessors of land next adjoining to every highway shall cut, prune, and plash their hedges, and also cut down, or prune and lop the trees growing in or near such hedges (except trees planted for ornament or shelter, as in *s.*6.) that the highways shall not be prejudiced by the shade, and that the sun and wind may not be excluded from such highway; and if such possessor shall not, within 10 days after notice given by the surveyor, cut, &c. such hedges, and cut down, &c. such trees, such surveyor may make complaint thereof to some justice, who shall summon the possessor to appear before the special sessions; and if it appear at such sessions that such possessor had not complied with this act, such justices, upon hearing the surveyor and the possessor or his agent (or in default of his appearance, upon having due proof of the service of such summons), and considering the circumstances, may order such hedges to be cut, &c. and such trees to be cut down or pruned in such manner as may best answer such purposes; and if the possessor shall not obey such order within 10 days after made, and he have had due notice thereof, he shall forfeit 2*s.* for every 24 feet in length of such hedge which shall be neglected to be cut and plashed, and 2*s.* for every tree neglected to be cut down or pruned; and the surveyor shall cut, prune, and plash such hedges, and cut down or prune and lop such trees, as directed by such order; and such possessor shall be charged with, and pay, besides such penalties, the charges of doing the same; or, in default thereof, such charges and expences shall be levied, together with such forfeitures, upon his goods by warrant from a justice, in like manner as forfeitures (*s.* 72. *pl.* 76.) incurred by this act, *id. s.*7.

12. Ditches, drains, or watercourses, of a sufficient depth and breadth, for keeping all highways dry, and conveying the water from the same, shall be made, scoured, cleansed, and kept open, and sufficient trunks, tunnels, plats, or bridges made where any cartways, horseways, or footways, lead out of such highways into the land adjoining thereto, by the occupier of such lands; and every person who shall occupy any lands adjoining to such highway through which the water hath used to pass from such highway, shall open, cleanse, and scour the ditches, &c. for such water to pass without obstruction; and every person making default in any such matters, after 10 days' notice given by the surveyor, shall forfeit 10*s.*, *id. s.*8.

13. If any person lay in any highway any stone, timber, straw, dung, or other matter, or in making, scouring, or cleansing the ditches, &c. shall permit the soil dug out of such ditches, to remain in such highway, so as to obstruct or prejudice the same for 5 days after notice thereof given by the surveyor, such person shall forfeit 10*s.*, *id. s.*9.

14. If any stone or timber, or any hay, straw, stubble, or other matter for making manure, or on any other pretence whatsoever, not tolerated by this act, is laid in any highway, within 15 feet from the centre thereof, and shall not, within 5 days after notice given by the surveyor or some person aggrieved thereby, be removed, the owner or possessor of the lands adjacent, or any other person by order of some justice may clear such highways, by removing the stone, &c. and to take and dispose of the same to his own use, *id. s.*10.

15. If any person shall wilfully place or leave any waggon, cart, or carriage, or any plough or instrument of husbandry, in any of such highways (except only during loading or unloading, and standing as near the side of such highway as may be), so as to interrupt the free passage of any other carriage, such person shall forfeit 10*s.*, *id. s.*11.

16. The surveyors appointed under this act shall view all common highways, trunks, tunnels, plats, hedges, ditches, banks, bridges, causeways, and pavements, within the parish, &c. for which they are appointed;

and in case they observe any nuisances, incroachments, obstructions, or annoyances contrary to this act, they shall give to any person doing the same personal notice, or notice in writing, to be left at his abode, specifying the particulars wherein such nuisances, &c. consist; and if such nuisances, &c. shall not be removed, and the ditches, drains, gutters, and watercourses effectually made, scoured, cleansed, and opened, and such trunks, funnels, plats, and bridges made and laid, and such hedges properly cut and pruned, within 20 days after notice, then the surveyors may remove such nuisances, &c. and open, cleanse, and scour such ditches, &c. and make or amend such trunks, &c., and cut and prune such hedges for the benefit of such highways; and the person neglecting to make, or open and cleanse such ditches, &c. or to cut or prune such hedges after such notice, shall forfeit for every foot in length neglected, 1*d.*; and such surveyors shall be reimbursed what charges and expences they shall be at in removing such nuisances, &c. and making or opening, cleansing, and scouring such ditches, &c. and in making or amending such trunks, &c. and in cutting and pruning such hedges, by the person who ought to have done the same, over such forfeiture; and in case such person shall, upon demand, neglect to pay the surveyor his charges and expences, and also the forfeiture of 1*d. per* foot, then such surveyor shall apply to any justice; and upon making oath before him of notice being given to the defaulter, and of such work being done by such surveyor, and of the expences attending the same, such surveyor shall be repaid by such person all his charges as shall be allowed to be reasonable by such justice; or, in default of payment thereof on demand, the same shall be levied as the penalties are under this act, 13 *G.* 3. *c.* 78. *s.* 12.

17. No person shall be compelled, nor any surveyor permitted, to cut or prune any hedge, other than between the last day of *Sept.* and the last day of *Mar.*; and nothing herein shall oblige any person to fell any timber-trees growing in hedges at any time whatsoever, except where the highways shall be ordered to be enlarged, or to cut down or grub up any oak-trees, growing within such highway, or in such hedges, except in *April*, *May*, or *June*, or any ash, elm, or other trees, other than in *Dec.*, *Jan.*, *Feb.*, or *Mar.*, *id. s.* 13.

18. Where the ditches, gutters, or water-courses, which have been usually made, or which are in *s.* 8. directed to be made, cleansed, and kept open, shall not be sufficient to carry off the water which shall lie in and annoy the highways; such surveyors, by the order of one justice, may make new ditches, &c. in and through the lands adjoining such highways, or any other lands, if necessary, for effectually carrying off such water, and also may keep such ditches, &c. scoured, cleansed, and opened; and such surveyors and their workmen, may go upon such lands: provided, such surveyors make proper trunks, tunnels, plats, bridges, or arches over such ditches, &c. where necessary, for the enjoyment of the lands, through which same made, and keep the same in repair; and do also make satisfaction to the owner or occupier of such lands not waste or common, for the damages which they sustain thereby; to be settled and paid as damages for getting materials in inclosed lands are by *s.* 29. *pl.* 33. directed to be settled, *id. s.* 14.

19. Such surveyors shall make and maintain every public cartway leading to any market-town, 20 feet wide; and every public horseway or driftway, 8 feet wide, if the ground between the fences inclosing the same will admit thereof, *id. s.* 15.

20. Where it appears on the view of 2 justices, that the ground or soil of any highway between the fences, is not of sufficient breadth, and may be widened, or that the same cannot be conveniently enlarged, and made commodious for travellers, without turning the same, such justices shall, within their jurisdictions, order such highways to be widened, or turned, as they think fit, so that such highways, when enlarged and diverted, shall not exceed 50 feet in breadth; and that neither of such powers do extend to pull down any building, or to take away the ground of any garden, park, paddock, court, or yard; and for the satisfaction of the persons, bodies, &c. who are seised, or interested in their own right, or in trust for any person in such ground laid into the highway so to be enlarged, or through which such highway, so to be turned, shall go, such surveyor, with the approbation of such justices, shall make an agreement with them, for the recompence to be paid for such ground, and for the making such new ditches and fences, according to their several interests therein, and also with any other persons that may be injured by the enlarging, or diverting such highways, for the satisfaction to be made to them; and if such surveyor, with the approbation of such justices, cannot agree with such persons, or they cannot be found, or shall refuse to treat, or take such recompence as is offered by such surveyor; then the justices at any general quarter sessions for the limits, upon certificate in writing, signed by the justices making such view, of their proceedings, and upon proof of 14 days notice in writing, having been given by the surveyor to the owner, occupier, or other person, or bodies, interested in such ground, or to his guardian, trustee, clerk, or agent, signifying an intention to apply to such sessions for taking such ground, shall impanel a jury of 12 out of persons returned to serve as jurymen at such quarter sessions; and such jury shall, upon their oaths, assess the damages to be given, and recompence to be made to such owners, &c. as they think reasonable, not exceeding 40 years purchase, and likewise such recompence as they think reasonable, for making of new ditches and fences on the side of such highways, enlarged or diverted, and also satisfaction to any person that may be otherwise injured by the enlarging or diverting such highways; and, upon payment or tender of the money awarded to the person or bodies intitled to receive the same, or leaving it with the clerk of the peace of such limit in case such person cannot be found, or shall refuse to accept the same, for the use of the owner, or others interested in such ground, the interest of such person in such ground shall be divested out of them, and such ground, after such agreement or verdict, shall be taken to be a public highway; saving to the owner all mines, minerals, and fossils, lying under the same, which can be got without breaking the surface of the highway; and also all timber and wood growing upon such ground, to be fallen and taken by such owner within one month after such order has been made, or in default thereof, to be fallen by such surveyor, within such months aforesaid, [*see pl.* 17.] and laid upon the land adjoining, for the benefit of the owner, and where there is not sufficient money in the hands of such surveyor, for the purposes aforesaid, then such 2 justices, in case of agreement, or such quarter sessions, after verdict, shall order an equal assessment to be made, and collected upon all occupiers of lands, &c. in the parishes, &c. where such highways shall lie, and shall direct the money to be paid to the person so interested, in such manner as such justices or quarter sessions shall direct: and the money raised shall be employed and accounted for, according to the order of such justices, or quarter sessions, for purchasing the land to enlarge or divert such highways, and for making such ditches and fences, and also satisfaction for the damages sustained thereby; and such assessment, if not paid within 10 days after demand, shall, by order of such justices, or quarter sessions, be levied by such surveyor, as in *s.* 67. *pl.* 71. mentioned; but no such assessment in one year shall exceed 6*d.* in the pound of the yearly value of the lands, &c. assessed, 13 *G.* 3. *c.* 78. *s.* 16.

21. When such new highways shall be made, the old highway shall be stopped up, and the land thereof shall be sold by such surveyor, with the approbation of such justices, to some person whose lands adjoin, if he be willing to purchase, or if not, to some other person, for the full value: but if such old road shall lead to any lands, &c. which cannot in the opinion of such justices be accommodated with a convenient way from such new highway; then the old highway shall only be sold subject to the right of way to such lands, &c. and the money arising from such sale, shall be applied towards the purchase of the land where such new highway shall be made, and upon payment or tender of the money, and upon a certificate being signed by such 2 justices, or by the chairman of the quarter sessions, describing the lands sold, and expressing the sum agreed for, and directing to whom the same shall be paid, and upon the purchaser's taking a receipt for such purchase-money from the person entitled to receive the same, by an indorsement on the back of such certificate, the soil of such old highway shall become vested in such purchaser and his heirs; but all mines, minerals and fossils, lying under the same, shall continue to be the property of the person who would have been entitled to the same, if such old highway had continued there, *id. s.* 17.

22. In case such jury shall deliver a verdict for more monies, as a recompence for such lands or for the making such fence, or for such damage, as in *s.* 16., than what was offered by such surveyor, before application to the quarter sessions, then the costs shall be borne by the surveyor out of the monies in his hands, or shall be assessed by this act; but if such jury shall give a verdict for no more, or for less monies than so offered, then such costs shall be paid by the person who refuses to accept the recompence so offered him, *id. s.* 18.

23. Certain regulations as to turning and diverting highways, 13 *G.* 3. *c.* 78. *s.* 19. are Rep. 55 *G.* 3. *c.* 68. *s.* 1. (*see the provisions in lieu thereof, post, pl.* 89.) and where any highway, &c. hath been diverted above 12 months, either from necessity, where the same was destroyed by floods, or slips of the ground on which made, or from other causes, if new highways, &c. have been made in lieu thereof, more commodious, and the same have been acquiesced in, and no suit hath been commenced for diverting the same, every new highway, &c. set out and used in the place of that diverted, shall from henceforth be a public highway, &c. and all persons liable to repair any such old highways, &c. so diverted, or to be diverted, shall continue liable to the repair of such new highways, &c. except where any agreement has been made relative to such repairs, between the parties interested therein, which hath laid the burthen thereof upon any other person, *id. s.* 19.

24. No common land, lying between the fences of any old highway to be stopped up or inclosed shall be inclosed; and where the land lying between the fences of such highway, not being common land, shall, upon a medium, exceed 30 feet, and not extend to 50 feet in breadth,

the same shall not be stopped up or inclosed, until satisfaction shall be made to the owner of such land, for so much thereof as shall exceed the breadth of 30 feet; and if the parties cannot agree as to satisfaction to be made, the same shall be adjusted by such justices, or by the jury, if a jury is impannelled; if the land between such fences, not being common land shall exceed 30 feet in breadth, or if the old road diverted shall lie through the open field or ground belonging to any particular person, such person, and also the person intitled to the land between such fences, shall hold the land of such old highway, and pay to the surveyors for the use of the highways, so much money as shall be agreed upon between the parties; or if they cannot agree, so much as shall be adjudged by such justices or jury, if impannelled, to be adequate to the purchase of it, estimating such highway at 30 feet in breadth, upon an average, 13 *G.*3. *c.*78. *s.*20.

25. Where any footway shall be diverted under this act through the land belonging to the same person who owned the land through which such old footway lay, the same shall be adjudged an exchange only, and no satisfaction shall be made, unless the new footway shall be of greater length or value than the old footway; and where such footway shall not be turned through the lands belonging to the same person, the damage occasioned by such old footway to the lands through which it lay, if the parties interested shall not agree, shall be adjudged by two persons, the one to be named by the owner, and the other by the two justices; and if the persons so nominated cannot agree, they shall chuse some third person to adjudge the same, whose determination shall be final; and the money for which such damages assessed shall be applied in making satisfaction to the owner, *id. s.* 21.

26. If in any parish, &c. where any highway is diverted under this act, it appears to the justices who are, by *s.*16. *pl.*20., to view the same, that there are other highways within such parish, &c. besides that to be diverted, which may, without inconvenience to the public, be diverted into such new highway, or any other highway, and the charge of repairing such highway may be thereby saved to such parish, &c. such justices may order such highway, which so appears unnecessary, to be stopped up, and the soil sold, in such manner, and subject to such restrictions, and such appeal, [*see as to this* appeal, 55 *G.*3. *c.*68. *s.*3. *pl.* 90.] to the party aggrieved, as in *s.*19. *pl.*23. is directed, concerning highways to be stopped up or inclosed, *id. s.*22.

27. Every surveyor shall give information upon oath to such justices, or two of them, of all highways, and of all bridges, causeways, or pavements upon such highways, as are out of repair, and ought to be repaired, by reason of any grant or tenure or otherwise, and such justices shall limit a time for repairing the same, of which notice shall be given by such surveyor to the occupiers of the lands liable to such repairs, or to such persons as are chargeable with the same; and if such repairs shall not be made within the time limited, such justices shall present such highways, &c. so out of repair, together with the persons liable to repair the same, at the next general quarter sessions, for such limit, and such sessions may, if they see cause, direct the prosecution to be carried on at the general expence of such limit, and to be paid out of the general rates within the same, *id. s.*23.

28. Every justice of assize, justices of counties palatine of *Chester*, *Lancaster* and *Durham*, and of great sessions in *Wales*, shall have authority upon their own view, and every justice of the peace, either upon his own view or upon information upon oath to him given by any surveyor, to make presentment at their assizes or great sessions, or in the open quarter sessions, of any highway, causeway or bridge not repaired, or of any other default or offence contrary to this statute, and all defects in the repair thereof shall be presented in such jurisdiction where the same do lie, and not elsewhere; and no such presentment nor indictment shall be removed by *certiorari* out of such jurisdiction till traversed and judgment thereupon given, except where the obligation of repairing such highways, &c. may come in question; and such presentment so made by such justice of assize, &c. shall be as good as if the same had been presented and found by the oaths of twelve men; and for every default or offence so presented, such justices of assize, &c. shall have authority to assess such fines as by them shall be thought meet (saving to every person affected by such presentment his lawful traverse to the same, as well with respect to the fact of non-repair as to the obligation of repairing, as upon any indictment found by a grand jury); and the justices at their general quarter sessions may, if they see cause, direct the prosecutions upon such presentments as shall be made at the quarter sessions to be carried on at the general expence of such limit, and to be paid out of the general rates, *id. s.*24.

29. The justices at any special sessions held under this act may, by writing under their hands and seals, order those highways (not being turnpike roads) which, in their opinion, do most want repair within their jurisdiction to be first amended, and how and when; according to which order, if such there be, all surveyors shall proceed within their liberties, *id. s.*25.

30. The justices at special sessions shall issue their precept to the surveyor for any parish, &c. where several highways meet, and no direction-post is made, requiring him to cause to be erected at the spot where such highways meet, a stone or post, with inscriptions thereon, in large letters painted on each side thereof, containing the name of the next market town, or other place to which such highways lead; and also at the several approaches to such parts of any highways as are subject to deep or dangerous floods, graduated stones or posts denoting the depth of water in the deepest part, and likewise such direction posts or stones as such justices shall judge necessary for guiding travellers in the best track through the floods; and the surveyor shall be reimbursed the expences of providing the same out of the monies received by him pursuant to this act; and in case any surveyor shall, 3 months after such precept, neglect or refuse to cause such stones or posts to be fixed, such offender shall forfeit 20*s.*, 13 *G.*3. *c.*78. *s.*26.

31. Every surveyor may cause to be taken so much of the rubbish or refuse stones of any quarry lying within the parish, &c. where he is surveyor (except such as shall have been got by the surveyor of any turnpike road) without the licence of the owners of such quarries for the amendment of such highways, but not to dig stone in such quarry without leave of the owner; and such surveyor may also for such use in any waste or common ground, river or brook within such parish, &c. or within any other parish, &c. wherein gravel, sand, chalk, stone or other materials are likely to be found (in case sufficient cannot be had within such parish, &c. and sufficient is left for the use of the roads in such other parish, &c. search for, dig, get, and carry away the same, so that such surveyor doth not thereby divert or interrupt the course of such river or brook, or prejudice any building, highway or ford, nor dig or get the same out of any river or brook within 100 feet above or below any bridge, nor within like distance of any dam or wear, and gather stones lying upon any lands within the parish, &c. where such highway shall be for such purpose, and may take away so much of such materials as such surveyor shall think necessary to be employed in the amendment of such highways, without making any satisfaction for such materials; but satisfaction shall be made for all damages done to the lands of any person by carrying away the same, as in *s.*29. directed for getting materials in inclosed lands; but no such stones shall be gathered without the consent of the occupier of such lands, or a licence from a justice, after having summoned such occupier to come before him, and heard his reasons, if he appear and give any, for refusing his consent, *id. s.*27.

32. Nothing in this act relative to the getting of stones, shall extend to any land (private property) covered with stones thrown up by the sea, commonly called *beach*, *id. s.*28.

33. Such surveyor may search for, dig and get sand, gravel, chalk, stone or other materials, if sufficient cannot be had within such waste lands, common grounds, rivers or brooks, in and through any inclosed lands of any person whomsoever within the parish, &c. where the same is wanted, or by licence from two justices at a special sessions within any other parish, &c. lying near to the highway for which such materials are required, if it appear to such justices that sufficient materials cannot be had in the parish where such highways lie, or in the waste lands or common grounds, rivers or brooks of such adjacent parish, and that a sufficient quantity of materials will be left for the use of the parish where the same shall be (such lands not being a garden, yard, avenue to a house, lawn, park, paddock or inclosed plantation), and may take away so much of such materials as such surveyor shall think necessary to be employed in amendment of such highways; such surveyor making such satisfaction for the damage to be done to such lands by the getting away the same, as shall be agreed upon between him and the owner, occupier or person interested, in the presence and with the approbation of two inhabitants of such parish, &c., and in case they cannot agree, then such satisfaction shall be ascertained by order of one justice of the limit where such land shall lie; and in such places, where, from the want of other materials, burnt clay may be substituted in the place thereof, surveyor may dig clay in such places as he is hereby authorized to dig chalk or gravel, and may dry the same upon the lands adjoining, and burn the same upon any waste lands or common grounds, and carry such clay as other materials are allowed to be carried by this act, upon making such satisfaction for the damages within the inclosed lands where such clay is placed or carried, as in *s.*27. directed with regard to other materials; but when the owner of such inclosed lands shall have occasion for such materials lying within the same for the repair of any highway, or other roads upon his estate, or which he shall be under obligation to repair, and shall give notice to such surveyor that he apprehends there will not be sufficient for those purposes, and also for the use of the public highways; then the surveyor shall not dig or take such materials without the consent of such owner, or an order of two justices, after their having summoned and heard the owner or occupier, or his agent; which justices shall enquire into the nature of the case, and may permit or restrain such power as to them shall seem just, *id. s.*29.

34. "As in some parishes there may not be materials for the repair of the highways within the same, nor within the waste lands, rivers, &c.

of any other parish lying near, by reason whereof the surveyor may be forced to buy materials, and to make recompence for damage done by getting thereof; and as no provision is made for raising a fund to reimburse the expences thereof, and also such expences as such surveyors may incur by erecting guide posts, &c., and by making or repairing such trunks, tunnels, plats, bridges or arches, and by rendering satisfaction for damages done to lands by making of new ditches or drains, nor for the salary to be paid by such parish to such surveyor;" it is enacted, that upon application by such surveyor to the justices at their special sessions, and oath made of the money which he hath *bonâ fide* laid out, or which will be required for such purposes, the justices, or two of them, shall, by warrant under their hands and seals, cause an assessment to be made upon all occupiers of tithes, lands, woods and hereditaments within such parish, &c. and the same shall be collected by such persons, and allowed in such manner as the justices by their order at sessions shall direct; and the money raised shall be employed and accounted for according to the direction of such justices, and such assessment shall be levied as in *s.* 67. *pl.* 71. mentioned; but no such assessment in one year shall exceed 6*d.* in the pound of the yearly value of the lands, &c. assessed, 13 *G.* 3. *c.* 78. *s.* 30.

35. If any surveyor, or person employed by him, shall, by reason of searching for, digging or getting any materials for repairing any highways, make any pit or hole in such lands, rivers or brooks, such surveyor or persons shall forthwith cause the same to be fenced off, and such fence to be supported and repaired during such time as such pit shall continue open, and shall, within 3 days after such pit shall be opened, where no materials shall be found, cause the same to be forthwith filled up, levelled and covered with the turf dug out of the same; and where any such materials shall be found within 14 days after having dug up sufficient materials in such pit, shall cause the same to be filled up, sloped down or fenced off, and so continued; and every surveyor shall, within 20 days after appointed to that office, cause all such pits then open, and not likely to be further useful, to be filled up or sloped down, and if likely to be further useful he shall secure the same by posts and rails, or other fences, to prevent accidents to persons or cattle; and in case such surveyor or persons shall neglect to fill up, slope down or fence off such pit, they shall forfeit 10*s.*; and in case such surveyor or persons shall neglect to fence off such pit, or to slope down the same as before directed, for six days after he has received notice for either of those purposes from any justice, or from the owner or occupier of such several ground, river or brook, or any person having right of common within such common or waste lands, and such neglect and notice shall be proved upon oath before one justice, such surveyor or persons shall forfeit any sum not less than 40*s.* nor exceeding 10*l.*, to be determined by such justice, and to be laid out in fencing off, filling up or sloping down such pit, and toward the repair of the roads in the parish, &c. wherein the offence was committed, as the justice shall direct, which forfeiture, in case not paid, shall be levied as other forfeitures as in *s.* 72. *pl.* 76. directed, *id. s.* 31.

36. No materials dug for the use of any other parish than that wherein the same are found, shall be removed from where dug, other than between 1*st April* and 1*st Nov.* or in the time of hard frost in the winter, *id. s.* 32.

37. If any person shall dig, or cause to be dug, materials for the highways contrary to this act, whereby any bridge, mill, building, dam, highway, ford, mines or tin-works may be damaged or endangered; every offender therein shall forfeit any sum not less than 20*s.*, nor exceeding 5*l.*, at the discretion of the court or justices before whom complaint is made, *id. s.* 33.

38. Certain regulations with regard to the performance of statute duty, 13 *G.* 3. *c.* 78. *s.* 34, 35. 38, 39., all Rep. 34 *G.* 3. *c.* 74. *s.* 1. [*See* other provisions in lieu thereof, *post*, *pl.* 103—110.]

39. The surveyor, where the employment for teams is of such sort that two horses will be sufficient for one cart, or where a stand cart with one horse will be necessary, may call upon any person liable to send a team, draught, or plough, who keeps carts, and 3 horses, to send such carts, or horses, to perform his statute-duty, as the surveyor shall direct, and the surveyor shall allow every stand cart and one horse as half a team, and every cart and 2 horses as two-thirds; and if a waggon shall be found necessary, the surveyor may require the duty, or part thereof, to be performed with such waggon, by any person who keeps one; which directions shall be observed, or the person liable to perform duty shall forfeit such sum as the duty so required of him shall bear, in proportion to the forfeiture inflicted for every neglect in performing duty with a team, &c. 13 *G.* 3. *c.* 78. *s.* 36.

40. Such surveyor shall give to, or cause to be left at the abode of every person liable to perform such duty, four days' notice at least of the day, hour, and place, upon which each of such day's duty shall be to be performed; and every person making default in finding and sending each wain, cart, or carriage, furnished as aforesaid, and such men with the same, as herein required, or in performing such duty in manner by this act directed, shall, for every default in sending such wain, &c. with such men, forfeit 10*s.*; and for every default in sending every cart with one horse and one man, 3*s.*; and for not sending every cart with two horses and one man, 5*s.*; and every person making default in sending such labourer, and in performing such labour at the time and place, and in manner directed by this act, or in paying such composition-money, shall, for every such neglect, forfeit 1*s.* 6*d.*; all which forfeitures shall be applied for the use of the highways within the parish, &c. where the same shall arise; and such surveyor shall equally demand such duty from every person liable, without favour; and if in any parish it shall not be necessary to call forth the whole duty in any year, it shall be abated in equal proportions amongst all persons liable; and the surveyor may, with all speed, after default made in performance of such duty, proceed for the recovery of the penalties, as in *s.* 72. *pl.* 76., so that the same may be recovered before he makes up his accounts, 13 *G.* 3. *c.* 78. *s.* 37.

41. If any person who shall keep a team, and not occupy lands, &c. of 30*l. per annum*, in lands, &c. in the parish, &c. where he resides, but shall in part maintain his horses and beasts of draught used in such team upon lands occupied by him in adjacent parishes, such justices, at some special sessions, may mitigate the duty or composition, as they think just, *id. s.* 40.

42. The surveyor of every parish shall, on some *Sunday* in *Nov.*, in every year, cause ten days' notice at least to be given in the church or chapel, and if no church or chapel, then at the most public place there, and shall repeat the like notice in such church, &c. on the next succeeding *Sunday*, of the time and place when and where the persons permitted, and inclined to compound, may signify to such surveyor their intention to compound; and all persons signifying the same, who shall then, or within one calendar month after, pay to such surveyor the composition, shall be discharged from the performance of such duty, which composition shall be employed by the surveyor for the use of the highways; and no composition shall be permitted, unless paid at the day, or within the time aforesaid; but where the occupation of any lands, &c. shall be changed, or any new inhabitant shall come to reside in such parish, &c. after the time appointed for such composition, then the persons occupying such lands, &c. or so residing in such parish, &c. shall be allowed to compound, as in *s.* 38. (now Rep., see *pl.* 38.): provided they pay the composition-money to the surveyor within 14 days after they enter upon such lands, &c. or come to reside in such parish, &c.; and every tenant of lands, &c. who intends to quit the possession thereof within six calendar months from the time fixed for making such composition, may compound for half the duty, and the succeeding tenant may compound or perform duty in kind for the other half; and if the surveyor shall receive from any person a composition for more duty than shall be required from the other inhabitants within the same parish, for the same year, he shall repay such extraordinary composition to such persons, so as to bring the duty to an equality amongst all such inhabitants, *id. s.* 41. [*Qu. whether s.* 36, 37. 40, 41. are not Rep. by 34 *G.* 3. *c.* 74. *pl.* 103—107., &c.]

43. In every parish, &c. where any person shall keep a draught or plough, and no carriage, he shall pay to the surveyor 1*s.* for every horse, or pair of oxen or neat cattle, used in such draught, for every day's statute-duty on the day such duty is to be performed, or pay according to the rate aforesaid for the lands, &c. which he shall occupy in such parish, at the option of the surveyor, *id. s.* 42.

44. The inhabitants of every parish, &c. at some vestry, or public meeting held under this act, may appoint 5 months in every year, within which no statute-duty shall be performed; *viz.* one month in the spring, called *the seed month*; one month in summer, for the hay harvest; and one other month in the summer, for corn harvest: provided notice in writing be given of the times appointed to the surveyor of such parish, &c. and also to the surveyor of every turnpike road within the same, within 3 days after such meeting, and 14 days before the beginning of each of such months, *id. s.* 43.

45. "As by several acts (*see* 3 *G.* 3. *c.* 84.) concerning turnpike roads, part of the statute-duty may be directed to be performed on such roads, and in some places, persons liable thereto may have compounded for the same;" it is Enacted, that in such cases, the surveyor of the highways of the parish, &c. where such composition shall have been made, shall pay to the treasurer or surveyor of such turnpike roads a certain part of the composition-money so received, to be proportioned according to the number of days' duty which such persons were liable to perform on such turnpike road; which money shall be laid out on such part of the turnpike road as lies within the parish, &c. from which it was received; and if such surveyor of the highways shall neglect to pay to the treasurer or surveyor of such turnpike road such part of such composition-money received by him, within 20 days after he has received the same, upon demand made by such treasurer or surveyor, the same shall be levied upon the goods of such surveyor, as penalties are by *s.* 72. *pl.* 76. to be levied, *id. s.* 44.

46. If upon application of the surveyor of the highways for any parish, &c. to the justices for the limit wherein such parish, &c. lieth,

at their quarter sessions, or at some special sessions for the highways, such justices shall be satisfied, by oath, that the duty hereby authorized to be performed, and the money to be collected, has been performed, applied, and expended, according to this act, or shall be satisfied that the common highways, bridges, causeways, streets, or pavements, belonging to such parish, &c. are so far out of order that they cannot be sufficiently amended, paved, cleansed, and supported, by the means before prescribed, notice being first given of such intended application at the church or chapel of such parish, &c. on some *Sunday* preceding such quarter or special sessions; (or if the place be extra-parochial, a notice, in writing being first given to some of the principal inhabitants residing in such extra-parochial place, a week before such sessions); then an equal assessment upon all occupiers of lands, &c. as in *s.* 30. *pl.* 34. within such parish, &c. shall be made and collected by such persons, and allowed in such manner, as such justices, by their order, at such sessions, shall direct; and the money thereby raised shall be employed and accounted for, according to the orders of such justices, towards amending, paving, cleansing and supporting such highways, causeways, streets, pavements and bridges, 13 *G.* 3. *c.* 78. *s.* 45.

47. If on application of the surveyor of highways for any parish, township, or place, to the justices at quarter sessions, or at any special sessions for highways, such justices are satisfied that the common highways, bridges, causeways, streets, or pavements belonging to such parish, &c. are so far out of order that they cannot be amended by means of 13 *G.* 3. *c.* 78. and by the assessment thereby (*s.* 30. & 45.) authorized to be made, such justices may order an additional assessment to be made on such parish, &c. which shall be levied and collected by the same means as is directed for levying and collecting assessments, under *s.* 67. of such act, and upon same persons as are therein declared to be liable to the same, 54 *G.* 3. *c.* 109. *s.* 1.

48. Notice of such intended application shall be first proved upon oath of such surveyor to have been given at church or chapel on 2 *Sundays* preceding such sessions, or in places where there are no churches or chapels, to have been stuck up in 2 conspicuous places within such places, for one week previous to such sessions, or in extra-parochial places to have been given in writing to some of the principal inhabitants thereof one week previous to such sessions, in order that persons interested may attend and state objections to such assessment, *id. s.* 2.

49. The assessment herein authorized shall not exceed 1*s.* 9*d.* in the pound on the actual value at the time of making such additional assessment, *id. s.* 3.

50. The assessment last authorized, and that in *s.* 30. *pl.* 34. authorized, for buying materials, making satisfaction for damages, erecting guide-posts, and paying surveyor's salary shall not together in one year exceed 9*d.* in the pound of the yearly value of the lands, &c. as in *s.* 30. *pl.* 34. assessed, 13 *G.* 3. *c.* 78. *s.* 46.

51. No fine, issue, penalty, or forfeiture for not repairing highways, or not appearing to any indictment or presentment for not repairing, shall be returned into exchequer, or other court, but shall be levied by and paid to such person residing in or near the parish, &c. where a road lies, &c. as the court shall order, to be applied towards repair of such highways; and persons so ordered to receive such fine shall receive, apply, and account for the same, according to the direction of such court, or in default thereof, forfeit double the sum received; and if any fine, &c. to be imposed on any such parish, &c. for not repairing the highways, or not appearing, shall be levied on one or more inhabitants of such parish, &c. such inhabitants may make complaint to the justices at special sessions; and such justices shall, by warrant under their hands and seals, cause a rate to be made, as last before prescribed, (*s.* 30. *pl.* 34.) for re-imbursing such inhabitants the monies levied on them; which rate so made, and confirmed by 2 justices, shall be collected by the surveyor, who shall, within one month after making and confirming such rate, collect, and pay unto such inhabitants the money levied on them, *id. s.* 47.

52. The surveyor shall collect, or cause to be collected, the assessments, penalties, and compositions, within the year for which he is appointed surveyor, and shall keep books, in which he shall enter a true account of such money as shall come to his, or the hands of his assistant, and to whom, and on what occasion, he applied the same; and shall also enter in such books lists of all sums then due from persons in respect of the payments, assessments, &c. for such highways under this act; and shall also enter an account of all tools, materials, implements, and things provided by order of the inhabitants at a vestry or other public meeting for the repair of such highways, at the public expence of such parish, &c. and shall produce such books, and the assessments made within that year for purposes of this act, unto the inhabitants, at a vestry or other public meeting held within 15 days before the special sessions, so to be held in the week next after *Michaelmas* quarter sessions, that such accounts, assessments, and lists may be inspected by the inhabitants; and such surveyor shall, after such books and assessments produced at such meeting, take same to such justice for limit wherein such parish, &c. doth lie, on such day and hour as shall be agreed upon at such meeting, some day after such meeting of inhabitants, and before such special sessions, and then and there verify such account or part, upon oath, if required; and such justice may allow such account, if he finds it just, or postpone it until such special sessions, if he finds cause for so doing, in which case it may be settled at such special sessions, after the parts objected to by such justice shall have been explained and verified by evidence, to satisfaction of justices at such special sessions; in case any articles in such account shall not be explained and proved to satisfaction of such justices, they may disallow the same; and whenever such account is so allowed, or disallowed, such books and assessments shall be transmitted to the churchwarden or overseer, or if the place be extra-parochial, then to some principal inhabitant, to be kept for the use of such parish, &c.; and such surveyor shall deliver a duplicate of such book and account, together with all money as shall remain in his hands, and likewise all tools, &c. to the succeeding surveyor, in case any new surveyor is appointed, or retain the same in his hands, and account for them in his next account, if he be continued surveyor in the succeeding year; and the succeeding surveyor may recover and receive all money due as aforesaid, by such ways as the preceding surveyor could; and in case such surveyor shall neglect to provide such books, or to enter such accounts and lists therein, or to deliver such books, and duplicate, and such assessments, tools, &c. in manner aforesaid, he shall forfeit from 40*s.* to 5*l.*; and in case he make default in paying or accounting for money remaining in his hands, according to the directions aforesaid, he shall forfeit double the money which shall be adjudged by such justices to be in his hands; and in case any surveyor shall die before such accounts and lists made out, or such monies, books, assessments, tools, &c. shall be delivered and paid, the executors or administrators of such surveyor shall make out, and pay, and deliver the same, in like manner, and under like penalty, as such surveyor is; and every surveyor shall pay to the justices' clerks, for the appointment and charge, 1*s.*; for the bond 6*d.*, and for the account so examined and taken, and for oath administered, 1*s.*; and if any person receive any greater fee, he shall forfeit 10*l.*, 13 *G.* 3. *c.* 78. *s.* 48.

53. In every parish, where a sufficient quantity of materials cannot be provided and carried by the labourers and teams required to perform statute-duty, such surveyor shall contract for getting and carrying thereof (in the presence of such assistant, if appointed), at a meeting held for that purpose, of which 10 days' notice in writing shall be given, by fixing the same upon door of the church or chapel, or if no church or chapel, at the most public place within such parish; which notice shall specify the work to be done, and the time and place for letting thereof; and if any surveyor shall have any share or interest, directly or indirectly, in such contract, or in any other contract for work or materials to be done or provided on account of any highways, roads, bridges, or other works, under his care, or shall, upon his own account, directly or indirectly, let to hire any team, or sell any timber, stone, or other materials to be used in making or repairing such roads, &c. (unless a licence, in writing, for the sale of such materials, or to let to hire such team, be first obtained from some justice within that limit,) he shall forfeit 10*l.*, and be incapable of being employed as a surveyor with a salary, under this act, *id. s.* 49. [NOTE—Section 49 of this act, although inserted in *Pickering*'s and *Runnington*'s is omitted to be numbered in *Raithby*'s edit. It is here restored by changing the number of the section from 50. to 49., and so throughout.]

54. If any surveyor, after acceptance of the office, shall neglect his duty, for which no penalty is imposed, he shall forfeit from 10*s.* to 5*l.*, at the discretion of the justice, *id. s.* 50.

55. Where any lands are given for the maintenance of causeways, pavements, highways, and bridges, such persons who are enfeoffed or trusted with such lands, shall let them to farm at the most improved yearly value, without fine; and the justices in such sessions shall enquire into the value of such lands, and order the improvement and employment of the rents, according to the direction of the donor, if they find the persons entrusted have been negligent (except lands given for the uses aforesaid to either of the universities which have visitors of their own), *id. s.* 51.

56. "As the surveyors are to secure horse and foot causeways, by posts, blocks, or great stones, fixed in the ground, or by banks of earth cast up, or otherwise, from being broken with carriages; and as persons may wantonly pull up, cut down, and remove, or damage such posts, &c. and drive carriages upon such banks and causeways, or against the sides thereof, and also dig or cast down such banks, and such persons may break, damage, or throw down the stones, bricks, or wood, fixed upon the parapets or battlements of bridges, and may pull down, destroy, obliterate, or deface, any mile-stone or post, graduated or direction post or stone, erected upon any highway;" be it enacted, that every person guilty of any such offence, shall, upon complaint thereof made to any justice, by the oath of one witness, or upon view of the justice, forfeit for every offence any sum not less than 10*s.* nor exceeding 5*l.*; and in default of payment thereof shall be committed to the

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house of correction, there to be whipped, and kept to hard labour for any time from 7 days to one calendar month, 13 *G.*3. *c.*78. *s.* 52.

57. The justices of all cities, corporations, boroughs, and other places, are hereby to put in execution this act within their jurisdictions, *id. s.* 53.

58. This act shall not authorize any justice for any city, town corporate, or borough, to fix or allow any salary to any surveyor, except such salary as is settled by 2 parts out of 3 of the persons assembled in the parish, &c. within such city, &c. for which such surveyor is appointed, *id. s.* 54.

59. No waggon, having the bottom of the fellies of the wheels of the breadth of 9 inches, shall be drawn with more than 8 horses; and no cart, having like wheels, with more than 5 horses; and no waggon, having the bottom of the fellies of the breadth of 6 inches, and rolling on each side a surface of 9 inches, with more than 7 horses; and no such waggon rolling a surface of 6 inches only, with more than 6 horses; and no cart, having the bottom of the fellies of the breadth of 6 inches, with more than 4 horses; and no waggon, having the bottom of the fellies of less breadth than 6 inches, with more than 5 horses; and no cart, having the bottom of the fellies of less breadth than 6 inches, with more than 3 horses upon such highways, under these pains; *viz.* the owner of such waggon or cart shall forfeit 5*l.*, and the driver, not being the owner, 10*s.*, for every horse or beast drawing above the number limited, to the sole use of the informer; but carriages moving upon wheels or rollers, of the breadth of 16 inches on each side thereof, with flat surfaces, may be drawn with any number of horses, or other cattle, *id. s.* 55.

60. But no prosecution shall be commenced before a justice for any such forfeiture, unless information be laid within 3 days after the offence committed; and no action shall be commenced but within one calendar month; and neither information or action shall be laid or commenced, unless notice is given by the informer to the driver on the day upon which the offence is committed, of the intention to complain of such offence; and if it appear to the justice that the offender lives so remote as to make it inconvenient to summon him to appear before such justice, such justice may dismiss the complaint, and leave the informer to his remedy by action at law, *id. s.* 56.

61. The justices, at their quarter sessions held in the week after *Michaelmas*, [*see* 55 *G.*3. *c.*68. *s.* 6. *post*, *pl.* 93.], may license in such manner, and for such time as they think fit, an increase of the number of horses to be drawn in carriages up any steep hill, or on any road not turnpike, within their jurisdictions, over the number before limited, if, upon inquiry into the state of such roads, they find it necessary; and at any *Michaelmas* quarter sessions may revoke or vary the same, *id. s.* 57.

62. If it appear upon the oaths of witnesses, to the satisfaction of any justice, or of any court of justice authorized to enforce this act, that any waggon, cart or carriage, could not, by reason of deep snow or ice, be drawn by the number of horses allowed, then such justice or court, may stop all proceedings before them for the recovery of any penalty incurred by drawing with a greater number of horses, &c. than are allowed; provided the regulations, concerning the number of horses and wheels of carriages, shall not extend to carts, waggons or carriages, employed only in carrying one stone, block of marble, cable rope, or piece of metal, or piece of timber, or to such ammunition or artillery as shall be for H. M.'s service; and two oxen or horned cattle, shall be considered as one horse, *id. s.* 58.

63. The owner of every waggon, wain or cart, and also of every coach, post chaise or other carriage, let to hire, shall paint upon some conspicuous part of his waggon, &c., and upon the pannels of the doors of all such coaches, &c. before the same are used upon any public highway, his christian and surname, and the place of his abode, in large letters, and continue the same thereupon so long as such waggon, &c. shall be used upon such highway; and the owner of every common stage waggon or cart, employed as travelling stages from town to town, shall, above his christian and surname, paint on the part, the words *Common Stage Waggon* or *Cart;* and every person using any such carriage without the names and descriptions so painted thereon, or who shall paint any false name or abode on such waggon or other such carriage, shall forfeit from 20*s.* to 5*l.*, *id. s.* 59.

64. If the driver of any cart, car, dray or waggon, shall ride upon such carriage in any street or highway, not having some other person on foot, or on horseback, to guide the same, (such carriages as are conducted by some person holding the reins of the horse excepted); or if the driver of any carriage whatsoever, on any part of any street or highway, shall, by negligence or misbehaviour, cause any damage to any person or carriage passing upon such street, &c., or shall quit the highway, and go on the other side of the hedge or fence inclosing the same; or wilfully be at such distance from such carriage, whilst it shall be passing upon such highway, that he cannot have the direction of the horses drawing the same; or shall, by negligence or misbehaviour, prevent or interrupt the free passage of any other carriage, or person on the highways; or if the driver of any empty waggon, cart or carriage, shall neglect to turn aside for any coach, chariot, chaise, loaded waggon, cart or other loaded carriage; or if any person shall act as the driver, of any such coach, post chaise or carriage, let for hire, or waggon, wain or cart, not having the owner's name, as before required, painted thereon, or shall refuse to discover the true christian and surname of the owner, such driver, convicted of such offences, either by his own confession, the view of a justice, or by the oath of one witness, before any justice for limit where such offence committed, shall, for every offence, forfeit not exceeding 10*s.*, in case such driver shall not be owner; and in case the offender be owner of such carriage, then not exceeding 20*s.*: and in either of such cases, shall, in default of payment, be committed to the house of correction, for not exceeding one month, unless the same be sooner paid; and every driver, offending in either of such cases, shall, by authority of this act, with or without any warrant, be apprehended by any person who shall see such offence committed, and shall be immediately delivered to a constable or peace officer, to be conveyed before some justice: and if such driver, in any such cases, shall refuse to discover his name, the justice of peace before whom taken, or to whom any such complaint is made, may commit him to the house of correction for not exceeding 3 months, or may proceed against him for the penalty, by a description of his person and the offence, and expressing in such proceedings that he refused to discover his name, 13 *G.*3. *c.*78. *s.*60.

65. Two justices, whenever they judge proper, may hold any special sessions, besides that which is in *s.* 1. directed, for executing this act, and adjourn the same, causing notice to be given of the time and place of the holding such special sessions, and of the adjournments to the justices within such limits, by the high constable or other officer, *id. s.* 61.

66. If any persons collecting tolls for passing over any public bridge with carriages or cattle, shall keep any victualling-house, alehouse, or other place of public entertainment, or shall sell, or permit to be sold therein, any wine, beer, ale, cyder, spirituous liquors, or other strong liquors, by retail, he, being convicted by the oath of one witness, or by his own confession, before any justice for limit, shall forfeit 5*l.*, *id. s.* 62.

67. If any person shall encroach, by making any hedge, ditch, or fence, on any highway, not turnpike road, within 15 feet from the middle thereof, or shall plough, harrow, or break up the soil of any land, or in ploughing, or harrowing the adjacent lands, shall turn his plough upon any land within 15 feet from the middle of any highway, where the breadth is formed or described with certainty, and does not exceed in breadth 30 feet, every person so offending shall forfeit 40*s.* to such person who shall make information; and the surveyor may cause such hedge, ditch, or fence to be taken down, or filled up, at the expence of the person to whom the same belongs; and one justice, upon oath, may levy, as well the expences of taking down such hedges, as the penalties hereby imposed, by distress and sale of the offender's goods, in such manner as distresses and sales for forfeitures are to be levied by this act, *id. s.* 63.

68. The court before whom any indictment or presentment is tried for not repairing highways, may award costs to the prosecutor, to be paid by the person indicted, if the defence was frivolous; or may award costs to the person indicted, to be paid by the prosecutor, if such prosecution was vexatious, *id. s.* 64.

69. If the inhabitants of any parish shall agree, at a vestry or public meeting, to prosecute any person by indictment, for not repairing any highway within such parish, &c. which they apprehend such person was obliged to repair, or for committing any nuisance upon any highways, or shall agree to defend any indictment preferred against such parish, the surveyor may charge in his account the expences incurred in carrying on or defending such prosecutions, after the same are allowed by a vestry or a justice for the limit, which expences shall be paid by such parish, &c. out of the fines, forfeitures, compositions, and assessments authorized to be raised hereby, *id. s.* 65.

70. Where a vestry or public meeting of the inhabitants is directed by this act, there shall be public notice given of holding such meeting, at the church or chapel of such parish, on *Sunday* next preceding such meeting, and also notice thereof in writing, specifying the purpose of such meeting, fixed at the same time upon the door of such church or chapel, and the same shall not be held till 3 days after such notice; and if there be no church or chapel, the like notice shall be given in writing and put up at the most public place within the parish; 3 days before such meeting, *id. s.* 66.

71. If any person shall refuse or neglect to pay the sums assessed upon him under this act, within 10 days after demand, the same may be levied by the surveyor, or persons authorized, by warrant under the hand and seal of one justice, by distress and sale of goods of person so neglecting rendering overplus to the owner, after charges of distress and sale deducted, and in default of distress such justice may commit the person refusing to the common gaol, there to remain until he shall have paid the sum assessed, and the costs, *id. s.* 67.

72. The surveyor shall be in all cases a competent witness in all matters relating to this act, *id. s.* 68.

73. The forms of proceedings set forth in the schedule hereto annexed, shall be used upon all occasions; and no objection shall be made

or advantage taken for want of form, 13 *G.*3. *c.*78. *s.*69. [These forms, and those annexed to 34 *G.*3. *c.*64. (see *pl.* 94.), will be found in 2 *Burn's* Justice, by *Chetwynd*, 752—782., and are, therefore, omitted here; and see Appendix, No. IV.]

74. The justices shall, at every special sessions held in the week next after *Michaelmas* quarter sessions, procure and deliver a printed abstract of the most material parts of this act, to every surveyor then appointed, as the charge in *s.* 1. directed to be given, *id. s.*70.

75. In case any person shall resist or make forcible opposition against any person employed in the execution of this act; or make any rescue of the cattle or goods distrained by virtue of this act; or if any constable, headborough, or tythingman shall neglect to execute any warrant granted by any justice under this act, such person convicted thereof by a justice, shall, for such offence, forfeit from 40*s.* to 10*l.*, to be paid to the surveyor, to be laid out in the repair of the highways where offence was done; and in case he do not forthwith pay or secure to be paid such forfeiture, after conviction, then such justice may commit such person to the common gaol or house of correction, for not exceeding 3 months, unless the forfeiture be sooner paid, *id. s.*71.

76. All penalties by this act imposed for any offence against the same, and all costs allowed and ordered by this act, (the levying of which is not otherwise directed,) shall be levied by distress and sale of the goods of the offender, by warrant under the hand and seal of some justice where such offence happens, rendering the overplus to the party, after deducting the charges; which warrant such justice shall grant, upon conviction of the offender by confession or upon the oath of one witness, or upon order made; and the penalties, when levied, shall be paid, the one half to the informer, and the other to the surveyor, to be applied towards the repairs, unless otherwise directed by this act; but in case the surveyor is the informer, then the whole shall be employed towards the repair of the highway; and in case such distress cannot be found, and such penalties, or the costs, are not forthwith paid, such justice, by warrant under his hand and seal, may commit such offender to the common gaol or house of correction for not exceeding 3 months, unless the penalty and charges be sooner paid, and if such offender shall live out of the jurisdiction of the justice hereby authorized to grant such warrant, any justice of the limit wherein such person shall inhabit, upon request, and upon a true copy of the conviction whereby such forfeiture was incurred, and of the order for payment produced and proved by a witness upon oath, by warrant under his hand and seal, may cause the penalty mentioned in such conviction, and the costs, to be levied by distress and sale of the goods of such offender; and if no sufficient distress can be had, may commit such offender to the common gaol, or house of correction, for the time aforesaid, *id. s.*72.

77. No warrant of distress, unless otherwise hereby directed, shall be issued for levying any penalty or charges, until 6 days after the offender shall have been convicted, and an order made and served upon him, for payment thereof, *id. s.*73.

78. Every prosecutor may, at his election, recover any forfeiture which shall amount to 40*s.* (the manner of recovery thereof not being directed by this act), either as in *s.* 72. directed, or by action at law in any court of record, *viz.* where any person shall be liable to any such pecuniary penalty, he may recover same by action of debt, in which it shall be sufficient to declare, that defendant is indebted to plaintiff in a sum of — being forfeited by an act passed in 13 *G.*3. intituled, 'An act to explain, amend, and reduce into one act of parliament, the statutes now in being for the amendment and preservation of the public highways within that part of *G. B.* called *Eng.* and for other purposes;' and the plaintiff, if he recovers, shall have double costs, *id. s.*74.

79. Provided there shall not be more than one recovery for the same offence, and ten days notice in writing be given to the party offending, previous to the commencement of such action, and the same be brought within one calendar month after the offence committed, *id. s.*75.

80. No conviction shall be made unless upon confession, the oath of one witness, or the view of a justice; and any inhabitant of any parish, &c. shall be deemed a competent witness, *id. s.*76.

81. Any justice may administer an oath in matters requiring the same under this act, *id. s.* 77.

82. Where any distress shall be made under this act, the distress itself shall not be deemed unlawful, nor the party a trespasser, on account of any default or want of form in any proceedings, nor shall the party distraining be deemed a trespasser *ab initio*, on account of any irregularity afterwards done by the party distraining, but the person aggrieved may recover damages in an action on the case, *id. s.*78.

83. No plaintiff shall recover in any action for any irregularity, trespass, or wrongful proceedings, if tender of sufficient amends be made before action brought; and in case no tender shall have been made for the defendant before issue joined, he may by leave pay into court such money as he sees fit, and the usual proceedings in like cases shall be adopted, *id. s.*79.

84. Any person aggrieved by any thing done by any justice or other person, in the execution of this act, and for which no relief hath been appointed, may appeal to the quarter sessions for the limit for where the complaint arises, such appellant giving notice in writing of his intention to appeal, and of the matter thereof, to the justice or person against whom such complaint shall be made, within 6 days after the cause arose, and within 4 days after such notice entering into a recognizance before some justice, with one surety conditioned to try such appeal at, and abide the order of, and pay such costs as shall be awarded by said quarter sessions, and every justice, and other person, having received notice of such appeal, shall return all proceedings had before them, touching matters of appeal, to said quarter sessions, on pain of 5*l.*; and such sessions, upon due proof of such notice being given, and of the entering into such recognizance, shall finally determine such appeal in a summary way, and award costs to either party as they think proper; to be levied as in *s.* 72. directed; and the determination of such quarter sessions shall be conclusive; and no proceedings had in pursuance of this act shall be quashed for want of form, or removed by *certiorari* (except as before mentioned) into any court at *Westminster*; provided no such appeal shall be made against any conviction for any penalty, unless the person convicted shall, at the time of conviction, if he be then present, if not, within 6 days after, give notice of his intention to appeal, and at the same time enter into recognizance with sureties to pay such penalty, in case such conviction is affirmed upon appeal; and upon his giving such security, the further proceeding for such penalty shall be suspended until such appeal is determined, 13 *G.*3. *c.*78. *s.*80.

85. Actions for any thing done in pursuance of this act shall be commenced within 3 calendar months after the fact committed, and be brought within the proper county, and the defendant may plead the general issue, and give this act and the special matter in evidence, and that the same was done in pursuance hereof, and if it so appear, or if such action is brought after the time limited, or is laid in the wrong place, the jury shall find for the defendant, or if the plaintiff is nonsuited, discontinues after appearance, or has judgment against him on demurrer, the defendant shall have treble costs, with the usual remedy to recover the same, *id. s.*81.

86. Nothing in this act touching the making and returning lists of persons qualified to be surveyors, and the appointment of such surveyors, nor the repeal of 3 *W. & M. c.*12. relating to such surveyors, shall extend to the city of *Bristol*, but the acts passed previous to this act, relative to surveyors of the highways, and to cleansing, paving, lighting and regulating the streets and other places within such city, shall remain in force, and be executed, *id. s.*85.

87. Nothing in this act shall extend to parish of *St. Mary Matfelon*, otherwise *Whitechapel*, and *St. John of Wapping* in *Middlesex*, *id. s.*86.

88. Nothing in this act shall alter, restrain, or abridge any acts relating to, or powers of the commissioners of sewers, *id. s.*87.

89. WHEN IT SHALL APPEAR ON THE VIEW OF ANY 2 OR MORE justices of peace, that any public highway, bridleway, or footway, may be diverted, so as to make the same nearer or more commodious to the public; and the owner of the lands through which such new highway, &c. so proposed to be made, shall consent thereto, by writing under his hand and seal, such justices may, by order at some special sessions, divert and stop up such footway, and divert, turn, stop up, and inclose, sell, and dispose of such old highway or bridleway, and purchase the ground and soil for such new one, by such means, and subject to such exceptions and conditions as in 13 *G.*3. *c.*78. *s.*16. *pl.* 20. mentioned with regard to highways to be widened or diverted; and also, when it shall appear on the view of such justices, that any public highway, &c. is unnecessary, such justices, or 2 of them, may by order, stop up, and sell, and dispose of the same, by such ways, and subject to such exceptions, &c. as aforesaid, except that the money to arise from such sale, where by 13 *G.*3. *c.*78., it would be applicable to the purchase of ground and soil for the new highways, &c., shall be paid to the surveyor, and applied towards the general repairs of the highways and bridleways of the parish, &c., within which the way so stopped up shall be situate: provided, that in all such cases, a notice in the form or to the effect of schedule (A.) shall be affixed at the place, and by the side of such highway, &c. from whence the same is directed to be turned or stopped up; and also inserted in one or more newspapers circulated in the county; or in case there is no such newspaper, then in any newspaper circulated in the nearest adjoining county for 3 successive weeks, after the making such order and a like notice shall be affixed to the church-door of every parish, within which the way so to be turned or stopped up, or part thereof, shall lie, on 3 successive *Sundays*, subsequent to the making of such order; and such notices having been so published, such order shall at the quarter sessions holden within the limits where the way so to be diverted or stopped up shall lie, next after 4 weeks from the first day of publishing such notices, be returned to the clerk of the peace, in open court, and lodged with him; and such order shall at such sessions be confirmed and inrolled of record by such clerk, 55 *G.*3. *c.*68. *s.*2. [*see ante*, 13 *G.*3. *c.*78. *s.*19. *pl.* 23.]

90. Where any highway, bridleway, or footway shall be so ordered to be stopped or inclosed, and such new highway, &c. set out in lieu thereof, or where any unnecessary highway, &c. shall be so ordered to be stopped, any person aggrieved by such order, or by the inclosure of any road or highway, by virtue of any inquisition taken upon any writ of *ad quod damnum*, may make his complaint thereof, by appeal to the quarter sessions, upon 10 days' notice given in writing of such appeal, to the surveyor of the highways of the parish, &c. wherein such highway, &c. shall be situate; and also by affixing such notice to the door of the church or chapel of such parish; and such sessions shall determine such appeal, *55 G.3. c.68. s.3.*

91. If no such appeal is made, or being made, if such order and proceedings are confirmed by the sessions, such inclosures may be made, and the ways stopped, and the proceedings thereon shall be binding and conclusive, and the new highway, &c. so set out, shall for ever after continue a public highway, bridleway, or footway; but no inclosures of such old highways, &c. (except in cases of stopping up of such useless highway, &c.) shall be made, until the new highway, &c. is completed and put into good condition and repair, and is so certified by 2 justices, upon view thereof, which certificate shall be returned to the clerk of the peace, and shall be by him inrolled of record in the court of quarter sessions next after such order has been confirmed or inrolled; but after the inrolment of such order and certificate, such old highway, &c. shall be stopped up, and the soil sold, in manner and subject to the regulations, &c. in *13 G.3. c.78. s.17. pl.* 21. contained, *id. s.4.*

92. This act shall not annul or impeach any order or proceedings had for diverting or stopping up any highway, &c., made previous to the passing hereof, but the same shall be valid, *id. s.5.*

93. The justices of peace assembled in special sessions in the week after *Michaelmas*, may do all acts which they might heretofore legally have done in the special sessions directed to be holden in the week after the *Michaelmas* quarter sessions, *55 G.3. c.68. s.6.*, [see further on this point, *54 G.3. c.84.*, QUARTER SESSIONS.]

94. FOR MORE EFFECTUALLY REPAIRING SUCH PARTS OF THE highways of this kingdom, as are to be repaired by 2 parishes, *34 G.3. c.64.* [not to extend to *Scot.*, *id. s.6. As to the* forms annexed to this act, see *pl.* 73.]

95. Two justices of peace for any county, riding, or division, on complaint or application by any surveyor of parish highways, (stating in writing, by a plan thereto annexed, that there is in such parish, and also in an adjoining parish, specifying the same, a certain common highway, describing same by metes, bounds, and admeasurement, one side of which highway ought to be repaired by one of such parishes, and the other side by the other), may issue their summons with a copy of such writing and plan annexed, to the surveyor of such other parish, to appear before them, on a day mentioned, not more than 14, or less than 7 days from the date thereof; and in case the parties shall then appear, such justices may proceed to decide the matter in manner hereinafter mentioned, in case all parties consent; but if the surveyor summoned shall not appear on such first summons, or appearing, shall require further time, such justices shall adjourn the matter for not more than 21, nor less than 14 days, of which the surveyor not appearing shall have notice: on which day such justices shall proceed to hear the parties and their witnesses, and, whether the party summoned does or does not appear, shall examine and finally determine the matter as follows; *viz.* such justices shall divide the whole highway by a transverse line, crossing the same into 2 equal parts, or into 2 such unequal parts, as in consideration of soil, waters, floods, the inequality of highway, &c., they in their discretion shall think right, and shall adjudge and order that the whole of such highway on both sides, in one of such parts shall be maintained and repaired by one such parishes; and the whole of such highway, on both sides thereof, in the other of such parts by the other parish, and shall cause their order and a plan of such highway, and the allotment thereof to be delineated on paper, and filed with the clerk of the peace of the county, and shall also cause such parts, stones, or other boundaries to be set up, as shall be necessary to ascertain such division and allotment, *id. s.1.*

96. After such order and plan so filed, the inhabitants of such parishes shall be bound, as of common right, to maintain and repair such parts of such highway, so allotted to them, and shall be liable to be prosecuted for neglect of such duty, and shall in all respects be liable to the provisions of the highway acts, and shall be discharged from the repair of such part as is not allotted to them, *id. s.2.*

97. All costs and charges incurred by reason of such proceedings shall be defrayed by such 2 parishes, the same being ascertained by such 2 justices; and in case such parties neglect to pay their respective shares, such justices, or any other justice for the county, &c. may levy the same by distress and sale, with the costs, on the goods of any surveyor of the parish so neglecting to pay, *id. s.3.*

98. This act shall not alter any boundaries of counties, lordships, hundreds, manors, or any other division, nor the boundaries of parishes, otherwise than for such purposes, *id. s.4.*

99. This act shall not relate to any highways, the repair of any part of which belongs to any bodies corporate, township, or other such place, or to any private person by reason of tenure of lands, or otherwise, but shall relate to parishes only. Provided that in case any body corporate, township, or other such place, or any such private person, or any other person bound by law to repair one side of any highway shall be desirous that the same shall be under the regulations of this act, and the parties bound to repair the other side shall consent, 2 justices may make such order and allotment of such highway, which order, when filed with the clerk of peace, shall have the like force as the like order in case of parishes, *34 G.3. c.64. s.5.*

100. Either of such parishes, between whom such allotment is made under this act, by an order in vestry specially called for that purpose, may appeal to the quarter sessions for the county where such parishes lie, holden next after the time when such order and plan is filed, and not otherwise; and on hearing of such appeal, such sessions may affirm, quash, or amend such order, as to them appears just, and allow costs, in their discretion, to either party, which order of quarter sessions shall not be removed by *certiorari* or otherwise, but shall be final, *id. s.7.*

101. Such complaint, summons, adjudication, and plan may be in the forms stated in appendix hereto annexed, *id. s.8.*

102. FOR VARYING SOME of the provisions of *13 G.3. c.78.* (the highway act) which relate to the performance of statute duty, *34 G.3. c.74.* [REP. as to *s.3.*, and new rates of composition made, *44 G.3. c.52.*, which are ALTERED *54 G.3. c.109. ss.4—8. See farther* as to statute duty, *13 G.3. c.78. ss.36—44., ante, pl.* 39—45.]

103. Every person who shall not keep a team, draught, or plough, but who shall keep one or more carts, and 1 or 2 horses, or beasts of draught only, used to draw in such carts upon the highways, shall perform statute duty for the like number of days therewith, and with one labourer to attend each cart, or shall pay for the lands, tenements, woods, tithes, and hereditaments which he shall occupy, at the rate in *s.3.* mentioned, at the option of the surveyor; and every person who shall keep a coach, post-chaise, chair, or other wheel-carriage, and not keep a team, &c., nor occupy lands, &c. of the annual value of *50l.* in the parish, township, or place where he resides, shall pay the surveyor *1s.* for every day's statute duty for each horse used to draw in such carriage, or shall pay according to the value of the lands he shall occupy, after the like rates, at the option of the surveyor; and if such teams, &c. are not required by the surveyor, on any of such days, then the persons who should have sent the same shall, according to notice, to be given as in *s.3.* mentioned, send unto such work, for every one so spared, three able men, there to labour, or pay the surveyor *4s. 6d.*, at the option of the surveyor; and such persons shall bring with them shovels, spades, picks, and other tools proper for such purposes; and such persons and carriages shall perform the work appointed by the surveyor for 8 hours in each of such days, within such parish, &c. or in carrying materials from any other parish, &c. to be employed in the repair of highways of the parish, &c. where so required to labour. And if any person sending any team shall not send a sufficient labourer, besides the driver, (except as before mentioned,) or if such labourer or driver, or driver of any cart required to perform statute duty, shall refuse to work or carry proper loads, such surveyor may discharge any such team, &c. and recover from the owner the forfeiture incurred under *13 G.3. c.78.* (*see s.37. pl.* 40.) in case no such team, &c. had been sent, *34 G.3. c.74. s.2.*

104. So much of *34 G.3. c.74., viz. s.3.*, as relates to the amount of composition for statute duty REP., *44 G.3. c.52. s.1.*

105. Persons liable to perform statute duty, by sending any teams, draughts, or ploughs, with men, horses, or oxen, as in *34 G.3. c.74.* directed, may compound for the same if they think fit, by paying to the surveyor, at the time and in manner by *13 G.3. c.78. s.4. pl.* 8. directed, such sums as the justices for the limits where statute duty is to be performed, or the major part of them, at their special sessions held in the first week after *Michaelmas* in each year shall adjudge, not exceeding *12s.* or less than *3s.* per team, &c. per day; and in default of their adjudging the same *6s.*, for and in lieu of each day's duty for each team, draught, or plough; and for each cart with 2 beasts of draught, from *3s.* to *8s.*; and in default of their adjudging the same *4s.*; and for each cart with one beast of draught from *2s.* to *6s.*; and in default of their adjudging the same *3s.*, *44 G.3. c.52. s.2.* [See *54 G.3. c.109. s.4. post, pl.* 110.]

106. The surveyor appointed under *13 G.3. c.78. s.1. pl.* 5., together with the inhabitants and occupiers of land, &c. as in *s.2. pl.* 6. within each parish, township, or place, shall, at proper seasons, endeavour to repair the highways, and be chargeable thereto as follows, *viz.* every person keeping a waggon, cart, wain, plough, or tumbrel, and 3 or more beasts of draught, used to draw the same, shall be deemed to keep a team, draught, or plough, and be liable to perform statute duty with the same, in the parish, &c. where he resides; and shall, six days in the year, if so many required, (to be computed from *Michaelmas* to *Michaelmas*) send on every day, and at every place appointed by the

surveyor for the parish, &c. one wain, cart, or carriage, furnished after the custom of the country, with oxen, horses, or other cattle, and other things fit for the purpose, with two men, and which duty so performed shall excuse such person from his duty in such parish, &c. in respect of all lands, &c., *as in s.*2., not exceeding the annual value of 50*l.*, which he occupies therein. And every person keeping such team, &c. and occupying in the same parish, &c. lands, &c. of the yearly value of 50*l.*, over and above the 50*l.* in respect whereof such team duty was performed, and every such person occupying lands, &c. of the yearly value of 50*l.* in any other parish, &c. besides that he resides in, and every other person not keeping a team, &c., but occupying lands, &c. of the yearly value of 50*l.* in any parish, &c. shall, in like manner, and for the same number of days, send one wain, &c. furnished with 3 horses, or 4 oxen and one horse, or 2 oxen and 2 horses, and 2 men to each, and in like manner for every 50*l. per ann.* which such person shall further occupy in any such parish, &c., the same to be employed by the surveyor in repairing the highways within such parish, &c. where such lands, &c. lie; and every person who shall not keep a team, &c. but shall occupy lands, &c. under the yearly value of 50*l.* in the parish, &c. where he resides, or in any other, and every person keeping a team, and occupying lands, &c. under the yearly value of 50*l.* in any other parish than that wherein he resides, shall contribute to the repair of the highways, and pay the surveyor in lieu of such duty the sums following, *viz.* for every 20*s.* of the annual value of such lands, &c. 1*d.* for each day's statute duty required in the year, not exceeding 6 days in the whole; and every such person shall, in like manner, pay 1*d.* for every 20*s.* of the annual value of the lands, &c. which he shall occupy in any such parish, &c. above the annual value of 50*l.* and less than 100*l.*, and so for every 20*s.* that each progressive and intermediate annual value of 20*s.* of the lands, &c. which he shall so occupy shall fall short of the further increase of 50*l.* in every parish, &c. where such lands, &c. lie, for each day's statute duty. Provided no person keeping such team, &c. and performing duty with the same in the parish, &c. where he resides, and not occupying lands, &c. within the same of the yearly value of 30*l.*, need send more than one labourer with such team; which sums shall be considered as a composition, and be paid to the surveyor of the parish, &c. in which charged, for the use of the highways therein, at the time in 13 *G.*3. *c.*78. *s.*41. *pl.*42. directed, or within 10 days after, or in default such surveyor shall apply to a justice for the limit wherein default made, who shall summon the party to appear at some special or other petty sessions, where 2 justices shall be present, to show cause why he neglected to pay such composition; and in default of appearance, or if on appearance he shall not show that he is poor, and deserving relief, such money shall be levied by distress and sale of his goods, in the same manner as other forfeitures for not performing the statute duty are hereby authorized to be levied. [*See s.*2. *pl.* 103. of this act; but see also 13 *G.*3. *c.*78. *s.*72. *pl.* 76. *See other* rates for composition of statute duty, 54 *G.*3. *c.*109. *ss.*4—7. *pl.*107—113.] Provided that, when on such application such justices shall discharge any poor or indigent person from payment of composition money, such person shall be discharged from the expences arising by such summons and appearance, 34 *G.*3. *c.*74. *s.*4.

107. On application of any poor person to be discharged from the payment of the rate or composition made by two justices at a special or petty sessions held for the limits wherein such poor persons reside, such justices (having first given notice to the surveyor of the highways to appear on the part of such parish) shall examine into the situation of such applicant, and if he appear deserving relief, may exempt him from payment of all rates and composition, by 13 *G.*3. *c.*78. (*s.*34. 35. and 38. which were Rep. by this act) imposed, *id. s.*5.

108. If it appear to the justices at special sessions held in the week after the *Michaelmas* quarter sessions, or at any other special or petty sessions held within the limits of any parish, &c. at which two justices are present, that no carriages or labourers can be obtained without paying a high price for the same, for repairing the highways in any particular parish, &c. such justices may order the team duty, or so much thereof as they think fit, to be performed in kind within such parish, (except in respect to such teams as belong to persons not occupying lands, &c. of the annual value of 30*l.* within the same,) and may also order all daily labourers, or such part of them as they think fit, to perform six days labour on such highways in kind, in case so many days are required, upon being paid their customary wages; provided that if part of such teams or labourers only are required, it shall be directed by such justice in some given proportion, as one half, &c. and in that case the surveyor shall, at a public vestry, put the names of all persons liable to send such teams into one box, and the names of all such labourers into another, and some inhabitant then present shall draw out such number as is equal to the proportion so ordered, and such persons so drawn shall perform such duty in kind for that year; if such order shall be continued in the subsequent year, the same method shall be observed, but the names before drawn shall not a second time be put into the box, and so in every succeeding year, which order shall supersede the power of compounding, and be binding and continue in force until discharged or varied by the justices at some such subsequent sessions, 34 *G.*3. *c.*74. *s.*6.

109. The 13 *G.*3. *c.*78. shall continue in force, except where hereby repealed or altered, *id. s.*7.

110. In all cases where it shall be made appear to two justices acting within the district by the surveyors of the highways, or of any turnpike roads, that the maintenance and repair thereof can be more effectually done by composition in money, than by a performance of the statute duty in kind, they shall require the same in money on receiving an authority under the hands and seals of such justices, in lieu of the whole or part of the statute duty; and such justices, at their special sessions for highways, held in the week next after *Michaelmas* yearly, [see now 55 *G.*3. *c.*68. *s.*6. *ante*, *pl.* 93.] shall fix such rates as they deem reasonable as a composition, in lieu of the teams, carts, horses, oxen or labour, which persons are bound in the proportions now fixed by law to provide or perform, which rates they shall annually make known at such sessions, having regard to the wages of labour and the rate of hiring teams, &c. in the parish, &c. where such composition is required, and which shall be paid in the same manner, and within the same period, and subject to the same regulations as by law established for enforcing payment of compositions in lieu of statute duty, [see 13 *G.*3. *c.*78. *s.*41. *pl.* 42., and 34 *G.*3. *c.*74. *s.*4., *pl.*106.] provided that if the whole composition in money is not required in lieu of the whole duty in kind, such composition may be demanded in equal proportions from each person liable to pay the same, unless they prefer to pay a composition for the whole duty, according to the rates herein directed, 54 *G.*3. *c.*109. *s.*4.

111. All persons liable under 13 *G.*3. *c.*78., 34 *G.*3. *c.*74. *s.*4., and 44 *G.*3. *c.*52., to contribute to the repair of the highways by payment in money in lieu of statute duty, shall contribute thereto in lieu of every day's statute duty for every 20*s.* of the actual annual value at the time of making such assessments of the tithes, woods, lands, &c. which such persons shall occupy in the parish, township or place where they reside, or in any other parish, &c. a sum equal to 1-50th part of the sum fixed by the justices as in *s.*4. last *pl.* directed as the composition for one day's labour of a cart, wain, or carriage, furnished with 3 horses and 2 men, omitting fractions of a farthing; and all persons occupying more than 50*l.* and less than 100*l.* per annum in such parishes, shall contribute to such repairs in lieu of every day's statute duty, for every 20*s.* of such value taken at such time over and above such 50*l.* a like sum for a like quantity of statute duty, and so on progressively for every 20*s.* of such actual annual value for each additional 50*l.* per annum, to be paid in like manner and subject to the same regulations as in *s.*4., *id. s.*5.

112. Persons who shall keep a coach, post chaise, or chair, or other wheel carriage, and not a team, draught, or plough, nor occupy 50*l.* per annum in any parish, &c. where they reside, shall pay the surveyor for every day's statute duty for each horse he shall use in his carriage, such sum as the justices shall fix, as in *s.*4. *pl.*110. directed, as a composition for one day's work of a horse, or shall at the option of the surveyor, pay in lieu of each day's statute duty for every 20*s.* of the actual annual value of such lands, &c. which they shall occupy, the 50th part of such sum so fixed as a composition for one day's labour of a cart, wain, or carriage, furnished with 3 horses and 2 men, omitting fractions of a farthing, to be paid and regulated as in *s.*4. directed, *id. s.*6.

113. All persons neglecting to perform their statute duty in kind, on being regularly summoned for that purpose by the surveyor, shall forfeit twice the amount of the composition for the same, according to the rules fixed under this act, and shall be liable to perform the same, either in the same or the following year, the payment of such forfeitures; and the arrears of statute duty shall be enforced and applied to the benefit of the highway or turnpike road, as the case may be, to which the neglected duty was due by the surveyor, in the same manner as other forfeitures may be levied, [see 13 *G.*3. *c.*78. *s.*47. *pl.* 51.] and statute duty may be enforced [see 13 *G.*3. *c.*78. *s.*34. *pl.*38. and 34 *G.*3. *c.*74. *s.*4. *pl.* 106.] under the recited acts, *id. s.*7.

114. Justices and magistrates of cities, corporations, precincts, liberties, and other separate jurisdictions, shall execute the act within their respective jurisdictions, in as ample a manner as county justices may, *id. s.*8.

115. This act shall not alter the recited acts, or acts passed subsequent to them, regarding highways or turnpike roads, but the same shall remain in full force where not expressly altered by this act, and all their provisions, &c. and forms shall, as far as may be, be applicable to this act, *id. s.*9.

HOLY DAYS, FASTS, AND SUNDAYS.

(Statutes *expired.*)

For abstinence from flesh, 2 & 3 *E.*6. *c.*19. [Exp.]

(STATUTES *in force.*)

1. FOR KEEPING OF HOLY DAYS and fasting days, *5 & 6 E. 6. c. 3* [REP. *1 M. S. 2. c. 2.* but which is REP. *1 J. 1. c. 25. s. 48.*]

2. The days hereafter mentioned shall be kept holy days, *viz.* all *Sundays*, the days of the feast of the *Circumcision* of *Christ*, of the *Epiphany*, of the *Purification*, of *St. Matthew* the apostle, of the *Annunciation*, of *St. Mark*, of *St. Philip* and *Jacob*, of the *Ascension*, of the *Nativity* of *St. John Baptist*, of *St. Peter*, *St. James*, *St. Bartholomew*, and *St. Matthew*, the apostles, of *St. Michael* the archangel, of *St. Luke* the evangelist, of *St. Simon* and *Jude* the apostles, of *All Saints*, of *St. Andrew*, and *St. Thomas* the apostles, of the *Nativity* of our Lord, of *St Stephen* the martyr, of *St. John* the evangelist, of the holy *Innocents*, *Monday* and *Tuesday* in *Easter-week*, and *Monday* and *Tuesday* in *Whitsun-week*; and no other day shall be commanded to be kept holy, or to abstain from labour, *5 & 6 E. 6. c. 3. s. 1.*

3. Every even or day next before any of such feasts of the *Nativity* of our Lord, of *Easter*, of the *Ascension*, *Pentecost*, and the *Purification* and the *Annunciation*, of *All Saints*, and of all such feasts of the apostles (other than of *St. John* the evangelist and *Philip* and *Jacob*) shall be fasted and observed, and none other even or day shall be commanded to be fasted, *id. s. 2.*

4. All archbishops and bishops, and all others having spiritual jurisdiction, may inquire of every person offending in the premises, and punish such offender by the censures of the church, and enjoin him penance convenient, *id. s. 3.*

5. This act shall not abrogate the abstinence from flesh in *Lent*, or on *Fridays* and *Saturdays*, or on any other day appointed to be kept by *2 & 3 E. 6. c. 19.*, saving only of those evens whereof the holy-day next following is abrogated by this statute, *id. s. 4.*

6. When any of such feasts (the evens whereof be commanded to be kept fasting-days) fall upon the *Monday*, the *Saturday* before, and not the *Sunday*, shall be commanded to be fasted for the even of such feast, *id. s. 5.*

7. Every husbandman, labourer, fisherman, and all other persons, upon such holy-days, in harvest, or at any other times when necessity shall require, may labour, ride, fish, or work, *id. s. 6.*

8. The knights of the garter shall keep *St. George*'s feast yearly, the 22d, 23d, and 24th of *April*, and at such other times as yearly shall be thought convenient by H. M. and such knights, or any of them, *id. s. 7.*

9. FOR MORE EFFECTUALLY ENFORCING the observance of fasts and fish days, [This title is framed from these sections.] *5 El. c. 5. ss. 14—23. 30—40.* [CON. *13 El. c. 11. s. 2.*, *35 El. c. 7. s. 8.*, *39 El. c. 18. s. 43.*, and as to so much which is not REP. together with all additions and explanations thereof, *1 J. 1. c. 25. s. 6.*, *21 J. 1. c. 28.*, and as so much as is not REP. nor doth concern the eating flesh, or using of fish on the *Wednesday*, together with all additions, *3 C. 1. c. 4. s. 8.*, and indefinitely, *16 C. 1. c. 4.*, and REP. as to *ss. 14—16. 36—40.*, by *27 El. c. 11.* which is CON. as above, and AMD. *35 El. c. 7. s. 22.*]

10. Every *Wednesday* throughout the year which heretofore hath *not* by the laws been observed as a fish day, and which shall not fall in *Christmas* or *Easter-week*, shall be kept as the *Saturdays* in every week ought to be, *5 El. c. 5. s. 14.* [This section and the 2 following were REP. by *27 El. c. 11. s. 3.*, *pl. 30.* but the penalty was diminished by *35 El. c. 7. s. 22. post, pl. 13.*]

11. No person shall eat flesh upon any day now kept as a fish day, or upon any *Wednesday* now limited to be so kept, upon pain to forfeit *3l.* or suffer 3 months imprisonment, *5 El. c. 5. s. 15.* [but see *pl. 13.*]

12. Every person within whose house any such offence shall be done, and knowing thereof, and not effectually punishing or disclosing the same to some officer having authority to punish the same, shall forfeit *40s.*, which forfeiture shall be divided into three parts; one part to H. M., the other part to the informer, and the third to the parish where the offence is committed, to be levied by the church-wardens after conviction, *id. s. 16.*

13. Persons eating flesh contrary to *5 El. c. 5.* shall forfeit only *20s.* or suffer one month's imprisonment, and every person in whose house any such offence done, and being knowing thereof and not disclosing same, shall forfeit *13s. 4d.*, *35 El. c. 7. s. 22.* [*semb.* superseding *5 El. c. 5. s. 15.*]

14. This act shall not extend to any person that shall have licence upon causes to be contained in the licence, *5 El. c. 5. s. 17.*

15. Such licences shall be void unless they contain the conditions hereafter mentioned, *viz.* every licence made to any lord of parliament, or their wives, shall be upon condition that such person licensed shall pay to the poor men's box within the parish where they dwell, in the feast of the *Purification*, or within 6 days after, *26s. 8d.* the same to be paid within one month after the feast, upon pain of forfeiture of such licence; and every licence to a knight, or a knight's wife, shall be upon condition that such person licensed shall pay yearly *13s. 4d.* in form aforesaid; and every licence to persons under such degrees, shall be upon condition that such person shall pay yearly *6s. 8d.* in form aforesaid, *5 El. c. 5. s. 18.*

16. No licence shall extend to the eating of beef at any time of the year, nor to the eating of veal from the feast of *St. Michael* until the *1st May*, *id. s. 19.*

17. All persons, which by reason of sickness shall be enforced to eat flesh, shall be licensed by the bishop, or by the parson of the parish, or of the next parish; which licence shall be signed with the hand of the bishop or parson, and not endure longer than the time of the sickness; and if the sickness shall continue above 8 days, the licence shall be registered in the church-book with the knowledge of one of the church-wardens, and the party licensed shall give to the curate *4d.* for the entry; and that licence to endure only for the time of sickness, *id. s. 20.*

18. If any licence by any parson be granted to any other than such as appear to have need thereof by reason of sickness, not only such licence shall be void, but also such parson shall forfeit 5 marks, *id. s. 21.*

19. Such persons as heretofore ought to be licensed by reason of age or other cause, by order of the ecclesiastical laws, shall enjoy the same privilege, *id. s. 25.*

20. All such offences done on the land, or within any haven or pier against this act, all justices of peace in their sessions, and mayors, sheriffs, or bailiffs, and other head officers of cities and towns corporate shall enquire of such offenders by oath of 12 men, or by information, and thereupon determine the same, *id. s. 30.*

21. If any person shall be presented before such judges or justices, or if any information is given of any offender against this act, they shall make process as upon indictment of trespass; and if such offenders be convicted by confession or otherwise, they shall forfeit as aforesaid, all which forfeitures shall be levied to the uses before expressed, *id. s. 31.*

22. All such forfeitures as are determinable before the mayors, sheriffs, &c. shall be to the common use of the corporation where such offences are presented, *id. s. 32.*

23. All such forfeitures as are determinable before the justices of peace, shall be to the use of H. M., *id. s. 33.*

24. For the levying of such forfeitures, such justices, mayors, &c. may make process in their discretion, *id. s. 34.*

25. No information or suit of any person under this act shall be of any effect, unless commenced within half a year after offence done; or if for H. M., or for the admiral of the cinque ports, mayors, or other officers, unless it be within one year, *id. s. 35.*

26. Every person may on every *Wednesday* hereby ordered to be observed as a fish day, have one dish of flesh, so that they have served at the same table and meal 3 dishes of fish, *id. s. 36.* [The sections *36—40.* REP. *27 El. c. 11. s. 3.*, but see the note, *ante, pl. 9.*]

27. Such persons as shall have licence to eat flesh upon any fish-day (except such as for sickness shall be licensed by the bishop or their curates, or shall be licensed by reason of age, or other impediment allowed by the ecclesiastical laws) shall be bound to have for every dish of flesh at their table, one usual dish of sea fish, to be served at the same table and spent, *id. s. 37.*

28. This article shall be interpreted in favour of expences of sea fish, and the offenders shall be punished in like manner as such as shall eat flesh upon fish days, *id. s. 38.*

29. "That all persons may know that this act is meant for the support of the navy, and not for superstition in the choice of meat," (*id. s. 39.*): Whosoever shall, by preaching, teaching, writing, or open speech, notify, that any eating of fish, or forbearing of flesh mentioned in this statute, is of necessity for the saving of the soul, or that it is the service of God, otherwise than as other politic laws are, such persons shall be punished as spreaders of false news, *id. ss. 39—40.*

30. So much of *5 El. c. 5.* as concerns the eating of fish, or restrains the eating of flesh upon any *Wednesday*, *not* being before the making of such acts, used as a fish day, and all matters therein contained concerning the same, shall be REP. *27 El. c. 11. s. 3.*

31. Sea fish may be sold upon any flesh day in the week other than *Sundays*, in every city, borough, town corporate, or market town, within the realm, *id. s. 4.*

32. No inn-holder, tavern or alehouse keeper, victualler, or cook, shall utter or put to sale upon *Fridays* and *Saturdays*, or any day in *Lent*, any kind of flesh victuals, except to persons having licences according to *5 El. c. 5.* upon pain to forfeit *5l.* and suffer 10 days imprisonment, to go one-third to H. M., one-third to the lords of the leet where offence committed, and one-third to the party that will sue for the same by action of debt, &c., or information wherein no essoin, &c., and offences against this act to be enquired of as by *5 El. c. 5. s. 30.* directed; saving to the cinque ports and *Great Yarmouth*, all such liberties as they have touching the fair at *Great Yarmouth*, *id. s. 5.*

33. FOR A PUBLIC THANKSGIVING TO ALMIGHTY GOD every year on *5th Nov.*, *3 J. 1. c. 1.* [recital of the gunpowder plot, *id. s. 1.*]

34. All ministers in every church, or other usual place for common

prayer within *Eng.* and the dominions thereof, shall always upon the *5th* of *Nov.* say morning prayer, and give God thanks; and all persons shall upon that day resort to the parish church or chapel accustomed, or to some usual church or chapel where the service of God shall be used, and there abide during the time of service, 3 *J.* 1. *c.* 1. *s.* 2.

35. Every minister shall give warning to his parishioners at morning prayer, the *Sunday* before every *5th* of *Nov.* for the due observation of that day; and after morning prayer or preaching upon the *5th* of *Nov.* shall read publicly this act, *id. s.* 3.

36. FOR PUNISHING DIVERS ABUSES COMMITTED ON *Sunday*, 1 *C.* 1. *c.* 1. [CON. 3 *C.* 1. *c.* 4., indefinitely 16 *C.* 1. *c.* 4.]

37. There shall be no meetings or concourse of people out of their own parishes on the Lord's-day, for any sports and pastimes, nor any bear-baiting, bull-baiting, interludes, common plays, or other unlawful exercises, used by any within their own parishes, and every person offending, shall forfeit 3*s.* 4*d.* to the use of the poor of the parish; and if any justice of peace, or the chief officers of any city, borough, or town corporate, upon view, or by confession, or on proof of one witness by oath, shall find any person offending in the premises, such justice or chief officer shall give warrant under his hand and seal, to the constables and church-wardens of the parish where such offence is committed, to levy the penalty by distress and sale of goods; and in default of distress, that the party offending be set in the stocks 3 hours; and if any man be sued for execution of this law, he may plead the general issue, and give the special matter in evidence; provided that no man be impeached by this act, except he be called in question within one month after the offence; provided also that the ecclesiastical jurisdiction shall not be abridged by this act, 1 *C.* 1. *c.* 1.

38. FOR THE FURTHER REFORMATION OF SUNDRY ABUSES committed on *Sunday*, 3 *C.* 1. *c.* 1.

39. No carrier with any horse, or waggoner with any waggon, or carman with any cart or wain, or drovers with any cattle, shall by themselves or other travel on *Sunday*, on pain to forfeit 20*s.*, and no butcher by himself, or other with his privity, shall kill or sell any victual on that day, on pain to forfeit 6*s.* 8*d.*; and such offences being done in the view of any justice, mayor, or other head officer of any city or town corporate, or being proved on oath of two witnesses, or by confession before such justice, &c. within their respective limits where the offence was committed, all such penalties may be levied by any constable or church-warden by warrant from such justices, &c. by distress and sale of the offender's goods, or shall be recovered by any person that will sue by bill or information in any court of record, in any city or town corporate, before the justices in their general sessions, and such penalties shall go to the use of the poor of the parish where the offence was committed, except that such justice, &c. may reward the informer thereout with any sum not exceeding one-third of the penalty; provided such bill, &c. is commenced in the city or town where the offence was committed, and wherein no essoin, &c. is allowed; provided that any constable or church-warden that has any action brought against him for any such distress, may plead the general issue, and give the special matter in evidence, and no person shall be impeached under this act, unless he is questioned within 6 months after the offence committed. This act shall not affect the authority of the courts ecclesiastical, 3 *C.* 1. *c.* 1.

40. FOR A PERPETUAL ANNIVERSARY THANKSGIVING ON THE 29*th* of *May*, 12 *C.* 2. *c.* 14.

41. All ministers in every church, chapel, or other usual place of public prayer within *Eng.*, and the dominions thereof, shall annually celebrate the 29*th* of *May*, by rendering thanks to God, for his goodness in restoring H. M. to the throne, and every person within such dominions shall annually resort on that day to some church or chapel, and abide there during such thanksgiving, *id. s.* 1.

42. Every minister shall give notice to his parishioners, publicly in church at morning prayer, the *Sunday* next before such 29*th* of *May*, for the due observance thereof, and shall then publicly read this act, *id. s.* 2.

43. EVERY 30*th* of *Jan.* UNLESS IT FALLS ON A *Sunday*, and then the day following, shall be observed in all churches and chapels of *Eng.*, *Ire.*, *Wa.*, and *Ber.*, and the isles of *Guernsey* and *Jersey*, and all other H. M.'s dominions, as an anniversary day of fasting and humiliation, 12 *C.* 2. *c.* 30.

44. FOR THE BETTER OBSERVATION OF THE LORD'S DAY, commonly called *Sunday*, 29 *C.* 2. *c.* 7. [*see ante*, 3 *C.* 1. *c.* 1. *pl.* 38.; *post*, 21 *G.* 3. *c.* 49. *pl.* 51.]

45. All laws in force concerning the observation of the Lord's day shall be put in execution, and all persons shall on the Lord's day exercise themselves in the duties of religion, and no tradesmen, artificers, labourers, or others, shall do any worldly labour of their ordinary callings on that day, (works of necessity and charity excepted,) and all persons 14 years old or upwards offending in the premises, shall forfeit 5*s.*, and no person shall publicly cry or expose to sale any wares, fruits, herbs, goods or chattels on the Lord's day, or any part thereof, upon pain to forfeit the same, every time they are so cried or exposed to sale, 29 *C.* 2. *c.* 7. *s.* 1.

46. No drover, horse-courser, waggoner, butcher, or higler, or their servants, shall travel on such day, upon pain to forfeit 20*s.* and no person shall use any boat, wherry, lighter, or barge, except on some extraordinary occasion, to be allowed by a justice of the county, or head officer, or some justice of any city, &c. where the fact is committed, upon pain to forfeit 5*s.*; and if such offenders be convicted before such justice or officer, &c. upon view, by confession, or oath of one witness, such justice, &c. shall give warrant under hand and seal to the constables or churchwardens of the parish, to seize such goods so cried, or put to sale and sell the same, and levy such penalties by distress and sale of the offender's goods; and in default of distress and inability to pay, the offender shall be set in the stocks for two hours, and all such penalties and forfeitures shall go to the poor of the parish where the offence was committed, except that such justice may thereout reward the informer, so as such reward does not exceed the third part of the penalty, *id. s.* 2.

47. This act shall not prohibit the dressing of meat in families, or the dressing or selling meat in inns, cook's-shops, or victualling houses, for such as otherwise cannot be provided, nor to the crying or selling of milk before 9 in the morning, or after 4 in the afternoon, *id. s.* 3.

48. No person shall be prosecuted for any offence hereinbefore mentioned unless the same is commenced within 10 days after the fact done, *id. s.* 4.

49. Provided that if any person travelling on the Lord's day shall happen to be robbed, no hundred shall be charged for such robbery, but the person robbed shall be barred from his action therefore, but the hundred shall nevertheless (on notice of the robbery given, or hue and cry for the same brought) make fresh suit after the offenders, according to 27 *El. c.* 13. upon pain to forfeit to H. M. as much money as the party robbed might have recovered if this act had not been made, *id. s.* 5.

50. No person on the Lord's day shall serve or execute any writ, process, warrant, order, judgment, or decree, (except in cases of treason, felony, or breach of the peace,) but such service shall be void, and the person so serving or executing the same, shall be liable to the party grieved for damages, as if he had done the same without writ, &c. *id. s.* 6.

51. FOR PREVENTING CERTAIN ABUSES AND PROFANATIONS on the Lord's day, called *Sunday*, 21 *G.* 3. *c.* 49. [*see ante*, 3 *C.* 1. *c.* 1. *pl.* 38. 25 *C.* 2. *c.* 7. *pl.* 44.]

52. Any house, room, or other place, opened or used for public entertainment, or for public debating on any subject, on any part of *Sunday*, and to which persons shall be admitted by payment of money or by tickets sold for money, shall be deemed a disorderly house or place, and the keeper thereof shall forfeit 200*l.* for every day that such house, room, or place, shall be opened or used, as aforesaid, on the Lord's day, to such person as will sue for the same, and shall be otherwise punishable as in cases of disorderly houses; and the person managing such place of public entertainment, or acting as master of the ceremonies, chairman, or president of any such meeting for public debate on the Lord's day, shall forfeit 100*l.* to whoever will sue, and every door-keeper, servant, or other person who shall collect, or receive money, or tickets from persons assembling at such house, &c. or who shall deliver out tickets for admitting persons on the Lord's day, shall also forfeit 50*l.* to whoever will sue, *id. s.* 1.

53. Any person who shall appear, act, or behave as master, mistress, or person having the management of any such house, &c. (*as in last pl.*) shall be deemed the keeper thereof, and shall be liable to be prosecuted and punished as such, though not the real owner, and wherever such house, &c. shall be kept by divers persons, as partners or joint owners, each of them shall be deemed to be, and be punished as the keeper thereof, and any house, &c. at which persons shall be supplied with tea, coffee, or other refreshments of eating and drinking, on the Lord's day, at greater prices than those usually charged on other days at such house, &c. or at any coffee houses or other houses where the same are usually sold, shall be deemed a house, &c. to which persons are admitted by payment of money, though not there taken in the name of or for admittance, or at the time when such persons enter into or depart from such house, &c.; and any house, &c. opened for public entertainment or debate on the Lord's day, at the expence of any number of subscribers or contributors to carrying on the same, and to which persons shall be admitted by tickets, to which such subscribers are entitled, shall be deemed a house, &c. to which persons are admitted by payment of money, within this act, *id. s.* 2.

54. Every person advertising, or causing to be advertised, any public entertainment or meeting for debating on any subject on the Lord's day, to which persons are to be admitted by payment of money, or by tickets sold for money, and every person printing or publishing the same, shall respectively forfeit 50*l.* for every such offence to any person who will sue for the same, *id. s.* 3.

55. Any person entitled to any such forfeiture may sue for same by

action of debt in any court of record at *Westminster*, in which it shall be sufficient to declare "that defendant is indebted to plaintiff in the sum of —*l.*," (being the sum demanded,) "being forfeited by an act made in the 21st year of the reign of H. M. king *George* the third, intituled, an act for," (&c. as above, *pl.* 51.) and the plaintiff, if he recovers, shall have full costs, 21 *G.*3. *c.* 49. *s.*4.

56. No action shall be brought for either of such penalties, unless within 6 calendar months after offence committed, *id. s.* 5.

57. In actions for any thing done in pursuance of this act, the defendant may plead the general issue; and if a verdict pass against the plaintiff, or if he discontinue, is nonsuited, or has judgment against him, the defendant shall have treble costs, *id. s.*6.

58. The ecclesiastical jurisdiction within this realm shall not be hereby altered or abridged, but such courts may punish such offences as before this act, *id. s.*7.

59. Nothing herein shall alter any of the liberties to which protestant subjects, being dissenters, are by 1 *W.&M. S.*1. *c.*18. entitled, *id. s.*8.

HOMICIDE.

(STATUTE *repealed.*)

1. MURDER BY POISONING IS HIGH TREASON, TO BE PUNISHED by boiling to death, 22 *H.*8. *c.*9. *s.*1., and justices of peace in their sessions may inquire of such murders, *id. s.*2. [*but see rest of this section, tit.* COIN, *pl.* 36], and the offender's lands escheat to the lord of the fee, as in felony, *id. s.*3. [REP. by general words of 1 *E.*6. *c.*12. *s.*2. repealing all treasons previous to 25 *E.*3., with the exception (in *s.* 8.) of the treason of *counterfeiting coin.*]

(STATUTES *in force.*)

1. Nothing shall be given for a writ of inquisition by him that prayeth inquisition of life or member, but it shall be granted freely, *see* 9 *H.*3. (*M. C.*) *c.* 26.

2. The writ *de odio et atia*, (see note to *pl.*6.) as provided by 9 *H.*3. *c.*26. (*M. C.*), 3 *E.*1. *c.*11., 6 *E.*1. *c.*9., and 13 *E.*1. (*West. Sec.*) *c.*29., is taken away by 28 *E.*3. *c.*9., but seems revived by 42 *E.*3. *c.*1., which repeals any statute made against the *Magna Charta* and *Carta de Foresta*, [*see* 2 *Inst.* 55. 43. & 315.]

3. Inquests of murder taken by the sheriff, and by H. M.'s writ of *odio et atia*, shall be taken by lawful men chosen by oath, (2 being knights,) who, by no affinity with the prisoners, or otherwise, are to be suspected, 3 *E.*1. *c.*11.

4. OF HOMICIDE IN SELF-DEFENCE OR MISFORTUNE, 6 *E.*1. *c.*9. [*See* rest of this *statute*, APPEAL, *pl.*3.]

5. No writ shall be granted out of chancery [*de odio et atia, see* 3 *E.*1. *c.*11.] for the death of a man to enquire whether a man did kill another by misfortune, or in his own defence, or otherwise without felony, but he shall be imprisoned till the coming of the justices of gaol delivery, and shall put himself upon his country for good and evil; and if found by them as above, the justices shall inform H.M. thereof, who shall take him to his grace if it please him, 6 *E.*1. *c.*9.

6. NO COMMISSIONS OR GENERAL WRITS SHALL BE GRANTED to sheriffs to gain of, indict, or take ransom of people to their own use, and deliver them without being brought before H. M.'s justices for their deliverance, 28 *E.*3. *c.*9. [This statute thus repeals the writ *de odio et atia* issued to the sheriff to inquire whether the person charged with murder was committed on just suspicion, or *propter odium et atiam* only, 2 *Bla. Comm.* 128, 129., but Lord *Coke* considers it revived by 42 *E.*3. *c.*1., which repeals all acts against the great charter. *See* 2 *Inst.* 55. 43. 315.]

7. MURDRUM [MURDER: this word is declared by the learned *Barrington* in his observations on the statutes, 70, 71. *4th Edit.* to be here used for the fine imposed on the township, where, as *Bracton* expresses it, "*occulta hominus occisio intervenerat*," *Bracton, lib.*3. *c.* 15. *Reeve's Hist. E. Law, cap.* 28. *acc.*; but Lord *Coke* considers it as here referring to the *crime itself*, 2 *Inst.* 148, 149.] from henceforth shall not be adjudged before one justice, where it is found misfortune only, but shall take place in such as are slain by felony only, 52 (*or* 54) *H.*3. *c.*25.

8. EVERY LAY PERSON WHO SHALL HEREAFTER PREPENSEDLY murder their lord, master or sovereign immediate, shall not be admitted to their clergy, and shall be executed, 12 *H.*7. *c.*7. *s.*2.

9. WHERE A MAN KILLING A THIEF SHALL NOT FORFEIT HIS GOODS, 24 *H.*8. *c.*5.

10. Any person indicted for the death of any evil disposed person attempting to murder, rob, or burglariously to break a mansion-house, and the same is by verdict so found, shall not forfeit any lands, tenements, goods, or chattels, for the death of such person in such manner slain by him, but shall be thereof fully discharged, *id. ibid.*

11. IF ANY MAN BE SLAIN IN THE DAY AND THE FELON is not taken, the township shall be amerced for the escape, and justices of peace shall enquire of such escapes, and certify them into K.B.; so if any be wounded

in peril of death, the offender shall be arrested and put in surety till it be perfectly known whether the party live or die, and murderers indicted at H. M.'s suit, may be tried within the year after the murder, without waiting for *appeal* taken for the same, [which is now REP. 59 *G.*3. *c.*46. *s.*1.] 31 *H.*7. *c.*1. *s.*3. [*See* rest of this *statute*, CORONER, *pl.*15—18.]

12. TO MAKE SOME OFFENCES PETTY TREASON, 12 *H.*7. *c.*7.

13. Any lay person who shall prepensedly murder his lord, master, or sovereign immediate, shall not hereafter be admitted to clergy, and after conviction or attainder by due course of law, shall be put in execution as though he were no clerk, *id. s.*2.

14. TO PROCEED BY COMMISSION OF OYER AND TERMINER against such persons as shall confess [treason] and murder, &c. without remanding the same to be tried in the shire where the offence was committed, 33 *H.*8. *c.*23. [EXT. &c. 43 *G.*3. *c.*113. *s.*6. REP. as to treason by 1 & 2 *P.&M. c.*10. *s.*7.]

15. If any person, being examined by H. M.'s council or 3 of them, be vehemently suspected of [treason, misprision of treason, REP. *as above*,] murder, H. M.'s commission of oyer and terminer, under his great seal shall, by his command, be made by the lord chancellor to such persons, and into such shires as H. M. shall appoint, which murders shall be tried by lawful men returned by the sheriff, and no challenge shall be allowed for the shire or hundred, 33 *H.*8. *c.*23. *s.*1.

16. On trial of such [treasons] murders, the challenge to any juror for want of freehold of 40*s.* yearly value shall be allowed, *id. s.*2.

17. Peers indicted of the above offences shall have trial by their peers, *id. s.*3.

18. All the powers of 33 *H.*8. *c.*23. respecting the offence of murder, are extended to the offence of procuring, directing, counselling, commanding, or otherwise *becoming accessary before the fact* to any murder; and in case any offender shall, in pursuance of either act be indicted for murder, and it appears that the person so indicted and tried is guilty of manslaughter and of no greater offence, the jury may find accordingly, or in case of difficulty, a special verdict on which there shall be the like judgment and execution, as if the offence had been committed within the body of any county in this realm, and as if such trial had been had and a verdict found on an indictment for murder found and tried at common law by a jury of the county within which the offence was committed, 43 *G.*3. *c.*113. *s.*6. [*Nothing* in this act extends *to Ire.*, *id. s.*7.]

19. JUSTICES OF THE PEACE MAY ENQUIRE AS WELL of all murderers by poisoning, as of counterfeiting of coin of any outward realm, suffered to run in this realm, and make process by *capias* only, and the justices of assize in *Eng.* may hear and determine in their sessions, as well such treasons done by way of poisoning, as of counterfeiting of such coin, 22 *H.*8. *c.*9. *s.*2. [*All treasons* created since 25 *E.*3. REP., with an exception (*in s.*8.) as to any statutes concerning the counterfeiting of coin, by 4 *E.*6. *c.*12. *s.*2.]

20. WILFUL KILLING BY POISONING IS WILFUL MURDER of malice prepensed, and the offenders, their aiders and counsellors, shall suffer death accordingly, 1 *E.*6. *c.*12. *s.*13.

21. TO TAKE AWAY THE BENEFIT OF CLERGY FOR SOME KIND of manslaughter, 1 *J.*1. *c.*8. *and* recital in *s.*1.

22. Every person who shall stab or thrust any person that hath not then any weapon drawn, or that hath not then first stricken the party which shall so stab or thrust, so as the person stabbed or thrust shall thereof die within 6 months, though it cannot be proved that the same was done of malice forethought, yet the offender shall, on conviction, lose his clergy, and suffer death as in case of wilful murder, *id. s.*2.

23. This act shall not extend to any person who shall kill any person *se defendendo*, or by misfortune, or any otherwise than above, nor to any person who in keeping the peace may commit manslaughter, but not on purpose, nor to any person who in correcting his child or servant shall, beside his purpose, chance to commit manslaughter, *id. s.*3.

24. FOR TRIAL OF MURDERS, IN CASES WHERE EITHER the stroke or death only happens in that part of *G. B.* called *Eng.*, 2 *G.*2. *c.*21.

25. Where any person feloniously stricken or poisoned on the sea or or elsewhere out of *Eng.*, shall die therein, or having been stricken or poisoned in *Eng.* shall die at sea, or elsewhere out of *Eng.*, an indictment thereof, found by jurors of the county in *Eng.* in which such death, stroke, or poisoning shall happen respectively, whether found before any coroner on view of such dead body, or before justices of the peace, or other justices having authority to inquire of murders, shall be as effectual, as well against principals as the accessaries, as if such stroke or poisoning, death and offence of accessaries had happened in the same county; and judges of *oyer* and *terminer*, &c. shall proceed thereon, and offenders shall (except challenges for the hundred) have the same defence, trial, and punishment as if such stroke or poisoning, and death, and offence of accessaries, had been committed in the same county, where such indictment is found, 2 *G.*2. *c.*21.

26. FOR BETTER PREVENTING THE HORRID CRIME OF MURDER, 25 *G.*2. *c.*37

27. All persons found guilty of wilful murder shall be executed according to law, on the day next but one after sentence passed, unless the same shall happen to be *Sunday*, and then on the *Monday* following, 25 *G.* 2. *c.* 37. *s.* 1.

28. The body of such murderer shall, if such conviction and execution is in *Middlesex*, or *London*, or the liberties thereof, be immediately conveyed by the sheriff or sheriffs, or their deputy and officers, to the hall of the surgeons' company, or such other place as the latter shall appoint, and be delivered to such person as they shall appoint, who shall give the sheriff or his deputy a receipt for the same, and the body so delivered shall be dissected and anatomized by such surgeons, or their appointee; and if such conviction and execution happen in any other county or place in *G. B.*, the judge of assize or other proper judge shall award the sentence to be executed (as in *s.* 1.), and the body of such murderer shall, in like manner, be delivered by the sheriff or his deputy to such surgeon as the judge shall direct, *id. s.* 2.

29. Sentence shall be pronounced in open court immediately after conviction, and before proceeding to other business, unless the court see reasonable cause for postponing it; in which sentence shall be expressed not only the usual judgment of death, but also the time for its execution, and the marks of infamy hereby directed for such offenders, *id. s.* 3.

30. After sentence pronounced, in case there appears reasonable cause, the judge may stay the execution at his discretion, regard being had to the true intent of this act, *id. s.* 4.

31. The judge may appoint the body of such murderer to be hung in chains, but in no case shall it be buried, unless after it has been dissected, (as in *s.* 2.), and every judge shall direct the same either to be disposed of for dissection (as in *ss.* 2—3.), or to be hung in chains, *id. s.* 5.

32. After conviction and judgment the gaoler shall confine such prisoner to some separate cell, and no person, except such gaoler or his servants, shall have access to him without licence obtained under the hand of the judge before whom he was tried, or of the sheriff or under sheriff, *id. s.* 6.

33. In case such judge shall see cause to respite the execution, he may, by licence in writing, signed by him, relax any or all of the restraints by *s.* 6. or *s.* 8. directed to be observed by the gaoler, *id. s.* 7.

34. After sentence, and till execution, such offender shall be fed with bread and water only, except in case of receiving the sacrament, of any violent sickness, or wound, in which case some known medical man may be admitted to administer necessaries, (his Christian and surname and abode being first entered in the prison books;) and every gaoler who shall offend against or neglect to execute any of the directions hereof, shall forfeit his office, be fined 20*l.*, and imprisoned till the same is paid, *id. s.* 8.

35. Every person who shall by force set at liberty, or rescue, or attempt to rescue, &c. any person out of prison, committed for or found guilty of murder, or in going to, or during execution, is guilty of felony, and shall suffer death without clergy, *id. s.* 9.

36. If any person, after execution had, shall by force rescue or attempt to rescue the body of such offender out of the custody of the sheriff or his officers, during the conveyance of such body to any of the places in *ss.* 2—3. directed, or from the company of surgeons, or their servants, or from the house of any surgeon where the same is deposited, he shall be deemed guilty of felony, and shall be liable to 7 years' transportation with the like punishment and conviction for returning to *G. B.* within that time, as other felons, *id. s.* 10.

37. Nothing herein shall extend to alter so much of 11 *G.* 1. *c.* 26. as relates to the suspension of execution of persons convicted of capital offences within *Scot.*, *id. s.* 11.

38. FOR MORE EFFECTUAL PUNISHMENT OF MURDERS and manslaughters committed in places not within H. M.'s dominions, 57 *G.* 3. *c.* 53. [AMD. as in next *pl.*]

39. TO AMEND 57 *G.* 3. *c.* 53. for the more effectual punishment of murders, manslaughters, rapes, robberies, and burglaries, committed in places not within H. M.'s dominions, as relates to the trial of murders, &c. committed in the *Honduras*, 59 *G.* 3. *c.* 44.

40. All murders and manslaughters which shall be committed on land at the settlement of the bay of *Honduras* by any persons residing there, and all murders and manslaughters committed in the islands of *New Zealand* and *Otaheite*, or within any other islands, countries, or places not within H.M.'s dominions, nor subject to any *European* power or state, nor within the territories of the *United States*, by the master or crew of any *British* ship or vessel, or by any person sailing or belonging thereto, or that have sailed or quitted any *British* ship to live in such islands, &c. shall be sued and punished in any of H. M.'s islands, colonies, &c. forts, or factories, under H. M.'s commission issued or to be issued under 46 *G.* 3. *c.* 54. in the same manner as if the offence had been committed on the high seas, 57 *G.* 3. *c.* 53. *s.* 1.

41. All murders, manslaughters, rapes, robberies, and burglaries committed on land at the settlement of the bay of *Honduras*, may be tried within such settlement, under H. M.'s commission, under the great seal of *G. B.*, to be directed to any 4 or more discreet persons, as the lord chancellor shall from time to time think fit to appoint, in the same manner as is provided with respect to crimes, directed to be determined by 46 *G.* 3. *c.* 54. in any of H. M.'s islands, plantations, colonies, dominions, forts, or factories, 59 *G.* 3. *c.* 44. *s.* 1.

42. The commissioners so to be appointed, or any 3 of them, shall have the like powers as any commissioners under 46 *G.* 3. *c.* 54., and all persons convicted shall be subject to the same pains, penalties or forfeitures, as they would be subject to, in case the same were tried within any of H. M.'s islands, plantations, colonies, or dominions, by virtue of any commission according to 46 *G.* 3. and 57 *G.* 3. *c.* 53., *id. s.* 2.

43. But nothing herein contained shall repeal the provisions of 33 *H.* 8. *c.* 23. (*ante*, *pl.* 14.) 57 *G.* 3. *c.* 53. *s.* 2., and 59 *G.* 3. *c.* 44. *s.* 3.

HOPS.

(STATUTE *repealed.*)

TO PREVENT FRAUDS IN THE BUYING AND SELLING OF HOPS, 14 *G.* 3. *c.* 68. [REP. 39 & 40 *G.* 3. *c.* 81. *s.* 1.]

(STATUTES *in force.*)

1. FOR AVOIDING OF DECEITFUL SELLING, BUYING OR SPENDING corrupt and unwholesome hops, 1 *J.* 1. *c.* 18. *and* recital, in *s.* 1. [CON. 3 *C.* 1. *c.* 4. and indefinitely by 16 *C.* 1. *c.* 4.]

2. If any foreigner, stranger, native *Englishman*, denizen, merchant, or any other person, do bring or cause to be brought into *England* out of any foreign realm any hops, being deceitfully or corruptly unclean, corrupt or mixed with any powder, dust, dross, sand, or any other soil, such person shall forfeit the same, 1 *J.* 1. *c.* 18. *s.* 2.

3. If any brewer of beer or ale, or other person, shall buy the same hops so brought from beyond sea, or growing within this realm, and shall employ the same in the making of beer or ale to be sold, being unclean, corrupt, or so mixed, he shall forfeit the value thereof, to go in moieties to H. M. and the party suing by information or action of debt in any court of record, wherein no essoin, &c. *id. s.* 3.

4. TO PREVENT THE MALICIOUS CUTTING OF HOP-BINDS, 6 *G.* 2. *c.* 37. *s.* 6. [PUBLIC clause, *s.* 8. CON. 10 *G.* 2. *c.* 32. *s.* 3., 17 *G.* 2. *c.* 40. *s.* 5., 24 *G.* 2. *c.* 57. *s.* 4., MADE PERP. 31 *G.* 2. *c.* 42. *s.* 6.]

5. If any person shall unlawfully and maliciously cut any hop-binds growing on poles, in any plantation of hops, he shall, on conviction, be adjudged guilty of felony, and suffer death without clergy, 6 *G.* 2. *c.* 37. *s.* 6.

6. FOR THE MORE EFFECTUAL PREVENTING THE clandestine importation of foreign hops into *G. B.* and *Ire.* and to prevent the adulterating or sophisticating of hops to alter the colour or scent thereof, 7 *G.* 2. *c.* 19.

7. If any foreign hops be landed out of any ship in *G. B.* before entry made at the custom house at the port of importation, and before the duties be paid, or without a warrant signed by the proper officer, or if any foreign hops other than of *British* growth shall be landed in *Ire.*, the same shall be forfeited and burnt within 10 days after lawfully condemned, and also the vessel importing them; and the persons concerned in the importing, or who shall aid in the landing thereof, shall forfeit 5*s.* for every pound weight thereof, and so in proportion, *id. s.* 1.

8. Every person in *G. B.* or *Ire.* who shall mix with or put into any quantity of hops any drug, ingredient or other thing to alter the colour or scent thereof, shall, on conviction, by oath of one witness before one justice for the county where the offence was committed, forfeit 5*l. per cwt.* thereof, *id. s.* 2.

9. Fines and penalties hereby imposed, and not particularly provided for, may be sued for, recovered, levied and mitigated in *G. B.* or *Ire.* as other fines, &c. may be by any law in force (*see* 9 *A. c.* 12.) in relation to hops, to go in moieties to H. M. and the informer, *id. s.* 3.

10. TO REPEAL 14 *G.* 3. *c.* 68., and for the better collection of the duty on hops, and to prevent frauds and abuses in the trade of hops, 39 & 40 *G.* 3. *c.* 81. [AMD. as to the marking bags and pockets of hops, 48 *G.* 3. *c.* 134., further AMD. 54 *G.* 3. *c.* 123.]

11. Every owner, planter or grower of hops, before he begins to put any hops into any bag or pocket, shall mark on the outside [of every such bag in letters of 4 inches in length and half an inch in breadth, and on the outside of every such pocket in letters of 3 inches in length and half an inch in breadth, 54 *G.* 3. *c.* 123. *s.* 1.] with durable ink or paint, his name [and place of abode, 39 & 40 *G.* 3. *c.* 81. *s.* 4. [the parish and county in which such hops were grown, 54 *G.* 3. *c.* 123. *s.* 1.] and if any owner, &c. shall put any hops into any bags or pockets without being so marked [or shall at any time before or after such hops have been packed mark thereon the name of any other person, parish or county than as before directed, or the symbol appertaining to or any

thing denoting the symbol of any other county or place, 54 *G.*3. *c.*123. *s.*1.], every such owner, &c. shall forfeit 20*l.* [for each bag or pocket, to be recovered and applied as by 39*&*40 *G.*3. *c.*81. *s.*11. *pl.*23. directed, 54 *G.*3. *c.*123. *s.*1.], 39*&*40 *G.*3. *c.*81. *s.*2., 54 *G.*3. *c.*123. *s.*1.

12. If any owner, &c. shall knowingly put or suffer to be put any hops of different qualities and value in the same bag or pocket, he shall forfeit 20*l.* for each bag or pocket, to be recovered and applied as aforesaid, 54 *G.*3. *c.*123. *s.*2.

13. In addition to the particulars by law required to be marked on the outside of every bag or pocket of hops, there shall be marked by the owner, &c. of hops in the form by those before mentioned particulars required, the name of the parish and county in which the hops put into any such bags or pockets shall be grown, and if any owner, &c. shall put any hops into any such bags, &c. before the same are so marked, he shall forfeit 20*l.*, 48 *G.*3. *c.*134. *s.*1.

14. If any person shall counterfeit or wilfully remove, alter, erase or obliterate, or cause it to be done, any mark by this or any other act required to be put on any bags or pockets of hops, he shall forfeit 20*l.*, *id. s.*2. [*See* 39*&*40 *G.*3. *c.*81. *s.*4. *post*, *pl.* 16.]

15. No owner, &c. of hops shall buy any hops in any bag the weight of which shall be greater in proportion to the gross weight of such bags, and the hops contained therein, than 10 lbs. for every 112 lbs. of such gross weight, on pain in case of default herein to forfeit 20*l.*, 39*&*40 *G.*3. *c.*81. *s.*3.

16. When the excise officer has weighed and taken account of any hops in order to charge the duty, he shall mark in large figures with ink or paint on the outside of the bag or pocket the gross weight thereof, and the year when the hops were grown, and also the progressive number of such bag, &c. according to the number of bags or pockets weighed and charged to each owner, &c. during the then current hop season, such number to be taken progressively, beginning 1, 2, and so onwards, according to the number charged to each owner, &c.; and if any person shall counterfeit or alter, or cause to be counterfeited, &c. any matter hereinbefore directed to be marked, and so marked by any such owner, &c. or by any such officer, he shall forfeit 100*l.*; and if any person shall wilfully deface or obliterate any such matters, or cause it to be done, or shall connive at it, he shall forfeit 20*l.*, 39*&*40 *G.*3. *c.*81. *s.*4.

17. No owner, &c. of hops growing or to grow in *G.B.* shall suffer them to be removed or conveyed from the oust, storehouse or place where weighed for the purpose of charging the duty before the expiration of 12 hours after they have been so weighed, unless the same shall sooner have been re-weighed by the supervisor of excise, and if, on such reweighing, any additional weight is found, such hops shall be chargeable with duty for the last weight; and if any such owner, &c. shall remove, or suffer to be removed, any such hops contrary to this act, he shall forfeit 50*l.*, *id. s.*5.

18. No planter or owner of hops in *G.B.* shall be obliged to give more than 24 hours' notice of his intention to weigh, provided the time to be specified in the notice for weighing shall be between 4 in the morning and 5 in the evening, *id. s.*6.

19. No officer of excise inferior to a surpervisor shall weigh any hops at any oust, &c. as in *s.*5. of any owner, &c. between 5 in the evening and 4 in the morning, and if any such owner, &c. permit any such inferior officer to weigh any hops between those hours he shall forfeit 20*l.*, *id. s.*7.

20. Every owner, &c. as in *s.*1. of hops growing or to grow in *G.B.* shall have scales and weights at his oust, &c. where such hops have been so weighed, and shall permit the supervisor to use them in reweighing such hops, and every owner who shall neglect to keep such scales, &c. or who will not permit such supervisor to use them, shall forfeit 30*l.*, and every owner, &c. who shall provide or make use of any false or unjust scales or weights, or shall practise any device whereby such supervisor is hindered from taking the just weight of such hops shall forfeit 100*l.*, together with the false or unjust scales and weights which may be seized by any supervisor or officer of excise, *id. s.*8.

21. Every such owner, &c. in *G.B.* shall, when required by the supervisor, cause to be brought and put into and taken out of the scale all hops which such supervisor shall wish to be reweighed, and by himself and servants assist in reweighing of all such hops on pain, in case of neglect, to forfeit 50*l.*, *id. s.*9.

22. Every person who shall oppose, assault, molest or hinder any officer of excise in the due execution of this act, shall forfeit 100*l.*, *id. s.*10.

23. All fines and penalties by this act imposed shall be sued for, recovered, levied and mitigated in like manner as any other penalties under the excise laws may be, or by action of debt, &c. or information in the courts of record at *Westminster*, or in the court of exchequer in *Scot.*, and shall go one moiety to H.M. and the other to the party informing, 39*&*40 *G.*3. *c.*81. *s.*11., 48 *G.*3. *c.*134. *s.*3.

HORSES.

(STATUTES *repealed and expired.*)

1. SHERIFFS SHALL MAKE PURVEYANCE FOR THE KING'S great horses; and commissions before granted to the keepers of such horses revoked, 10 *E.*3. *S.*2. *c.*2. [Purveyance abolished, 12 *C.*2. *c.*24. *s.*12.]

2. CERTAIN PERSONS APPOINTED TO HEAR AND DETERMINE offences committed by the keepers of the king's horses, 10 *E.*3. *S.*2. *c.*3. EXP.

3. THE KEEPING OF HORSES FOR THE KING shall be as by 14 *E.*3. *S.*1. *c.*19. [*see* PURVEYANCE] directed, 36 *G.*3. *c.*5.

4. AGAINST CONVEYANCE OF HORSES out of this realm, 22 *H.*8. *c.*7. [CON. 28 *H.*8. *c.*6., 31 *H.*8. *c.*7., 37 *H.*8. *c.*23., 7 *E.*6. *c.*11. all EXP.]

5. NO ENGLISHMEN SHALL SELL OR EXCHANGE OR DELIVER to be conveyed into *Scot.* any horse, mare or gelding without the king's licence, 23 *H.*8. *c.*16. [AMD. 32 *H.*8. *c.*6. REP. by the general words of 1 *E.*6. *c.*12. *s.*4., 1 *M. S.*1. *c.*1. *s.*5., but REV. 1 *El. c.*7. and the 23 *H.*8., and 1 *El.* expressly, and the 32 *H.*8. virtually REP. 4 *J.*1. *c.*1. *s.*6.]

6. CONCERNING KEEPING OF GREAT HORSES, 33 *H.*8. *c.*5. [REP. 21 *J.*1. *c.*28. *s.*11.]

(STATUTES *in force.*)

1. PERSONS TAKING HORSES FOR THE KING without having the badge or authority of the king shall be imprisoned till he hath made satisfaction to the party, 20 *R.*2. *c.*5. [but *see* purveyance abolished, 12 *C.*2. *c.*24. *s.*12. PURVEYANCE.]

2. AGAINST TRANSPORTING HORSES AND MARES beyond the seas, 11 *H.*7. *c.*13. [AMD. 1 *E.*6. *c.*5. which is REP. as to *s.*6. by 5 *El. c.*19. and both acts REP. as to *Scot.* by 5*&*6 *A. c.*8. *Art.*18.] [These acts were considered virtually repealed by the different acts that imposed a duty on the exportation of horses, which was first done by 22 *C.*2. *c.*13. *s.*8., and last by 49 *G.*3. *c.*98. *sched.* A., but both these acts have been REP. by 59 *G.*3. *c.*52., and there is now no duty on horses exported. *Qu.* therefore are these acts in force.]

3. No person shall convey any horse out of this land, or any mare above the value of 6*s.* 8*d.* without H. M.'s licence, upon pain to forfeit the same, the owner of such mare receiving 6*s.* 8*d.* or else it be not forfeit, and at the time of seizure of such mares, they shall be prised by the head officer of the town, and sold, and the half deal of the price of above 6*s.* 8*d.* shall be to H. M., and the other to him that seizeth, and no person shall carry out of this land any mare under three years old, and not over the price of 6*s.* 8*d.* paying to H. M. the usual custom, and for all mares by H. M.'s licence conveyed beyond sea, the owner shall pay 6*s.* 8*d.* for custom before she be shipped, 11 *H.*7. *c.*13. *s.*1. [See 1 *E.* 6. *c.* 5. *s.*9. *post*, *pl.* 13.]

4. If any person will give for any of the mares so to be carried, 7*s.* he may take such mare, if she be not before taken by H. M.'s officer, nor H. M.'s licence be not in that behalf obtained, *id. s.*2.

5. Every denizen may carry a horse beyond sea without licence, not intending to sell him, and that intent to be known by oath before the customer of the port, *id. s.*3.

6. No person shall sell, exchange, give, or convey into *Scotland*, to the use of any *Scottish* man, or carry, give, &c. beyond the sea out of this realm, or the dominions of the same, any horse, gelding, or mare, without H. M.'s special licence under the great seal, or privy signet, or sell, deliver, &c. to any *Scotish* man within *Eng.* to be conveyed into *Scotland*, any horse, &c. or convey or carry away any horse, &c. into foreign parts beyond the sea without the like licence, on pain to forfeit to H. M. the same horse, &c. and 40*l.* for each horse, &c. one moiety to H. M. and the other to the party suing, by information, or action of debt, or detinue, in any court of record, wherein no essoin, &c. and likewise on pain to be imprisoned for one year, 1 *E.*6. *c.*5. *s.*1. (but see note to *pl.*2.)

7. The wardens of the east, west, and middle marches in their courts, and also the justices of peace in every shire in *Eng.* or *Wa.*, in their quarter-sessions, may inquire of offences done contrary to this act, and every person may arrest a *Scottish* man, and all other persons which shall convey any such horse, &c. into *Scotland.* or any place beyond sea without such licence, *id. s.*2. [REP. 5*&*6 *A. c.*8. *Art.*18.; see *pl.*2.]

8. If H. M. do grant such licences as in *s.*1. to carry and convey any horses, &c. into *Scotland*, or beyond sea, or give authority to any person to grant such licences, then persons having such licence from H. M. or from such other person under his seal, may carry and convey any number of horses, &c. into *Scotland*, or beyond sea, as is mentioned in such licence, *id. s.*3.

9. This act shall not extend to horses, &c. carried beyond the sea, or into *Scotland*, to serve H. M. in his wars, *id. s.*4.

10. Persons so licensed to convey horses, &c. into *Scotland*, be-

fore such conveyance, on pain to forfeit such horse, &c. or the double value thereof, (to go in moieties to H. M. and the party suing), shall show his licence to one of such wardens as in *s.* 2. who shall calendar the number of horses, &c. in a book, and indorse such licence with his hand, 1 *E.* 6. *c.* 5. *s.* 5.

11. The warden of the five ports may yearly give 6 horses or geldings, upon like pain, to any person beyond sea in amity with H.M., *id. s.* 7.

12. This act shall not be prejudicial to the master of H. M.'s horses, for such things as concern his office, *id. s.* 8.

13. Any mares may be carried beyond sea, whereof the price does not exceed 10*s.* in such like manner as mares of the price of 6*s.* 8*d.* (see 11 *H.* 7. *c.* 13. *s.* 1. *ante*, *pl.* 3.) might be before this act, *id. s.* 9.

14. CONCERNING THE BREED OF HORSES, 27 *H.* 8. *c.* 6. and recital in *s.* 1. [AMD. 32 *H.* 8. *c.* 13. and recital in *s.* 1. which is REP. as to so much as concerns the counties herein mentioned, and new provisions made in respect thereof, 8 *El. c.* 8. and recital in *s.* 1. and 21 *J.* 1. *c.* 28. *s.* 12.]

15. Every person which shall have any park or ground inclosed, wherein deer is usually kept for game, containing one mile in compass, and shall be seised thereof in fee-simple or tail, or for term of life in possession to his own profit, every owner of such park, being in his own hand, and every farmer of such park being let to farm, shall keep for every such park or ground inclosed, as long as the same shall be used with deer for game, 2 mares apt to bear foals each of the height of 13 handfuls at least, to be measured from the lowest part of the hoof unto the highest part of the shoulder, every handful to contain 4 inches, upon pain of forfeiture of 40*s.* for every month lacking such mares; and every such owner or farmer of park, whereof the compass is four miles and above (upon like pain) shall keep 4 mares apt to bear foals, of the height of 13 handfuls, 27 *H.* 8. *c.* 6. *s.* 2.

16. If any of such mares chance to die, the owner (providing others of like height within 3 months after) shall not incur the penalty, *id s.* 3.

17. The lords, owners, and farmers of parks and grounds inclosed, appointed to keep mares, shall not willingly suffer any of such mares to be leapt with any horse under the stature of 14 handfuls, upon pain of 40*s.* the one moiety of all such penalties to H. M. and the other to the party that will sue for the same by information, action, or otherwise, wherein no essoin, &c. *id. s.* 4.

18. Provided that this act extend not to charge the owners of any park within the counties of *Westmorland*, *Cumberland*, *Northumberland*, and the bishopric of *Durham*, to keep mares for any parks lying in such counties; nor to charge the owners of parks with the finding of mares, the herbage of which park is common to the tenants and inhabitants of the townships adjoining, *id. s.* 5.

19. Spiritual persons chargeable by this act may sell the breed of their mares, *id. s.* 6.

20. No commoner within any forest, chase, moor, marsh, heath, common, or waste ground, nor any officer within any such forests or chases, or any other person, shall have or put to pasture in any such ground, any stoned horse above the age of 2 years, and not of the height of 15 handfuls from the lowest part of the hoof of the forefoot, unto the highest part of the wither, every handful to contain 4 inches, to pasture in such forests, &c. within the shires of *Norfolk*, *Suffolk*, *Cambridge*, *Buckingham*, *Huntingdon*, *Essex*, *Kent*, *Hants*, *North Wilts*, *Oxford*, *Berks*, *Worcester*, *Gloucester*, *Somerset*, *North Wales*, *South Wales*, *Bedford*, *Warwick*, *Northampton*, *York*, *Chester*, *Stafford*, the city of *York*, the town of *Gloucester*, the town of *Kingston-upon-Hull*, the counties of *Lancaster*, *Salop*, *Leicester*, *Hereford*, and *Lincoln*; nor shall put to feed any stoned horse above the age of 2 years, and not of the height of 14 handfuls, on any like ground within any other shire; upon pain of forfeiture of the horses which shall be found in any such ground, 32 *H.* 8. *c.* 13. *s.* 2, [see *ante*, *pl.* 17.]

21. So much of 32 *H.* 8. *c.* 13. as concerns any of the marches or fens within the *Isle of Ely*, and the shires of *Cambridge*, *Huntingdon*, *Northampton*, *Lincoln*, *Norfolk*, and *Suffolk*, [and *Cornwall*, 21 *J.* 1. *c.* 28. *s.* 12.] shall be REP., 8 *El. c.* 8. *s.* 2., 21 *J.* 1. *c.* 28. *s.* 12.

22. No person shall have or put to pasture upon any marsh or fen within such isle or counties, (*Cornwall* excepted,) any stoned horse, being above 2 years old, and not of the height of 13 hands, to be measured as in 32 *H.* 8. *c.* 13. *s.* 2. *pl.* 20. directed, upon the like pain as by the said act is limited, 8 *El. c.* 8. *s.* 3.

23. Every person that shall find any such horse may seize the same as follows, *viz.* he shall first go unto the keeper of the forest, &c. or to the constable, bailiff, headborough, bursholder, or tithingman, of any township next adjoining, and shall require them in the H. M.'s behalf, to go with him to bring such horses as he shall think to be there feeding contrary to this statute, to the next pound, and there the horses to be measured by any of the same officers, in the presence of 3 other honest men to be named by the officer; and if the horses be contrary to this act, such person that shall so seize such horses may take and retain the same to his own use, 32 *H.* 3. *c.* 13. *s.* 3.

24. If any keepers, bailiffs, constables, &c. or any of such 3 honest men which shall be required to be at the measuring, refuse to do as aforesaid, or do not truly measure such horses, every such bailiff, &c. shall forfeit 40*s.* the one half to H. M., and the other to the party that will sue by action of debt on information or otherwise, in which no essoin, &c., 32 *H.* 8. *c.* 13. *s.* 4.

25. This act shall not extend to any stoned horse that shall happen once in any year to break out of any several pasture, against the will of the owner, into any of such forests, &c. so that such horse do not abide in such forests, &c. 4 days after notice given at the dwelling-house of the owner, or after publication thereof upon a Sunday or festival in the parish church where the owner doth dwell, *id. s.* 5.

26. All forests, &c. shall be driven at the feast of *St. Michael*, or within 15 days after yearly by the lords, owners or possessors, or by the officers of the same, and by the constables, headboroughs, bailiffs, bursholders, and tithingmen, within whose precincts the commons, &c. being out of forests and chases, lie; upon pain of 40*s.* to be forfeited to H. M. by every of such officers, bailiffs, constables, &c. and the lords, owners and possessors of such forests and chases, by their officers, and the constables, &c. within the limits of their offices, may make like drifts of such forests, chases, commons, &c. at any other season, as often as they shall think meet, *id. s.* 6.

27. If in any of such drifts there shall be found any mare, filly, foal, or gelding, that shall be thought not able, nor like to grow to be able, to bear foals of reasonable stature, or to do profitable labours by the discretions of such drivers, or of the more number of them, such drivers shall cause the same unprofitable beasts to be killed; and the bodies to be buried or otherwise bestowed, *id. s.* 7.

28. The justices of peace in their quarter sessions, and all stewards of leets, shall inquire of all defaults contrary to the effects above written; and all presentments thereof in such leets shall be certified by the steward in the next general sessions of the peace, or unto the *custos rotulorum* of the shire, within 40 days after that presentment made; which justices in their quarter sessions shall hear and determine every such presentment before themselves found, or in any of such leets so to be certified, as well by examination as otherwise; and if any such stewards imbezzle or conceal any such presentment, or do not certify the same, they shall forfeit 40*s.* the one half of every the forfeitures afore written to be to H. M., and the other to the person that will sue for the same before the justices of peace in their quarter sessions by bill or information, which justices shall hear and determine every such offence, as well by examination as otherwise, *id. s.* 8.

29. No person shall have or put to pasture any horse, gelding, or mare, infect with scab or mange, upon any of such forests, chases, moors, &c. upon pain to forfeit for every horse, &c. 10*s.* which offence shall be inquirable and presentable before the steward in every leet, as other common annoyances be; and the forfeiture to be to the lord of the leet, *id. s.* 9.

30. This act shall not extend to any persons having stoned horses under the heights above-mentioned, for putting any of such horses to feeding in any commons where mares or fillies be not suffered to be kept, *id. s.* 10.

31. THAT NO MAN STEALING HORSE OR HORSES SHALL ENJOY the benefit of his clergy, 37 *H.* 8. *c.* 8. *s.* 2., 1 *E.* 6. *c.* 12. *s.* 10., 2 & 3 *E.* 6. *c.* 33. [*see accessaries* before and after the fact deprived of benefit of clergy, 31 *El. c.* 12. *s.* 5., *post*, *pl.* 45.]

32. Every person who shall steal any horse, gelding, mare, foal or filly, [any horses, geldings or mares, 1 *E.* 6. *c.* 12. *s.* 10,] and shall be thereof found guilty by verdict, or by confession, and is attainted or otherwise indicted thereof, and on arraignment shall stand mute, [or challenge peremptorily above 20, 37 *H.* 8. *c.* 8. *s.* 2.] or will not answer directly to the indictment, shall not have the benefit of clergy, and shall suffer death, 37 *H.* 8. *c.* 8. *s.* 2., 1 *E.* 6. *c.* 12. *s.* 10. [see *s.* 1. of 37 *H.* 8. *c.* 8. INDICTMENT; and as to standing mute, 12 *G.* 3. *c.* 20. FELONY, *pl.* 82—84.]

33. Recital of 1 *E.* 6. *c.* 12. *s.* 10 and the doubt whether persons convicted of stealing *one* horse, &c. were deprived of clergy by that act, and for clearing up doubt, all persons feloniously stealing any horse, gelding or mare, shall not be admitted to clergy, but shall be put from the same in like manner as if they had been indicted for felonious stealing of two horses, &c. and thereupon had been found guilty by verdict of 12 men, or confession, or wilfully standing mute, 2 & 3 *E.* 6. *c.* 33. [NOTE. *The enactment* of 37 *H.* 8. *c.* 8. *s.* 2. seems here to have been overlooked, for that act is in the singular number only, and 1 *E.* 6. *c.* 12. *s.* 10. seems to have been intended to amend it by extending it to horses, &c.]

34. AGAINST BUYING OF STOLEN HORSES, 2 & 3 *P.* & *M. c.* 7. and recital in *s.* 1. [AMD. 31 *El. c.* 12.]

35. The owner, governor, farmer, steward, bailiff or chief keeper of every fair and market overt, shall yearly appoint one certain place where horses shall be used to be sold, in which place there shall be by such keeper of the fair or market appointed one or more to take toll and keep

the place from ten until sun-set; upon pain to forfeit 40*s*. and every toll-gatherer shall during the fairs and markets take toll for every such horse, mare, gelding or colt, at such place, betwixt such hours, and not at any other time or place; and shall have before him at the taking of the toll the parties to the bargain and cost of every such horse, &c. and also the horse, &c. sold, &c. and shall then write in a book the names and dwelling-places of all the parties, and the colour, with one mark at least of every such horse, &c. on pain to forfeit 40*s*., 2 & 3 *P. & M. c.* 7. *s.* 2.

36. The toll-gatherer or keeper of the book shall within one day after such fair or market deliver this book to the owner, steward or chief keeper of the fair or market, who shall then cause a note to be made of the number of all horses, &c. sold at such market or fair, and subscribe his name, or set his mark thereunto; upon pain to forfeit 40*s*. and also to answer the party grieved, *id. s.* 3.

37. The sale, gift or exchange in any fair or market overt of any horse, &c. stolen, shall not alter the property, unless the same shall be in the fair or market openly ridden, walked, driven or standing one hour at least betwixt ten in the morning and sunset in the place wherein horses are used to be sold, and unless all the parties shall come together and bring the horse to the open place appointed for the toll-taker or book-keeper, and there enter their names and dwelling-places, with the colours and one mark at least of the horses, &c. in the toller's or keeper's book, and also pay him their toll, if they ought to pay any, if not, then the buyer shall give 1*d*. for the entry in the book, *id. s.* 4.

38. If any horse, &c. that is stolen, be sold or exchanged in any fair or market, and not used according to this statute, the owner of such horse may seize such horse, or have an action of detinue or replevin for the same, *id. s.* 5.

39. The one half of all which forfeitures shall go to H. M. and the other to him that will sue for the same before the justices of peace, or in any of the ordinary courts of record, by action of debt, &c. or formation, wherein no essoin, &c., *id. s.* 6.

40. The justices of peace of every place or county may in their sessions, inquire of, hear and determine all offences against this act, as they may do other matters triable before them, *id. s.* 7.

41. In every such fair or market, where any toll is due, the keepers of such book shall take 1*d*. for every contract, for his labours in writing the entry, *id. s.* 8.

42. No person shall in any fair or market sell, give or exchange any horse, mare, gelding, colt or filly, unless the toll-taker or book-keeper, bailiff or chief officer, will take upon him knowledge of the person that shall offer to sell or exchange any horse, &c., and of his name and place of dwelling, and shall enter the same in a book kept for the sale of horses; or else that he so offering to sell shall bring unto the toll-taker or other officer one credible person, that will testify that he knoweth the party that selleth; and enter in the book as well the name, mystery and place of dwelling of him that selleth as of him that so shall avouch his knowledge of the same person, and shall also cause to be entered the price that he shall have for the horse, &c., and no person shall take upon him to avouch that he knows the party unless he do indeed know the same party, and shall declare to the toll-taker, &c. as well the name, &c. of himself, as of him for whom he maketh such avouchment; and no toll-taker or other person keeping any book of entry of sales of horses shall take any toll, or make entry of any sale, &c., unless he knoweth the party that selleth or the party that shall avouch, and shall make entry in the books of such his knowledge, and the true price that shall be had for any such horse, and then give to the party buying (requiring and paying 2*d*. for the same) a note of the contents of the same, subscribed with his hand; on pain that every person that shall so sell without being known to the toll-taker, or without bringing such avoucher, causing the same to be entered, and every person making any untrue avouchment, and every toll-taker, book-keeper, or other officer of the fair or market offending in the premises, shall forfeit 5*l*.; also every sale or exchange of any horse, &c. in fair or market, not used in all points according to the meaning aforesaid, shall be void; the one half of all which forfeitures to be to H. M., and the other to him that will sue for the same before the justices of peace, or in any ordinary courts of record, by action of debt, &c. or information, in which no essoin, &c., shall be allowed, 31 *El. c.* 12. *s.* 2.

43. The justices of peace shall have authority in their sessions to inquire, hear and determine all offences against this statute, *id. s.* 3.

44. If any horse, mare, gelding, colt or filly, shall be stolen, and after shall be sold in open fair or market, and the same sale shall be used in all points as aforesaid, yet the sale of such horse within 6 months after the felony done, shall not take away the property of the owner, so as claim be made within 6 months by the party from whom stolen, his executors or administrators, or by his appointment, in the town or parish where the same horse, &c. shall be found, before the mayor or other head-officer; if the horse, &c. shall be found in any town corporate or market town, or else before any justice of peace of that county near the place where such horse, &c. shall be found, and so as proof be made within forty days by two witnesses, before such head officer or justice, that the property of the horse, &c. was in the party for whom claim is made, and was stolen from him within 6 months before such claim; but the party from whom such horse, &c. was stolen, his executors or administrators, may at all times take again such horse, &c. upon payment to the party that shall have possession of the same horse, &c.; of so much money as the same party shall swear before such head officer or justice of peace that he paid for the same, 31 *El. c.* 12. *s.* 4.

45. Not only all accessaries before such felony done, but also all accessaries after such felony, shall be put from all benefit of clergy, as the principal ought to be, *id. s.* 5. [see 37 *H.* 8. *c.* 8. *s.* 2., &c. *pl.* 31.]

46. For regulating houses and other places kept for the purpose of slaughtering horses, 26 *G.* 3. *c.* 71.

47. No person shall keep or use any house or place for the purpose of slaughtering or killing any horse, mare, gelding, colt, filly, ass, mule, bull, cow, ox, heifer, calf, sheep, hog, goat, or other cattle, which shall not be killed for butcher's meat, without first taking out a licence at the quarter sessions for the county, riding, city, town, district, division or liberty, where such slaughter house is situate; and such sessions shall grant such licence upon a certificate, under hand and seal of the minister and churchwardens or overseers, or two substantial householders of the parish, where the applicant for such licence shall dwell, that such person is fit to be trusted with such business; provided, that in case of the death of any person, to whom such licence is granted, the widow or personal representative of such person so dying, may carry on such business to the then next quarter sessions, *id. s.* 1. [*See the* penalty, *s.* 8., *post*, *pl.* 54.]

48. Every such licence shall be signed by the justices of such sessions or the major part of them, and a copy thereof shall be entered in a book to be kept by the clerk of the peace for the county; and all persons may at all times (*Sundays* excepted), between the hours of 10 and 12, search the office of the clerk of the peace, wherein any such copy is entered, and make an extract from the same on payment of 6*d*.; and all persons so licensed, shall affix over the door of the house, where he carries on such business, his name, and the words "licensed for slaughtering horses, pursuant to an act passed in the 26th year of H. [*Qu. late*] M. king *George* the Third," *id. s.* 2.

49. Every occupier of such licensed house shall, 6 hours previous to his slaughtering any horse, &c. as in *s.* 1., and which shall not be killed for butcher's meat; and previous to the flaying of any horse, &c. brought dead to such slaughter house, give notice in writing to a person appointed, as in *s.* 5., as inspector, that such inspector may take an exact account and description of the height, age, (as near as may be), colour and particular marks of every horse, mare, gelding, foal, filly, ass or mule, and of the colour and marks of every cow, bull, heifer, ox, calf, sheep, hog or goat, or other cattle brought alive or dead for such purposes; and no such horse, &c. shall be killed but between 8 in the morning and 4 in the evening, during *Oct.*, *Nov.*, *Dec.*, *Jan.*, *Feb.* and *Mar.*; and between 6 *a. m.* and 8 *p. m.* during the rest of the year, *id. s.* 3. [*See the penalty, post, s.* 8. *pl.* 54.]

50. Every person so licensed, shall, at the time any horse, &c., as in *s.* 1., is brought for the purpose of slaughtering or flaying, make an entry in a book of the name and abode, and profession of the owner, and also of the person who brought the same to be slaughtered or flayed, and the reason why the same was brought to be slaughtered or flayed, which reason the person bringing the same shall declare to such person, so licensed; which book shall at all times be open for the examination of the inspector, to be appointed as in *s.* 5.; and such licensed person shall attend with, and produce such book before any justice, when required by warrant or order under the hand and seal of such justice, and shall likewise produce the same at every general quarter sessions held for the county, *id. s.* 4.

51. Such of the parishioners as are intitled to meet in vestry for choosing parish officers, shall, in every parish wherein such slaughtering house shall be situated, annually, or oftener, appoint one or more persons to be inspectors to inspect every such slaughtering house, to whom all occupiers and persons carrying on such business shall, 6 hours previous to his slaughtering or flaying any such horse, &c., as in *s.* 1., give notice in writing of his intention so to do; and such inspector shall in person, or by his servants, attend at the slaughtering house of the person so giving notice, and there take such account as in *s.* 3. directed; and such inspector shall keep a book, and therein make an entry of such account; and such person carrying on such business shall for such entry pay to such inspector 6*d*.; and every person desiring to inspect such book shall have access to the same between the hours in *s.* 3. mentioned, paying to such inspector for such search, 6*d*.; and such inspector shall cause to be painted over the door of the house where he resides, his name, and the words, *inspector of houses and places for slaughtering horses;* and in case such inspector shall, upon examination of any horse, &c. intended to be slaughtered, have reason to believe that such horse, &c. is free from disease, and in a sound and ser-

viceable state, or that the same has been stolen, or unlawfully come by, he shall prohibit the slaughtering of such horse, &c. for not exceeding 8 days, and in the mean time shall cause an advertisement to be inserted in the *Daily Advertiser*, or some public newspaper circulated in the county where such slaughter-house shall be situated, twice or oftener, unless the owner of such horse, &c. shall sooner claim the same, to certify under his hand, or otherwise inform the inspector, that he sent such horse, &c. to be delivered to the person so licensed for the purpose of being slaughtered, the expense of inserting such advertisement, to be paid by the occupiers of such slaughtering-house to such inspector; and in case such occupier shall refuse to pay the same, and shall be thereof convicted on the oath of such inspector before one justice for the county, &c., he shall forfeit double the amount of the charge of such advertisement, to be raised by distress and sale of the goods by warrant under the hand and seal of such justice, and the form of conviction shall be as follows:

'*A. B.* is convicted, on the oath of *C. D.* inspector of houses and places for slaughtering horses, for the parish of *E.* in the county of *D.*, of refusing to pay the sum of — being the expence of an advertisement or advertisements [*as the case may be*] inserted in the *Daily Advertiser*, or some other public newspaper circulated in the county [*as the case may be*], pursuant to the directions of the statute in that case made and provided. Given under my hand and seal this — day of —. *F. G.*" 26 *G.* 3. *c.* 71. *s.* 5.

52. Every inspector may, at all times in the day or night, but if in the night, then in the presence of a constable, enter into and inspect any place kept for slaughtering horses by any person so licensed; and also any stable, building, shed, yard, or place belonging thereto, and then and there examine and see if any horse, &c., as in *s.* 1., is deposited or brought there, and take an account thereof; and all persons so licensed shall suffer such inspector, at all times in the day and night, but if in the night, then in the presence of a constable, to enter into and inspect such place, and also any stable, &c., and freely to examine and see any horse, &c. then and there being, and to take such account as in *s.* 3. directed, *id. s.* 6.

53. In case any person who shall offer to sale, or shall bring any horse, &c. to any person keeping such slaughtering house, to be slaughtered, or being dead, to be flayed, shall not be able, or shall refuse to give a satisfactory account of himself, or of the means by which the same came into his possession; or if there be reason to suspect that such horse, &c., as in *s.* 1., is stolen or unlawfully obtained, the person keeping such slaughtering house to whom she same shall be brought or offered to sale, and his servants, and also such inspector or his servants, may seize such person, and also every such horse, &c. so brought or offered to sale, and deliver such person into the custody of a constable or peace officer, who shall convey him before a justice for the county, and if such justice shall, upon examination, have cause to suspect that such horse, &c. is stolen or unlawfully obtained, such justice may commit such person into safe custody for not exceeding 6 days, in order to be further examined; and if upon either of the examinations such justice shall be satisfied that such horse, &c, is stolen or illegally obtained, he may commit the person bringing the same to sale, to the common gaol or house of correction, there to be dealt with according to law, *id. s.* 7.

54. If any person keeping such slaughtering house shall slaughter any horse, &c., as in *s.* 1., for any other purpose than for butchers' meat, or shall flay any horse, &c. brought dead to such slaughtering house, without taking out such such licence, as in *s.* 1., or without giving such notice as in *s.* 3. or shall slaughter or flay the same at any time other than within the hours in *s.* 3. limited, or shall not delay slaughtering according to the direction of such inspector, as in *s.* 5., such person shall be guilty of felony, and shall be punished by fine and imprisonment, and such corporal punishment, by public or private whipping, or shall be transported for not exceeding 7 years, as the court shall direct, *id. s.* 8.

55. If any person keeping such slaughtering house shall throw into any lime pit, or otherwise immerse in lime, or any preparation thereof, or rub therewith, or with any other corrosive matter, or destroy or bury the hide or skin of any horse, &c. by him slaughtered or flayed, or shall be guilty of any offence against this act for which no punishment or penalty is provided, such person shall be adjudged guilty of a misdemeanor, and shall be punished by fine and imprisonment, and such corporal punishment, by public or private whipping, as the court shall direct, *id. s.* 9.

56. If any person so licensed shall make any false entry in such book, of any matter required by him, to be made in such book, as in *s.* 4., he being convicted thereof, upon the oath of 2 witnesses, before one justice, shall forfeit not exceeding 20*l.*, nor less than 10*l.*, to be levied by distress and sale of the goods of such offender by warrant under the hand and seal of such justice, (the surplus, after deduction of the charges, to be restored,) one moiety thereof to be paid to the informer, and the other to be forthwith paid by such justice to the overseers of the poor, for the use of the poor where the offender shall reside; and in case such offender shall not have effects to the amount of the penalty, such justice, after sale and application as aforesaid of such effects as shall be found, may commit him to the house of correction, there to be confined to hard labour for not exceeding 3 months, nor less than one, 26 *G.* 3. *c.* 71. *s.* 10.

57. A conviction for such offence, in the tenor and effect following, shall be good, *id. s.* 11.

'Be it remembered, that on this — day of — in the year — *A. B.*, licensed for slaughtering horses, is convicted upon the oaths of *C. D.* and *E. F.* two credible witnesses, before me *G. H.* one of H. M.'s justices of the peace for the county of — of having wilfully made [*or* caused to be made *as the case may be*], a false entry in the book required by the statute in that case made and provided, to be kept by the said *A. B.*, whereby he [she, *or* they] has [*or* have] forfeited the sum of —. Given under my hand and seal, the day and year above written.'

58. The book of the inspector shall be produced at every general quarter sessions, and delivered to the justices at such sessions, then and there to be examined by them as they think fit, *id. s.* 12.

59. If any person shall occasionally lend any house, barn, stable, or other place, for slaughtering any horse, &c. which shall not be killed for butchers' meat, without taking out such licence, and shall be thereof convicted before any justice, upon the oath of two witnesses, he shall forfeit not exceeding 20*l.*, nor less than 10*l.*, one moiety thereof to be paid to the informer, and the other to the poor of the parish where the offence shall be committed; and which last moiety shall, upon payment thereof, be immediately transmitted by the justice to the overseers of such parish; and in case such penalty shall not be forthwith paid, such justice shall commit the offender to the common gaol or house of correction for not exceeding 3 calendar months, nor less than one, unless the penalty be sooner paid; and the conviction shall be as follows, or to that effect:

'Be it remembered, that on this — day of — *A. B.* was convicted, upon the oaths of two credible witnesses, before me *C. D.*, one of H. M.'s justices of the peace for the county of — for occasionally lending a house [*or* place, *as the case may be*], for the purpose of slaughtering horses [*or as the case may be*, of slaughtering cattle for other purposes than for butchers' meat], without a licence for that purpose first obtained, according to the statute in that case made and provided. Given under my hand and seal, the day and year above written.'

60. This act shall not extend to any currier, felt-maker, tanner, or dealer in hides, who shall kill any distempered or aged horse, &c. as in *s.* 1. or purchase any dead horse, &c. for the *bonâ fide* purpose of selling, using, or curing the hides thereof, in the course of their trades; nor to any farrier employed to kill aged and distempered cattle, nor to any person who shall kill any horse, &c. of their own or other cattle, or purchasing any dead horse, or other cattle, to feed their own hounds or dogs, or giving away the flesh thereof for the like purpose, *id. s.* 14.

61. If any collar-maker, currier, felt-maker, tanner, or dealer in hides, or farrier, or other person, shall, under colour of their trades, knowingly kill any sound horse, or boil or cure the flesh thereof for the purpose of selling the same, such collar-maker, and other tradesman, shall be deemed to be an offender within this act, and shall, for such offence, forfeit not exceeding 20*l.*, nor less than 10*l.*, *id. s.* 15.

62. Any justice before whom complaint is made for any offence against this act, may summon any person, other than the party complained against, to appear before him, to give evidence; and in case such person shall wilfully refuse or neglect to attend, or give evidence, he shall forfeit 10*l.*, and in default of payment thereof, or in case of inability to pay the same, shall stand committed to the common gaol or house of correction, for not exceeding three calendar months, nor less than one, unless the penalty is sooner paid, *id. s.* 16.

63. Any inhabitant of the parish where any offence shall be committed, shall be a competent witness, notwithstanding his contributing to any of the rates to such parish; or being a poor person relievable by the parish, and intitled as such to receive any benefit from any penalty to be paid in pursuance of this act, *id. s.* 17.

64. Persons sued for any thing done under this act may plead the general issue, and give the special matter in evidence, and if defendant gets a verdict, or the plaintiff is nonsuited, such defendant shall have treble costs, *id. s.* 18.

HORSE-RACING.

1. To PREVENT THE EXCESSIVE INCREASE OF HORSE-RACES, 13 *G.* 2. *c.* 19. *ss.* 1—8. and *s.* 10.; see *s.* 9. in LOTTERIES, [AMD. 18 *G.* 2. *c.* 34. *s.* 11.]

2. No person soever, shall enter, place, start, or run, any horse, mare, or gelding, for any plate, prize, sum of money, or other thing, unless such horse, &c. shall be *bonâ fide* his property, on pain of forfeiture of the horse, or the value, to be sued for, &c. (as in *s.* 6.); nor shall any one person, enter and start more than one horse for one and the same

plate, &c., on pain, that every such horse, (other than the first entered) or the value, shall be forfeited, to be sued for, &c. (as in *s.* 6.) 13 *G.* 2. *c.* 19. *s.* 1.

3. No plate, prize, sum of money, or other thing, shall be run for, or advertised to be run for, by any horse, &c., unless such prize be of 50*l.* value or upwards; and every person who shall enter, start, or run, any horse, &c. for any plate, &c. of less value than 50*l.*, shall forfeit 200*l.*; and every person who shall make, print, advertise, publish, or proclaim any advertisement or notice of any prize, of less value than 50*l.*, to be run for by any horse, shall forfeit 100*l.*, recoverable as (in *s.* 6.), *id. s.* 2.

4. Any person may run any match, or start and run for any plate, &c. (as *in s.* 1.) of the real value of 50*l.* or upwards, at any weights and place soever, without incurring the penalties of 13 *G.* 2. *c.* 19. (*s.* 3. and *s.* 5.) *relating* to the weights above mentioned, [*see* 2 *B.* & *P. Rep.* 53, 54.] 18 *G.* 2. *c.* 34. *s.* 11. [*virtually* repealing, 13 *G.* 3. *c.* 19. *s.* 3. as to *weights*, and *id. s.* 5. as to *places* of running, being *Newmarket* and *Black Hambleton* only, for prizes of 50*l.* value or upwards.]

5. No person shall run any match between any horse, &c. for any plate, &c., unless run on *Newmarket-Heath* or *Black Hambleton*, or unless the said plate, &c. be of the intrinsic value of 50*l.*; and in case any person shall run any such match at any other place than those aforesaid, or for any plate, &c. of less value than 50*l.*, he shall forfeit 200*l.*, 13 *G.* 2. *c.* 19. *s.* 5. [*We have seen* that for plates, &c. of 50*l.* value, horses may now be run with *any weights*, notwithstanding 13 *G.* 2. *c.* 19. *s.* 3., and at *any places*, notwithstanding *id. s.* 5., 18 *G.* 2. *c.* 34. *s.* 11. See the doubts in *pl.* 2. *B.* & *P.* 53, 54.; but this section is here inserted, because in 4 *Bla. Comm., by Christian, 15th Ed.* 173. *n.* 11., it is suggested that at *Newmarket* and *Black Hambleton*, a race may be run *for less than* 50*l.* The words of this section do not appear to warrant this construction, but rather to re-enact the penalty of *s.* 2. *pl.* 3. against running for plates under 50*l.* value, *without reference to place*, or excepting *Newmarket* and *Black Hambleton* from the general rule.—R. P. T.]

6. Every race hereafter run for any plate, &c. (as in *s.* 1.) shall be begun and ended in the same day, 13 *G.* 2. *c.* 19. *s.* 4.

7. All sums paid for entering any horse, &c. to start or run for any prize, &c. shall be paid to the 2d best horse who shall run for the same, *id. s.* 7.

8. Nothing herein shall prevent the running any horse, &c. for any plate, prize, or other thing, now issuing out of, or paid for by the rents and profits of any lands, tenements, or hereditaments, or out of the interest of any money now appropriated for that purpose, *id. s.* 8.

9. All penalties and forfeitures incurred for any offence against this act, shall be sued for and recovered by action or information in any court of record at *Westminster*, or at the assizes, and shall be disposed of, one moiety to the party suing, and the other to the use of the poor of the parish where such offence committed, except where such latter moiety is recovered in *Somersetshire*, and then to the poor persons in the New *Bath* Infirmary, *id. s.* 6.

10. In any action or information brought by virtue of this act, no essoin, &c., or more than one imparlance shall be allowed; and the plaintiff or informer shall recover double costs, *id. s.* 10.

HUE AND CRY.

1. MEN SHALL BE READY TO PURSUE FELONS, 3 *E.* 1. *c.* 9.

2. All shall be ready at the summons of the sheriff, and cry of the county, to sue and arrest felons, as well within franchise as without; and they who will not, and are thereof attainted, shall make grievous fine to H. M., and if default be found in the lord of the franchise, H. M. shall take it to himself; and if in the bailiff, he shall have one year's imprisonment and make fine, and if he hath not whereof, he shall be imprisoned 2 years, *id. s.* 1.

3. And if the sheriffs, coroners, or other bailiffs, within or without franchise, for reward, prayer, fear, or affinity, do conceal felonies done in their bailiwicks, or will not attach or arrest such felons, as they may, or otherwise neglect their duty, they shall have one year's imprisonment, and make fine to H. M.; and if they have not wherewith, they shall be imprisoned 3 years, *id. s.* 2.

4. FRESH SUIT SHALL BE MADE AFTER FELONS AND ROBBERS, (*c.* 1.) and inquiry made of felons and robbers, and the county shall suffer if they be not taken, 13 *E.* 1. *St. Wynt. cc.* 1—2. [EXTD. to *Ire.* 31 *E.* 3. *St.* 4. *c.* 5. CONF. 28 *E.* 3. *c.* 11. See further 27 *El. c.* 13. *post, pl.* 11.]

5. In fear of the pain H. M. has established, no felonies shall be concealed or spared, and cry shall be made in all counties, hundreds, markets, fairs, and other places, where solemn assembly of people is, so that none excuse himself by ignorance; and the county shall be so kept, that after robberies and felonies committed, fresh suit be made, from town to town, and from county to county, 13 *E.* 1. *St. Wynt. c.* 1.

6. When need requires, inquests shall be made in towns by the lord of the town, and after in the hundred, franchise, and county, where felonies are committed, in the marches of the shires, so that the offenders may be attainted; and if the county will not answer for the bodies of such offenders, the inhabitants shall be answerable for robberies done, and also damages, so that the whole hundred with the franchises within the same shall answer for such robberies; and if done within the division of 2 hundreds, then both shall answer, and after the robbery or felony, the county shall have 40 days to agree for the robbery, or to answer for the bodies of the offenders, 13 *E.* 1. *St. Wynt. c.* 2.

7. OF HUE AND CRY, 13 *E.* 1. (*St. Wynt.*) *c.* 6. [for rest of title and statute, see ARMS, &c. MARKETS AND FAIRS.]

8. Sheriffs and bailiffs within franchises and without, shall follow the cry with the county, and according as they are bounden, shall keep horses and armour so to do; and in default of any, they shall be presented by the constables to the justices, and by them to H. M., who shall provide remedy, *id. ibid.*

9. THE STATUTE OF *Wynton* (or *Winchester*), 13 *E.* 1., shall be sent 4 times a-year in every county, and read there, as well as the 2 great charters; and 3 knights assigned in the shire to redress things done against the great charters, shall have warrants for maintenance of that statute, 28 *E.* 1. *c.* 17.

10. EVERY SHERIFF OF *Eng.* shall be bound in his own proper person, to make proclamation of the *St. of Wynton*, 13 *E.* 1., 4 times a year, in every hundred within his bailiwick, and by his bailiffs in every market-town, 7 *R.* 2. *c.* 6.

11. FOR FOLLOWING THE HUE AND CRY, 27 *El. c.* 13. and recital in *s.* 1. [AMD. as to the hundred of *Benhurst* in *Berks.*, 39 *El. c.* 25. Persons travelling on *Sunday*, and being robbed, not to have the benefit of the statutes of hue and cry, 29 *C.* 2. *c.* 7. *s.* 5., HOLY DAYS AND FASTS, *pl.* 49.]

12. The inhabitants of every hundred (with the franchises therein) wherein defect of fresh suit after hue and cry made shall happen, shall answer the moiety of all such sums and damages, as shall by force of the acts, 13 *E.* 1. (*St. Wynt.*) *cc.* 1, 2, and 6., and 28 *E.* 3. *c.* 11., be recovered against such hundred, within which any robbery or felony is committed, the same to be recovered by action of debt, &c., or information in any court of record at *Westminster*, in the name of the clerk of the peace for the county, without naming him; and such moiety to be to the use of such hundred, where the felony, &c. was done, 27 *El. c.* 13. *s.* 2.

13. If any clerk of the peace shall commence any such action, &c., and afterwards dies, or is removed before recovery or execution had, the same shall not thereby abate or be discontinued; but his successor may follow the same, in such manner as if it had been commenced by him, *id. s.* 3.

14. After execution of damages by the party robbed, or complaint made by the party so charged, any 2 justices of the same county, inhabiting in or near such hundred, may assess and tax rateably all the towns, parishes, villages, &c., as well of the hundred where the robbery was committed, as the liberties within the same, towards an equal contribution to be had for the relief of such inhabitants, against whom the party robbed had execution; and after such taxation made, the constables or headboroughs of every such towns, &c. may, within their several limits, rateably tax according to their abilities every inhabitant and dweller in such town, &c. for payment of such taxation; and if any inhabitant shall refuse to pay the same, then such constables or headborough may, within their respective limits, distrain their goods and chattels, and sell the same, and retain the money to such use; rendering any overplus to the owner, *id. ss.* 4—5. [*see now* 8 *G.* 2. *c.* 16. *s.* 14. *post, pl.* 37., and 22 *G.* 2. *c.* 46. *s.* 34. HUNDREDS.]

15. All constables and headboroughs, after they have levied and collected their said rates so taxed, shall within 10 days after pay the same unto such justices or one of them, for the use of such inhabitants for whom such rate, &c. was made, and who shall re-deliver it over upon request to such inhabitants, *id. s.* 6.

16. The like taxation, levying by distress, and payment, shall be done in every hundred where default or negligence of fresh pursuit shall be, for the benefit of such inhabitants thereof as shall have any damages or recovery levied upon them by virtue of this act, for the payment of one moiety of the money recovered against the hundred where the robbery was committed, *id. s.* 7.

17. Where any robbery shall be committed by two or a greater number of malefactors and one of them is apprehended by pursuit made according to such act or this act, then no hundred shall incur any forfeiture mentioned in such acts or this act, although the residue of such malefactors shall escape, *id. s.* 8.

18. No person robbed shall charge any hundred except he commence his suit within one year after such robbery committed, *id.* 9.

19. No hue and cry shall be allowed a lawful hue and cry and pursuit, except the same be made by horsemen and footmen, *id. s.* 10.

20. No person robbed shall take any benefit by such statutes, except he shall with as much convenient speed as may be give notice of such felony or robbery unto some of the inhabitants of some town, village, or hamlet near the place; nor shall bring any action upon such statutes,

except he shall within 20 days before such action brought, be examined on oath before some justice of peace inhabiting within the hundred or near the same, whether he knows the parties that committed the robbery, or any of them; and if it be confessed that he does know the parties or any of them, he shall, before the action brought, enter into recognizance before such justice to prosecute the persons known, 27 *El. c.* 13. *s.* 11. [*See further as to notice*, 8 *G.* 2. *c.* 16. *s.* 1., *post pl.* 24.]

21. The inhabitants of the hundred of *Beynersh*, alias *Benhurst*, in *Berkshire*, may, in the name of the clerk of the peace for the county of *Berks.*, recover all such sums of money as shall be recovered of them by the statutes of hue and cry against the inhabitants of every hundred wherein negligence of pursuit shall be, after notice given or hue and cry brought to the same inhabitants of any robbery done within the hundred of *Beynersh*, with like power for the recovery, &c. of such money as by 27 *El. c.* 13. directed in case of a moiety thereof, 39 *El. c.* 25. *s.* 1.

22. Provided that no such remedy shall be had for the whole money, but only in these cases, *viz.* where no such notice (as by 27 *El. c.* 13. was appointed shall be given to the inhabitants of the hundred of *Beynersh*, or where the inhabitants of the same hundred (after such notice, or after hue and cry brought) shall make fresh suit and pursuit after the offenders with horsemen and footmen, according to such statute, and where the offenders shall not be apprehended within 40 days, *id. s.* 2.

23. FOR THE AMENDMENT OF THE LAW RELATING to actions on the statutes of hue and cry, 8 *G.* 2. *c.* 16. [AMD. 22 *G.* 2. *c.* 24. See also 22 *G.* 2. *c.* 46. *s.* 34. HUNDREDS, *pl.* 1.]

24. No person shall maintain any action against any hundred by virtue of the statutes 13 *E.* 1. *St. Wynt.* and 27 *El. c.* 13. unless he shall, besides the notice already required, with as much convenient speed as may be after any robbery on him committed, give notice thereof to one of the constables of the hundred, or to some constable, borsholder, headborough, or tythingman of some town, parish, or tything, near the place wherein such robbery shall happen, or shall leave such notice in writing at the dwelling-house of such constable, &c. describing so far as circumstances will admit, the felons, and the time and place of the robbery; and also shall within 20 days after cause notice to be given in the *London Gazette*, therein likewise describing the felons, and the time and place, together with the goods whereof he was robbed; and shall also before action commenced go before the chief clerk or secondary, or the filazer of the county wherein such robbery shall happen, or the clerk of the pleas of that court wherein such action is intended to be brought, or before the sheriff of the county, and enter into a bond to the high constable of the hundred where the robbery was committed in 100*l.*, with two sureties to be approved of by such chief clerk, &c. with condition for securing to such high constable (who shall enter an appearance and defend such action) the payment of their taxed costs, in case the plaintiff is nonsuited, or discontinues, or has judgment against him on demurrer, 8 *G.* 2. *c.* 16. *s.* 1.

25. When such bond shall be entered into before the sheriff, such sheriff shall certify the same to the chief clerk or secondary in the court of K. B. or to such filazer of such county, in case the action be intended to be brought in the C. P. or, if in the court of exchequer, to the clerk of the pleas; which certificate shall be delivered by the party robbed to such chief clerk or secondary, or to such filazer, or clerk of the pleas or their deputies before any process shall issue; and such chief clerk, &c. shall not take any greater fee for making such bond than 5*s.* above the stamp duties; nor shall any sheriff take any greater fee for making, nor shall such chief clerk, &c. take any greater fee for filing such certificate than 2*s.* 6*d.*; and such chief clerk, &c. shall deliver over *gratis* all such bonds to the high constables, to whose use the same were taken, *id. s.* 2.

26. No hundred shall be chargeable, if one of the felons be apprehended within 40 days next after notice in the *London Gazette*, *id. s.* 3.

27. No process for appearance in any action on such statutes against any hundred shall be served on any inhabitant thereof save only upon the high constable of the hundred, who shall cause public notice to be given thereof in one of the principal market towns within the hundred, on the next market day; or if there be no market-town, then in some parish church within such hundred immediately after divine service on the *Sunday* next after his being served with process, and he shall enter an appearance in the action, and defend the same as he shall be advised; and in case the plaintiff recovers, no process of execution shall be served on any particular inhabitant nor on the high constable, but the sheriff shall upon receipt of any execution cause the same to be shewn to 2 justices of the peace (one to be of the *quorum*) residing within the hundred or near the same, who shall cause such assessment to be made and levied as by the statute 27 *El. c.* 13. *s.* 4. (*pl.* 14.) directed, in which assessment there shall be included, over and above the costs and damages recovered by the plaintiff, all necessary expences which any high constable hath been at, in having defended such action, claim being made thereto by such high constable before the justices upon notice given him by such justices; and the money so levied shall be paid over (by such officers as by the statute 27 *El. c.* 13. (*pl.* 14.) are to levy the same) within 10 days, to the sheriff of the county, to the use of the plaintiff for so much as the costs and damages by him recovered shall amount to, and to the use of the high constable for so much as his expences shall amount to, of which the high constable shall give in an account, and make proof upon oath to the satisfaction of the justices, before any taxation shall be made for reimbursing such high constable, and shall have no further allowance towards paying an attorney than what such attorney's bill shall be taxed at, 8 *G.* 2. *c.* 16. *s.* 4. [See 22 *G.* 2. *c.* 46. *s.* 34., HUNDREDS, *pl.* 1.]

28. The money which shall be paid over to the sheriff, shall, on request, be by him paid over to the parties entitled without deduction, *id. s.* 5.

29. No sheriff shall be called upon to return such writ of execution until 60 days after the writ shall be delivered to the sheriff, who shall indorse on it the day on which he received the same, *id. s.* 6.

30. If any plaintiff, in any action to be brought against any hundred upon such statutes shall be nonsuited, or discontinue, or have judgment on demurrer, or a verdict given against him, any 2 justices (such as are in *s.* 4. mentioned) upon complaint, and upon an account given in by such high constable, and proof made upon oath to the satisfaction of such justices, of expenses necessarily laid out, may make such taxation, and to be levied as in 27 *El. c.* 13. *s.* 4. (*pl.* 14.) directed, in order to reimburse such high constable what he shall have necessarily expended in defending such action, wherein such plaintiff shall be so nonsuited, &c. over and above the costs taxed; and in case it appears upon oath to such justices that such plaintiff and his sureties are insolvent, such 2 justices may make a taxation in the manner directed by 27 *El. c.* 13. (*pl.* 14.) to reimburse such high constable such taxed costs, as by reason of such insolvency he shall not be able to recover from such plaintiff, *id. s.* 7.

31. The money rated for the reimbursement of such expences of the high constable, in case of judgment given against the glaintiff, shall be paid within 10 days after collection to such justices, or one of them, to the use of such high constable, and be by them paid to him, *id. s.* 8.

32. Any person who shall apprehend such felons within the time in *s.* 3. (*pl.* 26.) limited, whereby the hundred hath been discharged from any such action, shall upon proof on oath made before such 2 justices be intitled to 10*l.*, (which shall be raised upon the hundred by taxation to be made, &c. as before directed,) and such 10*l.* shall be paid unto such 2 justices, within 10 days after the same shall be collected; and such justices shall pay over such sum to such persons, in such shares as they shall think reasonable; provided that such person shall not be thereby incapable to be a witness in such action, *id. s.* 9.

33. The justices, by whom such taxations, as directed by 27 *El. c.* 13. (*pl.* 14.) and this act, shall be made, shall appoint some reasonable time, within which such taxations shall be levied, which time shall not exceed 30 days; and if any officers, who are to levy such taxations shall neglect to pay over the money to the sheriff and justices, such officer shall for every neglect forfeit double the sum, to be by him levied, *id. s.* 10.

34. Every constable, borsholder, headborough, or tythingman, to whom such notice shall be given, or left at his dwelling-house, and every constable of the hundred, and every constable, &c. of every town, &c. within the hundred or the franchises within the precinct thereof, wherein such robbery shall happen, as soon as the same shall come to his knowledge, shall, with the utmost expedition make fresh suit, and hue and cry after the felons; and if any constable, &c. shall offend in the premises, he shall forfeit 5*l.*, *id. s.* 11.

35. Every forfeiture hereby incurred shall be recovered with costs, and shall go one moiety to H. M. and the other to such person as shall sue for the same, within 6 months after such forfeitures incurred, by action of debt, &c. or information in the courts at *Westminster*, wherein no essoin, &c. and only one imparlance shall be allowed, *id. s.* 12.

36. In actions for any thing done in pursuance of this or either of such recited statutes, the defendant may plead the general issues, and give such acts and the special matter in evidence, and if the plaintiff is nonsuited, discontinues, or forbears prosecution, or has verdict or judgment on demurrer against him, the defendant shall have full costs, with the usual remedy to recover the same, *id. s.* 13.

37. No such action shall be brought but within 6 months after the thing done, *id. s.* 14.

38. In any action against any hundred, on either of such acts, any person inhabiting within the hundred shall be admitted a witness for the hundred, *id. s.* 15.

39. No person shall recover against any inhabitant of an hundred, in action on the statutes of hue and cry, more than 200*l.*, unless the person or persons so robbed shall, at the time of such robbery, be together

in company, and be in number 2 at least, to attest the truth of such robbery, 22 *G.* 2. *c.* 24.

HUNDREDS.

1. For ascertaining the method of levying writs of execution against the inhabitants of hundreds, 22 *G.* 2. *c.* 46. [*s.* 34.]

2. No writ of execution to be sued out against the inhabitants of any hundred, on any judgment obtained under any act of parliament, shall be levied on any particular inhabitants thereof, but the sheriff shall, on receipt of such writ, produce it to 2 justices, in manner by 8 *G.* 2. *c.* 16. *s.* 4. (Hue and Cry, *pl.* 27.) directed, who shall in manner by that act directed, thereupon cause a taxation to be made, levied, and collected, for raising as well the costs and damages recovered by the plaintiff, as also the expences incurred by any inhabitant in defending such action, the same being first proved on oath, and the attorney's bill taxed as such act directs; and the money so to be levied shall, within the time by such act (*s.* 8. *tit. id. pl.* 31.) limited, be paid to the party entitled to receive the same, without deduction or fee, 22 *G.* 2. *c.* 46. *s.* 34.

HOSPITAL.

1. For assurance of gifts, grants, &c. made for relief of the poor in hospitals, &c. 14 *El. c.* 14.

2. [Recital of the foundation of *Christ's*, *Bridewell*, and *St. Thomas's* hospitals, by letters patent, *26th June*, 7 *E.* 6., and of *Bartholomew's*, by letters patent, *13th June*, 38 *H.* 8.] All gifts, grants, legacies, devises, and assurances, to be made of any lands, tenements, and hereditaments, by will, feoffments, or otherwise, to the use or for the relief of the poor in any hospital now being *in esse*, shall be good in law, according to the true meaning of the donor or testator, as if the corporation were rightly named in such deeds, &c. any misnaming thereof notwithstanding, saving to all persons, other than such donor, &c., all right and title which they may have therein, 14 *El. c.* 14. *s.* 1.

3. For erecting of hospitals, or abiding and working houses for the poor, 39 *El. c.* 5. [Rev. and made Perp. 21 *J.* 1. *c.* 1. *s.* 2.]

4. All persons seised of an estate in fee simple, may, [during 20 years, this restriction taken away 21 *J.* 1. *c.* 1. *s.* 13. and the foundation may be made] at any time, by deed inrolled in chancery, found hospitals, *maisons de Dieu*, abiding places or houses of correction, as well for the finding and relief of the maimed, poor, needy or impotent, as to set the poor at work, to have continuance for ever, and to place therein such head and members, and such number of poor as shall seem convenient; and the houses so founded shall be incorporated, and have perpetual succession by such name as the founder shall appoint; and shall have power to purchase lands and tenements, being freehold, not exceeding the yearly value of 200*l.* to any one such house; and shall have such common seal as by the founder in writing appointed; and shall be ordered and visited by persons nominated by the founder, according to his statutes, not being repugnant to the laws of this realm, *id. s.* 1.

5. All leases or estates to be made by any corporation to be founded exceeding 21 years in possession, and whereupon the accustomable yearly rent shall not be reserved, shall be void; saving to all persons (other than the founders) all right, &c. *id. s.* 2.

6. This act shall not extend to enable persons being within age, women covert without their husbands, or *non sanæ memoriæ*, to make any such corporation, *id. s.* 3.

7. No such hospital, &c. shall be erected by force of this act, unless it be endowed for ever, with tenements of the yearly value of 10*l.*, *id. s.* 4.

8. No such incorporation to be founded by force of this act shall do any act whereby any of the lands or stock of such incorporation shall be transferred to any other; and such construction shall be made upon this act, as shall be most beneficial for the maintenance of the poor, *id. s.* 5.

9. For confirming and enlarging the powers granted by H. M. to the governors of the "Hospital for the maintenance and education of exposed and deserted young children," by charter of 17*th October*, 1739, and to enable them to execute the good purposes thereof, 13 *G.* 2. *c.* 29. [It has been thought right to insert the title of this act here, but from its private nature, it is not given at length.]

10. For better regulation of lying-in hospitals and other places appropriated for the charitable reception of pregnant women, and to provide for the settlement of bastard children born therein, 13 *G.* 3 *c.* 82. (Public *clause*, *s.* 19.)

11. No hospital or place shall be used for the public reception of pregnant women, under public or private support, in any parish within *Eng.* unless a licence shall be first had as aforementioned, from the general quarter sessions, who shall grant such licence to any persons who shall apply for the same, on paying 40*s.* for every licence to the clerk of the peace of the county, or town clerk of a city, as a perquisite for his trouble, and as a fund to defray the expence of the stamp and parchment used for the grant of such licence, 13 *G.* 3. *c.* 82. *s.* 1.

12. Such licence shall be written on parchment, and stampt with a 5*s.* stamp, [this duty Rep. and see 44 *G.* 3. *c.* 98. *s.* 1. and 48 *G.* 3. *c.* 149. *sched.* A. and 55 *G.* 3. *c.* 184. *s.* 1.] and a copy thereof shall be entered in a book kept by such clerk, and preserved as a public register amongst the records of the county or city, to be inspected by any person on payment of 1*s.*; and such licence shall be signed by 2 justices, at their general quarter sessions, and shall intitle the person to whom granted to keep one hospital, house, or place, and no more, for the public or charitable reception of pregnant women, *id. s.* 2.

13. All hospitals, houses, and places used for the purpose of the delivery or lying-in of such pregnant women, shall be deemed hospitals within the meaning of this act, *id. s.* 3.

14. There shall be fixed and kept up over the door or public entrance of every such hospital, an inscription in large letters, in the following words, *viz.* Licenced for the Reception of Pregnant Women, pursuant to an Act of Parliament passed in the thirteenth Year of the Reign of King GEORGE the Third, and the affixing such inscription shall be a condition in every licence; and in case the same is not kept over the door of such hospital, such licence shall be void, *id. s.* 4.

15. No bastard born in any such hospital, &c. shall be settled in or intitled to, any relief as a parishioner, from the parish wherein such hospital, &c. shall be situated; but shall follow the mother's settlement, and gain a settlement in the parish where his mother was last legally settled, *id. s.* 5.

16. In case it becomes necessary to remove the mother of the child born a bastard, and the child from the parish in which such hospital shall be situated, to the parish to which such woman shall belong, such parish being within 20 miles of such hospital, &c. shall be chargeable with the payment of all charges attending such removals; to be settled by any justice of the county in which the parish shall be situated to which such mother and child shall be removed; and if such charges, after settled, and demand made, directed to the churchwardens or overseers, shall not be paid within 2 days after demand; then one justice for the said county, by warrant under his hand and seal, may levy the same by distress and sale of the goods of all or any of the churchwardens or overseers making refusal, *id. s.* 6.

17. Any person aggrieved by such removal or distress may appeal to the quarter sessions, within 4 months, first giving 14 days' notice at least, in writing, of the intention to bring such appeal, and of the matter thereof, to the party against whom such appeal is to be brought, and within 2 days after such notice, entering into recognizance, with 2 sureties conditioned to try such appeal, and to abide the order of, and pay costs awarded by, such quarter sessions; and the justices shall then determine the appeal in a summary way, awarding costs to the parties appealing or appealed against, as they think proper, and their determination shall be conclusive, *id. s.* 7.

18. All officers belonging to the parish wherein the mother shall have been last settled, and all magistrates of the county, &c. wherein such parish shall be situated, may apprehend the reputed father of such bastard child, and take security for indemnity of the parish, and punish the parents, and do every other matter as such magistrates or officers might, in case such child had been born in such parish, *id s.* 8.

19. Nothing in this act shall alter the law relative to the settlement of any bastard child, where the mother's settlement cannot be ascertained, *id. s.* 9.

20. The owner, keeper, governor, master, secretary, clerk, or other person, who shall have the management of such hospital, &c. shall, before the admission of any pregnant woman into such hospital, (unless prevented by sickness) take such woman before some justice, who shall examine her upon oath, whether she is married or single; and in case she is not able, at such admission, to go before such justices and be examined, then the said owner, &c. may, when such woman shall be recovered, take her before such justice, to be examined as aforesaid, and such examination, taken upon oath, shall be entered in a book, to be provided and kept for that purpose by the owner, &c. and signed by the justices, *id. s.* 10.

21. If any woman, on admission into such hospital, shall produce an affidavit, sworn by her before such justice for *London*, or for the county or place wherein such hospital, &c. is situated, that she is a married or single woman, which affidavit shall be kept and filed at such hospital, then she shall not be liable to go before any justice, or to be further examined on oath as to her marriage, *id. s.* 11.

22. If any woman shall be delivered of a bastard child in such hospital, such owner, &c. shall, 4 days before such woman shall be discharged, give a personal notice, or notice in writing, of such delivery, to be left at the abode of the overseer or churchwarden of such parish wherein such hospital shall be situated; and the latter is after such notice to attend at such hospital within the time so noti-

fied, and shall convey such woman before some justice, where such birth shall happen, who shall examine such woman upon oath relative to her last settlement, and shall certify, in writing, to such overseer or churchwarden the whole of such examination, who shall cause the same to be deposited amongst the books and papers of the parish, 13 *G.* 3. *c.* 2. *s.* 12.

23. If at any time such overseer or churchwarden shall, on such attendance, be informed by such owner, &c. that such woman is not sufficiently recovered to be carried before such justice, he shall wait till a further notice is given, which shall be repeated as occasion may require; and such overseer, &c. shall pay attention thereto, *id. s.* 13.

24. Such owner, &c. may keep in such hospital, such woman so delivered of a bastard child, till she be adjudged in a fit condition to be discharged, and until she shall have been examined before some justice, with respect to her settlement, *id. s.* 14.

25. Nothing in this act shall impower any person to keep in such hospital any woman delivered of a bastard child, longer than 6 weeks after the birth of such child, unless it be by her own consent, *id. s.* 15.

26. Every such owner, &c. who shall wilfully neglect or refuse to comply with this act, shall forfeit 50*l.*, and every churchwarden or overseer 10*l.* for each offence, to be recovered with costs, by action of debt or information, in any court of record at *Westminster*, by any person who shall sue, and to be applied one moiety to the poor of the parish, and the other to the party suing, *id. s.* 16.

27. Every action brought for any thing done in pursuance of this act, must be brought within 6 calendar months, (*id. s.* 18.), and the defendant therein may plead the general issue, and give this act and the special matter in evidence, at any trial thereupon; and if the verdict shall be for defendant, or if plaintiff be nonsuit, discontinue, or have judgment against him on demurrer, defendant shall have treble costs, *id. s.* 17.

HUSBANDRY.

(STATUTES *repealed and expired.*)

1. AGAINST pulling down towns and houses, 4 & 5 *H.* 7. *c.* 19. [ENF. 5 *El. c.* 2. *s.* 1., REP. 39 *El. c.* 1., and 21 *J.* 1. *c.* 28. *s.* 11.]

2. CONCERNING PULLING DOWN OF TOWNS, 6 *H.* 8. *c.* 5. [EXP.]

2. TO AVOID LETTING DOWN OF TOWNS, 7 *H.* 8. *c.* 1. [ENF. 5. *El. c.* 2. *s.* 1., REP. 21 *J.* 1. *c.* 28. *s.* 11.]

3. CONCERNING DECAY OF HOUSES AND INCLOSURES, 27 *H.* 8. *c.* 22. [ENF. 5 *El. c.* 2. *s.* 1. [*Virtually* REP. 39 *El. c.* 1. and REP. 21 *J.* 1. *c.* 28. *s.* 11.]

4. FOR MAINTENANCE OF TILLAGE and increase of corn, 5 & 6 *E. c.* 6. *s.* 5. [REP. 5 *El. c.* 2. *s.* 3. and 21 *J.* 1. *c.* 28. *s.* 11.]

5. FOR REBUILDING DECAYED HOUSES, AND HUSBANDRY, and for increase of tillage, 2 & 3 *P. & M. c.* 2. [REP. 5 *El. c.* 2. *s.* 3.]

6. For maintenance and increase of tillage, 5 *El. c.* 2. [REP. 21 *J.* 1. *c.* 28. *s.* 11.]

7. FOR INCREASE OF TILLAGE, and maintenance of the navy, 13 *El. c.* 13. [*Virtually* REP. 31 *G.* 3. *c.* 30. *s.* 1.]

8. AGAINST THE DECAYING OF TOWNS and houses of husbandry, 39 *El. c.* 1. [EXP.]

9. FOR MAINTENANCE OF HUSBANDRY AND TILLAGE, 39 *El. c.* 2. [CON. 43 *El. c.* 9. *s.* 22. and *s.* 32.; but now EXP.]

10. AN ADDITIONAL ACT for improvement of tillage, 1 *J.* 2. *c.* 19. [AMD. 5 *G.* 2. *c.* 12., both REP. 31 *G.* 3. *c.* 30. *s.* 1.]

(STATUTES *in force.*)

1. FOR TAKING, LANDING, AND CARRYING SEA SAND for the bettering of ground, and for increase of corn and tillage within the counties of *Devon* and *Cornwall*, 7 *J.* 1. *c.* 18. [CON. 3 *C.* 1. *c.* 4. *s.* 22., and indefinitely 16 *C.* 1. *c.* 4.]

2. All persons dwelling in those counties may take sea sand at all places under full sea mark, where the same is cast by the sea, 7 *J.* 1. *c.* 18. *s.* 1.

3. All boatmen and carriers of sea sand may cast it from their boats at the usual places, and may fetch it away through the present roads, paying the usual duties for casting sand upon private lands, and the usual tolls for passing such ways, or reasonable composition for the same, *id. s.* 2.

IDIOT AND LUNATIC.

1. THE KING'S PREROGATIVE IN THE CUSTODY OF LANDS of idiots, 17 *E.* 2. *St.* 2. *c.* 9. *Stat. Prærog. Reg.*

2. H. M. shall have the custody of the lands of natural fools, taking the profits, without waste, and shall find them necessaries, and after their deaths shall render them to the right heirs, so that by such idiots no alienation be made, nor their heirs disinherited, *id. ibid.* [*See as to* aliening or changing the estates of lunatics, 4 *G.* 2. *c.* 10 *pl.* 5., and 43 *G.* 3. *c.* 75. *pl.* 51.]

3. H. M.'S PREROGATIVE IN THE PRESERVATION OF THE LANDS of lunatics, 17 *E.* 2. *St.* 2. *c.* 10. *Stat. Prærog. Reg.*

4. H. M. shall provide, when any shall fail of his wit (as there are many having lucid intervals) that their lands and tenements shall be safely kept, without waste or destruction, and that they and their household be competently maintained thereout, and the residue thereof kept to their use, to be delivered to them when they recover their right mind, so that such lands, &c. shall not be aliened; nor shall H. M. take any thing to his own use; and if the lunatic die in such state, the residue shall be distributed for his soul, by advice of the ordinary, *id. ibid.* [*But see now* 31 *E.* 3. *St.* 1. *c.* 11., 22 & 23 *C.* 2. *c.* 10.; as to distribution of intestate's effects, EXECUTORS, &c.]

5. TO ENABLE IDIOTS AND LUNATICS WHO ARE SEISED OR POSSESSED of estates in fee, or for lives, or terms of years, in trust or by way of mortgage, to make conveyances, surrenders, or assignments of such estates, 4 *G.* 2. *c.* 10. [EXT. to idiots, &c. not found such by inquisition, 1 & 2 *G.* 4. *c.* 114.]

6. Any persons being idiot, lunatic, or *non compos mentis*, or the committees of such, in their name, may, by direction of the lord chancellor, signified by an order made on hearing all parties concerned, on the petition of the persons for whom such idiots, &c. shall be seised or possessed in trust, or of the mortgagors, or of the persons entitled to the monies secured upon any lands, &c., whereof such idiot, &c. is seised or possessed by way of mortgage; or of the persons entitled to the redemption thereof, convey such lands in such manner as the chancellor shall by such order direct; and such conveyance shall be good and effectual, 4 *G.* 2. *c.* 10. *s.* 1.

7. Such persons being idiots, &c. and only trustees or mortgagees, or the committees of such, shall be empowered and compelled by such order to make such conveyances in like manner as trustees or mortgagees of sane memory, *id. s.* 2.

8. The lord chancellor of *G. B.* may, by an order made on the petition of the person for whom any person, being idiot, lunatic, or *non compos mentis*, (but not being found such by inquisition) shall be seised or possessed in trust, or of the mortgagors, or of the persons entitled to the money secured by or on any lands, tenements, or hereditaments, whereof any person being idiot, &c. but not having been found such, is seised by way of mortgage, or by the person entitled to the equity of redemption thereof, appoint such person, as he thinks fit on behalf of such person so being idiot, &c. to convey and assure any such lands, &c., in such manner as the chancellor shall by such order direct, to any other person, and such conveyance, &c. shall be as good as if such person, being idiot, &c. were at the time of making the same of sane mind, and had himself conveyed such lands, &c. 1 & 2 *G.* 4. *c.* 114. *s.* 1.

9. Every person appointed under this act shall be compelled by such order, so to be obtained, to make such conveyance, &c. as trustees or mortgagees of sane memory are compellable to convey, surrender, or assign their trust-estates and mortgages, *id. s.* 2.

10. TO PREVENT THE MARRIAGE OF LUNATICS, 15 *G.* 2. *c.* 30. [EXT. to *Ire.* 51 *G.* 3. *c.* 37.]

11. In case any person found a lunatic by any inquisition, taken by virtue of a commission under the great seal of *G. B.* [or of *Ire.* 51 *G.* 3. *c.* 37.] or any lunatic or person under a phrenzy, whose person and estate, by virtue of any act of parliament shall be committed to the care of particular trustees, shall marry before being declared of sane mind by the chancellor, or such trustee, or the majority of them, [as the case shall require, 51 *G.* 3. *c.* 37.] every such marriage shall be void, 15 *G.* 2. *c.* 30., 51 *G.* 3. *c.* 37.

11. (*a*) FOR REGULATING MADHOUSES, 14 *G.* 3. *c.* 49. (PUBLIC *clause*, *s.* 34.) [CON. 19 *G.* 3. *c.* 15. MADE PERP. 26. *G.* 3. *c.* 91.]

12. If any person in *Eng.*, *Wa.*, or *Ber. upon Tweed*, shall conceal, harbour, entertain, or confine, in any house or place, kept for the reception of lunatics, more than one lunatic at one time, without having lord such licence as in *s.* 2. directed, (except such as are committed by the chancellor, keeper, &c.) such person shall forfeit 500*l.*, 14 *G.* 3. *c.* 49, *s.* 1.

13. The president and fellows of the royal college of physicians in *London*, at a general meeting of such college, to be held upon the last day of *September*, or if that falls upon *Sunday*, then upon the 1st *Oct.* in every year, shall elect 5 fellows for granting such licences within *London* and *Westminster*, and within 7 miles of the same, and within

the county of *Middlesex*, according to this act; and such 5 fellows shall be commissioners for granting such licences for the year ensuing; provided that 2 of such fellows so to be elected, shall not have acted as commissioners the preceding year; and no person shall be elected, or act as a commissioner, for more than 3 years successively, 14*G*.3.*c*.49.*s*.2.

14. In case at any election there shall not be a sufficient number of fellows qualified or willing so to act, the president and fellows shall elect from the licentiates one or more to supply the same, *id. s*.3.

15. As often as any of such commissioners shall die, or refuse to act, such president shall call a meeting of such fellows within 14 days after such death, &c. is known to him, to elect a commissioner in the room of him who shall die or refuse to act, which commissioner shall have the like power, &c. as his predecessor, *id. s*.4.

16. Every such commissioner shall, within 10 days after election, take the following oath:

'I *A.B.* do swear, that I will faithfully and impartially execute all the trusts committed unto me, by virtue of an act of parliament, made in the 14th year of the reign of king *George* the third, intituled, *An act for regulating madhouses*; and that I will not, directly or indirectly, give notice, or cause notice to be given to the keeper, or person having the care of any house or place licensed for the reception of lunatics, of the time of visitation of such house or place. So help me God.'

Which oath such president may administer on the day of election, or within 10 days after; and in case any such commissioner summoned by the president to attend to take the oath, shall neglect to attend, or attending, shall refuse to take the oath, he shall forfeit 5*l*., to be applied to the use of the college, *id. s*.5.

17. Such commissioners, or 3 of them, shall meet in the hall, or other place in such college, as often as they think fit, so as such meetings do not interfere with the board of censors, nor with any other general meeting of such college; and at all such meetings in such college, the commissioner who is of the longest standing shall be the chairman, *id. s*.6.

18. The treasurer of such college shall be the treasurer for the purposes of this act; and such commissioners, or 3 of them, shall, at some meeting, within 14 days after they shall be elected, appoint a secretary for the year ensuing; who shall be paid such salary by such treasurer, as such commissioners shall direct; and such secretary shall, at the next meeting of the commissioners after appointed, take the oath here set down, *id. s*.7. [The oath is omitted as not being of general utility.]

19. Such commissioners, or 3 of them, shall meet annually on the 3d *Wednesday* in *Oct.* or within 10 days afterwards, to grant licences to persons for keeping houses for the reception of lunatics for one year, from the 20th *Nov.* then next ensuing, within *London* and *Westminster*, and within 7 miles of the same, and within *Middlesex*; but notice of the place, and of the day and hour of every meeting for granting such licences, shall always be published 3 several times in the *London Gazette*, before the day of meeting (which licences they shall grant to all persons who shall desire the same); and all licences shall be stamped, [this duty Rep., 55*G*.3. *c*.184. *s*.1.] and be under the hands and seals of 3 of such commissioners, for each of which licences there shall be paid to the secretary, by the person applying to take out the same, the sums following, *viz.* for each house wherein there shall be kept any number of lunatics, not exceeding 10, 10*l*., and above 10, 15*l*., over what shall have been paid for the stamp; which money shall be paid over by such secretary to such treasurer; and the further sum of 6*s*. 8*d*. shall be paid on every licence to such secretary for his fee, *id. s*.8.

20. No one licence shall authorize any person to keep more such houses than one; nor shall any such licence continue in force for longer than one year, *id. s*.9.

21. No such commissioner shall be interested in keeping any house for lunatics, upon pain of forfeiting 50*l*., *id. s*.10.

22. The president of such college shall cause summonses to be sent to such commissioners, to attend at the first meeting after they shall be so appointed, which summons shall be sent by some person of the college, such president shall think proper, and left at the usual place of abode of each commissioner, *id. s*.11.

23. In case 2 commissioners shall think proper to call a meeting, they may themselves cause the like notice to be given and sent, as in *s*.11., to the other commissioners requiring their attendance, at a time and place therein appointed, *id. s*.12.

24. At all meetings of such commissioners, in case of equality of votes, the chairman shall have the casting vote, *id. s*.13.

25. Such commissioners, or 3 of them, either by themselves or with their secretary, shall once in every year, and whenever required by the lord chancellor, or by the chief justice of K.B., or C.P., inspect all houses so licensed by them, between 8 and 5 in the day-time; and also at any other time within such hours, as often as they shall think necessary, and shall have at such times, power to continue in such house, and examine the lunatics for such time as they think proper, *id. s*.14.

26. Such commissioners, or their secretary, shall, at every such visitation, make minutes in writing, of the condition of such houses as to the care of the patients, and all other particulars as deserve notice, with their observations thereupon; which minutes shall, within one week after such visitation, be by such secretary entered in a register to be kept by him in such college, and the same shall be read to, and signed by such commissioners, or 3 of them, at their next meeting; but no minute which tends to impeach the character of any house shall be so entered, unless such minute shall have been previously signed by 3 commissioners present at such visitation; and in case the commissioners shall discover any thing that shall deserve censure, they shall report the same; and such part of their report shall be hung up in the censor's room, to be perused by any person who shall apply for that purpose, 14*G*.3. *c*.49. *s*.15.

27. In case the keeper of any house for lunatics, within *London*, &c. as in *s*.2. shall refuse such commissioners, at the time of visitation, admittance into such house, with or without their secretary, he shall forfeit his licence, *id. s*.16.

28. Such commissioners, or 3 of them, shall cause an exact account to be kept of their proceedings; and such accounts shall be entered in the same register as the minutes taken at visitations; and such register shall be lodged in such college in a strong chest, which shall be under the care of the beadle or housekeeper belonging to such college, and shall be carefully locked up by the secretary, and the key thereof kept by him; which register shall belong to such commissioners, and the key shall be delivered over to every succeeding secretary, whenever the former shall go out of office, *id. s*.17.

29. The president may inspect such register as often as he thinks proper at such college, and in the presence of such secretary, *id. s*.18.

30. If any person shall apply to one of the commissioners, to be informed whether any particular person has been confined in any of such licensed houses, and the commissioners permit such enquiry to be made, and sign an order directed to the secretary, he shall make search; and if it appears that the person enquired after has been so confined, such secretary shall acquaint the applicant with the names of the keeper, and of those by whose direction such person has been confined, *id. s*.19.

31. Such treasurer shall pay to each of such commissioners for every time they shall inspect any licensed house within such limit, one guinea; and shall also pay such expences as they shall incur in the execution of this act; and such treasurer shall keep an account of all monies received and disbursed, which shall be lodged in the chest where the register is kept, which accounts shall be produced to the president, when required by him and elects, to be examined and settled by them; and if, upon such examination, the accounts appear just, the same shall be allowed and signed by the president and 4 of the elects, and shall be by the president reported, together with the other accounts, at the next general meeting of such college; and such account so allowed, &c. shall be a discharge to such treasurer accordingly, *id. s*.20.

32. The keeper of every such licensed house, within such limits, as in *s*.2. shall within 3 days after any patient is received into such house (except pauper lunatics sent by parish officers), cause notice thereof to be given to such secretary, which shall contain the name of every person so received, the name and place of abode of the person by whose direction such lunatic was sent, and also the name and place of abode of the physician, surgeon, or apothecary, by whose advice such direction was given; all which notices shall be sent sealed up, directed 'To the secretary to the commissioners for licensing houses for the reception of lunatics, to be left with the beadle of the college of physicians in *London*;' all which notices such beadle shall receive, and deliver to such secretary within 2 days, and the secretary shall file such notices, and enter the same in the register within 2 days; and every such keeper who shall admit, or confine any lunatic, without having an order in writing, under the hand and seal of some physician, surgeon, or apothecary, that such person is proper to be received into such house as a lunatic, or shall receive any lunatic into such house, having such order, and shall not give such notice thereof to such secretary, shall forfeit 100*l*., *id. s*.21.

33. No house which is not within *London*, or within 7 miles of the same, or within *Middlesex*, shall be kept for the reception of more than one lunatic, unless such house shall be licensed by the quarter sessions for the county wherein such house shall be situated, *id. s*.22.

34. The justices at any quarter sessions shall grant licences to such persons as shall apply, such persons paying for each licence the sums following, *viz.* for each house, wherein there shall be kept any lunatics, not exceeding 10, 10*l*., and above 10, 15*l*., and no one licence shall authorize any person to keep more houses than one, nor shall such licence be granted for longer than one year; and such justices shall, at the time of granting such licences, appoint 2 justices, and also one physician, to inspect such houses; and such justices and physicians so appointed, or 2 of them, whereof the physician to be one, may visit, in the day-time, every house so licensed, as often they think fit, *id. s*.23.

35. Such justices and physician may, at every visitation, if they think necessary, make minutes in writing, of the condition of every house which they shall visit, as to the care of the patients, and such other par-

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ticulars as deserve notice, with their observations thereon; which inmutes shall be entered in a register to be kept by the clerk of the peace of the county, a copy whereof shall be sent by such clerk, to the secretary to such commissioners, to be by him inserted in a separate register; which register shall be kept in same box and manner, as the register belonging to such commissioners; and such clerk of the peace shall be paid such sum for his trouble, as such justices shall direct; and all money to be paid for such licences as shall be granted by such justices, shall be paid to the clerk of the peace, who shall keep an account thereof in a book, and shall account for the same to such justices, as often as required; and all expences attending the execution of this act (except within *London*, &c. as in *s.* 2.) shall be defrayed out of such money, in such manner as such justices shall direct, 14 *G.* 3. *c.* 49. *s.* 24.

36. At such general quarter session, when such justices and physician shall be appointed, the clerk of the peace shall take the like oath as is appointed (in *s.* 2.) to be taken by the secretary of the commissioners, *id. s.* 25.

37. In case the keeper of any such house, not within *London*, &c. shall, in the day-time, refuse such justices and physician, on such visitation, admittance into such house, he shall forfeit his licence, *id. s.* 26.

38. The keeper of any such house not within *London*, &c. (as in *s.* 2.) shall give such notice (as in *s.* 21.) of the receipt of every lunatic (except those sent there by parish officers) to the secretary to the commissioners at such college, within 14 days after their reception; and every such keeper who shall admit or confine any lunatic, without an order in writing under the hand and seal of some physician, surgeon, or apothecary, that such person is proper to be received into such house as a lunatic, or shall receive any lunatic having such order, and shall not give such notice thereof to such secretary, shall forfeit 100*l.*, *id. s.* 27.

39. No such licence shall be granted either by such commissioners or justices, unless the person to whom such licence is granted, shall enter into recognizance to H. M. in 100*l.*, with 2 sureties each in 50*l.*, or one surety in 100*l.*, under the usual conditions for the good behaviour of such person, *id. s.* 28.

40. The lord chancellor, or the lord chief justice of the K. B. or C. P. may, by any written order directed to such commissioners, or to the justice sand physician appointed visitors at any quarter sessions, (as in *s.* 23.,) require such commissioners, or 3 of them, or such visitors, or 2 of them, to inspect any house so licensed; and also to report to him or them touching such matters, as they shall in such order be directed to inquire into, or as they think deserving their lordships notice, and such chancellor and chief justices may also at any time, by a like order, send for and inspect the registers so to be kept, as in *ss.* 17. & 24., and may summon and examine any persons concerned in the execution of this act, as often as they think proper; and in case they do not obey such orders within 2 days after the receipt of them, and shall not show good cause to the contrary, every person so offending shall be deemed guilty of contempt of the courts of chancery, K. B., or C. P., as the case is, *id. s.* 29.

41. This act shall not extend to any public hospitals within this kingdom, *id. s.* 30.

42. In all proceedings to be had under the writ of *habeas corpus*, and in all indictments, informations, and actions preferred against any person for confining or ill treating any of H. M.'s subjects in any of such houses, the party complained of shall be obliged to justify their proceedings according to the course of the common law, as if this act had not been made, *id. s.* 31.

43. All penalties and forfeitures incurred within *London* or *Westminster*, or within 7 miles thereof, or within *Middlesex*, for offences against this act, shall be sued for and recovered in any courts of record at *Westminster*, by action of debt, &c. or information by the president of such college, in the name of the treasurer, within 6 calendar months after the offence committed, and shall be paid to such treasurer, and applied, (except where hereby otherwise directed,) as follows, *viz.* one moiety shall go to the informer, and the other towards defraying the expences attending the execution of this act, and all penalties and forfeitures so incurred not within such limits, shall be sued for and recovered by action of debt, &c. or information, in the name of the clerk of the peace for the county where any such offence was committed, and shall go in moieties to the informer, and towards the expences attending the execution of this act within such county, *id. s.* 32.

44. All actions for any thing done in pursuance of this act, shall be commenced within 6 calendar months after the fact committed, and shall be laid in the county, city, or place where the cause arose, and the defendant at his election, may plead specially, or the general issue not guilty, giving this act, and the special matter in evidence, and that the same was done in pursuance hereof; and if it so appears, or if if such action is brought in the wrong county, &c. or if not commenced within the time limited, the jury shall find a verdict for the defendant; and on such a verdict found, or if the plaintiff is nonsuited, or discontinues after appearance, or judgment on demurrer is given against him, the defendant shall have treble costs, with usual remedy to recover the same, 14 *G.* 3. *c.* 49. *s.* 33.

45. FOR THE SAFE CUSTODY OF INSANE PERSONS CHARGED with offences, 39 & 40 *G.* 3. *c.* 94. [AMD. 56 *G.* 3. *c.* 117. *See* further as to *Lunatic Criminals*, 48 *G.* 3. *c.* 96. *post*, *pl.* 59.]

46. In all cases where it is given in evidence upon the trial of any person charged with treason, murder, or felony, that such person was insane at the time of the commission of such offence, and such person is acquitted, the jury shall be required to find specially, whether such person was insane at the time of the commission of such offence, and to declare whether they acquitted him on account of insanity, and if they find that he was insane at such time, the court shall order such person to be kept in strict custody in such place and manner as to the court seems fit, until H. M.'s pleasure is known, and thereupon H. M. may give order for the safe custody of such person in such place and manner as to him seems fit, 39 & 40 *G.* 3. *c.* 94. *s.* 1.

47. If any person indicted for any offence shall be insane, and shall on arraignment be found so by a jury lawfully impanelled for that purpose, so that he cannot be tried, or if on the trial of any person so indicted, such person shall appear to the jury charged with the indictment to be insane, the court before whom he is arraigned and tried may direct such finding to be recorded, and thereupon order such person into strict custody till H. M.'s pleasure be known; and if any person charged with any offence is brought before any court to be discharged for want of prosecution, and appears to be insane, such court may order a jury to be impanelled to try his sanity, and if he be found to be insane, may order him into strict custody in such place and manner as to the court seems fit, until H. M.'s pleasure is known; and in all cases of insanity so found, H. M. may give order for the safe custody of such person during his pleasure, in such place and manner as to him seems fit, *id. s.* 2. [*See when* lunatic himself, and if he cannot, what parish or county is to defray the expence of his maintenance, 48 *G.* 3. *c.* 96. *s.* 27. *post*, *pl.* 93.]

48. If any person is discovered and apprehended under circumstances that denote derangement of mind, and a purpose of committing some crime for which he might be indicted, and any justice of peace before whom such person is brought, shall issue his warrant for committing him as a dangerous person, suspected to be insane, such cause of commitment being plainly expressed in such warrant, such person shall not be bailed except by two justices, one of whom shall be the justice who issued such warrant, or by the court of general quarter-sessions, or by one of the judges of the courts in *Westminster-hall*, or by the lord chancellor, *id. s.* 3.

49. If any person who shall appear insane shall endeavour to gain admittance to H. M., by intrusion on H. M.'s palaces or places of residence, or otherwise, so that H. M.'s person is endangered, the privy council, or one of the principal secretaries of state, may cause such person to be brought before them or him, and if on examination it appears such person is insane, and that H. M.'s person is thereby endangered, the privy council, or such secretary, may order such person into safe custody, and the lord chancellor may award a commission under the great seal, directed to certain commissioners therein to be named, to enquire into the sanity of such person, and whether H. M.'s person is thereby endangered, and for such purpose may direct the sheriff of the county where such person is, to summon a jury to try the sanity of such person, and whether H. M.'s person is thereby endangered, in the same manner as juries summoned to try the sanity of persons on a commission in the nature of a writ of *de lunatico inquirendo*; and if on inquisition so taken, such person is found so far insane as that H. M.'s person is endangered thereby, the chancellor may take order for the safe custody of such person, so long as there is reason to apprehend that H. M.'s person is endangered by his or her insanity, and if it afterwards appears that such person has recovered the use of his or her reason, so that there is no reason to apprehend any danger to the person of H. M., the chancellor may enquire into the fact by such means as seem proper, and if it does so appear, may discharge such person from custody either absolutely or conditionally, or under restrictions, as to him seems meet, *id. s.* 4.

50. If any person having been duly convicted of any offence shall, after such conviction, and during his imprisonment, or continuance in any gaol, prison, hulk, penitentiary, or house of correction, under sentence of transportation or imprisonment, become insane, and it is duly certified by two physicians or surgeons that such person is insane, one of the principal secretaries of state may direct, by warrant under his hand, that such person be removed to such lunatic asylum, or other proper receptacle for insane persons in the U. K., as such secretary may judge proper, and such person so removed shall remain under confinement in such asylum or receptacle, or any other, whither he may be removed by any like order, until it is certified to such secretary, by 2

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physicians or surgeons, that he has become of sane mind, whereupon such secretary may issue his warrant to the keeper or person having custody of such asylum or receptacle, if such person is still subject to imprisonment, or to be continued in custody, directing that he may be removed back from such asylum or receptacle, to the gaol, prison, &c. from whence he was taken to be confined in such asylum, &c. or if the period of imprisonment or custody is expired, that he be discharged, *56 G.3. c.* 117.

51. To AUTHORIZE THE SALE OR MORTGAGE OF THE ESTATES OF persons found lunatic by inquisition in *Eng.* or *Ire.* respectively, and for granting leases of the same, *43 G.3. c.75.* [EXPL. *59 G.3. c.*80.]

52. The respective lord chancellors of the U. K. being intrusted by of H. M.'s sign manual with the care of persons found lunatic, or of unsound mind, and incapable of managing their affairs, by inquisition in *Eng.* and *Ire.* may order the freehold and leasehold estates of such persons to be sold or charged by mortgage, or otherwise, in order to raise a sum sufficient to pay the debts and perform the compacts and engagements of such persons so found lunatic, and the costs attending the same, and such sale or mortgage, and may direct the committee of the estates of such persons to execute in their names conveyances of such estates to be sold, mortgaged, or incumbered, and procure such admittance to, and make such surrenders of the copyhold estates of such persons so found lunatic, &c. and do all other acts necessary to effectuate the same, in such manner as such chancellors respectively may direct; which conveyances so made shall be as good as if made by the lunatics, &c. when in their sound mind, *43 G.3. c.75. s.*1.

53. Such assent of *43 G.3. c.75. s.*1. as authorizes the sale or mortgage of estates belonging to lunatics, shall extend to such estates as are held by ancient demesne, or by copy of court roll, *59 G.3. c.*80. *s.*2. [*See the rest* of this act, RECOVERIES.]

54. The surplus of the money raised shall be applied in the same manner as the estate sold would have been, *43 G.3. c.75. s.*2.

55. In case any person found lunatic, or of unsound mind, is seised of freehold and copyhold lands and hereditaments, either for life, or some other estate, with powers of granting leases, taking fine, reserving small rents on such leases for one, two, or three lives, in possession or reversion, or for years determinable on lives, or term of years absolutely, then the power of leasing such lands, &c. vested in such persons so found lunatic, &c. having a limited estate only, may be executed by his committees, under the direction of such chancellors respectively, being so intrusted as in *s.*1. and such leases so to be executed, shall be as good as if made by such person in his sound mind, *id. s.*3.

56. Such chancellors respectively being so intrusted, (as in *s.*1.) may direct a committee of the estate of such lunatic to make such leases of the freehold, copyhold, or leasehold estates of such persons so found lunatic, or of unsound mind, according to their interest therein, and to the nature of their tenures, for such term of years, and subject to such rents and covenants as such chancellors respectively shall direct, and all such leases so made, shall be as good as if made by the persons so found lunatic, &c. in their sound mind, *id. s.*4.

57. All acts done by committees of the estates of such lunatic, by virtue hereof, and the order of such chancellors, shall be valid and binding on such persons so found lunatic or of unsound mind, and persons claiming through them, as if such persons so found lunatic, &c. had been in sound mind, and had personally done such acts, *id. s.*5.

58. Nothing herein shall subject the freehold, copyhold, or leasehold estates of any person found lunatic, or of unsound mind, to the demands of their creditors, otherwise than as the same are now subject by due course of law, but only to authorize such chancellors respectively to make such order in the cases herein-before mentioned, when the same may be for the benefit of such persons, &c. found lunatic, &c., *id. s.*6.

59. FOR THE BETTER CARE AND MAINTENANCE OF LUNATICS, being paupers or criminals, in *Eng.*, *48 G.3. c.*96. [AMD. *51 G.3. c,*79., *55 G.3. c.*46.]

60. The justices of peace for every county within *Eng.* and *Wa.* at their quarter-sessions, or any adjournment of the same, or the major part of such justices there assembled, may direct notice to be given in some public newspaper circulated in or near such county, of their intention of taking into consideration, at their next quarter or annual sessions, the expediency of providing a lunatic asylum, or house for the reception of lunatics and other insane persons within such county, or of appointing a committee of magistrates to treat with any one or more of the adjacent counties to unite for that purpose, *49 G.3. c.*96. *s.*1.

61. Such justices, after such notice being so given, shall at such sessions take the same into consideration; and if it appears to the major part of them, such major part not being less than 7, that it is expedient that a lunatic asylum should be erected for such county sole, such justices shall appoint such number of visiting justices as they think fit to superintend the building, erection, and management thereof, and from time to time to report the state of their proceedings to the quarter sessions, *id. s.*2.

62. In every case where it has been or shall be hereafter determined, that a lunatic asylum shall be erected under *48 G.3. c.*96. the justices of peace acting for the county or united counties, at whose expence such asylum was, or shall be built, shall annually at the *Michaelmas* general, or quarter-sessions for such county or counties, or in counties where annual general sessions have been fixed by law, at such annual general sessions, elect the members of the committee of visiting justices for the building, erection, and management of such asylum, and such justices, or the major part of them, such part not being less than 7, assembled at any such sessions, or any adjournment thereof, may fill up any vacancy in the number of visiting justices so appointed that has occurred by death or resignation, *55 G.3. c.*46. *s.*1.

63. If the justices assembled at the *Michaelmas* general quarter, or annual general sessions in any year, shall neglect to make such election, or if at any other such sessions, or any adjournment thereof, they shall neglect to fill up any vacancy that may have so occurred, the committee of visiting justices before appointed, or such of them as continue to act, shall be deemed the legal committee for the building, &c. of such asylum, until the next *Michaelmas* quarter, or annual general sessions, *55 G.3. c.*46. *s.*2. [*see s.*5. *post, pl.* 102.]

64. In all cases where it appears expedient to such justices for any county to unite with any one or more adjacent county or counties for the purposes of this act, and for the providing a lunatic asylum to serve for such several counties, such justices, at their respective quarter-sessions, (whereof due notice shall be given, as in *s.*1.) may appoint any number of justices not exceeding 5, to be a committee for treating for that purpose, *48 G.3. c.*96. *s.*3.

65. Where the committees of justices so appointed by any two or more counties, think fit to unite such counties for the purposes of this act, and shall signify their desire so to do at a meeting holden for that purpose, an agreement shall at such meeting be entered into by such justices so appointed, or the major part of them, in form or to the effect set forth in the schedule, No. 1. (see APPENDIX); which agreement, when subscribed by the major part of the justices so appointed for each county, shall be binding upon such counties; and it shall specify the place at or near which such asylum shall be situate, and the proportions in which the expences necessary for executing the purposes of this act shall be assessed upon the several counties so uniting, which proportions shall be calculated by such justices so appointed upon the population of such several counties, as stated in the returns to *41 G.3. G.B. c.*15. [EXP.] and such agreement shall also specify the number of visiting justices to superintend the building, erection, and management of such asylum to be appointed by each of the counties so uniting, which number shall be in proportion to the share of the expences so to be assessed upon each of such counties, but so that a number less than 3 shall in no case be appointed for any county so united, *id. s.*4.

66. In all cases of the union of 2 or more counties, or of any place of distinct jurisdiction with any such county or counties, the proportion of the expences attending the execution of *48 G.3. c.*96., or *51 G.3. c.*79. or this act, shall be calculated on the numbers of the population of such counties and places as have been stated in the last returns of such population made under authority of parliament, previous to the union of such counties, *55 G.3. c.*46. *s.*10. [see *51 G.3. c.*6. *1 G.4. c.*94.]

67. Provided the number of visitors appointed by any such place of distinct jurisdiction so uniting shall bear the same proportion to the number of visiting justices appointed by such county or counties as the population of such place shall bear to the population of such county or counties, *55 G.3. c.*46. *s.*11.

68. When such agreement has been so entered into and signed, the justices so appointed to be a committee for each county so uniting shall respectively report the same to the next quarter-sessions for each of such counties, and shall then deliver into court a duplicate of such agreement, to be by the clerks of the peace of such counties entered of record; and the justices there shall immediately proceed to nominate such number of persons as by such agreement they may be entitled to appoint to be visiting justices of such asylum till the next *Michaelmas* quarter sessions, and shall continue annually to appoint such visiting justices at each such *Michaelmas* session, *48 G.3. c.*96. *s.*5.

69. Such visiting justices so appointed by such county sole or such united counties, shall within 2 calendar months after such appointment, assemble at such place as appears to them most convenient, (due notice thereof being given to them by the clerk or clerks of the peace of such county or counties), and may adjourn such meeting from time to time, or from place to place, and meet as often as they think necessary; and they or the major part of them shall, at such meetings, appoint a clerk and a surveyor for duly exercising the powers of this act, and receive plans and estimates, and contract for the purchase of lands and buildings, or for the alteration of any buildings belonging to such county or any of such united counties, and for building, erecting, altering, furnishing, and completing such lunatic asylum, and the yards, courts and outlets thereto

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belonging, and such contracts shall be entered into at the most reasonable rates, and with the most responsible persons; and such contractor shall give security for the due performance of his contract to the clerk to such visiting justices; and all contracts when made, and all orders relating thereto, shall be entered in a book to be kept by such clerk, and when such asylum is declared complete, as in *s.* 17. directed, then such book shall be deposited among the records of such county sole, or of such of the counties so united for the purposes of this act as have paid the largest proportion of the expences of such asylum, to be inspected by any person contributing to the county rates of such county or counties; and all buildings or land so to be contracted for and purchased, shall be conveyed to such persons as the visiting justices shall think fit, in trust for the uses of this act; and such visiting justices shall from time to time report to the quarter-sessions of such county or counties respectively the several plans, estimates, and contracts which have been so entered into, and also the sums necessary to be levied on such county sole as the expence, or on each of such united counties as the proportion of the expence to be incurred on such several accounts, 48 *G.* 3. *c.* 96. *s.* 6. [*see sums to* be laid out in lands and buildings limited, 55 *G.* 3. *c.* 46. *s.* 6., *post*, *pl.* 103.]

70. The quarter-sessions shall cause such sums as have been reported to them by the visiting justices to be necessary for that purpose, to be raised as rates are directed to be raised by 12 *G.* 2. *c.* 29. and 13 *G.* 2. *c.* 18., or shall direct the same to be paid out of the ordinary rate of such county, *id. s.* 7.

71. When it appears on the report of such visiting justices, that the charges of carrying this act into execution will exceed one half of the amount of the ordinary annual assessment for the county rate for any county (such assessment to be taken on a mean proportion of such rate for the then last 5 years), then the justices of peace within the limits of their commissions, assembled in quarter-sessions, may borrow and take up on mortgage of such rates by instruments in the form in the schedule (No. 2.), or to that effect, any sums not less than 50*l.* each, at legal or lower interest, as to them or the major part of them (such major part not being less than 5) shall appear necessary for such purposes, and secure all such sums so borrowed upon the credit of the rates to be raised upon such county; and such justices so assembled may treat and agree with any persons for the loan of any such sums, and by their order confirm such agreement, as in *s.* 5.; and which agreement so established by such order, and signed by the chairman and 2 or more justices present at the making of such order, shall be effectual for securing to the persons so advancing any sums, their executors, administrators, and assigns, all such sums, with interest, on such terms as by such agreements shall be stipulated; and such securities shall be numbered in order of succession in which granted, and copies or extracts of them shall be kept with the clerk of the peace, or other officer having the custody of the records of the quarter-sessions of such county; and all persons to whom any such securities shall be made, or who shall be entitled to the money thereby secured, may, by indorsing their names on them, assign the same, and their right to the principal money and interest thereby secured; and such assignee may in like manner transfer the same again, and so *toties quoties*; and the person to whom such security, or any such assignment thereof shall be made, and his executors, administrators, and assigns, shall be creditors upon such rates in an equal degree one with another, and shall not have any preference with respect to the priority of any monies so advanced, *id. s.* 8.

72. Such justices may not only charge the rates to be raised upon such county with the interest of the money so borrowed, but also with a further sum at least equal with the sum so charged for such interest, which sums shall be assessed on such county as county rates are directed to be assessed, and applied under the direction of such justices in discharge of the interest and of so many of the principal sums on such securities as such money will extend to discharge in each year, until the whole of the money for which such securities are made and the interest thereof are discharged; and such justices shall fix one or more days in each year on which such payment shall be made, and make orders for assessments in due time, so as to provide for the regular payment thereof; and shall appoint a proper person to keep a regular account of all the receipts and payments under this act in a book separate from all other accounts, and the same so to settle that it may easily be seen what interest is growing due, what principal money has been discharged, and what remains due, and such book so settled to deliver into court at every annual or *Michaelmas* quarter sessions to be held for any such county; and such sessions shall carefully inspect such accounts, and make orders for carrying this act into execution, in such manner as to them seems meet; and if it appears to such justices that the person so appointed has neglected such order, and has not duly applied the money in his hands to the purposes hereby directed, such person shall forfeit double the money which shall not have been applied to the purposes of this act, to be recovered by distress and sale of his goods, by warrant under hands and seals of such justices; and such penalty, after the charges of recovering the same, (*Qu.* deducted) shall be paid to the treasurer of such asylum, to be applied to the use of the same; and such justices, on a day and hour to be fixed at some quarter or annual sessions holden for such county (of which 14 days public notice shall be given, as in *s.* 1.), shall, in open court, cause all such securities to be drawn by lot and numbered for payment according to the event of such drawing, and the securities so drawn and numbered shall be regularly discharged in succession according to priority of such drawn number, 48 *G.* 3. *c.* 96. *s.* 9.

73. Such justices, in their quarter sessions, shall make provisions by means of the rates, and by their orders and directions, in such manner that the whole money to be borrowed under this act shall be fully discharged within a time to be limited, not exceeding 14 years from the time of borrowing the same, *id. s.* 10.

74. H. M. and all bodies corporate, and also all guardians, committees, husbands, trustees and attornies of any persons being infants, lunatics, idiots under coverture or any other disability, and also all other persons who shall be seised, possessed of, or interested in any houses, buildings, lands, tenements, hereditaments, easements or privileges which shall be deemed necessary for the purposes of this act, may contract or agree for, and sell, convey and assure such houses, &c. unto such persons as shall be named by the visiting justices, in trust and for providing such lunatic asylum, and the yards, courts and outlets thereunto belonging; and all such contracts, agreements, sales, conveyances and assurances shall be valid, *id. s.* 11.

75. All money agreed to be paid to any corporation, guardian, committee, husband, trustee or attorney on behalf of any infants, lunatics, idiots, femes-covert or *cestuique* trusts, or to any other persons whose houses, &c. shall be limited in settlement for the purchase of any such lands, &c. shall, in case such sums shall exceed 100*l.*, be laid out by such corporations, &c. or by any persons seised of such houses, &c. so limited in settlement, in the purchase of lands, &c. in fee simple to be conveyed to or to the use of such corporations, &c. and to and for such persons, and for such estate, and subject to such uses, limitations, remainders and contingencies as the houses, &c. in respect whereof such purchase money was so paid, were limited, settled and assured at the time of making such purchase or contract, or such as shall then be capable of taking effect, the charges of such conveyances and settlements to be paid in the same manner as the other expences relating to the lunatic asylum; and till such purchases shall be made, such money, whether the same shall or shall not exceed 100*l.*, shall be laid out by such corporations, or other persons interested therein, in some government securities, in the names of two persons, one to be nominated by the party interested, and the other by such visiting justices; and the interest arising from such securities shall be paid to such person as would have been entitled to the rents and profits of such lands, &c. easements and privileges, in case the same had not been sold, or would be entitled to the rents and profits of such lands, &c. so to be purchased, in case the same were so purchased and settled, *id. s.* 12.

76. No justice who shall, under this act, do any thing in the execution hereof, shall be capable of having any beneficial interest, either in his own or in the name of any other person in trust for him, in any contract or agreement to be made under this act, or shall for any design or plan he may deliver or produce, receive any emolument whatever, *id. s.* 13.

77. Such visiting justices, or any five of them, shall empower their agents or workmen to dig, take and carry away any soil, clay, sand, gravel or stone, and to manufacture the same for building, carrying on and completing such asylum, or other buildings hereby directed to be built, upon or from any common or waste land, river or brook, without paying any thing for the same; they causing all pits or quarries made by such digging to be filled up, or fenced, so as not to be dangerous to passengers or cattle, *id. s.* 14.

78. Such visiting justices may sue and be sued in the name of their clerk, and no action that may be commenced by or against them, or any of them, by virtue of this act, in the name of their clerk, shall abate or be discontinued by his death or removal, or by the act of such clerk, without the consent of such visiting justices or any five of them; but the clerk to such visiting justices for the time being shall always be deemed plaintiff or defendant in such action, as the case shall be, *id. s.* 15.

79. Such visiting justices, as well in the choice of ground and situation, as in determining upon the plans for building, or for purchasing and altering buildings for such asylums, shall fix upon an airy and healthy situation, with a good supply of water, and which may afford a probability of the vicinity of constant medical assistance, and pursue such measures and plans as shall provide distinct wards for male and female lunatics, and also for the convalescents and incurables, and also distinct day rooms and airing grounds for the male and female convalescents, and dry and airy cells for the lunatics of every description, *id. s.* 16.

80. So soon as any lunatic asylum so erected shall be declared by

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the visiting justices to be completed, and in a fit state for the reception of lunatics, whereof due notice shall be given three times in some public newspaper circulating in the county or district of counties united for the purposes of this act, the justices of peace acting respectively for any county or counties at the expence of which such asylum has been built, shall issue warrants, upon the application of the overseers of the poor of any parish situate therein, for the conveyance of any lunatic, insane person, or dangerous idiot who may be chargeable to such parish, to such asylum, there to be safely kept until duly discharged, as in *s.* 23. *pl.* 88. directed; and at the time of issuing such warrant such justice shall also make an order upon the overseers of the poor of the parish to which such lunatic, &c. shall belong, to pay such weekly sum to the treasurer of such asylum, as shall be fixed upon by the visiting justices as a fit rate for the maintenance, medicine, clothing and care of such persons, 48 *G.* 3. *c.* 96. *s.* 17. [*See* when justice may refuse to grant such warrant, 51 *G.* 3. *c.* 79. *s.* 1, 2. *post*, *pl.* 108—109.]

81. If any such overseer shall wilfully neglect or delay to give information to such justice of any such lunatic or insane person who shall be chargeable to such parish, or to make application for such warrant during 7 days from the time he shall be acquainted that such person is so lunatic or insane, he shall forfeit a sum not exceeding 10*l.* nor less than 40*s.*, to be recovered by distress and sale of his goods, by warrant under the hands and seals of any two justices acting for the county within which such parish is situated, which warrant such justices shall grant upon the confession of the party, or upon the information of any witness upon oath; and such penalty, after the charges of recovering the same deducted, shall be paid, one moiety to the informer, and the other to the treasurer of such asylum, to be applied to the use of the same, *id. s.* 18. [*See* 59 *G.* 3. *c.* 127. *s.* 1. 3. *post*, *pl.* 108—109.]

82. In case there shall be a lunatic asylum established under this act for the county or district of united counties within which the parish to which any lunatic or mad person apprehended by virtue of the 17 *G.* 2. *c.* 5. *s.* 20. [*see* VAGRANT], belongs shall be situated, then such justices who shall by virtue of such act issue any warrant for the confinement of such lunatic or mad person, shall, in the body of such warrant, direct that such lunatic be confined in such asylum, and not elsewhere; but if no such asylum has been established, then such justices, if they think fit, may order by such warrant that such lunatic be confined in any house duly licensed for the reception of lunatics under the 14 *G.* 3. *c.* 49. [*see ante*, *pl.* 11., &c.], although such house may not be situated within the county where the parish to which such lunatic or mad person belongs shall lie, *id. s.* 19.

83. In case the place of the last legal settlement of any lunatic or mad person, apprehended by virtue of the 17 *G.* 2. *c.* 5. cannot be ascertained, then the justices who caused such person to be apprehended, shall by their warrant direct such person to be confined in the lunatic asylum for the county or district of united counties within which he was apprehended, if any such asylum has been established, and not elsewhere; or if no such asylum has been established, in some house duly licensed for the reception of lunatics, or in some other secure place as directed by such act; and if such person have not an estate to pay the charges of removing, and of keeping, maintaining, and curing such person under this act, then such charges shall be satisfied by the treasurer of the county within which such person shall be apprehended, out of the county rates, by order of two justices to him directed, *id. s.* 20.

84. Nothing in this act shall render any lunatic asylum, provided under this act, for the use of any county or united counties, liable to the reception of lunatics or insane persons, who may be chargeable to or apprehended in any city, town, precinct, parish, township, or place situate within the limits of such county or united counties, but claiming exemption, and being exempt from contributing to the county rate, unless such city, &c. shall have agreed to unite, and shall thereby have contributed to the expence of the same under the powers herein-before given, *id. s.* 21.

85. At any meeting of the justices of peace to be held as in *s.* 1. in any county for the purpose of considering on the expediency of providing a house of reception for lunatics or other insane persons, if it appears to the major part of the justices so assembled, that it would be expedient to unite and join with any lunatic asylum built and established by voluntary contribution, or intended so to be, they may appoint a committee, as in *s.* 3. directed, to treat with and enter into and subscribe an agreement with a committee of governors, directors, or subscribers to such voluntary institution, such committee being appointed by a majority of such subscribers, to be called by public advertisement, as in *s.* 1. for the express purpose of making such appointment; and all provisions herein-before directed in regard to counties treating and agreeing with each other, shall be adhered to, so far as they will apply, or the circumstances of the two cases admit; and the number of the committee of governors, &c. appointed by the subscribers, shall not exceed the number of the committee of justices, to be appointed by the justices of peace; and such committee of subscribers, or the major part of them, shall be competent to enter into and subscribe any agreement, as fully as any committee appointed under this act, on the part of any county uniting to treat with any other county so uniting: provided no agreement so made by any committee of justices shall be valid on the part of the county, until the same has been submitted to and approved by the majority of the justices of the county assembled at the next ensuing quarter sessions, which shall be held after such agreement has been entered into, 48 *G.* 3. *c.* 96. *s.* 22.

86. The subscribers to any lunatic asylum, erected, or to be erected by voluntary contributions, who have or may unite with any county or counties, under the 48 *G.* 3. *c.* 96. *s.* 22. or the majority of them present at a general meeting, to be held in *Oct.*, in each year, of which notice shall be given by advertisement, in some newspaper circulated within the county where such lunatic asylum is situated, shall annually elect their committee of governors, directors, or subscribers, in order to act with the committee of visiting justices, appointed on behalf of such county or counties, for the building, &c. of such asylum, under 48 *G.* 3. *c.* 96. *s.* 2. and also may at any general meeting called for that purpose, of which due notice shall be given as aforesaid, fill up any vacancy in the number of such committee, of governors, &c. that has occurred by death or resignation, 55 *G.* 3. *c.* 46. *s.* 3.

87. If no such annual meeting shall take place, or if the subscribers there assembled shall fail so to elect, then the governors, &c. before appointed such, or such of them as shall continue to act, shall be deemed the legal committee, for the purpose of acting with such committee of visiting justices, until the next annual meeting of such subscribers, *id. s.* 4. [*see s.* 5. *post*, *pl.* 102.]

88. All lunatics, insane persons, or dangerous idiots, so committed to such asylum, shall be safely kept, and no such person shall be suffered to quit the asylum, or to be at large, until the visiting justices or the greater part of them, shall order his discharge, and shall signify the same in writing, under their hands and seals; and if any officer, servant, or assistant in such asylum, shall, through neglect or connivance, permit such person to escape, without such order, he shall forfeit not exceeding 10*l.*, nor less than 40*s.*, to be recovered by distress and sale of goods, by warrant under the hands and seals of any 2 justices, acting for the county within which such asylum is situated, (which warrant such justices shall grant, upon the confession of the party, or upon the information of any witness upon oath); and such penalty, after the charges of recovering the same deducted, shall be paid one moiety to the informer, and the other to the treasurer of such asylum, to be applied to the use of the same, 48 *G.* 3. *c.* 96. *s.* 23. [how expence of removal to be paid, 51 *G.* 3. *c.* 79. *s.* 6. *post*, *pl.* 100.]

89. In all cases where any such lunatic asylum has been established under this act, the visiting justices appointed to superintend the same, or the major part of them, such major part not being fewer than 5, shall make such regulations as to them seem expedient for the management and conduct thereof, in which shall be set forth the number and description of officers and servants to be kept, the duties to be required, and what salaries shall be paid them; and may appoint a treasurer, and such other officers and servants, together with such number of assistants as they find necessary in proportion to the persons confined in such asylum, and may dismiss them; and shall fix a certain weekly rate to be paid for each person confined in such asylum, which may be sufficient to defray the whole expence of the maintenance and care, medicines and clothing requisite for such person, and the salaries of the officers and attendants; provided, that such rate shall in no case exceed 14*s. per* week; and such visiting justices shall annually audit the accounts of the treasurer, and report the same to the next quarter sessions holden for the counties, at the expence of which such asylum was established, *id. s.* 24.

90. The justices acting for any county, at whose expence any lunatic asylum has been or shall be erected, or the major part of them (such part not being less than 7) assembled as in *s.* 6. may make such addition to the weekly rate allowed by 48 *G.* 3. *c.* 96. *s.* 24. for each pauper confined therein, as to them seems fit, and make an order accordingly, which order shall be signed by the clerk of the peace or his deputy, on behalf of the court, and forthwith published in some newspaper circulated within the county, and such additional rate shall be paid by the overseers of the poor of the parishes or places to which the lunatics in such asylum belong, in the same manner as is by 48 *G.* 3. *c.* 96. provided, with regard to the weekly rate to be fixed on by the visiting justices, for the maintenance, medicine, clothing, and care of such lunatics, 55 *G.* 3. *c.* 46. *s.* 7.

91. Such visiting justices may order all such repairs, or other expences, as may be necessary for such asylums, and direct the same to be paid by an order upon the county treasurer, where such asylum is established by one county only, or shall apportion the same as aforementioned, (*Qu. s.* 4.) upon each county where such asylum is established for a district of counties, and shall make an order upon the treasurer of each of such counties, for the payment of such proportion; and such

county treasurer shall immediately discharge the same out of any money then in his hands, under the penalty of double such sum he was directed to pay, to be recovered from him for the benefit of such asylum by action, in any of H. M.'s courts at *Westminster*, by the treasurer of such asylum, 48 *G.*3. *c.*96. *s.*25.

92. In all rates, taxes, and levies to be made for any parish or place in which any land or ground to be purchased for the purposes of this act is situate, such land, &c. with any building to be erected thereon, shall not be assessed to any such rates, &c. at a higher value or more improved rent than the same was at the time of such purchase; nor shall any building, which, under this act, shall be erected on such land, be assessed to any house or window tax, *id. s.*26.

93. In all cases where any person shall, by virtue of the 39&40 *G.*3. *c.*94. *ss.*2—3., be kept in custody as a lunatic or insane person, by order of any court, or by H. M.'s order subsequent thereto, any two justices of the county where such person is so kept, may enquire into and ascertain by the best legal evidence that can be procured under the circumstances of personal legal disability of such lunatic, the place of the last legal settlement, and the circumstances of such person; and if it appears that he is not possessed of sufficient property which can be applied to his or her maintenance, may make order upon such parish where they adjudge him or her to be legally settled, to pay such weekly sum for his or her maintenance in such place of custody as such court of H. M. shall appoint, as shall be fixed upon and directed in writing by a principal secretary of state; and where such place of settlement cannot be ascertained, such allowance shall be paid by the treasurer of the county where such person was apprehended; but if it appears that such person is possessed of sufficient property, then such justice shall order the same to be applied to pay the expence of his maintenance, in the manner directed in the case of lunatics and mad persons, by the 17 *G.*2. *c.*5. provided the churchwardens and overseers of such parish in which such justices shall adjudge any lunatic to be legally settled, or the major part of them, may appeal against such order to the quarter sessions, to be holden for the county where such order was made, in like manner, and under like regulations, as against any order of removal, giving reasonable notice thereof to the clerk of the peace of such county, who shall be respondent in such appeal; which appeal the justices assembled at such quarter sessions shall hear and determine, in the same manner as other orders of removal, *id. s.*27.

94. All directions, clauses, and things in this act contained relating to counties, shall extend to all ridings, divisions, cities, towns, liberties, and places possessing separate jurisdictions; and if relating to parishes, shall extend to all vills, townships, and places maintaining their own poor, *id. s.*28.

95. Whenever any application is made by the overseers of the poor of any parish in any county or district of counties, at the expence of which any lunatic asylum has been erected, to any justice acting for such county or counties, to issue his warrant for the conveyance of any lunatic or insane person to such asylum, such justice may refuse so to do, if he think fit, such lunatic, &c. not being actually dangerous, provided that at the time of his so refusing, such justice shall deliver in writing to such overseers the reasons for such refusal, 51 *G.*3. *c.*79. *s.*1.

96. If any persons shall think themselves aggrieved by such refusal, they may appeal to the justices at the next general or quarter sessions to be holden for the county or place, the appellant giving to the appellee 10 days' notice of his intention to appeal, and such justices at such sessions shall hear and determine the appeal in a summary way, and make such determination as they think proper, which shall be final, *id. s.*2.

97. Every justice who shall have issued a warrant for the conveyance of any lunatic, &c. to such asylum, or who has refused so to do, on the application of the overseers of the poor of any parish, shall make regular returns to the quarter sessions for the county, of all cases brought before him, when he has granted or refused to grant any such warrant, stating the reasons of refusal, and such returns shall be filed among the records of the sessions, *id. s.*3.

98. The overseers of the poor of any parish, on applying to any justice for the conveyance of any lunatic or insane person or dangerous idiot, shall produce to such justice a certificate in writing from some medical person, of the state and degree of lunacy of the person on whose behalf the application is made, and such justice may cause such lunatic, &c. to be visited by such medical person as he thinks fit, and may examine such medical person, on oath, as to the state and degree of lunacy of such lunatic, &c. and order such sum to be paid to such medical person, as is reasonable, by the overseers so applying out of the poor rates, *id. s.*4.

99. The medical superintendant of every such asylum shall make returns to the general or quarter sessions once a year, of the state and condition of all persons committed to his care under the 48 *G.*3. *c.*96. and this act, in order that the justices there may be able to direct the discharge of any persons from such asylum, who may appear from such returns and the report of such medical person to be no longer fit to remain there, and such justices may issue their warrants for the admission of such other persons as may appear the fittest objects for immediate reception therein, out of those on whose behalf application has been made to any justice, and whose cases have been regularly reported to such sessions, 51 *G.*3. *c.*79. *s.*5.

100. On the regular discharge of any pauper from such asylum, the expences attending the removal shall be borne by the parish, in which such pauper is legally settled, and the same on being allowed by 2 justices of the county wherein such parish is situated, shall be paid by the overseers of the poor of such parish out of the poor rates, *id. s.* 6. [*see* 48 *G.*3. *c.*96. *s.*23. *ante*, *pl.* 88.]

101. No bastard born of any lunatic, insane person, or dangerous idiot, in any such asylum, shall thereby gain a settlement in the parish, where such asylum is situated, but the legal settlement of such child shall be in the parish where its mother was last legally settled, 51 *G.*3. *c.*79. *s.*7.

102. If any committee of visiting justices, or of visiting justices united with any committee, or governors, or directors or subscribers to any lunatic asylum, erected or to be erected by voluntary contributions, shall neglect to adjourn any meeting held for the purposes of 48 *G.*3. *c.*96., or where any thing shall occur to render the meeting of such committee necessary within the period to which they have adjourned, the clerk to such committee may convene a new meeting by a circular letter to each member thereof, informing him of the time and place of such meeting 10 days before it shall be held, 55 *G.*3. *c.*46. *s.*5. [*see* 48 *G.*3. *c.*96. *s.*2. *ante*, *pl.* 59. *and s.*22. *pl.* 85.]

103. In every case in which a lunatic asylum has been, or shall be erected by any county under the 48 *G.*3. *c.*96., the justices of such county, or the major part of them, (such part not being less than 7,) assembled at any annual or general quarter sessions, or any adjournment thereof, to be held for such county, may limit the sums which may be expended on the purchase of lands or houses, or in the erection of new buildings, or the extension or alteration of existing ones for the purpose of such asylum, or the yards, outlets, or courts, belonging thereto, as well on its first establishment as at any time during its continuance; and such committee of visiting justices shall not enter into any contract for the purchase of lands or houses, or the erection of new, or the extension or alteration of existing buildings for the purpose of such asylum, or the yards, &c. belonging thereto, at a sum which may in the whole exceed the sums so limited by the justices in such sessions, and no contract so entered into by such visiting justices, shall be valid, *id. s.*6. [*see* 48 *G.*3. *c.*96. *s.*6. *ante*, *pl.* 69.]

104. The justices acting in and for any county, at their petty sessions, may issue their warrants to the overseers of the poor of the parishes or places within their subdivisions, to return lists of all lunatics and dangerous idiots being paupers within their parishes, specifying the name, sex, and age of each lunatic, &c. and whether dangerous or not, and for what time such lunatics have been disordered in their senses; and such overseers shall forthwith, on receipt of such warrant, prepare and return such lists, which shall be verified on oath before the justices at such petty sessions, and accompanied with a certificate from a medical practitioner, as to the state and condition of each lunatic, &c. and any overseer to whom such warrant has been directed and delivered, who shall neglect to prepare such list, or to return the same at the time and place by the warrant fixed with such certificate, or to verify the same on oath, shall be subject to such fine, as overseers of the poor and other parish and peace officers are under 33 *G.*3. *c.*55. [*see* JUSTICES OF PEACE,] the same to be imposed and levied as by that act directed, and such justices shall transmit such lists forthwith to the clerk of the peace, or his deputy, to be by him laid before the quarter or annual sessions, and such overseers may defray the necessary expences of the examination of such lunatics or dangerous idiots by a medical practitioner out of the poor-rates of the parishes to which such lunatics, &c. belong, or where their legal settlement has not been ascertained out of the poor-rates of the parish where they reside, *id. s.*8.

105. Any two visiting justices with the consent of the medical superintendant, may discharge from such asylum any lunatic confined therein, whose perfect recovery is certified by such superintendant, *id. s.*9.

106. Whenever it appears to the justices acting for any county or counties, at whose expence any lunatic asylum has been erected, or the major part of them, (such part not being less than 7,) assembled at any quarter or annual sessions, that such asylum is more than sufficient for the accommodation of lunatics, being paupers, within the district for which it was built, they may make order for the admission of so many lunatic patients, as to them seems meet, not being paupers or criminal, or if paupers, but belonging to any other county, or to any parish or place within the county or counties by which such asylum was erected, which may be exempt from contributing to the county rate of such county or counties, and which has not been united therewith, or contributed to the expence of such erection under these conditions, *viz.* that no such patient shall be admitted therein without an order signed

by one visiting justice, directed to the governor or superintendant of such asylum, nor without the certificate in writing of a regular medical practitioner, certifying the lunacy of such patient, nor without an undertaking signed by 2 householders, or the minister and one churchwarden or overseer of the place where such lunatic resides, at the time of application for admission, for the due payment of the weekly allowance and other expences contingent on the maintenance and care of such lunatic during his continuance therein, as well as for his removal therefrom, within 3 days due notice given in writing by the governor or superintendant of such asylum by the order of one visiting justice under the penalty of 50*l.*, to be recovered and applied as other penalties may be by virtue of this, or any other act passed for the building, &c. of asylums for pauper lunatics, provided such weekly sum for such patients not being paupers shall be fixed by the visiting justices, at such rate as they deem sufficient to cover every expence liable to be incurred for such patient, and shall in no case be less than one third more than is paid, at such time, by the parishes within such district, for the maintenance of patients thereto belonging, together with such extra sum for clothing and medicine as may be incurred during the continuance of such patient in such asylum, under the sanction of the visiting justices thereof, *55 G. 3. c.* 46. *s.* 12.

107. FOR MAKING PROVISION FOR THE BETTER CARE OF pauper lunatics in *Eng.*, *59 G.* 3. *c.* 127. [PUBLIC *clause*, *s.* 2.]

108. On its being made known to 2 or more justices of peace of any county, that a poor person chargeable to any parish or place within any of such counties is deemed to be a lunatic or insane, or a mischievous idiot, such justices, by order under hand and seal, if they think fit, may require the overseers of the poor of such parish or place, to bring such poor person before them, or some other justices of the county, at a time and place by such order appointed, and such 2 justices may call to their assistance a medical person at the charge of such parish, and if on examination of such poor person, or from other proof, such justices are satisfied that he or she is a lunatic, &c. they may, by order under their hands and seals, directed to such overseers, according to the form in schedule A. cause such poor person to be conveyed to and placed in some lunatic asylum, in cases where such asylum has been established under *48 G.* 3. *c.* 96., for the county or district of united counties within which the parish of such poor person is situate; but if no such asylum has been established, such justices shall direct such poor person to be conveyed to and placed in some licensed mad-house; and such 2 justices or any others acting in the division for such county where such parish is situated, shall from time to time make order on the overseers of such parish for the payment of all reasonable charges of conveying such poor person to such asylum or mad-house, and if to a lunatic asylum for the payment of such a weekly sum to the treasurer thereof, as the visiting justices of such asylum under the *48 G.* 3. *c.* 96. shall fix, or if to such mad-house for the payment of such a weekly or monthly sum to the keeper thereof, for the maintenance, medicine, clothing and care of such poor person as he shall be willing to accept, and as to such justices shall appear reasonable; and such overseers shall not remove such poor person from such house without an order of 2 justices of the county, after due enquiry into the circumstances of the case, unless such person is discharged as cured; provided such overseers so conveying such insane person to such asylum or mad-house, shall deliver a certificate from the medical person so called to the assistance of the justices (which certificate shall be in the form in schedule B.) to the keeper of such asylum or mad-house, *id. s.* 1. [see *48 G.* 3. *c.* 96. *s.* 17, 18. *ante*, *pl.* 80, 81.]

109. Every overseer of the poor of any parish to which any lunatic or insane person shall be chargeable, who shall for 7 days wilfully neglect or delay to give information of the state of such person to some justice acting within the division of the county within which such parish or place is situate, shall forfeit from 40*s.* to 10*l.* (to go in halves to the informer and the poor of such parish) to be recovered by distress and sale of the offender's goods by warrant under the hand and seal of any 2 justices for the county, *id. s.* 3.

INCLOSURE.

1. FOR CONSOLIDATING IN ONE ACT CERTAIN PROVISIONS usually inserted in acts of inclosure, and for facilitating the mode of proving the several acts usually required on passing such acts, *41 G.* 3. (U K.) *c.* 109. [Virtually AMD. *1 & 2 G.* 4. *c.* 23. NOTE. '*Commissioner*' is named throughout both acts as enjoying same powers with '*Commissioners*,' though the latter expression as most comprehensive is here adopted.]

2. The provisions of these acts are only so far binding in each case as they shall not otherwise be provided for in any such inclosure act hereafter to be passed, *41 G.* 3. (U. K.) *c.* 109. *s.* 44., *1 & 2 G.* 4. *c.* 23. *s.* 5.

3. No person shall act as a commissioner under any future inclosure act (except in signing the notice of the first meeting, or administering the oath or affirmation hereinafter mentioned) till he have taken or subscribed the oath annexed, which any one commissioner or one justice of the county (where only one commissioner is appointed) may administer, and the oaths and appointment of new commissioners shall be annexed to and enrolled with the award and a copy of such enrolment, and shall be legal evidence, *41 G.* 3. *U. K. c.* 109. *s.* 1.

'I *A. B.* do swear, [*or being one of the people called Quakers*, do solemnly affirm] that I will faithfully, impartially and honestly, according to the best of my skill and ability, execute and perform the several trusts, powers and authorities vested and reposed in me as a commissioner, by virtue of an act for [*here insert the title of the act*] according to equity and good conscience, and without favour and affection, prejudice or partiality to any person or persons whomsoever. So help me God.'

4. Commissioners declining to act shall give notice in writing to the other commissioners, and none of them shall purchase any lands within any parish in which the inclosures are to be made, either in his own or another's name, until five years after date of the award, *id. s.* 2.

5. The commissioners by examination of witnesses on oath or affirmation, and by other lawful ways, shall inquire into the boundaries of parishes, manors, hamlets, or districts; and if it appears to them that they are not sufficiently ascertained, shall ascertain the same, and they shall remain the boundaries thereof; but they shall give public notice of such inquiry by writing under their hands, affixed on the church doors, and by advertisement in some newspaper to be named in such act, and by writing to be left at the last abode of the lords or stewards of manors in which the lands so enclosed are situate, and of the adjoining manors, ten days before setting out the boundaries, and in one month after setting out the same, shall cause a description thereof in writing, to be delivered to one of the churchwardens or overseers of the respective parishes, and of such lords or stewards; and all persons interested in but dissatisfied with the decision respecting the boundaries, may appeal to the quarter sessions next after publication of the boundaries by leaving such description as above, giving eight days' notice of appeal, and of the matter thereof in writing to the commissioners, and their decision shall be final, and not removed by *certiorari* or other writ, *id. s.* 3.

6. A true survey, admeasurement, plan, and valuation of the lands to be divided, allotted, and inclosed by such act, and also of all the messuages, cottages, orchards, homesteads, and ancient inclosed lands in any such parish or manor, shall be made and reduced into writing by such commissioners, and the number of acres and decimal parts of an acre in statute measure contained in all the lands directed to be divided, &c. and also in all the ancient inclosures and homesteads, and of every proprietor's distinct property therein respectively at the time of survey, shall be specified, and kept by such commissioners, being verified by the surveyors on oath administered by any commissioner at a meeting of commissioners; and the proprietors, their agents, and persons interested therein, may inspect and take copies of such amendment and plan only, *id. s.* 4.

7. Until the division is completed, the old enclosures and lands to be inclosed may be entered by the commissioners, or any persons they may appoint to make surveys and measurements thereof, and any maps made at the time of passing the act may be used without making new ones, if the commissioners approve, *id. s.* 5.

8. Claimants of common or other rights in lands to be enclosed shall deliver to the commissioners at one of their meetings for that purpose, an *account* in writing, signed by them or by their husbands, guardians, trustees, committees or agents, and therein shall describe the lands, tenements and hereditaments in respect whereof they claim to be entitled, with the names of the persons then in possession, the computed quantities thereof, the nature and extent of the right, and in what right or for what freehold or copyhold estates (distinguishing them) they claim, or on default shall be barred of all right and title in such lands so to be divided, all which claims or accounts shall, till after execution of award, be open to inspection of all parties interested, or their agents, who may take copies thereof, and whose objections to any such account shall be delivered in writing, signed as above, to the commissioners at or before some other like meeting, but shall not afterwards be received, except for legal disability or special cause allowed by the commissioners, *id. s.* 6.

9. The commissioners are not hereby authorized to determine disputes touching title to lands, but shall set out the allotments to the persons in actual possession of the lands, in lieu or right whereof the allotment shall be made, and no suit touching such title shall delay the division or inclosure, *id. s.* 7.

10. The commissioners before making any allotments, shall set out public carriage roads and highways, and turn or stop up any of the roads over any part of the said lands which they judge necessary, so as such roads are 30 feet wide at least, and set out in the directions which appear on the whole most commodious to the public, and shall ascertain the same by marks and bounds, and prepare a map thereof, to be deposited with their clerk for inspection of parties concerned, and shall give notice of such setting out of roads, and deposits, and also of the several lines of such intended carriage roads by advertisements, and by sticking some on the church door, as in *s.* 3. and shall appoint a meeting, not sooner than

3 weeks from date of such notice, at which if any person shall object to such roads, the commissioners with any justice of the division, not interested, shall determine the same, as well as any objections made to any alteration proposed by such commissioners, together with such justice: and if the commissioners by such bill are empowered to stop up any old road, it shall not be done without order of 2 like justices, not interested, which order shall be subject to an appeal to quarter sessions, as if it had been originally made by such justice, 41 *G.*3. *U. K. c.*109. *s.*8.

11. Such carriage roads shall be fenced on both sides by such of the owners, and within such time as the commissioners shall, by writing under their hands appoint, and no person shall set up any gate across such roads, or plant any trees in or near the hedges on the sides at less than 50 yards from each other, and the commissioners shall by writing under their hands appoint one or more surveyors, for the first forming the new parts of such roads, and for repairing any part thereof previously made, and if with a salary, such salary and the expence of forming and repairing such roads, over and above a proportion of the statute duty on the roads repaired shall be raised in like manner as the other expences of the act are directed to be raised, and shall be paid on or before execution of the award; and if the same is thereby directed to be raised by sale of a part of the lands to be inclosed, the commissioners shall make a contract rate on the owners in case the produce of the sale is insufficient, and such surveyors shall be subject to the control of the justices of the county in which such roads lie, and shall account to them in like manner for the monies by them received and expended, and for repayment of any surplus remaining in their hands to the persons liable to contribute to the same, according to the proportion ascertained by such commissioners; and the justices may levy highway rates according to the above proportion, as if such surveyors were appointed under the highway act, 13 *G.*3 *c.*78., and if such surveyors neglect to complete and repair such roads within 2 years after such award, or within a further time, not exceeding one year allowed by such justices, they shall forfeit 20*l.* and the inhabitants at large of the parish wherein such roads are situate shall not be charged towards forming or repairing them, except the above proportion of statute duty, till such roads are by such justices in special sessions declared to be fully formed and repaired, from which time they shall be supported like other public roads in the parish, *id. s.*9.

12. The commissioners shall set out private roads, bridle and footways, ditches, drains, watercourses, and watering places, quarries, bridges, gates, stiles, mounds, fences, banks, bounds, and land marks, in, over, upon, and through, or by the sides of the allotments, giving such notice, and subject to such examination as to any private roads, as in *s.*8. required in the case of public roads, and the same shall be made and kept in repair at the expence of the owners of the land inclosed, in such shares as the commissioners shall by their award direct, *id. s.*10.

13. The grass and herbage growing on the public and private roads and ways so set out, shall belong to the proprietors of the adjoining lands, and all roads, ways, and paths not so set out shall be stopped up and extinguished, and allotted as part of the lands to be inclosed; but no turnpike road shall be diverted without leave of the majority of the trustees assembled at some public meeting called for that purpose, on 10 days' notice, *id. s.*11.

14. The commissioners in making allotments shall have regard as well to the situation of the proprietor's houses, as to the quantity and quality of land, as far as may be consistent with the general convenience of the proprietors, and shall have particular regard to the convenience of the owners of the smallest estates, *id. s.*12.

15. And on application of the parties interested at their first or second meeting for receiving claims, and on attentive view and full consideration of the premises, may direct small allotments to be laid together and ring fenced, and to be stocked and depastured in common, and may make such orders for equitable enjoyment thereof, and for participation of any produce to grow thereon as they may think beneficial, *id. s.*13.

16. The allotments shall be taken in full bar and satisfaction for all rights of common and other rights in the said lands; and after the making such division and allotments and execution of the award, or at any other time which the commissioners shall by writing under their hand, and affixed on the door of the parish church direct, the same shall be extinguished, *id. s.*14.

17. The commissioners may allot any tenements, messuages, buildings, new allotments, or old inclosures, in exchange for any other within the same parish or manor, or within any adjoining parish or place, with the consent of the owners, or of their husbands, guardians, trustees, agents, &c., which exchanges shall be set out in the award; and all such exchanges of lands belonging to any church, chapel, or benefice, shall be made with like consent, in writing, of the bishop and patron, *id. s.*15.

18. The commissioners (on request in writing of joint-tenants, coparceners, or tenants in common, or of their trustees, &c., as in *s.* 15.) may make allotments in severalty to such joint tenants, &c.; and after such allotments, the same shall be held in severalty by the persons to whom allotted, subject to the same uses as the undivided shares would have been, in case such partition had not been made, 41 *G.*3. *U. K. c.*109. *s.*16.

19. All persons, to whom any allotment shall be made, shall accept their allotments in 2 calendar months after the award is executed, or shall forfeit their right to any part of the lands inclosed, *id. s.* 17.

20. But guardians, husbands, trustees, committees, or attorneys, may accept allotments for the use of persons disabled to take, or beyond sea, and tenants for life may accept of such allotments; but the non-claim or non-acceptance of any such guardian, &c. shall not prejudice the rights of such disabled persons, who shall claim or accept such allotment within 12 calendar months next after such disability removed, or of any heir in remainder after death of any person dying during such disability, who shall claim or accept the same in 12 months after his title accrued, or known so to be, *id. s.*18.

21. After setting out allotments, and before execution of the award, the allotments may be ditched and fenced off, and inclosed with consent of the commissioners given in writing, under their hands, *id. s.*19. [*See* 1 & 2 *G.*4. *c.*23. *s.*1. *infra, pl.*48.]

22. Timber and other trees, thorns and bushes, standing on any waste, or lands to be allotted by such act, shall go along with the lands whereon they stand, the parties, to whom they are allotted, paying to their owner such sums, and at such times and places, as the commissioners shall, by writing under their hands, direct; but on default of payment the owners may enter and cut down, and take them away, at reasonable times within one year after such neglect or default, *id. s.*20.

23. Whenever money is to be paid for the purchase or exchange of lands, or of any timber or wood growing thereon, which ought to be laid out in the purchase of other lands, to be settled to the same uses, the commissioners may thereout defray any proportion of the expences of passing and putting the act into execution, which may be charged on any such lands, or on which such timber or wood actually grew, and also of any permanent improvement, as building, draining, or planting, which shall be made by direction of the commissioners on the lands so allotted; and if the surplus amount to 200*l.* it shall, as soon as may be, be laid out in other purchases, to be conveyed to like uses; and in the meantime shall be paid into the bank in the name, and with privity of the accountant general of chancery, to be placed to his account *ex parte* such commissioners, without a fee, to the intent that it may be applied under direction of the court, signified by order, on petition preferred in a summary way by the person entitled, either towards redemption or purchase of land tax, or towards the discharge of any incumbrances affecting such lands, or till the same shall, on like application, be laid out by like order in purchase of other lands, to be settled to like uses; and in the meantime such money may, by like order, be laid out in some public funds, or on government or real securities, and the dividends thereof shall, by like order, be paid to the person entitled to the rents, *id. s.* 21.

24. If such money be less than 200*l.* and exceed 20*l.* it shall, at the option of the person entitled to the rents, signified in writing, be paid into the bank, as in *s.*21. or otherwise, to 2 trustees nominated by such person and to be approved by the commissioners, signified under the hands of all parties, that such money and dividends may be applied, as before directed, without obtaining the direction of the court of chancery, *id. s.* 22.

25. If less than 20*l.* it shall be applied to the use of the person entitled to the rents of the lands, in such manner as the commissioners shall think fit, or, in case of infancy or lunacy, to his guardian or committee, *id. s.*23.

26. If any person, to whom any allotment is made, or if any guardian, husband, trustee, committee, attorney, &c. for any minor, &c. or other incapacitated person, or if any tenant in tail, or for life, trustees of settlement, mortgagee, or creditors in possession, do not accept, inclose, and fence the allotments within such time as the commissioners, by like writing under their hands, or by their award shall order, the latter shall cause it to be inclosed, fenced, and let, and may receive the rents till the expences are satisfied, or may charge them on the proprietor of the allotment; and by like writing, or by their said award, may appoint to whom and to what time the same shall be paid, subject to the same mode, and with like powers of recovery thereof, as may be provided respecting the other expences of passing such act, *id. s.* 24.

27. Posts and rails, or other dead fences, may be erected by the proprietors on the outside of the ditches bounding the allotments, at seasonable times, within 7 years next after fencing them, but not exceeding 3 feet from such ditches, for preserving their quickset hedges, and such fences may be carried away within that term, *id. s.* 25.

28. No fences or hedges, which at the time of passing any act, are standing on the lands directed to be inclosed, shall be destroyed, till the execution of the award, without consent of the commissioners, in writing; and if assigned by them as a boundary or sub-division fence for any of the allotments, they shall be left uncut, and the proprietor of

the allotments shall make such compensation in money to the former owners as they shall, by writing under their hands order, subject to the same mode and like powers of recovery thereof, as may, in such act, be provided, respecting the other expences of passing the same, 41 *G.* 3. *U. K. c.* 109. *s.* 26.

29. But no proprietors, whose allotments shall lie next to any common, fields, or inclosed grounds fenced by any mound, fence, brook, or rivulet, shall be compelled to make any hedges, ditches, or fences next to such common, fields, &c.; but the whole mound, &c. or other sufficient fences, which divide such common, fields, or inclosed grounds shall remain a boundary for the purpose of such division, and shall be repaired by the proprietors, as before this act, or in any other manner directed by the commissioners; and if any of the proprietors have a greater proportion of fences to make and maintain, than in the commissioners' judgment the allotments ought to be charged with, the latter may ascertain such sum to be paid to every proprietor towards making such fences by such other of them who may have a less proportion, according to the value and quantity of his allotment, and to grant such other relief out of the money raised for defraying the expences of such act as they think reasonable, in order that the boundary fences may be brought as near as may be to a just proportion, *id. s.* 27.

30. If any person shall wilfully destroy, carry away, or damage any fence, stile, post, rail, gate, bridge, or tunnel, put up under the authority of any such act, he shall forfeit not exceeding 5*l.* on conviction, by confession, or oath of one witness, before one justice of the county; and owners of such fences, &c. as well as proprietors of lands within, or inhabitants of the parish, may give evidence, *id. s.* 28.

31. If it is provided by such act that the expences of obtaining, and also of carrying it into execution, shall be paid in proportion by the proprietors of lands, and they, or any of them, except any exempted person, neglect so to do, or to pay the expences of fencing allotments by the commissioners, as in *s.* 2. and on proprietor's refusal so to do at the days and times appointed, the commissioners, by warrant under their hands and seals, directed to any person soever, may cause the same to be levied by distress and sale of goods of the defaulter, or the husband, trustee, or attorney, &c. wherever found, with the costs of distress, and interest at 5*l. per cent.* from the time the same was directed to be paid; or they or their appointees may enter on the allotments and receive the profits thereof, till, thereby or otherwise, such share and costs, and all interest thereon, and all costs occasioned by such entry and perception of the profits are fully paid, *id. s.* 29.

32. The husbands, guardians, trustees, committees, or attorneys of any owners of such allotments, or exchanged lands, or any tenants in tail for life, lives, or years, determinable on lives or other contingency, interested as aforesaid, except the rector or vicar of the parish, may charge such allotments or exchanged lands by mortgage, lease, or other charge for term of years, with such sums as the commissioners shall, by their award, or writing under their hands, adjudge necessary to pay their shares of the expences in *s.* 29. as well as those of charging the said lands, so as the same shall not exceed 5*l. per* acre; and if persons in possession charged with a share of such expences, or hereby enabled to charge the lands with the same, shall advance the money; then the commissioners, by deed under their hands and seals, attested by 2 witnesses, may mortgage, lease, &c. the lands to them for their reimbursement with interest, to commence on termination of their right in the premises, with covenant that such mortgage, lease, &c. shall cease, or with a trust to re-assign when the whole is fully paid, and to pay the interest, so that no future owner of the lands shall be liable to pay more than 6 calendar months arrear thereof, before his title commenced, *id. s.* 30.

33. The commissioners may deduct from any allotments to trustees or feoffees of charity or school lands, so much land as shall, by the former, be deemed equal to their proportions of the expences in *s.* 29., and may allot the same to such persons as will undertake to pay, and shall pay all such expences, *id. s.* 31.

34. If it is provided by any such act that the expences attending it shall be paid by sale of any part of the land to be inclosed, the commissioners shall set out and sell, by private contract or by auction, giving 6 weeks previous notice, in manner directed by such act as to other notices, such part as they think will raise a sufficient sum, and the purchaser shall immediately pay them 1-10th of the purchase money, which shall be forfeited if the remainder thereof be not paid in 3 calendar months after, or at such further time as the commissioners shall appoint, and the allotments for which the whole money shall not have been so paid, or for which there shall be no bidding at such auction, shall be again put up and sold for the best price, or by private contract for not less than 9-10ths of the original price, or one bidding above the sum at which the same was put up at the former auction; and every allotment, for which the full purchase is paid, shall, immediately thereon, be discharged from all common and other right thereon, and be vested in fee-simple in, and inclosed, and thenceforth held in severalty by such purchaser, and allotted accordingly, and the purchase money shall be applied in defraying the charges which may be by any act directed to be paid by sale of such land, 41 *G.* 3. *U. K. c.* 109. *s.* 32.

35. The commissioner or commissioners, by writing under his or their hands, may summon witnesses to appear at any appointed time and place, to give evidence on oath, administered by him or them, in any thing relating to the execution of the powers given by this act, and may cause a copy thereof to be served on such witness, or left at his usual abode, and every person so summoned who shall not appear without some reasonable excuse or appearing shall refuse to be sworn or examined (his reasonable expenses having been paid or tendered to him), shall on conviction thereof by information on oath, made before him, forfeit any sum from 5*l.* to 10*l.* as the latter shall order, *id. s.* 33.

36. No witness shall be obliged to travel above 8 miles from the boundary of the parish, manor, or district intended to be inclosed, *id. s.* 34.

37. As soon as conveniently may be after the summons and allotment is furnished, the commissioners shall draw up an award in writing, containing the quantity of land inclosed, in acres, roods, and perches, statute measure, and the quantity of each part thereof allotted or exchanged, with its situation and description, as also a description of the roads, ways, foot-paths, water-courses, watering-places, quarries, bridges, fences, and land-marks, set out; and all such other their orders and regulations which they shall think proper, to be engrossed or written on parchment, and read and executed by them, in presence of the proprietors who may attend at a special meeting for that purpose, of which 10 days' notice in a county newspaper shall be given, and such execution shall be proclaimed the next *Sunday*, in the church of the parish where the lands lie, from which time of proclamation only shall the award be considered to be complete, and shall, within 12 calendar months after, be enrolled in one of the courts of record at *Westminster*, or with the clerk of the peace of the county, to be inspected at 1*s.* fee only, and a copy of such award, or of any part thereof, signed by the proper officer of the court, or by the clerk of the peace, or his deputy, shall be made and delivered to any person requesting the same, for which no more shall be paid than 2*d.* for 72 words, which award, and each copy so signed as above, shall be legal evidence; and such award, and all regulations and matters contained therein, shall be conclusive, except where contrary provision is herein, or in such act contained; and the commissioners, if they think it necessary, shall draw on parchment, or vellum, maps of the land, expressing the quantity of each allotment, in acres, roods, and perches, together with the proprietors' names, which maps shall be annexed to, and enrolled with, and deemed part of such award, *id. s.* 35.

38. The commissioners shall enter in a book a particular account of all money received during the inclosure, and of all disbursements made by virtue of the act, which book shall be kept at the clerk's office, open at all seasonable times, till all the accounts are settled, for the inspection of any of the proprietors, without fee; and if any such commissioners, or their clerk, neglect to keep such book, or refuse its inspection, and are convicted thereof, on oath of one witness not interested in the inclosure, before any justice of the county in which such lands are situate, or of such of the county where such offender shall be, he shall forfeit not exceeding 10*l.* nor less than 5*l.* to be levied and applied as in *s.* 39. *pl.* 42., *id. s.* 36.

39. All monies raised under any such act shall, when amounting to 50*l.*, be deposited in the hands of some banker, or person approved by a majority in value of the proprietors present at the first meeting of the commissioners; in the notice of which meeting shall be expressed the intention of then appointing such banker or other person; and no such monies shall be issued without an order in writing, under the hands of such commissioners, specifying the person to whom, and the service for which the same are due, and the balance, if any, on final settlement of accounts, shall be repaid to the land owners, in proportion to the sums paid by them, *id. s.* 37.

40. The rector or vicar of any parish in which the lands intended to be inclosed are situate, by indenture under his hand and seal, with consent of the bishop of the diocese and of the patron, may lease their allotments for not exceeding 21 years, commencing within 12 calendar months next after the award, so that the rents shall be reserved to the incumbent for the time being by 4 quarterly payments, and shall be the most improved rents which can be had, without taking any fine, or other consideration for granting such lease, a counterpart of which shall be executed by lessee; and no such lessee shall be made dispunishable for waste by express covenant; and power of re-entry, on non-payment of rent, shall be reserved in such lease, *id. s.* 38.

41. Whenever any leases to be granted by any incumbent under the above enactment, shall by any means become forfeit or void, or are surrendered before expiration of the term, then the incumbent, with previous consent of the ordinary and patron, may grant a new lease of the lands so demised, for such term of years as shall at the time of

such avoidance be then unexpired of the term granted by such original lease, subject to the conditions therein then unperformed, and capable of having effect, 1 & 2 *G.* 4. *c.* 23. *s.* 4.

42. All penalties imposed by this or any such act, or by the commissioners under the same, shall be recovered before any one justice for the county in which the lands to be enclosed are situate, and resident near such parish, and not interested in the matter, who shall summon the accused and witnesses on both sides, and on appearance, or contempt of the accused, shall examine the witnesses on oath, and may condemn the accused in the penalties incurred, on proof of accusation by one witness, and may levy the same by distress and sale of offender's goods, with costs, which penalties, the application whereof is not otherwise by this, or such other act directed, shall be applied as the commissioners, by writing under their hands, or in their award, shall order, 41 *G.* 3. *U. K. c.* 109. *s.* 39.

43. Nothing in such act shall prejudice the right of any lord or lady of any manor or lordship, to the seignories and rights incident thereto, but the same (other than the interest meant to be thereby barred) shall remain, *id. s.* 40.

44. Saving always to H. M., and to all other persons, bodies politic and corporate, all such right, title, and interest, (other than such hereby intended to be barred) as before passing such act, *id. s.* 41.

45. Two justices may take affidavits, on oath or affirmation, of the notices required by such acts having been given; of the consents of the parties interested; of the allegations contained in their preambles; and of the quantity of land to be enclosed; which affidavits shall be in form as in the schedule, and not liable to any stamp duties, *id. s.* 42.

46. Every person who, in any examination, affidavit, deposition, or affirmation, taken in pursuance of this act, before such justices or commissioners, shall knowingly swear or affirm any matter which is false, shall on conviction, be guilty of perjury, and suffer the penalties thereof, *id. s.* 43.

47. To AMEND THE LAW RESPECTING THE INCLOSING OF open fields, pastures, moors, commons, and waste lands, in *Eng.*, 1 & 2 *G.* 4. *c.* 23.

48. After 19 *April* 1821, every person to whom any allotment of land has been, or shall hereafter be set out, and to whom possession thereof has been or shall hereafter be given, by virtue of any order or direction in writing, in form in the schedule hereto annexed, and signed by the commissioner or commissioners, [*see note to pl.* 1.] acting under any act now or hereafter passed for dividing, allotting, and inclosing any open fields, &c. (*as in title*) in *Eng.*, and who shall have demised the same, or any part thereof, to any tenant or servant, or his bailiff, or agent, may enter such allotment, and distrain any effects therein, or on any other lands or tenements held together with such allotment by the tenant or occupier thereof, for any rent in arrear for all or any part thereof, and either alone or together with such allotment, and any other lands, &c. held therewith, notwithstanding the award of the commissioners, is not executed and perfected in pursuance of any such statute, *id. s.* 1.

49. Every person to whom any such allotment is or shall hereafter be set out, and to whom possession is or shall be given in form, as in *s.* 2. and the schedule, and his tenants, stewards, agents, and servants, may maintain any action at law for any damage done by any person soever to the ground soil or herbage of any such allotments, or to the fences, ditches, gates, bridges, or tunnels thereon, and may bring ejectment for recovering the possession of any such allotment, or any part thereof, notwithstanding the award is not executed and perfected by such commissioners, *id. s.* 2.

50. Nothing herein shall affect the right of appeal against the award or directions of the commissioners when made and executed, or the right of possession to any such allotments, as affected by the judgment of the court on such appeal, or to prejudice any alteration ordered by such commissioners, as to such allotment in any such award, *id. s.* 3. [*see s.* 4. *supra. pl.* 41., and *s.* 5. *pl.* 2.]

INDEMNITY.

(STATUTES *expired.*)

1. To INDEMNIFY SUCH PERSONS IN U.K. as have omitted to give securities and register memorials under 50 *G.* 3. *c.* 85. (OFFICE and OFFICER,) and for extending the times limited for those purposes respectively, till two months after commencement of next sessions, 57 *G.* 3. *c.* 98. [EXP.]

2. To INDEMNIFY SUCH PERSONS IN U.K. as have omitted to qualify themselves for offices and employments, and for extending the time limited for certain of those purposes respectively till 25 *Mar.* 1822; and to permit such persons in *G. B.* as have omitted to make and file affidavits of the execution of indentures of clerks to attornies and solicitors, to make and file the same, on or before the *first* day of *Hilary* term 1822, [and to allow persons to make and file the same, though the persons whom they served have neglected to take out their annual certificates], 2 *G.* 4. *c.* 5. EXP. [The numerous expired acts of a similar description omit the part between brackets; and will be found in the INDEX, tit. INDEMNITY.]

(STATUTES *in force.*)

1. FOR INDEMNIFYING SUCH PERSONS AS FROM 1 *Feb.* 1793, have acted in apprehending or detaining in custody in *G. B.* of persons suspected of high treason or treasonable practices, 41 *G.* 3. (*U. K.*) *c.* 66. [The title seems only necessary to be given.]

2. To INDEMNIFY the witnesses against *Lord Melville* for acts done by them in their offices under him, in his office of treasurer of the navy, 45 *G.* 3. *c.* 126. [See note to last *pl.*]

3. FOR INDEMNIFYING PERSONS WHO SINCE 26 *Jan.* 1817 [up to 31 *Jan.* 1818, *semble* which is the date of 58 *G.* 3. *c.* 1., repealing 57 *G.* 3. *c.* 55., the *Habeas Corpus* suspension act] have acted in apprehending, imprisoning, or detaining in custody persons suspected of high treason or treasonable practices, and in the suppression of tumultuous and unlawful assemblies [under 57 *G.* 3. *c.* 55., *Habeas Corpus* suspension act] 58 *G.* 3. *c.* 6. [See note to *pl.* 1.]

4. To INDEMNIFY PERSONS WHO SHALL GIVE EVIDENCE before the courts on the bill, passed by the house of commons, "to exclude *Grampound*, county of *Cornwall*, from sending burgesses to serve in parliament, and to enable the borough of *Leeds*, county of *York*, to send 2 burgesses to serve in parliament in lieu thereof," 1 & 2 *G.* 4. *c.* 21.

5. Persons not candidates at the last election, but implicated in the alleged bribery therein, and examined as witnesses before the lords touching such bribery, shall, on making a faithful disclosure, be indemnified against all penal actions, criminal prosecutions, and disabilities, to which they may become liable by means of any thing done by them, and so discovered as above, *id. s.* 1.

6. But this act shall not indemnify persons giving false evidence, or suppressing any matter in question, *id. s.* 2.

7. All persons examined as in *s.* 1., on any action or prosecution instituted in respect of any of the matters to which they shall be so examined, may give in evidence on such trial, copies of the entries of such examinations contained in the lords' journals, which shall be conclusive evidence of the fact of the examination of such persons, of the questions proposed to, and answers given by them to such questions *id s.* 3.

INDICAVIT.

A WRIT OF *Indicavit* shall not be granted before the suit hanging in the spiritual court between the parties, be recorded, and the chancellor be certified thereof by the sight of the libel, 34 *Ed.* 1. *St.* 4. *De Conjunctim Feoffatis, sub fin.* [see 3 *Bl. Comm.* 91. *Reeves, Hist. E. L. c.* 11., and see rest of this statute, ACTION REAL, *pl.* 14—16.]

INDICTMENT AND INFORMATION.

1. FOR REGULATING the fee of the clerk of the crown of the K. B. on indictments, 2 *H.* 4. *c.* 10.

2. Where many be indicted of one felony or trespass, and they all plead to issue as not guilty, the clerk of the crown shall not have more than 2*s.* of them all for the *venire* and entering of the plea, and the justices of K. B. shall see that no extortion is done in this behalf, *id. ibid.*

3. NO INDICTMENT shall be made but by inquest of lawful people duly returned by the sheriffs or bailiffs of franchises, without any nomination first made by any person except by the officers according to law; and if any indictment be made to the contrary, the same shall be void, 11 *H.* 4. *c.* 9.

4. AN INDICTMENT lacking these words, *vi et armis*, shall be sufficient in law, 37 *H.* 8. *c.* 8.

5. The words *vi et armis*, viz. *baculis, cultellis, &c.* or other like words, shall not of necessity be put in any inquisition or indictment, nor shall any advantage be taken of their omission either by error, plea, or otherwise, but such indictment, &c. shall be good, *id. s.* 1. [see *s.* 2. *tit.* HORSES, *pl.* 32.]

6. To PREVENT malicious informations in K. B., 4 & 5 *W. & M. c.* 18. (and part of *s.* 1,) *ss.* 2, 6—7. only. [See the rest of this title and statute, OUTLAWRY.]

7. The clerk of the crown in K. B. shall not, without express order given in open court, file any information for any trespass or misdemeanor, or issue any process thereupon, before taking a recognizance from the person procuring such information, with the place of his abode, title or profession, to be entered to the person against whom such information is to be exhibited, in the penalty of 20*l.*, that he will effectually prosecute such information, and abide by and observe such orders

as the court shall direct, which recognizance he and also every justice of peace (where the cause of such information arises) are impowered to take; and he shall make an entry thereof upon record, and shall file a memorandum thereof in some public place in his office, for all persons to inspect without fee; and in case any person against whom any information shall be exhibited shall appear and plead to issue, and the prosecutor shall not at his own costs within one year after issue joined, procure the same to be tried, or if upon such trial a verdict pass for defendant, or in case the informer procure a *noli prosequi*, the court is authorized to award to defendant his costs, unless the judge before whom such information shall be tried shall at the trial certify upon record that there was a reasonable cause for exhibiting such information; and in case the informer shall not, within 3 months after the costs taxed and demand made, pay to defendant the said costs, defendant shall have the benefit of the said recognizance to compel them thereunto, *4 & 5 W. & M. c.* 18. *s.* 2.

8. Nothing in this act shall extend to any other informations than such as are exhibited in the name of H. M.'s coroner or attorney in the court of K. B., commonly called the master of the crown-office, *id. s.* 6.

9. On the demise of any king or queen all pleas to informations in the said court shall stand good without calling defendants to plead again, unless the defendants desire so to do within 5 months after such demise, *id. s.* 8.

10. FOR MAKING GENERAL THE PROVISIONS OF *56 G.* 3. *c.* 73. [MINES] for removing difficulties in the conviction of offenders stealing property from mines, *1 G.* 4. *c.* 102.

11. It shall be sufficient for all purposes soever for the conviction of any offender charged in any indictment with *burglary*, felony, grand or petty larceny, or *criminal breach of trust* committed on the goods, chattels, or personal property of what nature soever, of any partners soever, to allege and aver that such [house broken, *QU.*] goods, &c. stolen [or embezzled, *QU.*] are the property of some one or more such partners, and others his partners, without naming the latter, *id. ibid.* [AS THIS ACT related to the method of laying the names of partners when prosecutors in indictments generally, it was deemed necessary to place it under this title, and not to attach it to the title MINES: and it would have particularly conduced to the certainty of the laws on the subject, had the framers of this statute, instead of thus *generally extending* *56 G.* 3. *c.* 73. against *stealing* from MINES, (among other offences, to *burglary and criminal breaches of trust*, to which its words appear perfectly incompetent and inapplicable) re-enacted the desired provision in a definite shape, embracing the more extended objects of its purview. The above *placitum* was *framed* from what appeared the sense of *56 G.* 3. *c.* 73., as now applied to the offences enumerated in *1 G.* 4. *c.* 102.., and the learned reader is requested to compare the acts. R. P. T.]

INLAND NAVIGATION.

1. FOR PUNISHING SUCH PERSONS AS SHALL WILFULLY and maliciously pull down or destroy any turnpike, locks, or other works erected by authority of parliament, for making rivers navigable, *1 G.* 2. *St.* 2. *c.* 19. [CON. and AMD. *5 G.* 2. *c.* 33., *8 G.* 2. *c.* 20., and MADE PERP. *27 G.* 2. *c.* 16.; all these acts as to turnpikes, *viz. 1 G.* 2. *St.* 2. *c.* 19. *ss.* 1, 2, in part, and *5 G.* 2. *c.* 33. *ss.* 1, 2, 3. in part, and 4, 5., and *8 G.* 2. *c.* 20. *s.* 17. REP. by *7 G.* 3. *c.* 40. *s.* 61., *13 G.* 3. *c.* 84. *s.* 86., and further AMD. *4 G.* 3. *c.* 33. *s.* 5., *1 G.* 4. *c.* 115.]

2. Every person who shall [a second time wilfully demolish any turnpike gate, or REP. as in *pl.* 1.; but see *pl.* 5.] wilfully and maliciously break down or demolish any lock, sluice, or flood-gate erected by authority of parliament on any navigable river, for preserving the navigation thereof, and shall be convicted of the same, or any indictment before any of H. M.'s justices of assize, *oyer* and *terminer*, or general gaol delivery for the county, city, &c. where such offence was committed, shall be guilty of felony, and suffer as in cases of felony, and be transported for 14 years [*s.* 2.], and this act shall be publicly read at the quarter sessions [*s.* 4.], *1 G* 2. *St.* 2. *c.* 19. *ss.* 1. *& 4.*

3. The trustees, proprietors, or other persons impowered to put in execution any act for making [highways or REP. as in *pl.* 1] rivers navigable, shall, out of the tolls arising under any such acts, pay the costs becoming due by reason of any action, information, or other prosecution commenced for pulling down or destroying any [turnpike REP. as in *pl.* 1.] lock, sluice, flood-gate, or other works, on any navigable river erected by authority of parliament, *5 G.* 2. *c.* 33. *s.* 3.

4. Every person who shall by day or night wilfully or maliciously pull down, pluck up, throw down, level, or otherwise destroy any [turnpike or gate, REP. as in *pl.* 1] lock, sluice, flood-gate, or other works, on any navigable river erected or to be erected by authority of parliament, or shall forcibly rescue any person, being lawfully in custody of any person for such offences, shall on conviction be guilty of felony, and suffer death without clergy, *8 G.* 2. *c.* 20. *s.* 1. [but see next *pl.*]

5. So much of *8 G.* 2. *c.* 20. *s.* 1. as inflicts the punishment of death for the offences therein recited shall be REP., and instead of the punishment of death, such offenders shall be liable to be transported beyond seas for life, or for such term not less than 7 years as the court trying the offender shall adjudge, or shall be liable in the discretion of the court to be imprisoned only, or imprisoned and kept to hard labour in the common gaol, penitentiary, or house of correction, for not exceeding 7 years, *1 G.* 4. *c.* 115. *ss.* 1, 2.

6. Every person who shall wilfully or maliciously break, throw down, damage, or destroy any banks, flood-gates, sluices, or other works, or open, or draw up any flood-gate, or do any other wilful hurt or mischief to any such navigation, so as to obstruct the carrying on, completing, or maintaining such navigation, shall be guilty of felony, and be transported for 7 years, *4 G.* 3. *c.* 12. *s.* 5.

7. All persons wilfully and maliciously drawing or plucking up any flood-gate, fixed, or made in any wear or lock erected by authority of parliament, on any navigable river for preserving the navigation thereof, shall on conviction, by oath of one witness before two justices for the county, riding, or division, where such offence was committed, or of the adjacent county, &c., shall be sent to the house of correction, there to be kept to hard labour for one month, *8 G.* 2. *c.* 20. *s.* 2.

8. Offences against this act may be laid and tried in any adjacent county within *Eng.*, as if the fact was there committed, *id. s.* 3.

9. No attainder for any offence hereby made felony, shall work corruption of blood, loss of dower, or forfeiture of lands or goods, *id. s.* 4.

10. If any person commit any offence hereby declared felony, and being out of prison, shall discover and apprehend, or cause to be discovered, &c. one or more who shall commit any such offence, so that they may be convicted, such person shall be intitled to H. M.'s pardon for the felonies aforesaid committed at or before that time, and such pardon shall be a good bar to any appeal, *id. s.* 5.

11. The inhabitants of every hundred within *Eng.* within which any such offence shall be committed by pulling down and destroying any [turnpike-gate REP. as in *pl.* 1.] lock, sluice, or flood-gate, or any works erected, as in *s.* 1. (*pl.* 4.) shall make full satisfaction for the damages thereby suffered, the same to be recovered by action of debt, &c., or information in any court of record at *Westminster*, in the name of the clerk of the peace of the county wherein the offence was committed, without naming him, the same to go to the only use of the trustees, &c. of any [turnpike or, REP. as in *pl.* 1.] navigable river, and applied to the same purposes as the tolls, the sum so to be recovered not exceeding 20*l.*, and all such inhabitants shall be rated towards an equal contribution for the relief of the inhabitant [see *22 G.* 2. *c.* 46. *s.* 34. HUNDREDS] against whom execution for such damages is levied, and which shall be raised in manner by the statutes of hue and cry *27 El. c.* 13. *s.* 4. directed, *id. s.* 6.

12. Where any such offender shall be apprehended and convicted of any such offence within twelve months after the offence was committed, the hundred which has made such satisfaction shall be repaid the sums paid by them for such satisfaction out of the tolls of the *turnpike* so pulled down, *8 G.* 2. *c.* 20. *s.* 7. [*QU.* REP. *7 G.* 3. *c.* 40. *s.* 61.; *see pl.* 1.]

13. Such actions, &c. as in *s.* 6. which shall be commenced by the clerk of the peace of any county who shall happen to die, or be removed after the same was commenced, shall not thereby be abated or discontinued, but his successor may prosecute the same in such manner as his predecessor might have done, *id. s.* 8.

14. No action of debt, &c. or information, shall be sued to recover damages under this act, unless information on oath shall be made thereof within 6 days, before some justice for the county, liberty, or division, wherein he offence was committed, inhabiting within or near such hundred, (*id. s.* 9.) and all such actions must be brought within 6 months after the offence was committed, *id. s.* 10.

15. If any person shall assault any collector of tolls, or threaten him in the execution of his office, or shall forcibly [pass through any turnpike gate, REP. as in *pl.* 1. or] carry away, or detain any collector, so as he shall not be able to return to his duty for 3 days, then the offender, on conviction by oath of one witnesss before 2 justices for the county, liberty, or division, where the offence was committed inhabiting near such division, who shall summon the parties, and hear and determine such offence, shall forfeit 5*l.*, to go one moiety to the constable of the parish trust, for the use of the trustees, &c. of such navigable river, to be applied to the same uses as their tolls, after allowing the constable a reward in the discretion of such trustees, &c. to be levied by warrant under the hand and seal of such 2 justices, by distress and sale of goods, and if no distress, then the offender shall, by like warrant, be sent to the county gaol for 6 months, unless sooner discharged by the quarter sessions; and if such party shall a second or third time offend, on conviction as aforesaid, he shall forfeit 10*l.* to be levied as aforesaid, and in

case of no distress, shall for every offence after the first, be sent by like warrant to the county gaol for one year, and before he is discharged, shall give security to the quarter sessions for his good behaviour for 7 years, 8 *G.*2. *c.*20. *s.* 11.

16. Such collectors of the toll may seize and detain any person guilty of such offences, and carry him before one justice for the county or place where the offence was committed, without warrant, and such justice shall oblige such offender to give security for his appearing at the next petty sessions holden for the division or place, and in default of such security, shall commit him to the county gaol until he gives such security, *id. s.* 12.

17. If any constable shall refuse to execute any warrant issued [by the trustees of any turnpike-road, REF. as in *pl.* 1. or] under the hands and seals of any 2 justices, for apprehending any person guilty of any offence against this act, or if any person shall refuse to assist any constable in apprehending such offenders, then such constable or person shall forfeit *5l.* to the clerk of the trustees of any turnpike or navigable river, to be applied as in *s.* 11. and to be levied by distress by warrant, under the hand and seal of 2 justices, to be directed to the high constable of the hundred where such constable, &c. shall inhabit, to be by him levied as in *s.* 11. directed, *id. s.* 13.

18. All penalties that under this act shall be received by any constable or clerk of such trustees, in trust for such trustees, shall be paid over by such constable or clerk, to any person to whom such trustees shall by any order direct it to be paid, and in case of refusal so to do, or to account for the same, any 2 justices for the county, town, or division, on the oath of one witness, made before them of such refusal, may commit the party so refusing to the county gaol until he shall satisfy the same, *id. s.* 14.

19. Any person aggrieved by any order to be made by any 2 justices as aforesaid, may appeal to the next general sessions for the county, or place, where such order was made, giving reasonable notice of such appeal, the reasonableness of which shall be determined by such sessions, and if a reasonable time has not been given, they shall adjourn the appeal to the next quarter sessions, and there finally determine the same, and such sessions shall award costs to either party, and such determination shall bind all parties, *id. s.* 15.

20. No *certiorari* shall be granted by any court to remove any orders or proceedings of any justice or justices, concerning this act, out of the proper county, city, or place, *id. s.* 16.

21. If any suit shall be brought against persons for any thing under this act, the same shall be [commenced within 6 months after fact committed, *id. s.* 18. and 1 *G.*2. *St.*2. *c.*19. *s.*3.] laid in the county where the cause of action arose, and the defendant may plead the general issue, and give this act and the special matter in evidence, and that the same was done in pursuance thereof, and if it appears to have been so done, or [that the action was not brought within time limited, 1 *G.*2. *S.*2. *c.*19. *s.*3. or] that the action was not laid in proper county, then the jury shall find for the defendants, and on such verdict, or if the plaintiff is nonsuited, discontinues after appearance, or has judgment against him on demurrer, the defendant shall have treble costs, with the usual remedy to recover the same, 1 *G.*2. *St.*2. *c.*19. *s.*3., 8 *G.*2. *c.*20. *s.*18.

INROLMENT.

1. CONCERNING ENROLMENTS OF BARGAINS AND CONTRACTS of lands and tenements, 27 *H.*8. *c.*16. [EXT. to counties palatine, *5 El. c.* 26. and 10 *A. c.* 18. *s.*3.]

2. No lands or hereditaments shall pass whereby any state of inheritance or freehold shall be made, or any use thereof, to be made by reason only of any bargain and sale, except the same bargain and sale be made by writing indented, sealed, and enrolled in one of H. M.'s courts of record at *Westminster*, or within the county where the lands lie, or before the *custos rotulorum*, and 2 justices, and the clerk of the peace of the county, or 2 of them, the latter being one; and such enrolment shall be made within 6 months after date of the writings indented, the *custos*, &c. or justices and clerk taking for the same, where the land exceeds not 40*s.* yearly value, 2*s.*, *viz.* 12*d.* to the justices, and 12*d.* to the clerk, and where it exceeds that value, 5*s.*, divided between them as above; and such clerk shall enrol and engross on parchment the deeds, and at the end of every year shall deliver the rolls thereof to the *custos rotulorum*, to remain in his custody among other county records, 27 *H.*8. *c.*16. *s.*1.

3. This act shall not extend to lands within any city, borough, or town corporate, wherein the mayors, recorders, or other officers may enrol deeds, *id. s.* 2.

4. FOR PUBLIC REGISTERING OF ALL DEEDS, conveyances, and wills made of any honours, manors, lands, tenements, or hereditaments, within the west riding of the county of *York*, after 29th *Sept.* 1704. *2 & 3 A. c.*4. [EXT. in many of its provisions to *East Riding*, 6 *A. c.* 35.; *Middlesex*, 7 *A. c.*20. *and see pl.* 44.; *North Riding*, 8 *G.*2. *c.*6.]

5. A memorial of all deeds and conveyances which, after *29th Sept.* 1704, shall be made, and of all wills in writing, of persons who shall die after the said day, concerning any lands, tenements or hereditament in the west riding of the county of *York*, may at the election of the parties concerned be registered; and every deed or conveyance that shall, after any memorial is so registered, be made of the lands, &c. comprised in such memorial, shall be adjudged fraudulent and void against any subsequent purchaser or mortgagee for valuable consideration, unless such memorial thereof be registered before the registering the memorial of the deed or conveyance under which such subsequent purchaser or mortgagee shall claim; and every devise by will of lands contained in any memorial so registered, that shall be made after the registering thereof, shall be adjudged fraudulent and void against any subsequent purchaser or mortgagee, &c. unless a memorial of such will be registered, *2 & 3 A. c.*4. *s.*1.

6. One public office for registering such memorials shall be kept in *Wakefield*, to be executed by a fit person elected, or his sufficient deputy, to continue in the said office so long as he shall well demean himself therein, *id. s.* 2.

7. All elections of a register shall be by balloting, *viz.* all the freeholders that have freehold within the west riding, of the yearly value of 100*l.* (to be determined by oath of the elector before the scrutators) shall be electors of the register; and the justices of peace for the west riding, or any five such justices appointed by them, shall be scrutators of the ballot; who shall, in the presence of the electors, place glass vessels, into which each elector shall put one open paper, containing the name of such person as he approves of to be register; which papers shall be taken out in the presence of the scrutators, and the names of every person therein shall be transcribed in columns, with the number of their electors, and the same shall be read over in the hearing, and fixed up in the view of the electors; and the person upon whom the majority shall fall, shall be register, *id. s.*3. [*North Riding*, 8 *G.*2. *c.*6. *s.*4. S.P.; *East Riding*, 6 *A. c.*35. *s.*3. S.P.]

8. As often as the office shall become vacant, the justices of the peace, at the quarter sessions next after such vacancy, shall declare the vacancy, and by order of sessions appoint a time within one calendar month, and above 3 weeks, ensuing the end of such sessions, for the electors to assemble at *Wakefield*, [*Beverley*, in *East Riding;* and in *North Riding*, the market town fixed as in 8 *G.*2. *c.*6. *s.*2. *pl.* 54.] to chuse a person to supply the vacancy; and the clerk of the peace shall cause copies of such order to be delivered to the chief constables of the several wapentakes, who shall publish the same in full market, in every market-town, on the next market-day, and affix the same in the most public place there, *id. s.*5. [*North Riding*, 8 *G.*2. *c.*6. *s.*6. S.P.; *East Riding*, 6 *A. c.*35. *s.*5.]

9. On the death of any such register, and until another election, his executors and administrators, together with the sureties for the said register, or their executors, &c. shall appoint a person to execute the office, for whose demeanor the security shall be answerable, *id. s.* 6. [*North Riding*, 8 *G.*2. *c.*6. *s.*9. S.P.; *East Riding*, 6 *A. c.*35. *s.*8. S.P.]

10. All memorials shall be in writing on vellum or parchment, and directed to the register; and in case of deeds and conveyances, shall be under the hand and seal of one of the grantors or grantees, their guardians or trustees, attested by 2 witnesses, one whereof to be one of the witnesses to the execution of such deed; which witness shall, upon oath before the register, prove the signing and sealing of the memorial, and the execution of the deed mentioned in such memorial; and in case of wills, the memorials shall be under the hand and seal of one of the devisees, his executors, &c. his guardians or trustees, attested by 2 witnesses, one whereof shall prove the signing and sealing of such memorial, *id. s.*7. [*North Riding*, 8 *G.*2. *c.*6. *s.*11. S. P.; *East Riding*, 6 *A. c.*35. *s.*10. S.P. So in *Middlesex*, where the oath may also be before any master in chancery, 7 *A. c.*20. *s.*5. S.P.]

11. Every memorial of any deed or will, shall contain the day of the month and year when the same bears date, and the names and additions of all the parties to such deed, and of the devisor of such will, and of all the witnesses, and the places of their abode, and shall mention the lands, &c., and hereditaments contained in such deed or will; and the names of all the parishes, townships, hamlets, precincts, or extra-parochial places, where such lands are, in such manner as the same are mentioned in such deed or will, and every such deed and will, or probate of the same, of which such memorial is to be registered, shall be produced to the register at the time of entering such memorial, who shall endorse a certificate on such deed and will, or probate thereof, and mention the day, hour, and time, on which such memorial is entered, expressing also in what book, page, and number, the same is entered; and the register shall sign the certificate so endorsed; which shall be allowed as evidence of such registries in all courts of record; and every page of such register books, and every memorial that shall be entered, shall be numbered, and the day of the month, and the year, and hour, or time of the day, shall be entered in the margins of the register books, and of the memorial; and such register shall keep an alphabetical calendar of all parishes, extra-parochial places and townships, within the west riding, with reference to the number of every memorial that concerns

lands in such parish, &c., and of the names of the parties; and such register shall duly file every such memorial in order as the same is brought to the office, and enter the memorials in the order that they shall come to his hand, 2&3 *A. c.*4. *s.*8. *s.*8. [*North Riding*, 8 *G.*2. *c.*6. *s.*12., and as to *filing*, *&c. id. s.*20. S. P.; *East Riding*, *&c.*, 6 *A. c.*35. *s.*11. S. P.; in *Middlesex*, 7 *A. c.*20. *s.*6. S. P.]

12. Such register, before he enters on the office, shall be sworn before the justices of peace, or three of them, that shall be present at his election, in these words:—

'You shall truly and faithfully perform and execute the office and duty that is directed and required by act of parliament, in registering memorials of deeds, conveyances and wills, within the west [north, *or* east] riding of the county of *York*, [*or* town and county of *Kingston-on-Hull*,] so long as you shall continue in the said office; and that you have not given nor promised, directly nor indirectly, nor authorised any person to give or promise, any money, gratuity, or reward whatsoever, for procuring or obtaining the said office. So help you God,' *id. s.* 9. [*North Riding*, 8 *G.*2. *c.*6. *s.*7. S. P.; *East Riding*, 6 *A. c*35. *s.* 6. S. P.]

13. When the register appoints any deputy, such deputy shall take the oath before two justices of peace; [*North Riding*, 8 *G.*2. *c.*6. *s.*8. S. P.; *East Riding*, &c., 6 *A. c.*35. *s.*7. S. P.] and every register, at the time of his being sworn, shall enter into a recognizance with two sureties, to be approved of by five justices of peace present at his election, by writing, to be registered at the next quarter sessions, in the penalty of 2000*l.* to H. M., to be taken by the same justices that approved of his security, conditioned for his true and faithful performance of his duty in the execution of his office; the same to be transmitted by the justices within one month into the office of H. M.'s remembrancer of the exchequer, 2&3 *A. c.*4. *s.*10. [*North Riding*, 8 *G.*2. *c.*6. *s.*28. S. P.; *East Riding*, &c., 6 *A. c.*35. *s.*7. and *s.*23. S. P.]

14. When any register shall die or surrender, and within 3 years from such death or surrender no misbehaviour appear to have been committed by such register, the recognizance shall become void, 2&3 *A. c.*4. *s.*11. [*North Riding*, 8 *G.*2. *c.*6. *s.*30. S. P.; *East Riding*, &c., 6 *A. c.*35. *s.*25. S. P.]

15. Such register, or his deputy, shall give due attendance at his office every day (except *Sundays* and holy days), between 9 and 12 in the forenoon, and 2 and 5 in the afternoon, for the dispatch of business; and shall make searches concerning all memorials registered as aforesaid, and give certificates under his hand concerning the same, if required, 2&3 *A. c.*4. *s.*12. [*testified* by 2 witnesses in *North Riding*, 8 *G.*2. *c.*6. *s.*27.; so in *East Riding*, &c., 6 *A. c.*35. *s.*22.; so in *Middlesex*, 7 *A. c.*20. *s.*12. S. P.]

16. Such register shall be allowed for the entry of every memorial, 1*s.* in case the same do not exceed 200 words; but if it exceed, then after the rate of 6*d.* [4*d.* in *North Riding*, 8 *G.*2. *c.*6. *s.*26.] an hundred for all the words above the first 200; and the like fees for the like number of words contained in every [bargain and sale, in *East* and *North Ridings*, 6 *A. c.*35. *s.*30., 8 *G.*2. *c.*6. *s.*21.] certificate or copy given out of office, and for every search 1*s.*, 2&3 *A. c.*4. *s.*13. [*North Riding*, 8 *G.*2. *c.*6. *s.*26.; *East Riding*, 6 *A. c.*35. *s.*21.; in *Middlesex*, 7 *A. c.*20. *s.*11. S. P.]

17. If any such register, or his deputy, neglect his duty, or commit or suffer any undue or fraudulent practice in the office, and be thereof convict, such register shall forfeit his office, and pay treble damages with costs, to every person injured thereby, to be recovered by action of debt, &c. or information, in any of H. M.'s courts at *Westminster*, with no essoin, &c., and but one imparlance allowed, 2&3 *A. c.*4. *s.*14. [*North Riding*, 8 *G.*2. *c.*6. *s.*29. S. P.; *East Riding*, 6 *A. c.*35. *s.*9. and *s.*24. S. P.; so in *Middlesex*, 7 *A. c.*20. *s.*4.]

18. The person nominated upon the death of any register to execute the office, during the time the same shall be vacant, shall take the oath appointed to be taken by such register and his deputy, before 2 justices of peace; and if such person be convicted of any neglect, misdemeanor, or fraudulent practices, he shall pay treble damages with full costs, to every person injured, to be recovered as aforesaid, 2&3 *A. c.*4. *s.*15. [*North Riding*, 8 *G.*2. *c.*6. *s.*10. S. P.]

19. This act shall not extend to any copyhold estates, or to any leases at a rack rent, or to any lease not exceeding 21 years, where the actual possession goeth along with the lease, 2&3 *A. c.*4. *s.*16. [*North Riding* 8 *G.*2. *c.*6. *s.*34. S. P.; *East Riding*, 6 *A. c.*35. *s.*29. S. P.]

20. Where there are more writings than one for perfecting any conveyance, which concern the same lands, &c. or hereditaments, it shall be a sufficient memorial and register thereof, if all the lands, and the parishes, townships, hamlets, or extra-parochial places, where the same lie, be once named in the memorial, register, and certificate, of any one of the deeds; and the dates of the rest of the deeds relating to the said conveyance, with the names and additions of the parties and witnesses, and their abodes be set down in the memorials, registers, and certificates of the same, with a reference to the deed whereof the memorial expresses the parcels, and directions to find the registering the same, *id. s.*17. [8 *G.*2. *c.*6. *s.*14., *North Riding*, S. P.; *East Riding*, &c., 6 *A. c.*35. *s.*13. S. P.; in *Middlesex*, 7 *A. c.*20. *s.*7. S. P.]

21. A memorial of such deeds and wills, as shall be made or published in *London*, or in any other place not within 40 miles of the west riding, which may affect lands in the west riding, shall be registered, in case an affidavit sworn before any one of the judges at *Westminster*, or a master in chancery, be brought with the memorial to the register, wherein one of the witnesses to such deeds shall swear he saw the same executed, and the memorial signed and sealed, or wherein one of the witnesses to to the memorial of any will shall swear he saw such memorial signed and sealed, and the same shall be a sufficient authority to the register to give a certificate of the registering such memorial; which certificate signed by the register shall be evidence of the registries, 2&3 *A. c.*4. *s.*18. [*North Riding*, 8 *G.*2. *c.*6. *s.*13. S. P.; *East Riding*, 6 *A. c.*35. *s.*12. S. P.]

22. If any person shall forge or counterfeit any such memorial or certificate, and be thereof convicted, such person shall incur such penalties as by 5 *El. c.*14. are imposed upon persons for forging or publishing of false deeds, whereby the freehold of any person may be molested; and if any person shall forswear himself before the register, or before any judge or master in chancery, in the cases aforesaid, and be thereof convicted, such person shall incur the same penalties as if the oath had been made in any of the courts at *Westminster*, 2&3 *A. c.*4. *s.*19.; [so in *Middlesex*, 7 *A. c.*20. *s.*15.]

23. Memorials of wills registered within 6 months after the death of the devisor dying within *Eng.*, *Wa.*, and *Ber.*, or within 3 years after the death of every devisor dying upon or beyond the seas, shall be effectual against subsequent purchasers and judgments, &c. 2&3 *A. c.*4. *s.*20. [*North Riding*, 8 *G.*2. *c.*6. *s.*15. S. P.; *East Riding*, 6 *A. c.*35. *s.*14. S. P.; *Middlesex*, 7 *A. c.*20. *s.*8. S. P.]

24. In case the persons interested in the lands devised by reason of the contesting such will or other inevitable difficulty, without their wilful neglect, shall be disabled to exhibit a memorial within the times limited, in such case the registry of the memorial, within 6 months after their attainment of such will, or a probate thereof, or removal of the impediment, shall be sufficient, 2&3 *A. c.* 4. *s.*21. [*North Riding*, 8*G.*3. *c.*6. *s.*16.; *East Riding*, 6 *A. c.*35. *s.*15.; *Middlesex*, 7 *A. c.*20. *s.*9. S. P.]

25. No member of parliament shall be capable of being chosen register, or of executing the office, or of holding fee thereout, nor shall any register or his deputy be capable of being chosen a member, 2&3 *A. c.*4. *s.*22. [6 *A. c.*35. *s.*32. as to *East Riding*; 7 *A. c.*20. *s.*21. S. P. *Middlesex*.]

26. FOR INROLMENTS OF BARGAINS AND SALES WITHIN THE WEST riding of the county of *York*, in the register office there lately provided, and for making such register more effectual, 5&6 *A. c.* 18. (*Public clause*, *id. s.*12.) [not given at length where it resembles 2&3 *A. c.*4., *see* that act.]

27. All bargains and sales of lands within the said west riding, enrolled before the register in the public office at *Wakefield*, [*Beverley*, *East Riding*,] shall be effectual, according to 27 *H.*8. *c.*16.; and the register, or his deputy, (together with one justice of peace,) shall have power to take the acknowledgment of the bargainers; and shall enrol such bargains and sales; and indorse a certificate on such bargains and sales, of the times of enrolling, and sign the same; and the rolls thereof shall keep in the public office upon record amongst the memorials of deeds, 5&6 *A. c.*18. *s.*1. [*East Riding*, &c. at *Beverley*, 6 *A. c.*35. *s.*16. S. P.]

28. Deeds of bargain and sale so enrolled, and copies of the enrolments thereof, shall be allowed in all courts as sufficient evidence, as bargains and sales enrolled in the courts at *Westminster*, *id. s.*2. [*East Riding*, 6 *A. c.*35. *s.*17. S. P.]

29. Such enrolment of such deed in the register office shall be deemed the entering of a memorial thereof, *id. s.*3. [*East Riding*, &c. 6 *A. c.*35. *s.*18. S. P.]

30 No judgment, statute, or recognizance (other than those entered into in the name, and on the account of H. M.) shall affect any lands in the west riding, but only from the time that a memorial of such judgment, &c. shall be entered at the register office, expressing, in case of such judgment, the names of the plaintiffs, and the names and additions therein of the defendants, the sums recovered and the time of signing; and in case of statutes and recognizances, expressing the date thereof, the names and additions of the cognizors and cognizees, and for what sums, and before whom the same was acknowledged; and the party shall produce and leave with the register to be filed, a memorial of such judgment, statute, or recognizance, signed by the proper officer, together with an affidavit sworn before one of the judges at *Westminster*, or a master in chancery, that such memorial was duly signed; which memorial such officer is required to give such plaintiffs or cognizees, or their executors, administrators, or attorney; they paying 1*s.*, *id. s.*4. [*North Riding*, 8 *G.*2. *c.*6. *s.*18. S. P.; *East Riding*, &c., 6 *A. c.*35. *s.*19.; *Middlesex*, 7 *A. c.*20. *s.*18. S. P.]

31. The register shall make an entry, and if required give a certificate under his hand, testified by 2 witnesses, of such memorial of any judgment, statute, or recognizance, and therein mention the day on which such memorial is registered, expressing in what book, page, and number, *id. s.*5. [*North Riding*, 8 *G.*2. *c.*6. *s.*19. S. P.; *East Riding*, 6 *A. c.*35. *s.*20.; *Middlesex*, 7 *A. c.*20. *s.*19. S. P.]

32. The recognizance entered into by the register for the faithful performance of his duty, shall stand a security, as well for the due enrolment and safe keeping of the enrolments of all bargains and sales enrolled before the register, as for the faithful performance of his duty in the execution of his office of register, *5 & 6 A. c.* 18. *s.* 6.

33. The register shall be allowed for enrolling every such bargain and sale, and memorial, and for certificates, copies, and searches, like fees as for entering memorials of deeds and wills, &c. [*see 2 & 3 A. c.* 4. *s.* 13. *pl.* 15.] *id. s.* 7.

34. If any person shall forge or counterfeit any entry of the acknowledgment of any bargainer in such bargain or sale, or any such memorial, certificate, or indorsement, as herein mentioned, and shall be thereof convicted, he shall incur such penalties as in *5 El. c.* 14. are imposed for forging or publishing of false deeds, whereby the freehold of any person may be molested; and if any person shall forswear himself before the register, or before any judge or master in chancery, in the cases herein mentioned, and be thereof convicted, such person shall incur the same penalties, as if the oath had been made in any of the courts at *Westminster*, *id. s.* 8. [*North Riding*, 8 *G.* 2. *c.* 6. *s.* 31.; *East Riding*, &c. 6 *A. c.* 35. *s.* 26. S. P.]

35. All certificates required by this act, or by *2 A. c.* 4. to be given by the register in case of searches, shall be signed by the register, or his deputy, in the presence of 2 persons, who shall set their names as witnesses, *id. s.* 9.

36. In case of mortgages, judgments, statutes, and recognizances; if a certificate shall be brought to the register, signed by the mortgagors and mortgagees, plaintiffs and defendants, cognizor and cognizees, respectively, their executors, administrators, or assigns, and attested by 2 witnesses, whereby it shall appear, that all monies due have been paid in discharge thereof; which witnesses shall, upon oath before the said register, prove such monies to be satisfied, and that they saw such certificate signed; the register shall make an entry in the margins of the register books, against the enrolment of such mortgage, or registry of such judgment, statute, or recognizance, that such mortgage, &c. was satisfied, and shall file such certificate upon record in the office, *id. s.* 10. [*North Riding*, 8 *G.* 2. *c.* 6. *s.* 32. S. P. *East Riding*, &c. 6 *A. c.* 35. *s.* 27. S. P.]

37. If any judgment, statute, or recognizance be registered within 30 days after the acknowledgment or signing thereof, all the lands that the defendant or cognizor had at the time of such acknowledgment or signing, shall be bound, *id. s.* 11. [*East Riding*, &c. 6 *A. c.* 35. *s.* 28. S. P.]

38. FOR THE REGISTRY OF ALL DEEDS, WILLS, &c. affecting any lands or hereditaments in the *East Riding* of *Yorkshire*, or the town and county of *Kingston* on *Hull*, after *20th Sept.* 1778, and for rendering the registry in the west riding more complete, 6 *A. c.* 35. (PUBLIC *clause*, *s.* 33. [When this act resembles *2 A. c.* 4. and *5 A. c.* 18. it is not given at length; see those acts.]

39. A memorial of all conveyances, which after *29th Sept.* 1708, shall be made, and of all wills where the devisor shall die after that day, concerning and whereby any lands in the east riding of the county of *York*, or in the town and county of *Kingston* upon *Hull*, may be affected, may be registered; and every such deed shall be adjudged fraudulent against any subsequent purchaser or mortgagee for valuable consideration, unless such memorial be registered, before the registering the memorial of the deed under which such subsequent purchaser or mortgagee shall claim; and every such devise by will shall be adjudged fraudulent against any subsequent purchaser or mortgagee for valuable consideration, unless a memorial of such will be registered as is herein directed, *6 A. c.* 35. *s.* 1.

40. One public office for registering shall (at the public charge of the east riding, to be raised by the justices of peace at their quarter-sessions, in such manner as they are empowered to raise money for the repairs of county bridges) be established at *Beverley*, *id. s.* 2. [same provision for *North Riding*, 8 *G.* 2. *c.* 6. *s.* 3. at the market town, to be fixed as in *s.* 2. (*pl.* 54.) provided.]

41. In all deeds of bargain and sale enrolled in pursuance of this act, whereby any estate of inheritance in fee-simple is limited to the bargainee and his heirs, the words *grant*, *bargain*, and *sell*, shall amount to, and be construed to be, express covenants to the bargainee, his heirs and assigns, from the bargainer, for himself, his heirs, executors and administrators, that the bargainer, notwithstanding any act done by him, was at the time of the execution of such deed seised of the hereditaments thereby granted, bargained, and sold, of an indefeazible estate in fee-simple, free from all incumbrances, (rents and services due to the lord of the fee only excepted,) and for quiet enjoyment thereof against the bargainer, his heirs, and assigns, and all claiming under him, and also for further assurance thereof to be made by the bargainer, his heirs and assigns, and all claiming under him; unless the same shall be restrained by express words contained in such deed; and the bargainee, his heirs, executors, administrators, and assigns, may in any action assign breaches thereupon, as they might do in case such covenants were expressly inserted, *6 A. c.* 35. *s.* 30. [*North Riding*, 8 *G.* 2. *c.* 6. *s.* 35. S. P.]

42. Every leaf of the register and enrolment-books shall be signed by 2 justices, appointed by the justices at their quarter-sessions, and an entry thereof shall be made from time to time by the clerk of the peace of the said riding, in the order-book of the sessions, and signed by the justices that shall sign the register and enrolment-books; and a like entry shall be made upon record, and signed, of the number of the books, and how marked, and how many pages each of them contains, in the register-office, 6 *A. c.* 35. *s.* 31. [*North Riding*, 8 *G.* 2. *c.* 6. *s.* 36. S. P.]

43. All the provisions of this act concerning the east riding and town and county of *Hull*, not contained in *2 & 3 A. c.* 4., and *5 & 6 A. c.* 18., shall extend to all manors, lands, &c., and hereditaments situate in the west-riding (the mortgage or purchase whereof exceeds 40*l.*), as if they were inserted in the recited acts, *6 A. c.* 35. *s.* 34.

44. FOR PUBLIC REGISTRY OF DEEDS, CONVEYANCES, WILLS, AND other incumbrances, affecting any honors, manors, lands, tenements, and hereditaments, within *Middlesex*, after *29th Sept.* 1709., 7 *A. c.* 20., (PUBLIC *clause*, *s.* 20.) [The sections of this act, which resemble those in the preceding enrolment acts are not given at length, but will be found referred to above.]

45. A memorial of all deeds and conveyances, wills, and devises in writing, executed, made, and published of, or concerning and whereby any lands or hereditaments in the county of *Middlesex*, may be any way affected in law or equity, may be registered as hereinafter directed, and every such deed shall be adjudged fraudulent, and void against any subsequent purchaser or mortgagee for valuable consideration, unless such memorial thereof be registered as hereby directed, before registering the memorial of the deed, under which such subsequent purchaser, &c. claim; and every such devise by will, shall be adjudged void against any subsequent purchaser or mortgagee, for valuable consideration, unless a memorial of such will, be registered as hereinafter directed, *id. s.* 1.

46. One public office for registering such memorials shall be erected; *viz.*, the sworn clerk of the enrolment-office in chancery for *Middlesex*, the chief clerk to enrol pleas in K. B., [*now altered to* his secondary, the master of the K. B. office, *25 G.* 2. *c.* 4. *s.* 1.], the clerk of the warrants in C. P. and H. M.'s remembrancer, or his deputy in exchequer, shall be the registers or masters of the office for the matters in this act; and may appoint one or more deputies for whom they shall be accountable, which registers or their deputies, shall perform their duties in some office, in or near the inns of court or chancery; and the registers shall present such deputies to the lord chancellor, chief justices of K. B. and C. P., and chief baron of exchequer, to be by them, or 3 of them, approved before entering on their office, and they may be by the like persons displaced by writing under their hands and seals; and the like persons, or any 3 of them, may from time to time, make rules for the management of the office, *id. s.* 2.

47. Every such register, before entering on his office, shall be sworn either before the lord chancellor, or either chief justice or the chief baron, for true execution of his duty, *id. s.* 3. [The oath resembles (*mutatis mutandis*), that in *2 & 3 A. c.* 4. *s.* 9.)

48. Each of the registers or masters, at the time of being sworn into office, shall enter into a recognizance with sureties (to be approved of by the lord chancellor, chief justices, and chief baron, or one of them) in the penalty of 2000*l.* to H. M., to be taken by one of the chief justices, conditioned for his true and faithful performance of his duty in his office, in all things directed by this act, the same to be transmitted by such chief justice within one month after the date, into the office of H. M.'s remembrancer of the exchequer, *id. s.* 13.

49. The damages to be forfeited by any such register, for any neglect, misdemeanor, or fraudulent practice, shall be recovered by action of debt, &c. or information, with no essoin, &c. or more than one imparlance allowed in any court at *Westminster*, *id. s.* 14.

50. In case of mortgages, if a certificate shall be brought to the registers, signed by the mortgagees, &c. that all monies due upon such mortgage have been paid, &c. the registers shall make an entry in the margins of the register-books, that such mortgage was satisfied, as in *5 A. c.* 18. *s.* 10., *supra*, *pl.* 36., *id. s.* 16.

51. This act shall not extend to any copyhold estates, or to any leases at a rack rent, or to any lease not exceeding 21 years where the actual possession goeth along with the lease, or to any of the chambers in Serjeants-Inn, the inns of court, or inns of chancery, *id. s.* 17.

52. FOR THE PUBLIC REGISTRY OF ALL DEEDS, CONVEYANCES, WILLS, and other incumbrances, affecting any honors, manors, lands, tenements, or hereditaments, in the *North Riding* of *Yorkshire*, after (*9th Sept.* 1736.) 8 *G.* 2. *c.* 6. (PUBLIC *clause*, *id. s.* 38.) [The sections of this act omitted to be given at length here, are the same as the provisions of prior acts, and are before referred to, as applying to the *North Riding*.]

53. A memorial of all deeds and conveyances, which after *29th Sept.* 1736, shall be made, and of all wills where the devisor shall die after the said day, and of all judgments, statutes, and recognizances, (other than those entered into in the name and on account of H. M.) which

shall be obtained or entered into after the said day, whereby any manors, lands, &c. or hereditaments, in the north riding of *Yorkshire* may be affected, may be registered; and every such deed or conveyance, judgment, &c. shall be adjudged fraudulent against any subsequent purchaser or mortgagee, plaintiff or cognisee, upon valuable consideration, unless such memorial thereof be registered, before registering the memorial of the deed or conveyance, judgment, &c. under which such subsequent purchaser or mortgagee, plaintiff or cognisee, shall claim; and every such devise by will shall be adjudged void against a subsequent purchaser or mortgagee, plaintiff or cognisee, on valuable consideration, unless a memorial of such will be registered, 8 *G.*2. *c.*6. *s.*1.

54. One public office for registering such memorials, shall be established at such market-town, as the justices of peace shall adjudge to be the nearest to the centre of the north riding, to be managed (as in 2 *A. c.*4.), 8 *G.*2. *c.*6. *s.*2.

55. In case of concealment of any will, no purchaser for valuable consideration, nor any plaintiff in any judgment, or cognisee of any statute or recognizance, shall be defeated by any title devised by such will, unless the same be actually registered within 3 years after the death of the devisor, *id. s.*17.

56. Bargain and sale of lands in the north riding, inrolled by the register, shall be as effectual as if inrolled according to 27 *H.*8. *c.*16. and one justice may take the acknowledgment of the bargainer, or of one of the bargainers; and the register shall inrol all such bargains and sales, and shall indorse a certificate of the times of inrolling, as in (5 *A. c.*18. *s.*1.) *supra, pl.*27., *id. s.*21.

57. Any person claiming title to any hereditaments in the north-riding, may register, at full length in the said office, any deeds, wills, or conveyances, under which such title is claimed, and which shall be made, and in the case of wills, where the devisor dies after 29*th Sept.* 1736, and the register shall inrol the same; and shall, in the margin of such inrolment, mention the time of inrolment, and shall indorse and sign a certificate on such deed or will, and shall keep all the books, wherein such inrolments shall be made, in the said office, there to remain upon record; and all copies of such inrolments, signed by the register, and attested by 2 witnesses, shall be good evidence of such deeds, wills, or conveyances, destroyed by fire or other accident, *id. s.*22.

58. At the time any deed or will shall be brought to be inrolled, one of the witnesses shall make oath or affirmation before the register, that such deed was duly executed by the granters, or that such will was signed and published by the devisor, *id. s.*23.

59. Such deeds and wills, as shall be made and executed in any place not within 40 miles of the office, may be entered in length, in case an affidavit or affirmation, made before one of the judges, or a master in chancery, be brought with such deed or will, wherein one of the witnesses shall swear, or affirm, that he saw the said deeds executed, or such wills signed and published, *id. s.*24.

60. Such inrolment of such deeds and wills shall be deemed to be the entry of a memorial thereof, pursuant to this act, *id. s.*25.

61. Such register shall be allowed for the entry of every memorial, 1*s.* but if such memorial exceed 200 words, then at 4*d.* per 100 for all the words in such memorial, above the first 200; and the like fees for every bargain and sale inrolled, and deeds and wills registered at length; and for every search 1*s.*, *id. s.*26.

62. If any judgment, statute, or recognizances, be registered within 20 days after the acknowledgment or signing thereof, it shall be as available as if such memorial had been entered on the day of the signing or acknowledgment, *id. s.*33.

63. FOR APPOINTING THE MASTER OF THE KING'S BENCH OFFICE, one of the registers for the inrolment of deeds, wills, and conveyances in *Middlesex*, instead of the chief clerk of the pleas in K. B., 25 *G.*2. *c.*4. [PUBLIC *clause, id. s.*3.]

64. The deputy or secondary of the chief clerk, to inrol pleas in K. B., called *the master of the K. B. office*, shall be one of the registers of the office for the things contained in 7 *A. c.*20. instead of such chief clerk, with the powers as by that act given to such chief clerk; and the latter shall be discharged from being one of the registers for inrolling such deeds, &c. for *Middlesex*, and from any disability which as one of the said registers he would have been subject to, 35 *G.*2. *c.*4. *s.*1.

65. Such secondary, called *the master of the* K. B. *office*, before entering on the office of register, shall take the oath, and enter into such recognizances as in 7 *A. c.*20. mentioned, and be liable to the same penalties for misbehaviour as the other registers, *id. s.*2.

INSOLVENT DEBTORS.

(STATUTES *expired.*)

1. FOR THE RELIEF AND RELEASE OF POOR DISTRESSED prisoners for debt, 22 & 23 *C.*2. *c.*20. [AMD. 30 *C.*2. *St.*1. *c.*4. both EXP., and *ss.*9—12. of the first act, REP. virtually by 32 *G.*2. *c.*28. *ss.*1—4.]

2. FOR THE RELIEF OF POOR PRISONERS FOR DEBT OR DAMAGES, 2 *W. & M. S.*2. *c.*15. [AMD. 5 & 6 *W. & M. c.*8. 7 & 8 *W.*3. *c.*12., 1 *A. St.*1. *c.*25., all EXP.]

3. FOR THE DISCHARGE OUT OF PRISON OF SUCH insolvent debtors as shall serve or procure a person to serve in H. M.'s fleet or army, 2 & 3 *A. c.*16. [EXP.]

4. FOR THE RELIEF OF INSOLVENT DEBTORS, by obliging their creditors to accept the utmost satisfaction they can make, and restoring them to liberty, 10 *A. c.*20. [EXP.]

5. FOR THE RELIEF OF INSOLVENT DEBTORS, and for the more easy discharge of bankrupts out of execution after their certificates are allowed, 6 *G.*1. *c.*22. [EXP.]

6. FOR THE RELIEF OF INSOLVENT DEBTORS, 11 *G.*1. *c.*21., 2 *G.*2. *c.*20., 10 *G.*2. *c.*26. [All EXP.]

7. FOR THE RELIEF OF DEBTORS WITH RESPECT to the imprisonment of their persons, 2 *G.*2. *c.*22. [AMD. 3 *G.* 2. *c.*27., and CON. and AMD. 8 *G.*2. *c.*24., 14 *G.*2. *c.*34 *s.*1., 21 *G.* 2. *c.*33. *ss.*1—2., 29 *G.* 2. *c.*28. *s.*1., all which are now EXP. except *s.*13. of 2 *G* 2. *c.* 22., which is MADE PERP. by 8 *G.*2. *c.*24. *ss.* 4, 5., which relate to set offs, *see* SET OFF.—NOTE, There seems to be some doubt whether these acts are to be considered EXP. but is submitted that as they were continued up to 1759, in which year the 32 *G.* 2. *c.*28. was passed, containing the enactments of these statutes in somewhat extended terms, with the exception above mentioned, they are EXP. (*See* 2 *G.* 2. *c.* 22., recited 37 *G.*3. *c.*85.), but it is to be observed, that in the 2 last acts for amending the 32 *G.*2. *c.*28., *viz.* the 49 *G.*3. *c.*6. and 54 *G.*3. *c.*34. there is no reference to 2 *G.*2. *c.* 22. at all.]

8. FOR THE RELIEF OF SUCH PRISONERS FOR DEBT as have by unavoidable accidents lost the benefit of 10 *G.*2. *c.*26., and for the indemnity of such sheriffs and gaolers as have incurred any penalties on account of such prisoners not being discharged, and for extending the benefit of the said act to creditors whose debtors are committed to prison since 1*st Jan.* 1730, and were detained there on 1*st Jan.* 1746. and have chose to continue there, 11 *G.*2. *c.*9. EXP.

9. FOR THE RELIEF OF INSOLVENT DEBTORS, 16 *G.*2. *c.*17., 21 *G.*2. *c.*31., 28 *G.*2. *c.*13., [which is AMD. 29 *G.* 2. *c.*18.] 1 *G.*3. *c.*17., [which is in part REP. 2 *G.*3. *c.*2.] 5 *G* 3. *c.* 41., 9 *G.* 3. *c.* 26. all EXP.

10. FOR THE RELIEF OF INSOLVENT DEBTORS, and for indemnifying the marshal of the K. B. prison from prosecutions at law for certain escapes from such prison, 12 *G.*3. *c.*23.

11. FOR THE RELIEF OF INSOLVENT DEBTORS, and for the relief of bankrupts in certain cases, 14 *G.*3. *c.*77., 16 *G.*3. *c.*38., 18 *G.*3. *c.*52.

12. FOR THE DISCHARGE OF CERTAIN INSOLVENT DEBTORS, 21 *G.*3. *c.*63., 34 *G.*3. *c.*69., [which is AMD. 35 *G.*3. *c.*88., 37 *G.*3. *c.* 112. all EXP.]

13. FOR THE RELIEF OF DEBTORS with respect to the imprisonment of their persons, and to oblige debtors who continue in execution in prison beyond a certain time, and for certain sums, to make discovery of and deliver on oath their estates for their creditors' benefit, 26 *G.*3. *c.* 44. [EXP.]

14. FOR THE RELIEF OF CERTAIN INSOLVENT DEBTORS with respect to the imprisonment of their persons, 41 *G.*3. U. K. *cc.* 64. 70.

15. FOR THE RELIEF OF CERTAIN INSOLVENT DEBTORS, *viz.* prisoners in custody for debt under 1500*l.*, on or before 1*st Jan.* 1804, 44 *G.*3. *c.*108., [which is AMD. 45 *G.*3. *c.*3.], on or before 1*st Feb.* 1806, 46 *G.*3. *c.*108., under 2000*l.*, on or before 1*st Feb.* 1809, 49 *G.*3. *c.*115., on or before 1*st May*, 1811, 51 *G.*3. *c.*125., [which is AMD. 52 *G.*3. *c.*13.] on or before 5*th Jan.* 1812, 52 *G.*3. *c.*165. [which is AMD. 53 *G.*3. *c.*6.], on or before 6*th Nov.* 1813, 54 *G.*3. *c.*28. shall be discharged by the quarter-sessions, and above such sums by barristers appointed by the courts at *Westminster*, all now EXP. [*See* the recital to 54 *G.*3. *c.*28.]

16. FOR THE RELIEF OF INSOLVENT DEBTORS in *Eng.*, 53 *G.*3. *c.*102. [AMD. 54 *G.*3. *c.*23., 56 *G.*3. *c.*102. CON. 59 *G.*3. *c.*129., and deemed to have been CON. by 60 *G* 3., and 1 *G.*4. *c.*12., 1 *G.*4. *c.*3., all EXP.]

(STATUTES *in force.*)

1. FOR RELIEF OF DEBTORS WITH RESPECT to the imprisonment of their persons, and to oblige debtors who shall continue in execution in prison beyond a certain time, and for sums not exceeding what are mentioned (*viz.* 300*l.*) in the act, to make discovery of and deliver upon oath their estates for their creditors' benefit, 32 *G.*2. c.28. *ss.* 13—25. (the *Lords'* act.) [Not to extend to *Scot.*, *id. s.*25. AMD. 33 *G.*3. *c.* 5., (which was MADE PERP. 39 *G.*3. *c.* 50.), 37 *G.*3. *c.*85., EXT. to *Fort William*, *Madras*, and *Bombay*, 39 & 40 *G.*3. *c.*79 *s.*23., and to prisoners in custody for non-payment of money under an order of any court of equity, 49 *G* 3. *c.*6., and AMD. 52 *G.*3. *c.*34. *See* the rest of 32 *G.*2. *c.*28., *viz. ss.*1—4. ARREST, *pl.*12—15. *ss.*5—12. PRISON, &c.]

2. If any person charged in execution for any sum not exceeding 100*l.* [300*l.* 33 *G.*3. *c.*5. *s.*1.], or on which execution there remains due (as shall be made appear by oath) a sum not amounting to above 100*l.*,

[*semb.* now 300*l.*] be minded to deliver up to his creditors, who shall so charge him in execution, all his effects; such prisoner before the end of the first term next after he is charged in execution, may exhibit a petition to any court at law from whence the process issued upon which he was taken, or to the court into which such prisoner is removed by *habeas corpus*, or charged in custody, and remains in the prison thereof, certifying the cause of his imprisonment; and not only setting forth a just account of all real and personal estate which he, or any person in trust for him, is entitled to at the time of his petitioning, and of all incumbrances affecting such estate, but also a just account of all the real and personal estate which such prisoner, or any person in trust for him, was entitled to at the time of his first imprisonment in the action in which he is charged in execution, either in possession or expectancy, to the best of his belief, and so far as his knowledge extends; and a just account of all securities wherein any part of his estates consists, and of all deeds and papers concerning the same, and the names and places of abode of the witnesses to all securities or notes, and where they are to be met with, so far as his knowledge extends; and before such petition is received, such prisoner shall cause to be given or left, for all creditors at whose suit he stands charged in execution, or their executors or administrators, at their usual place of abode (or for their attorney last employed in such action, in case any creditor, &c. cannot be met with, but not otherwise), 14 days at least before such petition is presented, a notice in writing, signed with the name or mark of such prisoner, importing that such prisoner intends to petition such court, and setting forth a copy of the schedule of his estate, which he intends to deliver into court, except the necessary wearing apparel and bedding of the prisoner and his family, and the tools of his trade, not exceeding 10*l.* in value; and an affidavit of the due service of such notice shall be delivered with such petition and read in court; and if such court is satisfied with the regularity of such notice, such petition shall be received; and such court shall, by rule, cause the prisoner so petitioning to be brought up to such court on some day in such rule specified; and the creditors at whose suit he stands charged in execution, or their executors or administrators, may be summoned to appear personally, or by attorney, at some day specified in such rule; and if any creditor so summoned, or their executors or administrators appear, or if they neglect to appear, then, upon affidavit of the service of such rule on them (or their attorney, if they cannot be met with), such court shall, in a summary way, examine into such petition, and hear what shall be alleged for or against the discharge of such prisoner; and shall administer to prisoner an oath to the effect following:

'I *A. B.* do swear, in the presence of Almighty God, that the account by me set forth in my petition presented to this honourable court, doth contain a full and true account of the real and personal estate, debts, credits and effects whatsoever, which I, or any in trust for me, at the time of my first imprisonment in this action, or at any time since, had, or was in any respect entitled to, in possession, reversion or remainder (except the wearing apparel and bedding of or for me and my family, and the tools or instruments of my trade or calling, not exceeding 10*l.* in value in the whole); and also an account how much of my real and personal estate, debts, credits or effects hath since been disposed of, released or discharged, and how, to whom, and on what consideration, and for what purpose, and how much thereof I, or any person or persons in trust for me, have, or, at the time of my presenting my said petition to this honourable court, had, or which I am or was, or any person in trust for me, or for my use, is any ways interested in, or entitled to, in possession, reversion, remainder or expectancy; and also a true account of all deeds, writings, books, papers, securities, bonds and notes relating thereto, and where the same respectively now are, to the best of my knowledge and belief, and what charges are now affecting the real estate I am now seised of, or entitled to [*if such prisoner be then seised of any real estate*], and that I have not, at any time before or since my imprisonment, directly or indirectly, sold, leased, assigned, mortgaged, pawned, or otherwise disposed of, or made over in trust for myself, or otherwise than is mentioned in such account, any part of my messuages, lands, tenements, estates, goods, stock, money, debts, or other real or personal estate, whereby to have or accept any benefit, advantage or profit to myself or my family, or with any view, design or intent to deceive, injure or defraud any of my creditors to whom I am indebted.

So help me God.'

and in case any prisoner as aforesaid shall in court take such oath, such court may then order the lands and effects contained in such account, or so much as may satisfy the debts wherewith such prisoner stands charged in execution, and the fees due to the keeper of the prison, to be by a short indorsement signed by the prisoner, assigned to the creditors who have charged such prisoner in execution, their heirs, executors, administrators and assigns, for their benefit, subject to all prior incumbrances; and the estate, interest or effects belonging to any such prisoner shall, by such assignment, be vested in the persons to whom such assignment is made, according to the interest such prisoner had therein, and the creditors to whom such assignment is made, shall take possession of, and sue in their names for the recovery thereof, as assignees of commissioners of bankrupts may sue for the recovery of the effects of bankrupts; and no release of such prisoner, his executors or administrators, or any trustee for him subsequent to such assignment, shall be pleadable in bar of any action commenced by such assignees of such prisoner; and upon every such assignment being executed by such prisoner, he shall be discharged out of custody by rule of court, and such rule being produced to, and a copy thereof left with such sheriff, or keeper of any prison, shall be a warrant to him to discharge such prisoner, if charged in execution, or detained for the causes mentioned in his petition, and no other; and every such sheriff or keeper shall, on having such order produced to him, and a copy thereof left with him, discharge forthwith every prisoner ordered to be so discharged, without taking any fee, or detaining him in respect of any demand of chamber-rent, or otherwise; or for any fees due to such sheriff or keeper, or any employed under him; and no such sheriff or keeper shall be liable to any action of escape, or other suit or information, for what he shall do in pursuance of this act; and the persons to whom the estate and effects of such prisoner shall be assigned, shall, with all convenient speed, sell the same, and divide the produce among the creditors who shall have charged such prisoner in execution, before the time of his petition, in proportion to their debts; but in case the persons at whose suit such prisoner stood charged in execution be not satisfied with truth of such prisoner's oath, and, either personally, or by attorney (if they cannot personally attend, and proof be made thereof, to satisfaction of such court), desire further time to inform themselves of the matters therein, such court may remand such prisoner, and direct him and the persons dissatisfied with such oath to appear in person, or by attorney, on some other day appointed by such court, at furthest within the first week of the term next following the time of such examination, but sooner if such court think fit; and all objections to the insufficiency in form against any prisoner's schedule of his effects, shall be only made the first time such prisoner is brought up; and if at such second day, creditors dissatisfied with such oath make default in appearing; or appear and are unable to discover any effects of the prisoner omitted in the account set forth in his petition; then such court shall by rule immediately cause the prisoner to be discharged, upon such prisoner's executing such assignment as before directed; unless such creditor who charged such prisoner in execution, his executors or administrators, insist upon such prisoner being detained, and agree by writing signed with his name or mark (or under the hand of his attorney, in case such creditor, &c. be out of *Eng.*) to pay weekly a sum not exceeding [2*s.* 4*d.*, now, *pl.* 4. altered to] 3*s.* 6*d.* as such court thinks fit, unto the said prisoner, to be paid on every *Monday*, so long as such prisoner continues in prison in execution at the suit of such creditor; and in such case such prisoner shall be remanded to prison; but if any failure at any time be made in the payment of the weekly sum, such prisoner, upon application in term time, to the court where the suit was commenced or carried on, or in the prison of which court any such prisoner stands committed on *habeas corpus*, or in vacation time, to any judge of such court, may, by order of such court or judge be discharged, proof being made on oath of the nonpayment for any week of the sum ordered; but every such prisoner before he be discharged shall execute an assignment of his estate and effects as before directed; and if any prisoner petitioning for his discharge under this act, refuse to take such oath before directed, or be detected before such court or judge of falsity therein, or refuse to execute such assignment of his effects, he shall be remanded and continue in execution, 32 *G.* 2, *c.* 28. *s.* 13.

3. So much of 32 *G.* 2. *c.* 28. *ss.* 13, 14. as relates to the amount of the respective sums 2*s.* 4*d.* and 1*s.* 6*d.*, to be paid and allowed as aforesaid, shall be Rep., 37 *G.* 3. *c.* 85. *s.* 1.

4. In all cases where any persons charged in execution for debt, would have been entitled under 32 *G.* 3. *c.* 28. to be discharged unless their creditors would agree as therein mentioned, to pay a weekly sum not exceeding 2*s.* 4*d.* to such prisoner, or any such court as therein mentioned should think fit, such court by rule or order may cause such prisoners to be discharged on their executing such assignment and conveyance of their estates and effects as therein mentioned, unless such creditors shall insist on their being detained, and shall agree by writing signed as therein expressed, to pay a weekly sum not exceeding 3*s.* 6*d.*, as such court shall think fit unto such prisoners, to be paid at such times, manner, terms, and under such rules as by 32 *G.* 2. *c.* 28. is provided, with respect to the allowance made under that act, 37 *G.* 3. *c.* 85. *s.* 3.

5. Where more creditors than one shall charge under 32 *G.* 2. *c.* 28., any person in execution, and desire to have such prisoner detained, each such creditor shall respectively pay such weekly sum not exceeding 2*s.*, on every *Monday* to or for such prisoners as the court before whom any such prisoner is brought up to be discharged under such act, shall, when he is remanded, on the note for the payment of the weekly sum ordered to be paid, as in that act is required to be given, direct, *id. s.* 4.

6. Where any prisoner is charged in execution in any county-gaol, or in any other prison above 20 miles from *Westminster-hall*, or the court out of which the execution issued; then upon petition to the court from whence such execution issued, or in the prison of which court such prisoner stands charged in execution, in like form as petitions be-

fore-mentioned, and on affidavit, to the purport before directed, made and left with such petition, such court (being satisfied with the truth of such affidavit) shall make a rule, to cause the prisoner so petitioning, to be brought to next assizes for the county or place where he is imprisoned, if the same is within *Eng.*, and if within *Wa.* or county palatine of *Chester*, then to the next great sessions for the county in which such prisoner is imprisoned; and the expence of bringing such prisoner to such assizes, not exceeding 1*s.* a mile, shall be paid to the gaoler who brings such prisoner, out of such prisoner's effects, if sufficient to pay such expence; and if not, then such expence shall be paid by treasurer of the county, riding, division, or place in which such prisoner is imprisoned, out of stock of county, &c. as the same is allowed by such court from which such execution issued, or in the prison of which such prisoner is, by one of the judges of assize or justices of great sessions; and the creditors, their executors or administrators, at whose suit such prisoner stands charged in execution, shall, by rule of court from whence the process issued, be summoned to appear at such next assizes or great sessions, if such creditors, &c. can be met with; and if not, then the attorney last employed for such creditors shall be summoned; and a copy of such rule shall be served on such creditors, &c. or left at their usual place of abode, or with their attorney last employed, 14 days at least before such assizes or great sessions; and on an affidavit of such service being laid before the judge of assize, or of great sessions, such judge being satisfied with the truth of such affidavit, shall appoint a time for hearing such petition, on some day on the crown side of such court during such assizes or great sessions, on the appearance of the creditors, &c. summoned in pursuance of this act; or in default of their appearance in person, or by attorney, then on proof of their being served with the notice required, and a copy of the account of the real and personal estate of the prisoner being comprised in such notice, and of the rule of such court for his appearance at such assizes or great sessions having been served; the judge shall, in a summary way, examine into such petition, and hear what shall be alleged for or against the discharge of the prisoner; and upon such examination, shall administer to such prisoner the oath before appointed; and shall make such order in the premises as seems meet, and proceed in the same manner concerning the discharge of any prisoner in any prison within his jurisdiction, and give the same relief and directions, as any court out of which any process issued against any prisoner may do, and every order made in the premises by such judge of assize or great sessions shall be as effectual as if made in the court out of which the process issued on which such prisoner was charged in execution; and the same shall be made a record of the proceedings at such assizes or great sessions, and a copy thereof shall be from thence transmitted to the court from whence the execution against the prisoner discharged issued, signed by the judge of assize or great sessions, to be a record of such court, 32 *G.* 2. *c.* 28. *s.* 15.

7. The court under the process whereof any debtor or other person is confined, may order such debtors and others to be brought before any general or quarter-sessions mentioned in any petition of such debtors or others, to be holden for any county, city, liberty, or franchise, or jurisdiction within the distance of 20 miles of the gaol wherein such debtors, &c. are confined, instead of ordering them to be brought up before a judge of assizes, in all cases where such courts think proper so to do, and where such sessions are holden either nearer in point of distance from such gaol, or in point of time, than the assizes at which such judge of assize would be present would be holden; and such sessions before whom such debtors or others are brought up, shall determine the petition, and do all things, as near as may be, which by 32 *G.* 2. *c.* 28. a judge of assize on the crown side is required to do, and their orders shall be as valid as if made in the courts out of which process against such debtors or others issued, and the same shall be made records of such sessions, and copies thereof, signed by the chairman shall be transmitted to such courts, to be a record of such court, and all the provisions, powers, penalties, liabilities, indemnities, &c. contained in 32 *G.* 2. *c.* 28., or 33 *G.* 3. *c.* 5., or 39 *G.* 3. *c.* 50., applicable to any thing to be done before a judge of assize, or by any person in obedience to any order made under such acts, shall extend to all things by this act authorized to be done before the general or quarter-sessions, or by any person in obedience to any order made under this act, 52 *G.* 3. *c.* 34.

8. If any prisoner who is charged in execution for any debt or damages not exceeding 100*l.* besides costs, shall not within 3 months after he is charged in execution make satisfaction to his creditors who charged him in execution, then such creditors, their executors or administrators may require such prisoner, on giving 20 days' notice in writing to him, that they design to compel him to give in to the court from which the process issued, on which he is charged in execution, or into the court in the prison of which he hath been removed by *habeas corpus*, or remains charged in execution, within the first 7 days of the term next ensuing the expiration of such 20 days, in respect to any prisoner charged in any prison belonging to the courts in *Westminster Hall*; and at the second court held by any other court of record after the expiration of such 20 days, in respect to any prisoner charged in any prison belonging to such other court; and where any such prisoner is charged in execution in any prison above 20 miles from *Westminster Hall*, or the court out of which the process, on which he is charged in execution, issued, then to give in upon oath, at the assizes or great sessions, as in *s.* 15., and on the crown side thereof, for the county or place in the prison of which such prisoner is, next after the expiration of such 20 days, an account in writing, signed with his name or mark, of his real and personal estate, and of all incumbrances affecting the same, to the best of his knowledge and belief, in order that his effects may be divested out of him, and may by such court or judge, be ordered to be assigned in manner and for the purposes herein after declared, and every creditor requiring any prisoner to be brought up as aforesaid, shall also give 20 days notice in writing of such his intention to all other creditors of such prisoner, at whose suit such prisoner is detained, if he be detained or charged in execution at the suit of any other creditors besides those giving such notice, if such other creditors can be found, and if not, then to the several attornies last employed in the respective actions in which such prisoner is so detained; and shall give a like notice in writing to the sheriff or keeper of the prison in which such prisoner is detained, of his intention to have such prisoner brought up, and to require such sheriff or gaoler to bring up such prisoner; and such notice to any sheriff or gaoler shall be so given 20 days at least before the time appointed for such prisoner to be brought up: and thereupon every such sheriff or gaoler to whom such notice is so given, shall, at the costs of such creditors, their executors, &c. cause such prisoner to be brought, as by such notice is required, to such court, assizes, or great sessions, as in *s.* 15. together with a copy of the causes of his detainer: and if such sheriff or gaoler, on such notice in writing being given, and on tender made on behalf of such creditor, of reasonable charges, not exceeding 1*s.* a mile, to bring up the prisoner so required, shall neglect to bring him there at the time required, with a copy of his detainer, such sheriff or keeper shall, for every such offence, forfeit 20*l.* to be recovered by the party aggrieved by action of debt, &c. or information in any court of record at *Westminster*, if such offence be committed out of *Wa.*, or the county palatine of *Chester*; and if in *Wa.*, or *Chester*, then in some court of record in such principality or county palatine within the jurisdiction of which such offence is committed, with treble costs, 32 *G.* 2. *c.* 28. *s.* 16.

9. Every prisoner charged in execution, who in the pursuance of this act shall, at the desire of any creditor, be brought up to any such court, as in *s.* 15. shall, on proof there first made of such notices as before directed having been given, deliver into court upon oath, within the time before prescribed, an account in writing of his real and personal estate, and of all writings and securities, &c. relating thereto, and of all incumbrances then affecting the same, and the times when made, to the best of his knowledge and belief, except necessary wearing apparel and bedding of such prisoner and his family, and the necessary tools of his trade, not exceeding the value of 10*l.* which account shall be subscribed with the name or mark of such prisoner: and on the delivering in of such account, the estate and effects of such prisoner shall be assigned by such prisoner, by a short indorsement on such account, to such persons as the court, judge, or justices, in which, or to whom such account shall be so given in, shall order, in trust for the creditors who required such prisoner to be brought up, and of such other creditors (if any) at whose suit such prisoner is charged in custody or in execution, and who by writing, signed by them respectively, before such assignment is made, consent to such prisoner's being discharged at their suits, and agree to take a proportionable dividend of his effects with the creditors who required him to be brought up, and if there be no other creditors, or if there being such they do not agree in writing to discharge such prisoner, and accept such proportionable dividend, then in trust for the creditors only who shall require such prisoner to be brought up; and by such assignment all such prisoner's estate and effects shall be vested in the creditors to whom the same are so assigned in trust; and if any overplus remain after payment of the debts or damages, and costs, due to any creditors at whose suit such prisoner is discharged, and all charges of getting in such effects, the same shall be paid to such prisoner, his executors, administrators, or assigns; and upon every such assignment by such prisoner, to the satisfaction of the court, judge of assize, or justices of great sessions, before whom the same was made, such prisoner shall by such court or judge be discharged in the actions at suit of the creditors who required such prisoner to be brought up, and in the actions of every other creditor, &c. signing such consent, with the same benefit of making use of such discharge, as is before provided for prisoners seeking and obtaining their discharge under the provisions in the former part of this act (*s.* 13.); and no greater fee than 2*s.* 6*d.* shall be taken for such discharge by all or any officers of any such courts, assizes, or great sessions; and no stamp shall be necessary on such assignment, or any rule made for such discharge; but all the future effects of such prisoner (except the necessary wearing apparel and bedding of such prisoner and his family, and the tools of his trade)

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shall be liable to his debts, if not fully paid from his estate assigned aforesaid; and no advantage shall be taken in any action hereafter commenced against such prisoner, his heirs, executors, or administrators, for that the cause of action did not accrue within six years next before the commencing of such action, unless such prisoner was entitled to such advantage before he stood charged by the original action; and in such case the same may be pleaded by such prisoner, his heirs, &c. and if any prisoner charged in execution, and required to be brought up as aforesaid, neglect to deliver in and subscribe such account of his estate and effects in such court, &c. within the time before appointed, or within 60 days then next following, without making appear some just excuse to be allowed of by the court, &c. or shall refuse to assign his effects, he so offending and convicted upon indictment, shall be transported for 7 years; and if such prisoner deliver in a false account of his effects, or designedly conceal, and not insert in such account, any books, securities, or writings relating to his effects, with intent to defraud his creditors, and be convicted on indictment, he shall suffer the pains inflicted on persons convicted of wilful perjury, 32 *G.* 2. *c.* 28. *s.* 17.

10. If any person taking an oath by this act required, shall upon any indictment for perjury, be convicted by confession or verdict, he shall suffer the pains and forfeitures inflicted on persons convicted of wilful perjury, and shall be liable to be taken on any process *de novo*, and charged in execution for such debt, as if he had not been discharged, or not charged in execution before, and shall never after have the benefit of this act, *id.* *s.* 18.

11. If the effects of any prisoner assigned in pursuance of this act, extend not to satisfy the whole debts, and the fees due to the gaoler, such gaoler shall only receive a proportionable dividend in respect of such fees *pro rata* with the other creditors, *id.* *s.* 19.

12. Prisoners so discharged shall never after be arrested for the same debts; nor shall any action of debt be brought against them on any such judgment, unless they be under this act convicted of wilful perjury; but notwithstanding any discharge under this act for the person of such prisoner, the judgment against him shall continue in force, and execution may at any time be taken out thereon against the lands, &c. or goods of such prisoner, except the necessary wearing apparel and bedding for himself and family, and the tools for his trade, not exceeding 10*l.* in value, *id.* *s.* 20.

13. Any assignee to whom by virtue of this act the estate or effects of any prisoner discharged by this act shall be assigned, shall make composition with any debtors or accountants to such prisoner, where the same appears reasonable, and may take such part of any debt as can be gotten in full discharge of such debt or account; and also may submit any difference concerning such prisoner's estate or effects, or in respect of any debt due to such prisoner, to the determination of arbitrators chosen by such assignees, and the parties with whom such difference is; and if such arbitrators cannot agree, then may submit the same to the determination of any umpire chosen by them, or otherwise to settle the matter in difference between them, as such assignees think fit; and the same shall be binding, as well to all other of such prisoner's creditors who have charged him in custody or execution, as also to such prisoner: and every such assignee shall be indemnified for what he fairly does in the premises according to this act, *id.* *s.* 21.

14. The courts at *Westminster*, from whence any process issued, upon which such prisoner was charged in execution, whose effects are assigned under this act, or where such prisoner is charged in execution by process issued out of any other court, the judges of the K. B., C. P., and exchequer, or any one of them, on the petition of any creditor having charged such prisoner in execution, or of such prisoner, complaining of any fraud or misbehaviour of any such assignee, may order the parties concerned to attend such court or judge at some certain time in such order mentioned; and every such court at *Westminster*, and every judge thereof, shall make such order in the premises, either for displacing such assignee, and appointing a new one, or for the prudent management of such estate and effects, for the benefit of the creditors, as any of such courts or judges think fit, and in case of the displacing of an assignee, and the appointing of a new assignee, the effects of such prisoner shall from thenceforth be divested out of the assignee so removed, and vested in, and delivered over to the new assignee, in the same manner, and for the like purposes, as the same were before vested in the former assignee, *id.* *s.* 22.

15. Where mutual credit shall have been given between any prisoner discharged under this act, and any other person before the delivery of any schedule of estate and effects of such prisoner upon oath; that the assignees of such prisoner shall state an account between them; and nothing more shall be vested by any assignment made in pursuance of this act, as estate and effects of such prisoner, than what appears due to him for the balance of such account, *id.* *s.* 23. [The sect 24. is REP. by 52 *G.* 3. *c.* 34. *s.* 2.]

16. Every creditor, or his executors or administrators, at whose suit any debtor is charged in execution for any sum not exceeding 300*l.* may compel such debtor to deliver up his estate and effects for the benefit of his creditors, as by 32 *G.* 2. *c.* 28. *s.* 16. provided, 33 *G.* 3. *c.* 5. *s.* 3.

17. All persons committed on attachments for not paying money awarded to be paid under submissions to arbitration, by rules of court, or arbitration bonds which have been made rules of court pursuant to 9 & 10 *W.* 3. *c.* 15., and likewise for not paying of costs duly taxed, and also on writs of *excommunicato capiendo* or other process, grounded on non-payment of costs in any cause in any ecclesiastical court, shall have the benefit of this act, subject to the conditions herein expressed with respect to prisoners for debt only, *id.* *s.* 4.

18. Where any debtor shall neglect to take the benefit of 32 *G.* 2. *c.* 28. or this act, within the time limited, and shall make it appear to the court out of which execution issued, that such neglect arose from ignorance or mistake, he shall be entitled to such benefit as if he had taken the same within the time limited; but any creditor at whose suit any debtor shall be so in execution, may file interrogatories for the examination of such prisoner before he takes the benefit of this act; but this act shall not extend to any debt owing to the crown, nor shall it affect any proceeding under any commission of bankrupt, nor shall extend to *Scot.*, *id.* *s.* 5.

19. All persons in custody for contempt of any court of equity, by not paying any money or costs, ordered to be paid by any decree or order of any such court, shall be entitled to the benefit of 32 *G.* 2. *c.* 28., 33 *G.* 3. *c.* 5., and 37 *G.* 3. *c.* 85. subject to the terms and conditions therein expressed with respect to prisoners for debt only, 49 *G.* 3. *c.* 6.

20. FOR THE DISCHARGE OF DEBTORS IN EXECUTION for small debts (20*l.*) from imprisonment in certain cases, 48 *G.* 3. *c.* 123. [not to extend to *Scot.* or *Ire.*, *id.* *s.* 2.]

21. All persons in execution upon any judgment in any court, and whether the same be a court of record or not, for any debt or damages not exceeding 20*l.* exclusive of costs, and who have lain in prison for 12 successive calendar months previous to their application to be discharged, may on such application in term time, to some one of the superior courts of record at *Westminster*, to the satisfaction of such court, be forthwith discharged out of custody as to such execution, by rule or order of such court; provided, that in case of any such application to be discharged out of execution upon a judgment obtained in the court of record at *Westminster*, such application shall be made to that court wherein such judgment was obtained, and that whether such prisoner be then actually detained in the gaol of such court, or stands committed on *habeas corpus* to the gaol of another court; provided, that if any such discharge is obtained by any false allegation, which, if true, might entitle the prisoner to his discharge under this act, such prisoner shall, on the same being made to appear to the court by whose rule he was discharged, be liable again to be taken in execution and remanded to his former custody by rule of such court, but no sheriff, gaoler, or other person shall be liable as for an escape, in respect of such enlargement, during the time such prisoner was at large by means of such undue discharge, and notwithstanding any such discharge, the judgment wherein such debtor was taken in execution, shall continue in force, except as to taking his person, and the creditors at whose suit he was so taken, may take out execution on such judgment against his lands, tenements, hereditaments, and goods, (other than wearing apparel and bedding of himself and family, and his tools of trade, not exceeding 10*l.* value;) or they may bring an action on such judgment against such debtor, or use any remedy for recovery of their demands against any person liable to satisfy the same, as they could in case such debtor had not been taken in execution; provided no debtor duly discharged under this act, shall be taken or charged in execution upon any judgment herein declared to continue in full force, nor be arrested in any action on such judgment, and no proceeding by *sci. fa.* action or otherwise, shall be maintained against his bail in any action upon the judgment whereon the defendant was charged in execution, and afterwards discharged under this act, *id.* *s.* 1.

22. FOR THE RELIEF OF INSOLVENT DEBTORS IN *Eng.*, 1 *G.* 4. *c.* 119. [CON. *to the end of the session after* 1*st June* 1825, *id.* *s.* 52.]

23. H. M. may appoint a chief and two other commissioners, being barristers of 10 years' standing, to be commissioners for the relief of insolvent debtors, and to preside in a court to be called *The Court for Relief of Insolvent Debtors*; which shall be a court of record; and when such appointments have been notified in the *London Gazette*, such court shall be deemed fully constituted, and shall have power to appoint a chief clerk, a provisional assignee, a receiver, and such other officers as the lord chancellor, and chief justices of K. B. and C. P. and the chief baron judge necessary, and in such manner as they shall direct; and such court, or any of the commissioners acting under this act, may adjourn any meeting under this act as often as they think necessary, and may administer oaths, and examine all parties and witnesses upon oath for the purposes of this act, and shall have the same powers of compelling the attendance of witnesses, and of requiring and compelling

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the production of books, papers, and writings, as are now possessed by any of the superior courts at *Westminster*, and may order any prisoner who shall have petitioned for relief under this act, or any prisoner who shall be a necessary and material witness in any matter pending in such court, or before any commissioner thereof, to be brought before such court or commissioner as often as shall be thought fit; and such court shall also have the power of committing persons guilty of any contempt to such court, to the prison of the K. B. or the common gaol of any county in which such person shall be, and the power of fining in a summary way, or removing any of the officers of such court who shall be guilty of any negligence, wilful or unnecessary delay, or other misconduct; provided such court shall not award costs against any person, except in such cases only where costs are hereinafter expressly mentioned and permitted to be awarded by this act: provided that nothing herein shall compel the attendance of any witness, unless the party on whose behalf such witness is required shall have previously tendered to such witness such allowance for expences for his attendance, as, in the judgment of such court or of a commissioner shall appear reasonable, 1 *G.* 4. *c.* 119. *s.* 1.

24. Such court shall sit for the dispatch of business twice in every week throughout the year, and one of such commissioners shall attend, *id. s.* 2.

25. No fee or gratuity shall be received or taken by such court, or any officer thereof, on any pretence, except such as shall be specified in a list, to be signed by the commissioners of such court, a copy of which list shall always be exposed to view in the office of such court, *id. s.* 3.

26. When such court is fully established, any person in *Eng.* who shall be in actual custody upon any process whatsoever, for any debt, damage, costs, or sums of money, or for contempt of any court for nonpayment of any money, or of costs, taxed or untaxed, either ordered to be paid, or to the payment of which such persons would be liable in purging such contempt, or in any manner in consequence of such contempt, at any time within 14 days next after the commencement of such actual custody, or within such further time as the court shall think reasonable, may apply by petition in a summary way to such court for his discharge from such confinement, according to this act; in which petition shall be stated the place wherein such prisoner is then confined, the time when he was first charged in custody, together with the names of the persons at whose suit he shall, at the time of presenting such petition, be detained in custody, and the amount of the debts and sums, and also of such costs as aforesaid, so far as such costs are ascertained, for which such prisoner is so detained; and shall pray to be discharged from custody, and to have future liberty of his person against the demands for which he is then in custody, and of all other persons who shall be or claim to be creditors of such prisoner at the time of presenting such petition; which petition shall be subscribed by such prisoner, and forthwith be filed in such court; and such prisoner shall, at the time of subscribing such petition, duly execute a conveyance and assignment, in such form as such court shall direct, of all his estate, right, title, interest, and trust to all his real and personal estate and effects, except to the wearing apparel, bedding, and other such necessaries of such prisoner and his family, not exceeding in the whole the value of 20*l.*, so as to vest all such estate and effects in the provisional assignee of such court, subject to a proviso that in case such prisoner shall not obtain his discharge under this act, such conveyance and assignment shall, from the dismission of his petition praying for his discharge, be void, *id. s.* 4.

27. Such court shall direct such provisional assignee, or such assignees as in *s.* 7. mentioned, to pay out of such estate and effects to the prisoner such allowance for his or her maintenance during such prisoner's confinement in actual custody as shall seem reasonable, *id. s.* 5.

28. Such prisoner shall, within 14 days after such petition has been filed, or within such further time as the court shall think reasonable, deliver into such court a schedule, containing a full and true description of every person to whom such prisoner is then indebted, or who to his or her knowledge shall claim to be his or her creditors, together with the nature and amount of such debts and claims, distinguishing such as are admitted from such as are disputed by such prisoner, and also a perfect account of all the estates and effects, real and personal, in possession, reversion, remainder, or expectancy; and also of all places of benefit, whether the emoluments arise from fixed salaries or from fees; and of all pensions or allowances of such prisoner in possession or reversion, or held by any other person on behalf of such prisoner, or from which he or she derives or may derive any benefit or advantage; and also all rights and powers of every nature, which such prisoner, or any other person in trust for him or her, or for his or her use, shall be seised or possessed of, or interested in, or entitled unto, or which such prisoner, or any person in trust for him or her, or for his or her benefit, shall have any power to dispose of, charge, or exercise for the benefit of such prisoner at the time of presenting such petition; together with a perfect account of all debts at such time owing to such prisoner, or to any person in trust for him or her, or for his or her benefit, either solely, or jointly with any other person; and the names and places of abode of such several debtors and of the witnesses who can prove such debts, so far as such prisoner can set forth the same; and such schedule shall also truly describe the wearing apparel and bedding of such prisoner, and his or her family, and the working tools and implements, and other such necessaries, not exceeding in the whole 20*l.*, which may be excepted by such prisoner from this act, together with the values of such excepted articles; and such schedule shall be subscribed by such prisoner, and filed in the court, 1 *G.* 4. *c.* 119. *s.* 6.

29. When such court shall adjudge any prisoner to be entitled to his discharge, such court shall appoint proper persons to be assignees of the estate and effects of such prisoner for the purposes of this act; and when such assignees have signified to the court their acceptance of the appointment, such prisoner's estate, effects, rights, and powers, vested in such provisional assignee, shall immediately be assigned by such provisional assignee to such assignees, in trust for their benefit and the rest of the creditors of such prisoner, in proportion to their respective debts, according to this act; and in case any prisoner who is discharged under this act shall be entitled to any copyhold or customary estate, the assignment to such assignees shall be entered on the court rolls of the manor of which such copyhold is holden; and thereupon the assignees of the estate and effects of such prisoner may surrender or convey such copyhold estate to any purchasers from them, as the court shall direct, and the rents and profits thereof shall be in the meantime received by such assignees, for the benefit of such creditors, but without prejudice to the lord of the manor of which any such copyhold is holden; and such assignees shall sue, as there may be occasion, in their own names, for the recovery and enforcing any estate, effects, or rights of any such prisoner; and also execute any trust or power vested in or created for the use of any such prisoner, but in trust for their benefit and the rest of such creditors, according to this act, and may give such discharges to any persons who shall be indebted to such prisoner, as may be requisite; and such assignment, whether to a provisional or other assignee or assignees, shall be entered on the proceedings of the court, and an office copy thereof shall be sufficient evidence thereof in all courts; and such assignees shall, with all speed, after their accepting such assignment, use their best endeavours to get in the estate and effects of such prisoner, and make sale of all such estate and effects vested in them: and if such prisoner shall be interested in or entitled to any real estate, either in possession, reversion, or expectancy, the same, within 2 months after such assignment and conveyance, or within such other time as the court shall direct, shall be sold by public auction in such manner and place as the major part of the creditors entitled to the benefit thereof, who shall assemble together on any notice published in the *London Gazette*, and in some daily paper published in *London*, or within the bills of mortality, if the prisoner before his or her going to prison resided in *London* or within the bills of mortality, and if elsewhere, then in some newspaper published and generally circulated in or near the county, city, or place in which such prisoner resided before he or she was committed to prison, 30 days before any such sale is made, shall, under their hands, approve; and such assignees, at the end of 3 months from the time of accepting such assignment or conveyance, and so as occasion requires, shall make up an account of such prisoner's estate, and make oath in writing before an officer of such court to be appointed for that purpose, or before one justice of peace of the county, city, or place in which such assignees reside, that such account is a fair and just account of the estate and effects of such prisoner got in by them, and of all payments made in respect thereof, and that all payments in such account charged were *bonâ fide* made, which account so sworn shall be filed with the proper officer of the court; and if it appear that such assignees have any balance wherewith a dividend may be made amongst the creditors whose debts are expressed in his or her schedule, such assignees shall forthwith declare such balance; and notice of the making of such dividend shall be published, in like manner as a meeting of creditors is herein directed to be published, 30 days before such dividend is made; and every creditor whose debts shall be admitted in such schedule shall receive a share of such dividend, unless such prisoner, or his or her assignees, or any other creditor, shall object to any such debt, in which case the same shall be examined into by the court, who may require and compel the production of all books, papers, and writings which may be necessary to be produced, as well by the person claiming such debt, as by the prisoner against whom the same is claimed, or his or her assignees, and examine all such persons and their witnesses on oath, and take all other measures necessary for the due investigation of such claim; and the decision of such court upon such claim shall be conclusive with respect to any dividend of the effects of such prisoner under this act, *id. s.* 7.

30. When prisoners discharged under this act are entitled to annuities for their own lives, or other uncertain interests, or to reversionary or contingent interests, or to property under such circumstances that the immediate sale thereof may be prejudicial, then such court may take

into consideration all circumstances affecting the property of any such prisoner, either at the time of the discharge or afterwards; and if it appear that it would be reasonable to make any special order touching the same, such court may do so, and direct such property as it may be expedient not to sell, or not to sell immediately according to this act, not to be so sold, and may direct in what manner such property shall be managed for the benefit of the creditors until the same can be properly sold, or until payment of all such creditors according to this act; and may make such order touching the sale or disposition of such property as to such court seems reasonable, considering the rights of the creditors to payment of their demands, and the future benefit of such prisoner after such payment, and upon such conditions with respect to the allowance of interest on debts not bearing interest, or other circumstances, as seems just; and if it appear to such court that the debts of such prisoner can be discharged by means of money raised by way of mortgage on any property of such prisoner, instead of by sale, such court may so order and give all necessary directions for such purpose, and generally direct all things proper for discharge of the debts of such prisoner, in such manner as may be most consistent with his or her interests in any surplus after payment of such debts, 1 *G.* 4. *c.* 119. *s.* 8.

31. In case such prisoner, or any of his or her creditors, or such court, is dissatisfied with the account of any assignees so rendered upon oath as in *s.* 7., or in case such assignees neglect to render such account, or to dispose of the property, or collect the effects of such prisoner, or in any manner waste or mismanage the same, or neglect to make a due distribution thereof, such court, or any such creditor, may require such assignees to render such account on oath, as hereby directed, if not before rendered, and may examine any account so rendered, and inquire into any waste, mismanagement, or neglect of the estate or effects of such prisoner, and direct a proper administration thereof, and ascertain the produce of such estate and effects to be divided amongst such creditors, and direct the distribution thereof accordingly; and may compel the production of all books, papers, and writings necessary for such purposes, and examine all parties and their writings on oath, and take measures necessary for the compelling and rendering of such account, and the due investigation thereof, and the proper disposition of the effects of such prisoner according to this act, and may award costs against any of the parties as justice requires; and the decisions of the court upon such matters shall be final, *id s.* 9.

32. Every creditor of any such prisoner, for any sum payable by way of annuity or otherwise at any future time, by virtue ofany bond, covenant, or other securities, shall be admitted a creditor, and receive a dividend of the estate of such prisoner, in such manner and upon such conditions as such creditor would have been entitled by law if such prisoner had become bankrupt, the amount upon which such dividend is calculated, and the conditions on which the same is received being first settled by such court; and without prejudice in future to their securities, otherwise than as the same would have been affected by a proof made in respect thereof by a creditor under a commission of bankrupt, and a certificate obtained by the bankrupt under such commission, *id. s.* 10.

33. Provided no suit in law be proceeded in further than an arrest on mesne process, or suit in equity be commenced by any assignees of any such prisoner's estate and effects, without the consent of the major part in value of the creditors who shall meet pursuant to a notice to be given, 14 days before such meeting, in the *London Gazette*, or other newspaper published in the neighbourhood of the last residence of such prisoner for that purpose, and without the approbation of one of the commissioners of such court, *id. s.* 11.

34. Where any persons claiming the benefit of this act are possessed of lands, tenements, and hereditaments, to hold for their natural lives, with power of granting leases and taking fines, reserving small rents on such estate for one, two, or three lives in possession or reversion, or for some number of years determinable upon lives, or have powers over such real or personal estate which such prisoners could execute for their own advantage, and which ought to be executed for the benefit of the creditors of such prisoners; the power of leasing such lands, &c. and all other such powers over such real or personal estates, which are or shall be so vested in any such prisoner, shall be vested in the assignees of the real and personal estate of such prisoner, by virtue of this act, so far as the prisoner could by law vest such power in any person to whom he might lawfully have conveyed the same, to be by such assignees executed for the benefit of all the creditors, *id. s.* 12.

35. Any assignees of the estate or effects of any prisoner, with the consent of the major part in value of his or her creditors present at a meeting to be had on 14 days notice previously given for the purpose hereafter mentioned in the *London Gazette*, if the prisoner was in custody in *London* or the weekly bills of mortality, and if not, then also in some newspaper published in the county, city, or place in or near which such prisoner was in such actual custody, and with the approbation of one of the commissioners of such court, may make compositions with any debtors or accountants to such prisoner, where the same appear reasonable, and take such reasonable part of any such debts as can upon such composition be gotten in full discharge thereof, and submit to arbitration any difference or dispute between such assignees, and any persons on account of any thing relating to the estate and effects of such prisoner; and assignees shall be indemnified for what they shall fairly do in the premises under this act, 1 *G.* 4. *c.* 119. *s.* 13.

36. In case any assignee so appointed is unwilling to act, or in case of the death, incapacity, or misconduct of any such assignee, any creditor of such prisoner may apply to such court to appoint a new one, with like powers as the original assignee; and such court may remove such assignees, and appoint new assignees, and oblige any assignee who shall be removed, and the heirs, executors, administrators, and assigns of any deceased assignee, to account for and deliver up all such estate and effects, books, papers, writings, deeds, and all other evidences relating thereto, as remain in his hands, to be applied for the purposes of this act; and the decision of such court thereupon shall be final; and immediately after such appointment, all the estate, effects, rights, and powers of such prisoner, vested either in the provisional assignee or such assignees as aforesaid, are hereby vested in such new assignee, *id. s.* 14.

37. In case any such assignees, or the heirs, executors, or administrators of any deceased assignees, shall not deliver over any part of such estate or effects, or pay the balance of the produce thereof found in their hands according to this act, such court may order the persons so offending to be arrested and committed to the county gaol nearest to the place where they reside without bail, until they have fulfilled the duty required by this act, or until this court shall make order to the contrary, *id. s.* 15.

38. Such court shall forthwith, after such petition and schedule have been filed, cause notice thereof to be given to the creditors at whose suit such prisoner is detained, or the attorney or agent of such creditors, and to the other creditors named in such schedule, or such of them as the court shall think fit, and to be inserted in the *London Gazette*, and also, if the court thinks necessary, in some other newspaper, and shall appoint a day and place for hearing such petition; and in case such notice as the court shall direct has been given by any creditor, of his or her intention to oppose such prisoner's discharge, both such creditor, and any other of the creditors of such prisoner, may oppose his or her discharge, and for that purpose put such questions to such prisoner and examine such witnesses as the court thinks fit, touching such petition and schedule, and such other matters as the court thinks proper to be enquired into, in order to the execution of this act; but no creditor shall examine or oppose the discharge of such prisoner, until he shall make oath or affidavit of his debt, or otherwise satisfy the court of his right so to oppose, if required so to do by such prisoner: provided that, at such hearing, any creditor so opposing may require, or the court may order that it be referred to an officer of the court, to investigate the accounts of such prisoner, and to examine into the truth of his or her schedule, and to report thereon to such court; and such court may at such hearing proceed on the other matters in opposition to the discharge of such prisoner, or adjourn the hearing thereof until such officer has made his report; and in case such prisoner is not opposed, and the court is satisfied with the schedule, and that such prisoner is entitled to the benefit of this act, then such court shall so declare, and shall order such prisoner to be discharged forthwith, or so soon as he or she has been in custody at the suit of one or more of the persons who were creditors at the time of petitioning, or who have since become creditors in respect of debts then growing due, for such period not exceeding 6 months in the whole, as such court shall direct, to be computed from the time of filing the petition, and shall in such order specify the several debts of the prisoner to which such charge applies, and such discharge shall extend to all process issuing from any court for any contempt of any court, ecclesiastical or civil, by non-payment of money, or of costs in any cause or proceeding in any such court; and in case it appears to such court, that the opposition to the petition of such prisoner is vexatious, such court may award such costs to such prisoner as shall appear just, *id. s.* 16.

39. In case it appears to such court, that such prisoner, with intent to conceal the state of his affairs, or to defeat the objects of this act, has destroyed or otherwise wilfully prevented or withheld the production of any books, papers, or writings, relating to his affairs; or has kept false books, or made false entries, or wilfully and fraudulently altered or falsified any such books, &c. or has in any respect been guilty of fraud, in discharging or concealing any debt due to or from such prisoner; or has fraudulently made away with, charged, mortgaged, or concealed any part of his or her property, either before or after the commencement of his or her imprisonment, for the purpose of diminishing the sum to be divided among his or her creditors, or of giving an undue preference to any of the creditors, then such court may order such prisoner not to be discharged, or receive any protection under this act, until he has been in custody at the suit of some one or more of the persons who were creditors at the time of his petitioning the court, or had since become credi-

tors in respect of debts then growing due, and from whose claims he shall be discharged by the judgment of such court, for such period, not exceeding 3 years in the whole, as such court shall direct, to be computed from the filing of such prisoner's petition, 1 *G.* 4. *c.* 119. *s.* 17.

40. In case it appear to such court that any such prisoner has contracted any of his debts fraudulently, or by means of false pretences, or without having had any probable expectation at the time when contracted of paying the same, or shall be indebted for damages recovered in any action for crim. con., or for seducing the daughter of the plaintiff, or in any action for a malicious prosecution, or for any other malicious injury, or has put any of his or her creditors to any unnecessary expence, by any vexatious defence to any suit for recovering the same, such court may order such prisoner not to be discharged, or to be entitled to any benefit under this act, as to any debt so contracted, or as to any damages so incurred, or as to any debt for recovering of which he shall occasion unnecessary expence, until he has been in custody at the suit of the creditors whose debts were so contracted, or damages so incurred, or who were so put to expence, for such period not exceeding 2 years, as such court shall direct, to be computed as in *s.* 17., *id. s.* 18.

41. In all cases where such prisoner shall not be ordered to be discharged forthwith, but to be liable to imprisonment at the suit of his creditors, such court, on the application of such prisoner, may order the creditors at whose suit he is imprisoned, to pay to such prisoner such sum not exceeding the rate of 4*s.* by the week in the whole, at such times and manner as such court shall direct; and on failure of payment thereof as directed by the court, such prisoner shall be forthwith discharged from custody at the suit of the creditor so failing, *id. s.* 19.

42. The justices of peace for every county, city, cinque port, or place, assembled at the quarter or general sessions, or at any adjournment thereof, shall in open court appoint as many fit persons as they judge sufficient, to be examiners for the purposes of this act, within their respective jurisdictions, *id. s.* 21.

43. Such court shall, in all cases, as they think fit, direct any prisoner, instead of being brought before such court for final examination, to be examined by the justices in open court, at their general or quarter sessions, or at some adjournment thereof, &c. who shall take such examination pursuant to such order; and such court shall forthwith cause 21 days notice to be given in the *London Gazette*, and in such one or more newspapers as such court shall direct, of the day on which, and the place where such prisoner shall be brought before such justices for examination; and such prisoner shall be carried before such justices, for which such order shall be a sufficient warrant; and in case any one creditor shall give 2 days notice to such prisoner of his or her intention to oppose such prisoner's discharge, then such creditor, or any other creditor may oppose such discharge, and put to such prisoner all such questions as to such justices appear proper, which such prisoner shall answer, upon oath, and if it appear to such justices to be proper that the accounts of such prisoner, and the matters of his or her schedule should be further investigated, then such justices may adjourn the hearing of his or her petition to some subsequent general, or quarter, or adjourned sessions, and at the request of any one or more creditors direct that some one of the examiners appointed by such justices under *s.* 20. shall examine into such schedule, and certify his opinion thereon to the justices at such sessions to which the hearing of such petition was adjourned, and of which adjournment all parties interested shall take notice; and such examiner shall receive for his trouble 1*l.* for every meeting under such order, to be paid by the person requiring the same; and in case it appears to such justices upon such examination, or by evidence, that such prisoner is entitled to the benefit of this act, then they shall so adjudge, and shall certify the same to such court; and in case it also then appears to such justices that such prisoner contracted any debts, against which he shall seek to be discharged fraudulently, or without any probable expectation at the time of contracting, of being able to pay the same, or with intent to conceal the state of his affairs, or to defeat the objects of this act, has destroyed or otherwise wilfully prevented the production of any books, papers, or writings, relating to his affairs, or has kept false books or made false entries, or fraudulently altered or falsified any such books, &c. or in any respect has been guilty of fraud, in contracting, discharging, or concealing any debt due from such prisoner to any creditor, or has fraudulently made away with, charged, mortgaged, or concealed any part of his or her property, either before or after the commencement of his or her imprisonment, for the purpose of diminishing the sum to be divided among his or her creditors, or of giving an undue preference to any of them, or that such prisoner has put any of such creditors as have proved their debts to unnecessary expence, by any vexatious defence, or improper delay in any suit for recovering the same, or that such prisoner has fraudulently omitted any effects or property to the value of not less than 20*l.* in the schedule which such prisoner first delivered in to the court, then such justices shall so adjudge, and shall also declare in like manner, and subject to the same limitations as by *s.* 16—18. imposed in such cases upon the court to be established under this act, for what period of time such prisoner shall remain in actual custody before he or she shall be discharged under this act; and such justices shall forthwith certify the same to such court; and thereupon such court shall accordingly order and direct that the prisoner be discharged when he has been in such actual custody for the full period expressed in such certificate, 1 *G.* 4. *c.* 119. *s.* 21.

44. In case any such prisoner, after his commitment to such actual custody, is removed by *habeas corpus*, or otherwise, from the place of such actual custody, or rendered in discharge of bail, such court may receive the affidavits of any creditor, or of any other person, in opposition to the discharge of such prisoner under this act; and also, if such court thinks fit, may permit interrogatories to be filed for the examination or cross-examination of every person making or joining in such affidavit, and also may stay the discharge of such prisoner until such interrogatories be answered to the satisfaction of such court; but this shall not extend to any prisoner who has been in such actual custody, or arrested, within *Middlesex*, or *Surrey*, or the city of *London*, *id. s.* 22.

45. Such order of such court for the discharge of such prisoner shall be final, and shall not be reviewed by such court, unless such court shall, after such order made, see good cause to believe that such adjudication, and the order founded thereon, were made on false evidence, or otherwise fraudulently obtained; in which case any creditor of such prisoner may apply to such court to direct such prisoner to be brought again before them; and such court, upon due notice to be given by such creditor, may rehear the matter, and make further order as they see fit; but in case such court, or such justices shall entertain any doubt, touching any matter alleged against such prisoner at the time of his final examination before mentioned, to prevent his or her discharge, or touching the examination of such prisoner, such court or justices may remand such prisoner to custody, and afterwards cause him or her to be again brought up for examination, as often as such court or justices see fit, *id. s.* 23.

46. Every prisoner applying for his or her discharge, or any other persons taking an oath under this act, who shall wilfully forswear and perjure himself or herself in any oath so to be taken, and shall be convicted thereof, shall suffer the punishment inflicted on persons convicted of corrupt perjury, *id. s.* 24.

47. When any order for the discharge of any prisoner is made, the court may also order a judgment to be entered up against such prisoner in some one of the superior courts of *Westminster*, in the name of the assignees of such prisoner, or of such provisional assignee, if no other shall then be appointed and have accepted such office, for the amount of the debts of such prisoner, which at the time of such order remain unpaid, from which such prisoner is discharged by such order; and such prisoner shall execute a warrant of attorney to authorize the entering up such judgment; and such judgment shall have the force of a recognizance; and such order of the court established under this act, shall be a sufficient authority to the proper officer for entering up such judgment; and when it appears to the satisfaction of such court that such prisoner can pay such debts, or part thereof, or that he is dead, leaving assets for that purpose, the court may permit execution to be taken out upon such judgment, or put in force any other power given by this act against the after acquired property of such prisoner, for such sum as the court shall order; such sum to be distributed rateably amongst the creditors; and such further proceeding shall be had, in the discretion of such court, until the whole of the debts due to the several persons against whom such discharge was obtained shall be fully satisfied, together with such costs as such court think fit to award; and no *scire facias* shall be necessary to revive such judgment on account of lapse of time, but execution shall at all times issue thereon by virtue of the order of such court; provided that in case any such application against such prisoner shall appear to the court to be ill founded and vexatious, the court may not only refuse to make any order, but also dismiss the same with such costs as appear reasonable, *id. s.* 25.

48. No prisoner who is discharged under this act shall, after such discharge, be imprisoned by reason of the judgment so entered up against him in the name of such assignees as in *s.* 25., or of any judgment, decree or order obtained for payment of money only, or for debt, damages, or contempt of any court, ecclesiastical or civil, by nonpayment of money or costs, occasioned or growing due at the commencement of such actual custody, and expressed in such discharge, or shall be in prison for any costs, taxed or untaxed, to the payment of which he may be then liable in consequence of any contempt, or in order to the purging the same; but that upon every arrest or detainer in prison upon any such judgment or decree or order, or on account of any such debt, damage, contempt, costs, and sums, any judge of the court from which the process issued, upon showing to such judge a copy of the order for such discharge, attested by the proper officer of such court, may release from custody such prisoner, and if such judge shall think fit, may order the plaintiff or person suing out such process, to pay such prisoner the costs thereby incurred, or so much thereof as such judge shall deem just, such

prisoner causing a common appearance to be entered for him in such action, 1 *G.*4. *c.*119. *s.*26.

49. If any action of escape, or any action be brought against any judge, justice of peace, sheriff, gaoler, keeper of any prison, or any person, for performing the duty of his office in pursuance of this act, such judge, &c. or other person, may plead the general issue, and give this act in evidence; and if the plaintiff be nonsuited, or discontinues, or verdict pass against him, or judgment is had upon demurrer, the defendant shall have treble costs, *id. s.* 27.

50. After such court has declared any prisoner entitled to the benefit of this act, no *fieri facias* shall issue on any judgment before then obtained against such prisoner, for any debt contracted, or cause of action arising before commencement of such actual custody, except upon the judgment entered up by order of the court, as in *s.*25.; and if any *scire facias*, or action of debt, or any other suit, is brought against any prisoner, his or her heirs, executors, or administrators, upon any judgment obtained against such prisoner, or any statute or recognizance acknowledged by him or her, or any other cause arising before the commencement of such actual custody, by virtue of this act, except upon such judgment so entered up against such prisoner, as in *s.*25., such prisoner, his or her heirs, &c. may plead generally, that such prisoner was duly discharged according to this act, by the order by which such discharge was obtained, and that such discharge remains in force, without pleading any other matter specially, whereto the plaintiff shall reply generally, and deny the matters pleaded, or reply any other matter, which may show the defendant not to be entitled to the benefit of this act, or that such prisoner was not duly discharged according to the provisions hereof, in the same manner as the plaintiff might have replied, in case the defendant had pleaded this act and his discharge under it specially; and if the plaintiff be nonsuited, discontinues, or verdict passes against him, or judgment is had on demurrer, the defendant shall have double costs; provided that it shall be lawful to proceed against any prisoner so discharged upon any judgment, recognizance, or other security obtained, and which could not have been put in force against such prisoner at the time of his obtaining such discharge, *id. s.*28.

51. In case any such prisoner shall, after his discharge, become entitled to or possessed in his or her own right of any stock in the public funds, or of any bills of exchange, promissory notes, bank notes, or other choses in action, or other property which by law cannot be taken in execution under such judgment so to be entered up, as in *s.*25., and such prisoner shall refuse to convey, assign, or transfer such stock, bills, notes, choses, or other property, or sufficient to satisfy such judgment, the assignees of such prisoner may apply by petition in a summary way, setting forth the facts of the case, to the court, and pray that such prisoner may be taken and remanded to custody, notwithstanding such discharge; and if, upon examination by the court, and hearing as well the assignees as the prisoner, in case he appear, or the assignees only, in case he shall not, due notice having been given to him, it appears to the court that the contents of such petition are true, then such court shall so adjudge, and order the prisoner to be apprehended and remanded to custody, which shall in such cases be within the walls of the prison from whence such prisoner was discharged, and not within any rules thereof, until he shall convey, assign, and transfer such stock, bills, &c. or as much thereof as the court shall direct, towards the satisfaction of such judgment, to such assignees, for the general benefit of his creditors, *id. s.*29.

52. In case any person or body corporate shall, after the discharge of any such prisoner, become possessed of, or have under his or their control, any stock in the public funds, or any legacy, money due or growing due, bills of exchange, promissory notes, bank notes, securities for money, goods and chattels, or any other property belonging to such prisoner, or held in trust for him, or for his use, or to which such prisoner is in any way entitled; or in case any such person or body is in any manner indebted to such prisoner, such court, upon the application of any assignee or creditor of such prisoner, may cause notice to be given to such person or body, directing him or them to retain the property till the court shall make such further order concerning the same; and thereupon such court may further order such person or body to deliver over such property, and pay such debts, or part thereof, to the receiver of the court, or to the assignees of such prisoner, for the general benefit of his creditors entitled to claim under such judgment so entered as in *s.*25. aforesaid, *id. s.* 30.

53. The court to be established under this act shall admit at their discretion any number of fit persons to practise in such court as attornies or agents on behalf of such prisoners in such actual custody, which admissions shall, in all cases, be made without the payment of any fee, and shall be filed of record in such court; and in case any person not admitted on the files of such court shall practise therein as an attorney or agent on the behalf of any prisoner in such actual custody, he shall be deemed guilty of a contempt, *id. s.*31.

54. In cases wherein by this act an oath is required, the affirmation of a quaker shall be accepted in lieu, and every person making such affirmation, who shall be convicted of wilful false affirmation, shall suffer such penalties as are inflicted upon persons convicted of corrupt perjury, 1 *G.*4. *c.*119. *s.*32.

55. In case any prisoner shall, with intent to defraud his creditors, fraudulently omit in his schedule, as finally amended and filed in such court, at the time of the order for his discharge from such actual custody, any effects or property, or retain or except out of the schedule, as wearing apparel, bedding, working tools and implements, and other necessaries, more in value than 20*l.*, such person so offending, and any person aiding him to do the same, shall, upon being convicted, be adjudged guilty of a misdemeanor, and the court may sentence him to be imprisoned and kept to hard labour for not exceeding 3 years, *id. s.*33.

56. All affidavits to be used before such court, or any commissioner thereof, or any justices of peace at their general or adjourned sessions, or any examiner appointed under *s.*20. of this act, shall be sworn before such court, or any commissioner appointed by such court for the purpose of taking affidavits, or any master extraordinary in chancery, or commissioner for taking affidavits in any of the superior courts of *Westminster Hall*; and no conveyance, assignment, letter of attorney, affidavit, or other proceedings whatsoever before or under any order of such court, or before any justices of peace acting in the execution of this act, shall be liable to any stamp or other duty, *id. s.*34.

57. Three shillings, and no more, shall be paid to any printer of any newspaper for the insertion of any advertisement herein directed to be inserted in any newspaper, and all printers and proprietors of newspapers shall insert the same on payment of 3*s.* in such form as such court shall direct; and no such advertisement shall be liable to any stamp or other duty, *id. s.*35.

58. The court to be established under this act shall exercise all such powers respecting persons who have already obtained their discharge by virtue of 53 *G.*3. *c.*102., 54 *G.*3. *c.*23. and 56 *G.*3. *c.*102., or their estate and effects, or their assignees, as might have been exercised by the court established under such recited act, in case it had been continued, *id. s.*36.

59. All the records, papers, documents and money belonging to or received under the authority of the court established under such recited acts, shall, when the court to be established under this act has been fully constituted, be delivered over to the chief clerk of such last-mentioned court by the officer having the custody of the same; and shall be deemed to be the records of the court established under this act, *id. s.*37.

60. Nothing in this act shall entitle the assignees of such prisoner, being an officer of the army or navy, or in the naval or military service of the *East India* Co. or a beneficed clergyman or curate, to the pay or pension of such officer, or to the income of such benefice or curacy, for the purposes of this act; provided such assignees may apply for and obtain a sequestration of the profit of any such benefice for the payment of the debts of any such clergyman, and the order for such discharge shall be a sufficient warrant for granting of such sequestration without any writ or other proceedings, and such sequestration shall accordingly be issued, as the same might have been upon any writ of *levari facias*, founded upon any judgment against such clergyman; provided also, that such court may order such portion of the pay or half-pay or pension of any such officer of the army or navy, or naval or military service of the *East India* company, as on communication from such court to the secretary at war, or the admiralty, or the court of directors of the *East India* company, he or they may respectively consent to, by writing under the hand of the secretary at war, or the lords or secretary of the admiralty, or the secretary of the court of directors, to be applied in payment of his debts, and for that purpose to be paid to his assignees; and such order and consent being lodged in the office of the paymaster of H.M.'s forces, or of the treasurer of the navy, or the secretary of the court of directors, such paymaster or treasurer or secretary shall give directions accordingly, and such portion of the pay, half-pay or pension of such officer, as shall be specified in such order and consent, shall be paid to his assignees, until such court make order to the contrary, *id. s.*38.

61. The justices of peace acting for the several parts of *Kesteven* and *Holland* in the county of *Lincoln*, shall hold their several quarter sessions or other sessions for such parts or divisions respectively, by adjournment or otherwise, in the parts or division of *Lindsey*, in the county of *Lincoln*, for the purposes of this act, and shall meet and act therein for such purposes only, *id. s.*39.

62. This act shall not discharge any prisoner seeking the benefit of this act, with respect to any debt due to H.M., or to any debt or penalty with which he or she shall stand charged at the suit of the crown, or of any person for any offence committed against any act relative to customs, excise, stamp or salt duties, or any branches of the public revenue, or at the suit of any sheriff or other public officer upon any bail bond entered into for the appearance of any person prosecuted for any offence committed against any act relative to such revenues, unless three of the lords of H.M.'s treasury shall certify under their hands their consent to such discharge, *id. s.*40.

63. Any person who shall be imprisoned under any writ of *capias*, in any immediate extent issued and remaining in force at the instance or for the benefit of any surety, or other persons, or the inhabitants of any parish, ward or place who have advanced and paid the debt to the crown, and by reason whereof the lords of the treasury may not be authorized to give their consent, may apply to the barons of the court of exchequer in *Eng.* or *Scot.* for his discharge, giving one month's previous notice in writing to the surety or persons aforesaid, or to the churchwardens or overseers of the parish, ward or place, at whose instance or for whose benefit such extent shall remain in force, of his intention to make such application, and an enumeration and description of all his property, debts and effects in his own possession or power, or that of any other person for his use; and such court to whom such application is made, may order such person to be brought before them, or any baron of such court, to be examined upon oath touching his property and effects; and if such person shall, on such examination, make a full disclosure of all his property, and it shall otherwise appear to the satisfaction of the court reasonable that such person should be no longer imprisoned under such writ, such court or baron may order a writ of *supersedeas quoad corpus* to be issued out of such court for the liberation of such person; provided that no such liberation shall be deemed to satisfy or supersede such extent or any proceedings thereon, except as to such imprisonment, or the debts seized under the same, and for which such person shall be so imprisoned, 1 *G.* 4. *c.* 119. *s.* 41.

64. No prisoner against whom any commission of bankrupt has issued and shall remain in force, and who has not obtained a certificate of conformity under such commission, shall be entitled to be discharged under this act from any debt for which such prisoner shall be detained in custody, and which might have been proved under such commission, unless such prisoner has been so detained for 3 years before he shall apply for his or her discharge under this act, *id.* *s.* 42.

65. No person who has been discharged by virtue of this, or of any other act for the relief of insolvent debtors, shall again be entitled to the benefit thereof within five years, unless 3-4ths in number and value of his creditors shall signify their assent, or it is made appear, to the court to be established under this act, that such person has, since his or her former discharge, endeavoured by industry and frugality, to pay all just demands upon him or her, and has incurred no unnecessary expence, and that all debts incurred, subsequent to such former discharge, have been necessarily incurred for the maintenance of such person, or his or her family, or that the insolvency of such person has arisen from misfortune, or from inability to acquire subsistence for himself or herself, and family, *id.* *s.* 43.

66. If any person being a prisoner in any such prison, upon any such process (as in *s.* 4.), is of unsound mind, and therefore incapable of taking the benefit of this act, as he or she might if of sound mind, the gaoler or keeper of such prison shall require one justice for the county or place to attend at such prison and enquire into the state of mind of such prisoner; and thereupon, and also in case such justice shall receive information by other means, that any such prisoner is of unsound mind, such justice shall go to such prison, and by his own view, and by examination on oath of such person as he thinks fit, enquire into the state of mind of such prisoner; and if it then appear to such justice, that such prisoner is of unsound mind, and therefore incapable of taking the benefit of this act, such justice shall forthwith make a record of the fact, and certify the same to the court established under this act; and thereupon such court, at the instance of any person on behalf of such prisoner, may order notice to be inserted in the *London Gazette*, and in two public newspapers circulated in the neighbourhood of such prison, and of the usual residence of such prisoner, before he or she was committed, as such court sees fit, and shall in such order specify, that application will be made to such court for the discharge of such prisoner, on a day to be specified in such order, being 20 days from the day of publication of such one of such gazette and newspapers containing such notice as is last published; which notice, together with service of the like notice on the creditors at whose suit such prisoner is detained, or their attornies in such suit, shall be sufficient to authorize the court to discharge such prisoner, if otherwise entitled to such discharge, according to such act; and such court shall proceed, and discharge such prisoner, and do all other acts under this act, in case it appears that such prisoner might have been discharged under this act if of sound mind, *id.* *s.* 44.

67. The proper officer of the court established under this act, shall, on the request of such prisoner, or of any creditor, or his attorney, produce to such prisoner, creditors, or attorney, at such times as the court shall direct, such petition, schedule, order, and judgment, and all other orders and proceedings made in such matter; and a true copy of every such petition, &c. and other proceedings, signed by the officer in whose custody the same shall be, or his deputy, certifying the same to be true, without being written on stamped paper, shall be admitted, in all courts, as legal evidence of the same, *id.* *s.* 45.

68. The assignees of any such prisoner, who shall be discharged under this act, may apply to the court established under this act, that such prisoner may be further examined as to any matters relating to his or her estates and effects, either by such court, or by any justice for the county, or place where such prisoner then resides, and if such court shall direct such examination before any such justice, such justice shall call before him such prisoner, by such summons, or means as he thinks fit; and if he or she appears, shall examine him or her, upon oath or otherwise, as to such matters as such assignees desire, relating to his or her estate and effects; and if on payment or tender of payment of such reasonable charges as such justice judges sufficient, he or she shall neglect to appear, not having a lawful excuse allowed by such justice, or being come before such justice shall refuse to be sworn, or to answer such questions as such justice shall put, relating to his or her estate and effects, vested or intended to be vested in such assignees, as required by the order of such court, such justice shall certify such default to the court; and thereupon, and also in case such prisoner shall neglect to appear before such court to be examined, if the court shall so order, or appearing before such court shall refuse to be sworn, or to answer such questions as shall be put to him or her, relating to his or her estate or effects, then such court by warrant may commit such prisoner to the common gaol of any county or place, without bail, until such time as he or she shall submit to such court, and answer upon oath or otherwise to all such lawful questions as shall by such court be put or ordered to be put for such purposes, 1 *G.* 4. *c.* 119. *s.* 46.

69. The court to be appointed under this act shall after the end of 6 months after the appointment of assignee under this act, at the request of any one creditor, summon such assignees, and examine them, upon oath or otherwise, touching their receipts and payments, and order the money in their hands to be paid into such court, and that such dividend be made of the estate and effects of such prisoner as it may think proper; and in case any dividend shall remain in the hands of such assignees for 12 months next following the declaring thereof, such court shall direct that such unclaimed dividend shall be immediately paid into court; and in default of such payment by the time by the court limited, such court may make such summary remedy for the purpose, by a distress and sale of the goods of such assignees, as to them seems proper; and if no sufficient distress can be found, then such court shall commit the offender to the common gaol or house of correction, without bail, until such court shall order to the contrary, *id.* *s.* 47.

70. In all cases in which such court is by this act authorized to award costs, such court may cause such costs to be recovered in the same manner as costs awarded by a rule of any of the superior courts at *Westminster* may be, *id.* *s.* 48.

71. All petitions and other proceedings relating thereto, of all persons confined for debt, damages, costs or sums, or contempt for non-payment of money, and in the custody of the sheriffs of *London*, *Middlesex*, and of the warden of the *Fleet prison*, may, if such court shall think fit, be heard and determined at the *Guildhall* for the city of *London*, or at the sessions-house in the *Old Bailey*, or at such other place in the city of *London* as such commissioner shall appoint, *id.* *s.* 49.

72. All persons who have been discharged under any act for the relief of insolvent debtors from contempts for non-payment of money or costs, shall be deemed to have been discharged, not only from costs ordered to be paid, but also from all costs which such persons would be liable to pay in consequence of such contempts, or on paying the same; and also all persons from whose demands for costs any persons shall be discharged by virtue of this or any former act, shall be deemed to be creditors of such last mentioned persons, and entitled to the benefit of all the provisions made for creditors by such acts, *id.* *s.* 50.

73. Nothing in this act shall defeat the proceedings in any commission of bankrupt which may be issued against any prisoner who may claim the benefit of this act, before such prisoner has obtained his discharge under this act, but such commission shall have relation to avoid any assignment of the estate and effects of such prisoner under this act, as it would have had to avoid any assignment by such prisoner if this act had not been made, *id.* *s.* 51.

INSURANCE.

(STATUTES *repealed and expired.*)

1. TO PREVENT THE LAYING OF WAGERS, AND EFFECTING policies of insurance on the contingency of the present war, 7 *A.* *c.* 16. [EXP.]

2. TO PROHIBIT ASSURANCE ON SHIPS BELONGING TO *France*, and on merchandizes and effects laden thereon, during the present war with *France*, 21 *G.* 2. *c.* 4. [EXP.]

3. TO RESTRAIN THE MAKING INSURANCES ON FOREIGN SHIPS bound to and from the *East Indies*, 25 *G.* 2. *c.* 26. [REP. 31 *G.* 2. *c.* 27.]

4. FOR REGULATING INSURANCES ON SHIPS, AND ON GOODS, merchandizes, or effects, 25 *G.* 3. *c.* 44. [REP. 28 *G.* 3. *c.* 58. *s.* 1.]

(STATUTES *in force.*)

1. CONCERNING MATTERS OF ASSURANCE AMONGST MERCHANTS, 43 *El. c.* 12. [AMD. 13 & 14 *C.* 2. *c.* 23. and recital in *s.* 1.]

2. The lord chancellor may award under the great seal of *Eng.*, one standing commission, to be renewed yearly at least, for the hearing and determining of causes arising on policies of assurance entered within the office of assurances in *London;* which commission shall be directed unto the judge of the admiralty, the recorder of *London*, 2 doctors of the civil law, 2 common lawyers, and 8 discreet merchants, or to any 5 of them; which commissioners, or the greater part of them which shall sit, shall have power to hear, examine, and decree all such causes concerning policies of assurance in such summary course, as to them seems meet, without formalities of proceedings, 43 *El. c.* 12. *s.* 1.

3. Such commissioners as well may warn the parties to come before them as examine upon oath any witness, and commit any person that shall contemn their decrees; and they shall once every week at least sit upon the execution of such commission in the office of assurances, or some other place; and no person by this act may claim any fee for any cause concerning the same, *id. s.* 2.

4. Any person grieved by sentence of such commissioners, may within 2 months, exhibit his bill in chancery for the re-examination of such decree, so as every complainant before he exhibits such bill, do either execute the sentence awarded, or lay down *in deposito* with such commissioners such money as he is awarded to pay, and on so doing the complainant shall be enlarged of his imprisonment, and the chancellor may reverse or confirm such decree according to equity; and in every such suit brought by such assurers, and decreed against them, shall award double costs, *id. s.* 3.

5. No such commissioner shall intermeddle in the execution of such commission in any cause where himself is a party; nor any commissioner (other than the judge of the admiralty, and the recorder of *London*) shall proceed in the execution of any such commission, before he has taken his oath before the lord mayor [and court of aldermen, REP. 13 & 14 *C.* 2. *c.* 23. *s.* 1.] to proceed uprightly and indifferently between party and party, *id. s.* 4.

6. The lord chancellor may issue yearly or oftener, one standing commission, under the great seal of *Eng.*, empowering the commissioners mentioned in 43 *El. c.* 12. *s.* 1., or 3 of them (whereof a doctor of the civil law, or a barrister of 5 years standing to be one,) to make a court, and proceed, as by the act 43 *El. c.* 12. 5 might have done; and such commissioners may summon parties and witnesses, and in case of contempt in the witnesses upon the first summons and tender of reasonable charges, and in the parties upon their second summons, may punish the offenders by imprisonment or costs, as they think fit; and every such commissioner may proceed in the execution of such commission, having first taken an oath before the lord mayor of *London*, only to proceed uprightly and indifferently between party and party; and no person shall proceed in the execution of such commission before he be so sworn before the lord mayor, 13 & 14 *C.* 2. *c.* 23. *s.* 2.

7. In case such commissioners find cause to examine witnesses beyond the seas, or any remote parts of H. M.'s dominions, like commissions or process shall issue out of the court of admiralty, as have formerly been returnable before such commissioners; and such commissioners may give their final sentence and executions, as well against the body of the party evicted or his goods, as also against the executors and administrators of such party, and assess such costs on the party convicted, as to them seems just, *id. s.* 3.

8. One commissioner may administer an oath to any witness legally summoned, timely notice being given to the adverse party, and set up in the office before such examination, an order that such witness may be cross-examined, *id. s.* 4.

9. Such commissioners shall in no case proceed both against person and goods for one debt; and nothing in this act shall prejudice the appeal to chancery, *id. s.* 5.

10. TO PREVENT INSURANCES ON MARRIAGES, BIRTHS, christenings, or service, 9 *A. c.* 6. *s.* 56. [This title is framed from the preamble to this section.]

11. Every person who shall erect or set up any office, or place for making assurances on marriages, births, christenings, and service, or any of them, shall forfeit 500*l.*, to be recovered by information or action in any court at *Westminster*, wherein no essoin, &c. and only one imparlance allowed, and to go one third to H. M., one third to the poor of the parish where the offence was committed, and one third to the informer with costs; and every person, who in any office set up before 8*th March*, 1710, shall permit any such insurance to be made, shall forfeit 100*l.*, to be recovered and distributed in like manner, *id. ibid.*

12. EVERY PERSON WHO SHALL KEEP ANY OFFICE for making insurances on marriages, births, christenings, or service, or any office under the denomination of sales of gloves, of fans, of cards, of numbers, of H. M.'s picture, for the improvement of small sums, or the like offices under that pretence, shall forfeit 500*l.*, to be recovered and distributed as in 9 *A. c.* 6. *s.* 56. (*last pl.*); and every printer, or other person, who shall, by writing or printing, publish the setting up, or keeping any office or place under any such or the like denominations, for the improvement of small sums, shall forfeit 100*l.* to be recovered and distributed, as the last mentioned penalty is, 10 *A. c.* 26. *s.* 109.

13. TO REGULATE INSURANCE ON SHIPS BELONGING TO THE subjects of *G. B.*, and on merchandizes or effects laden thereon, 19 *G.* 2. *c.* 37. [AMD. 28 *G.* 3. *c.* 56.]

14. No assurance shall be made by any person or bodies corporate on any ship belonging to H. M. or any of his subjects, or on any goods on board any such ship, interest or no interest, or without further proof of interest than the policy, or by way of gaming or wagering, or without benefit of salvage to the assurer; and every such assurance shall be void, 19 *G.* 2. *c.* 37. *s.* 1.

15. Assurance on private ships of war fitted out by H. M.'s subjects solely to cruise against his enemies, may be made by or for the owners, interest or no interest, free of average, and without benefit of salvage to the assurer, *id. s.* 2.

16. Any merchandizes or effects from any port in *Europe* or *America*, in the possession of the crowns of *Spain* or *Portugal*, may be assured, in such manner as if this act had not been made, *id. s.* 3.

17. It shall not be lawful to make re-assurance, unless the assurer be insolvent, become a bankrupt, or die; in either of which cases such assurer, his executors, administrators or assigns, may make re-assurance, to the amount of the sum before by him assured; provided it be expressed in the policy to be a re-assurance, *id. s.* 4.

18. All money to be lent on bottomry, or at *respondentia*, on any ship belonging to any of H. M.'s subjects, bound to or or from the *East Indies*, shall be lent only on the ship, or on the effects on board, and shall be so expressed in the condition of the bond; and the benefit of salvage shall be allowed to the lender, his agents or assigns, who alone shall have a right to make assurance on the money so lent; and no borrower on bottomry, or at *respondentia*, shall recover more on any assurance than the value of his interest on the ship, or in the effects on board exclusive of the money so borrowed; and in case it appear that the value of his share in the ship or effects doth not amount to the sum he hath borrowed, he shall be responsible to the lender for so much thereof as he hath not laid out on the ship or merchandizes laden thereon, with lawful interest for the same, together with the assurance and all other charges thereon, in the proportion the money not laid out bears to the whole money lent, notwithstanding the ship and merchandizes be totally lost, *id. s.* 5.

19. In all actions brought by the assured upon any policy of assurance, the plaintiff or his agent shall, in 15 days after required so to do in writing by the defendant or his agent, declare in writing what sum he hath assured in the whole, and what sums he hath borrowed at *respondentia* or bottomry, for the voyage or any part of the voyage in question, *id. s.* 6.

20. Any person or body corporate sued on any policy of assurance, may bring into court any sum of money; and if any such plaintiff refuse to accept such sum with costs to be taxed in discharge of such action, and afterwards proceed to trial, and the jury shall not assess damages exceeding the sum brought into court, he shall pay to such defendant costs to be taxed, *id. s.* 7.

21. No person shall make or cause to be made, any policy of assurance upon any ship, goods, or other property, without first inserting therein the name, or usual style and firm of dealing of one of the persons interested therein; or without, instead thereof, first inserting in such policy the name of the usual style and firm of dealing of the consignor, or consignee of the goods, &c. insured; or the name, or usual style and firm of the person residing in *Great Britain*, who shall receive the order for such policy, or of the person who shall give the order to the agent, immediately employed to negociate the same, 28 *G.* 3. *c.* 56. *s.* 1.

22. Every policy of insurance, made or under-wrote contrary to his act, shall be void, *id. s.* 2.

23. FOR REGULATING INSURANCES ON LIVES, and for prohibiting all such insurances, except in cases where the insurers have an interest in the life or death of the persons insured, 14 *G.* 3. *c.* 48.

24. No insurance shall be made on the life or lives of any persons, or on any other event, wherein the person for whose use, or on whose account such policy is made, shall have no interest, or by way of gaming or wagering; and every assurance made contrary hereto shall be void, *id. s.* 1.

25. It shall not be lawful to make any policy on the life of any person or other event, without inserting in such policy the persons' names interested therein, or for whose use such policy is made or under-wrote, *id. s.* 2.

26. Where the insured hath interest in such life, or event, no greater sum shall be recovered from the insurer than the amount or value of the interest of the insured therein, *id. s.* 3.

27. Nothing herein shall extend to insurances *bonâ fide* made by any person on ships, goods, or merchandises: but such insurance shall be valid, 14 *G.*3. *c.*48. *s.*4.

28. FOR BETTER SECURING CERTAIN POWERS AND PRIVILEGES intended to be granted by H. M., by two charters for assurance of ships and merchandises at sea, and for lending money on bottomry, and for restraining several extravagant and unwarrantable practices therein mentioned, 6 *G.*1. *c.*18. [Money to be paid under such charters in part remitted, 7 *G.*1. *S.*1. *c.*27.; AMD. 8 *G.*1. *c.*15. *s.*25., 11 *G.*1. *c.*30. *s.*43.; EXT. to *America*, 14 *G.*2. *c.*37., which see, *tit.* AMERICAN COLONIES, *pl.* 11.; see as to assuring craft, &c. employed in inland navigation, 1 *G.*2. (U. K.) *c.*lvii.]

29. H. M. may by one charter under the great seal of *G. B.* grant that persons therein named, and all others who shall be admitted members into their corporations, shall be one distinct body politic and corporate for the assurance of ships, goods, and merchandises at sea, or going to sea, and for lending money on bottomry, by such name as H. M. may think proper, and H. M. may likewise grant the same by another such charter, and such corporations by their names shall have perpetual succession, subject to the redemption or revocation hereinafter provided, and may choose their governors, directors, and other officers, in such manner, and under such qualifications as shall be prescribed by such charter; and such governors and directors shall continue in office for 3 years, and in case of death or removal, shall be supplied as in their charters prescribed, and each of such corporations shall have a common seal, and may break or alter the same as they think fit, and shall be capable in law to take, purchase, and enjoy messuages, lands, or tenements, not exceeding the value of 1000*l. per annum*, and may grant, alien, or demise the same at their free wills, and may sue and be sued, answer and be answered in the courts of record, or elsewhere, in all actions concerning the assurance of ships, goods, or merchandises at sea, or lending money upon bottomry, or any other thing concerning the same corporations, 6 *G.*1. *c.*18. *s.*1.

30. Each of such corporations shall pay into the exchequer for the use of H. M. 300,000*l.* to discharge the debts of his civil government, (*s.*2.) and on failure of payment within the times hereby limited, the corporations may be sued, and in same cases determined, *id. s.*3. [EXP.; 111,250*l.* paid by such company, and residue remitted, 7 *G.*1. *S.*1. *c.*27. *s.*26.]

31. Each of such two corporations shall be obliged to cause such stock of ready money to be provided, as shall be sufficient to answer all just demands on their policies for losses, and shall satisfy the same according to such policies; and in case of neglect, the parties assured, or their executors, administrators, or assigns may bring an action of debt, &c. in any court of record at *Westminster*, wherein no essoin, &c. and only one imparlance shall be allowed, in which the plaintiffs may declare that the same corporation is indebted to them in the monies demanded, and have not paid the same according to this act; and thereupon the plaintiffs shall recover against the corporation so neglecting *double* damages, besides full costs, and the stock and effects of such corporation shall be subject thereto, 6 *G.*1. *c.*18. *s.*4. [but see next *pl.*]

32. So much of 6 *G.*1. *c.*18. *s.*4. as subjects such corporations to pay double damages besides full costs, shall be REP. and single damages only with costs shall be recovered, 8 *G.*1. *c.*15. *s.*25.

33. In all actions of debt or covenant sued against either of such corporations upon any policy of assurance under the common seal of such corporation for the assuring of any ship, goods, or merchandise at sea, or going to sea, such corporation may in case of actions of debt, plead generally, that they owe nothing to the plaintiff, and in actions of covenant, that they have not broke the covenants in such policy contained, or any of them, and if issue is joined therein, the jury if they see cause may find a verdict for the plaintiff, and give such part only of the sum demanded in such action of debt, and such damages only in such actions of covenant as appear to them, on evidence given at the trial, due to the plaintiff in justice, 11 *G.*1. *c.*30. *s.*43.

34. Each of such corporations shall be obliged by this act and their charters to raise such sum as H. M. therein may direct, not exceeding 1,500,000*l.* in the way and proportions in their charters directed, to be called the capital stock of such corporations, 6 *G.*1. *c.*18. *s.*5.

35. Such corporations in general courts, authorized to be held pursuant to such charters, may raise such capital stocks, either by taking subscriptions of particular persons, or by calls of money from their members, or by such other ways, as to such general courts seem expedient; and all subscribers, their executors, administrators, and assigns, shall have a share in such capital stock, and in the profits attending the same, and shall be admitted members; but no person shall be entitled to any greater share in the stock than the money which they shall have paid, *id. s.*6.

36. The corporations shall have power in their general courts to call in from their members proportionably, according to their shares in the capital stock, any further sums as shall be judged necessary, and all executors, &c. guardians, trustees, and mortgagees shall be indemnified, and may pay the money so called for; and in case any member shall refuse to pay his share at the times appointed by notice in the *London Gazette*, and upon the *Royal Exchange*, such corporation may not only stop the dividends payable to such member, and apply the same to the payment of the money so called for, but also stop the transfer of the shares of such defaulter, and charge him with interest at 8*l. per cent. per annum*, from the time the money was called for until it is paid, and the shares of such defaulter shall be liable to answer the money so appointed to be paid, and interest; and if the principal and interest shall be unpaid for 3 months, such corporations, or their courts of directors, may authorize persons to sell so much of the stock of such defaulter as will satisfy the same; and the money so called in shall be deemed capital stock, and written in the books of such corporations, and the members paying the same shall have credit for their shares thereof in such books: nevertheless such corporations, in a general court, may cause any sums called in to be divided amongst the then members, and the shares in the capital shall be proportionally abated, 6 *G.*1. *c.*18. *s.*7.

37. For enabling the corporations to lend money on parliamentary securities, they shall have power to borrow money upon bills or bonds, under their common seal, at such interest, for any time not less than 6 months, as they shall think fit, so as the principal so borrowed shall not exceed the principal monies then owing to them on such parliamentary securities; and such bills or bonds shall not be chargeable with stamp duties, *id. s.*8.

38. The shares in such capital stock shall be transferable and devisable, and their bills and bonds shall be assignable and recoverable, as H. M. by the charters shall prescribe, as well in relation to such shares, as to such bills and bonds, and such capital stock and shares, and interest thereof shall be adjudged in all courts a personal, and not a real estate, and shall go to the executors, or administrators, and not to the heir, *id. s.*9.

39. Such stock, and the shares and interest thereof shall be exempted from taxes; and no governor, director, or other officer of such corporations, shall for that cause be disabled from being a member of parliament, nor in respect of such share be liable to become bankrupt; and no stock in the corporations shall be subject to foreign attachment by the custom of *London*, or otherwise, *id. s.*10.

40. H. M. by such charters may grant to each of such corporations power to make bye laws, and such further powers relating to the assurance of ships, &c. or lending money upon bottomry, as to him shall seem meet, and subject such corporations and the powers granted to them to such restrictions as therein may be expressed, *id. s.*11.

41. All other corporations, and all partnerships for assuring ships or merchandizes at sea, or for lending money upon bottomry, shall be restrained from underwriting any policies, or making any contracts for assurance of ships or merchandizes at sea, or going to sea, or for lending money by way of bottomry. And if any corporation, or persons acting in such partnership (other than the 2 corporations to be established), shall under-write any such policy, or make any such contract for assurance of ships, &c. or agree to take any premium for such policies, every such policy shall be void, and every sum so under-written shall be forfeited, and may be recovered, one moiety to the use of H. M. and the other to the person who shall sue for the same, in any court of record at *Westminster*, wherein no essoin, &c. and only one imparlance shall be allowed; and if any corporation, otherwise than as aforesaid, or persons acting in such partnership agree to lend money by way of bottomry, contrary to this act, the security shall be void, and such agreement shall be adjudged an usurious contract, and the offenders shall suffer as in cases of usury: nevertheless, any particular person may under-write any such policies, or may lend money by way of bottomry, so as the same be not on the account or risque of a corporation, or of persons acting in partnership, *id. s.*12.

42. If any person shall forge or counterfeit the common seal of either of such corporations, or forge, counterfeit, or alter any policy, bill, bond, or obligation, under such common seal, or shall offer to dispose of, or pay away any such forged, counterfeit, or altered policy, &c. knowing the same to be such, or shall demand the money thereon from such corporations or their officers, knowing such policy, &c. to be forged, &c. with intent to defraud either of such corporations or any other person, such person shall be guilty of felony, and suffer as in cases of felony, without clergy, *id. s.*13.

43. No person shall be capable of being elected governor, sub-governor, deputy-governor, or director, of either of such corporations, during the time he shall be governor, &c. of the other corporation; and if any governor, &c. or member of either of such corporations, having any share in the capital stock of that corporation, shall, in his own name, or in the name of any other, in trust for such governor, &c. or member, purchase any share in the stock of the other corporation, the share so purchased shall be forfeited, one moiety to the use of H. M., and the other to the prosecutor, to be recovered as before (in *s.* 12.) mentioned, *id. s.*14.

44. Upon 3 years' notice to be printed in the *London Gazette*, and affixed upon the *Royal Exchange*, by authority of parliament, at any time *within* 31 years, to be reckoned from the dates of the 2 charters, and upon payment by parliament to the corporations of 300,000*l.* without interest, such corporations shall cease, 6 *G.* 1. *c.* 18. *s.* 15. [EXP.]

45. If after the expiration of 31 years, H. M. shall judge the farther continuance of such corporations to be hurtful to the public, then, by letters patent under the great seal, he may make void the same corporations; and the same shall become void accordingly, without any inquisition, *sci. fa.* or other thing to make void the same, (*id. s.* 16.); and in case such corporations shall be so revoked, the same corporation, with like powers and privileges, shall not be grantable again to any person or corporation, but shall be suppressed for ever, *id. s.* 17.

46. All undertakings by public subscriptions, relating to fisheries and other affairs of trade, and acting as corporate bodies without charter, or under charters intended for other purposes, or under obsolete charters, and tending to the common grievance of H.M.'s subjects in their trade, and all public subscriptions, receipts, payments, transfers, and other things for proceeding in such undertaking, and particularly the acting as a corporate body, the raising transferable stocks, the transferring any share in such stocks without legal authority; and all acting under any charter formerly granted for particular purposes therein expressed, by persons who shall use or endeavour to use the same charters for raising a capital stock, or for making transfers of such stock not intended by such charter, to be raised or transferred, and all acting under any obsolete charter become void or voidable by non-user or abuser, or for want of making lawful election, shall be deemed illegal and void, *id. s.* 18.

47. All such unlawful undertakings and all such proceedings (as in *s.* 18.) shall be deemed public nuisances, and all causes relating thereto shall be heard and determined as such, and all offenders therein being convicted upon information or indictment in any of H.M.'s courts of record at *Westminster*, *Edinburgh*, or *Dublin*, shall be liable to such punishments whereto persons convicted for public nuisances are by any laws of this realm liable; and shall moreover incur such farther pains, &c. as were provided by the statute (of provision and *præmunire*, 16 *R.* 2. *c.* 5.) *id. s.* 19.

48. If any merchant or trader shall suffer any particular damage by occasion of any undertaking, &c. by this act declared unlawful, he shall have his remedy by action on this statute against the persons or societies engaged therein, contrary to this act, in any court of record, wherein no essoin, &c. and only one imparlance shall be allowed, and shall recover treble damages with costs, 6 *G.* 1. *c.* 18. *s.* 20. [*See* 14 *G.* 2. *c.* 27. AMERICAN COLONIES, *pl.* 11.]

49. If any broker, or person acting as a broker, for himself or in behalf of any others, shall bargain, sell, or buy, or contract for any share or interest in any of the undertakings hereby declared unlawful, he shall not only be disabled to act as broker, but shall also forfeit 500*l.*, one moiety to H.M., the other to the informer, in any court of record, with costs, 6 *G.* 1. *c.* 18. *s.* 21.

50. Nothing herein shall extend to any undertakings established before 24th *June*, 1718. (*s.* 22.); this act shall not prejudice the 2 corporations, hereby intended to be erected, for assurance of ships, &c., *id. s.* 23.

51. This act shall not hinder the *South Sea* company from enjoying such powers as belong to them, as before this act except as to insurance upon ships and merchandise at sea or going to sea, *id. s.* 24.

52. This act shall not restrain the carrying on of any home or foreign trade in partnership, as heretofore might be legally done, except only as to the insuring of ships, and lending money on bottomry, *id. s.* 25.

53. The *South Sea* company and the *East India* company may advance on the bottom of any ship or vessel, and on goods on board of any vessel in the service of such companies, to any commanders, agents, sailors, servants, or other persons employed in such service, any sum by way of bottomry, *id. s.* 26.

54. Nothing in this act shall extend to any corporation formerly erected for the carrying on a trade, which they have publicly continued to exercise: or to subscriptions for enlarging the capital stock of the *South Sea* company, *id. s.* 27.

55. Nothing herein shall hinder the *East India* company from enjoying all such powers, &c. as belong to them; or which they might have done before this act, *id. s.* 29.

56. If any governor, &c. or member, as in *s.* 14. *pl.* 42., of either of such corporations, shall advance to H. M. any money by way of loan, or anticipation on any branch of the revenues, that now or hereafter may belong to H. M., other than on such funds or branches on which a credit-loan may be granted by parliament; such governor, &c. or either of them, who shall consent or agree to, or approve thereof, shall on conviction forfeit treble the value of the sum so lent, whereof 1-5th shall be to the informer, to be recovered in any court of record at *Westminster*, by action of debt, &c. or information, wherein no essoin, &c., privilege of parliament, or other privilege shall be allowed; and the residue shall be at the disposal of parliament, *id. s.* 29.

57. When any vessel, goods, or merchandises, shall be insured, a policy duly stamped shall be issued, or made out within 3 days at furthest, and the insurers neglecting so to do, shall forfeit 100*l.*, to be sued for and recovered, and divided in such way as other penalties may be, by the laws relating to the stamp duties; and all promissory notes for assurances or insurances of ships or goods, at sea or going to sea, shall be void, and nothing shall be recovered thereon, 11 *G.* 1. *c.* 30. *s.* 45. [see *s.* 44. *tit.* STAMPS (*INSURANCE, POLICIES OF*).]

INTRUSION.

1. TO ADMIT THE SUBJECT TO PLEAD THE GENERAL ISSUE in informations of intrusion, brought on behalf of H. M., and retain his possession till trial, 21 *J.* 1. *c.* 14.

2. Whensoever H. M., his heirs, or successors, and such under whom H. M. claims, and all others claiming under the same title under which H. M. claims, hath been or shall be out of possession for 20 years, or hath not taken the profits of any lands, tenements, or hereditaments, within 20 years before any information of intrusion brought to recover the same, the defendant may plead the general issue if he think fit, and shall not be pressed to plead specially; in which cases defendant shall retain the possession he had at the time of such information exhibited, until the title be tried, found, or adjudged for H. M., *id. s.* 1.

3. Where an information of intrusion may fitly be brought on H. M.'s behalf, no *scire facias* shall be brought, whereunto the subject shall be forced to a special pleading, and deprived of the grace intended by this act, *id. s.* 2.

IRELAND (*PARLIAMENT*).

1. THE UNITED KINGDOM SHALL BE REPRESENTED BY ONE PARLIAMENT, styled "*The Parliament of the United Kingdom of Great Britain and Ireland*," 39 & 40 *G.* 3. *c.* 67. *Article* 3.; [see rest of act of Union, IRELAND (*Union*).]

2. Four lords spiritual of *Ire.* by rotation of sessions, and 28 lords temporal of *Eng.*, elected for life by the peers of *Ire.*, shall be the number to sit and vote on the part of *Ire.* in the H. of L. of the parliament of the U. K. and 100 commoners, (2 for each county, 2 for the city of *Dublin*, 2 for *Cork*, one for *Trinity College University*, and one for each of the 31 most considerable cities, towns, and boroughs) shall be the number to sit and vote on the part of *Ire.* in the H. of C. of the parliament of the U. K., *id. Art.* 4. *s.* 1., [and see *infra*, *Art.* 8. *s.* 2. *pl.* 14.]

3. Such act as shall be passed in the *Irish* parliament, previous to the union, (*viz.* 40 *G.* 3. *Ir. c.* 38. *infra*, *pl.* 13.) to regulate the mode by which the lords and commons to serve for *Ire.* in the parliament of U. K. shall be summoned and returned, shall be considered part of the treaty of union, and incorporated in the statutes ratifying the same, *id. Art.* 4. *s.* 2., [*see infra*, *pl.* 13.]

4. All questions touching the rotation or election of lords spiritual or temporal of *Ire.* to sit in the parliament of U. K., shall be decided by the H. of L. thereof, and whenever from equality of votes, a complete election is not made, the names of the peers having such equality of votes shall be written on similar pieces of paper, and put into a glass by the clerk of the parliaments, at the table of the H. of L. whilst the house is sitting, and the peer or peers whose name or names shall be first drawn out by him, shall be deemed elected, *id. Art.* 4. *s.* 3.

5. No person holding any peerage of *Ire.* now subsisting, or hereafter to be created, shall be thereby disqualified from serving in parliament for any county, city or borough of *G. B.*, in the H. of C., unless previously elected, as above, to it, in the H. of L. of the U. K.; but so long as he shall so continue a member of the H. of C., he shall not be entitled to the privilege of peerage, nor be capable of being elected to serve as a peer on the part of *Ire*, or of voting at such election, and shall be liable to be sued, indicted, and tried as a commoner for any offence with which he may be charged, *id. Art.* 4. *s.* 4.

6. H. M. may create peers of *Ire.*, and make promotions in its peerage after the union, at the rate of one such creation for every 3 *Irish* peerages becoming extinct after that time; and if *Irish* peers shall by extinction or otherwise, be reduced to 100, exclusive of such peers of *Ire.*, who shall hold any peerage of *G. B.*, subsisting at, or of U. K., created since the union, by which they shall be entitled to an hereditary seat in the H. of L. of the U. K., then H. M. may create one peer of *Ire.* as often as any one of such peerages shall become extinct, or as often as any peer of *Ire.* shall become entitled by descent or creation to any hereditary seat in the H. of L. of U. K.; so that the peers of *Ire.* shall be kept up to 100, above the number of such peers entitled by descent or creation to hereditary seats in the H. of L. of U. K., *id. Art.* 4. *s.* 5.

7. Any peerage in abeyance, shall be deemed an existing peerage, and none shall be deemed extinct, unless on default of claimant to its inheritance for one year from the death of the person last possessed

thereof; and if no claim be made to its inheritance, as may be prescribed by the H. of L. of U. K., it shall be deemed extinct; but nothing herein shall exclude any person from putting in a claim to the peerage, so deemed extinct, and if allowed as valid by judgment of the H. of L. of U.K. reported to H. M., such peerage shall be considered revived; and if any new *Irish* peerages be created in the interval, in consequence of the supposed extinction of such peerage, no new right of extinction shall take place at the next extinction of an *Irish* peerage, 39 & 40 *G.3, c.67, Art.* 4. *s.*6.

8. All questions touching the election of members to sit on the part of *Ire.* in the H. of C. of the U. K., shall be decided as questions touching such elections in *G. B.*, now are, or at any time hence, shall by law be decided subject to such particular regulations for *Ire.*, which from local circumstances the parliament of U. K. may deem expedient, *id. Art.* 4. *s.*7.

9. The qualifications in point of property of the members of the H. of C. for *Ire.*, shall be the same as those provided by law for counties, cities, and boroughs in *Eng.*, unless otherwise hereafter provided by statute, *id. Art.* 4, *s.*8. [*May be in Eng., Wa., Ber., or Ire.*, 41 *G.*3. (*U.K.*) *c.*131. *s.*23. or *Scot.*, 59 *G.*3. *c.*37. *s.*1.]

10. When H. M. shall declare his pleasure for holding any parliament of U. K., a proclamation shall issue under the great seal of U. K., to cause the lords spiritual and temporal, and commons, who are to sit for *Ire.* to be returned, as provided by 40 *G.*3. *c.*38. *Ir.* (see *Art.* 4. *s.*2. *pl.*3.) and the lords spiritual and temporal and commons of *G. B.*, and those returned as above for *Ire.*, shall constitute the 2 houses of parliament of the U. K., 39 & 40 *G.*3. *c.*67. *Art.* 4. *s.*9.

11. H. M. may under the great seal of *G. B.*, declare the present parliament of *G. B.* to be the first parliament of U.K. on the part of *G. B.*, and they with the peers and commons, [*the then* existing commons of *Ire. id. art.* 7. *s.*2.] returned for *Ire.*, shall be the lords and commons of the first parliament of U. K., *id. Art.* 4. *s.*10.

12. The lords of parliament for *Ire.* in the house of lords of U.K., shall at all times have the same privileges of parliament which belong to the lords of parliament for *G. B.*, and the lords spiritual and temporal for *Ire.* shall have the same rights in respect of sitting and voting on the trial of peers as those lords respectively on the part of *G. B.*; and the lords spiritual of *Ire.* shall have rank and precedency next after those of the same rank of *G. B.*, and shall fully enjoy all their privileges except that of sitting in the house of lords, and on the trials of peers; and the persons holding temporal peerages of *Ire.* existing after the time of the union, shall, after the union, have rank after all peerages of the like degrees in *G. B.* subsisting at the union; and all peerages of *Ire.* created after the union, shall rank, &c. with peerages of U.K. so created, according to the dates of creation; and all peerages of *G. B.* and *Ire.* shall in all respects be considered peerages of U.K.; and the peers of *Ire.* shall, as peers of U.K., be sued and tried as peers except as above, and shall enjoy all privileges of peers as fully as those of *G. B.*, the privileges of sitting in the house of lords and those dependent thereon, and that of sitting on the trial of peers excepted, *id. Art.* 4. *s.*11.

13. To REGULATE THE MODE BY WHICH THE LORDS SPIRITUAL and temporal, and the commons to serve in the parliament of U. K. on the part of *Ire.* shall be summoned and returned thereto, 40 *G.*3. (*Ir.*) *c.*38. [This act forms part of the treaty of union, see *Art.* 4. *s.* 2. *supra*, *pl.*3. and is incorporated in the acts of union of the respective parliaments of both countries, and is recited in 39 & 40 *G.*3. *c.*67. *Art* 8. *s.*2.]

14. The 4 lords spiritual of *Ire.* shall sit in this order, *viz.* one of the 4 archbishops, and 3 of the 18 bishops of *Ire.* shall sit in the house of lords of the united parliament in each session, such right of sitting being regulated as between them by rotation among the sees; the primate of all *Ire.* sitting in the 1st session, the archbishop of *Dublin* in the 2d; of *Cashel* in the 3d, of *Tuam* in the 4th, and so by rotation of sessions for ever, notwithstanding dissolution or expiration of parliament; three suffragan bishops shall sit from session to session in this order; the bishops of *Meath*, *Kildare*, and *Derry* in the 1st session; of *Raphoe*, *Limerick*, &c. and of *Dromore* in the 2d.; of *Elphin*, *Doum*, &c. and of *Waterford*, &c. in the 3d.; of *Leighlin* and *Ferns*, of *Cloyne*, and of *Cork*, in the 4th.; of *Killaloe*, *Kilmore*, and *Clogher*, in the 5th.; of *Ossory*, *Killala*, &c. and *Clonfert*, &c. in the 6th session of the parliament of U. K.; such rotation to be subject to the rotation hereinafter provided, 40 *G.*3. *c.*31. *Ir.* as recited and confirmed, *Art.* 8. *s.* 2.

15. The 28 lords temporal shall be there chosen by all the lords temporal of *Ire.*, each of them being entitled to sit in the parliament of U. K. for life; and in case of their death or forfeiture, the vacancy shall be thus filled up, *viz.* 'after providing for the election of the first 28 temporal peers to serve in parliament for *Ire.*' *future elections are thus regulated;* whenever the seats of any of the lords so elected shall be vacated by decease or forfeiture, the chancellor of the great seal of U. K. on receiving a certificate under the hand and seal of any two lords temporal of the parliament of U. K. certifying the decease of any such peer, or on view of the record of his attainder shall direct a writ to be issued under the great seal of U. K. to the chancellor, keeper, or commissioners of the great seal of *Ire.*, directing him to cause writs to be issued by the clerk of the crown there, to every temporal peer of *Ire.* intitled to sit in the H. of L. of *Ire.* before the union, or whose right to vote at such elections shall, on claim made in his behalf, have been admitted by that house before the union or after it by the H. of L. of U. K.; and notice of the issuing such writs, and of the names and titles of the peers to whom they are directed, shall be published by such clerk of the crown, in the *London* and *Dublin* gazettes; which writs shall have annexed a form of return with a blank for the peer elected, and shall enjoin each peer in 52 days from *teste* of writ to return same into the crown-office of *Ire.* with the blank filled up, by inserting the name of the peer for whom he shall vote to succeed to such vacancy, which writs and returns shall be bipartite, and the name of the peer chosen shall be written on each part, which shall also be respectively subscribed by the peer to whom directed, and sealed with his seal of arms, one part thereof to remain in the crown-office of *Ire.*, and the other to be certified by the clerk of the crown to the clerk of the parliament of U. K. and no peer of *Ire.* (except such as have been elected representative peers for *Ire.* in the H. of L. of U. K., and have there taken the oaths and signed the declaration prescribed by law) shall on pain of suffering such punishment as that house shall award, make a return to such writ, unless after the issue or before the return day thereof, he shall have taken the oaths and signed the declaration by law required to be taken and signed by lords of U. K. before they can sit or vote in the parliament thereof, which shall be either taken and subscribed in the chancery, or before a justice of peace of *Ire.* and a certificate thereof signed by the register of the court or such justices, shall be transmitted by such peer with the return, and shall be annexed to that part thereof remaining of record in the crown-office of *Ire.*, and the name of the peer chosen shall be published as above, and he shall sit and vote in the H. of L. of the U. K. for life, and in case the votes are equal, the names of the parties shall be written on pieces of paper of similar form, and put into a glass by the clerk of parliament of U. K. at the table of the H. of L. whilst the house is sitting, and the peer whose name is first drawn out by such clerk shall be deemed the peer elected, 40 *G.*3. *c.*38. *Ir.* as recited and confirmed, 39 & 40 *G.*3. *c.*67. *Art.* 8. *s.*2.

16. In case any lord spiritual being a temporal peer of U.K. or of *Ire.* is chosen by the lords temporal one of the representatives, then during his life the rotation of representation of the spiritual lords shall proceed to the next spiritual lord in rotation, without regard to the spiritual lord so chosen a temporal peer; *i. e.* if such spiritual lord is an archbishop, the rotation shall proceed to the archbishop whose see is next in rotation, and if a suffragan bishop, the rotation shall proceed to the suffragan bishop whose see is next in rotation, 40 *G.*3. *c.*38. (*Ir.*) as recited and confirmed, *id. ibid.*

17. Of the 100 commoners to sit for *Ire.* in the united parliament, 64 shall be chosen for the counties, *viz.* for each county 2; and 36 for these cities and boroughs, *viz.*

Armagh 1.	Drogheda 1.	Limerick 1.
Athlone 1.	Dublin, (City) 2.	Lisburne 1.
Bandon Bridge 1,	(Trinity College) 1.	Londonderry 1.
Belfast 1.	Dundalk 1.	New Ross 1.
Carrickfergus 1.	Dungannon 1.	Newry 1.
Cashel 1.	Dungarran 1.	Portarlington 1.
Catherlough 1.	Ennis 1.	Sligo 1.
Clonmell 1.	Enniskillen 1.	Tralee 1.
Coleraine 1.	Galway 1.	Waterford 1.
Cork 2.	Kilkenny 1.	Wexford 1.
Downpatrick 1.	Kinsale 1.	Yonghall 1.

40 *G.*3. *c.*38. (*Ir.*) as recited and confirmed, *id. Art.* 8. *s.*2.

18. When a new parliament is summoned, or if any seat becomes vacant by death or otherwise, the above counties, cities, and boroughs, shall proceed to a new election; and all towns, cities, or boroughs, other than the above, shall cease to elect M. P.s and no meeting shall be had for that purpose, on pain of *præmunire* against every person duly convicted of taking any part therein, 40 *G.*3. *c.*38. *Ir.* [REC. and CONF., *id. ibid.*]

19. [After providing for the return of the then members of the *Irish* H. of C. for the above recited counties and places, to serve for *Ire.* in the first parliament of the U.K.] it is enacted, That whenever H. M. shall summon a new parliament of U. K. the chancellor, keeper, or commissioners of the great seal of *Ire.* shall cause writs to be issued to the above mentioned counties and places, for election of members of the H. of C. of U. K. and whenever any vacancy of the above seat shall arise, a writ shall in like manner be issued, and which writs and the returns thereon being returned into the crown office of *Ire.* shall be transmitted to that of *Eng.* and certified in the usual manner to the H. of C. and copies thereof attested by the chancellor, &c. of *Ire.* shall be preserved in the crown-office of *Ire.* and shall be evidence in case of loss of originals, 40 *G.*3, *c.*38. *Ir.* [REC. and CON. *id. ibid.*]

20. FOR REGULATING THE TRIAL OF CONTROVERTED ELECTIONS or returns of members to serve in the united parliament for *Ire.* 42 *G.*3. *c.*106. [*Its powers* EXT. to 47 *G.*3. *S.*1. *c.*14. AMD. by the rest of that act, and by 60 *G.*3. and 1 *G.*4. *c.*7.]

21. All regulations and powers prescribed by *British* statutes in force at the union, respecting petitions to the house of commons, complaining of undue elections or returns, or of the insufficiency of the latter, and respecting trial and determination of petitions of persons desiring to oppose any right of election, or of appointing returning officers, which shall have been deemed valid by the determination of any select committee of the house, and respecting the trial thereof by such select committee, are extended to such petitions to the united parliament from any place in *U. K.*, 42 *G.*3. *c.*106. *s.*1.

22. The time for receiving recognizances on *Irish* petitions by the speaker of the house of commons, is extended from the 14 days given by 28 *G.*3. *c.*52. *s.*5. to 28 days, 47 *G.*3. *St.*1. *c.*14. *s.*8.

23. Such petitions for places in *Ire.* shall not be proceeded on, unless they state all the matters concerning which the petitioners intend to examine witnesses, and no witness shall be called or examined before the committee, or before the commissioners, (to be chosen as in *ss.*4—11.) to any thing not contained in such petition, or in the lists and statements in *s.*3. mentioned, 42 *G.*3. *c.*106. *ss.*2—3.

24. The parties appearing before any select committee to be chosen for trial of such petition, shall after a chairman has been chosen, and before any other business is proceeded on, interchange their respective lists of objectionable votes, and names of the voters, and statements in writing of all particulars respecting any right of voting, or of choosing a returning officer, and of all other matters intended to be insisted on or objected to by either party; and no witness shall be called or examined by or for either party, before such select committee or the commissioners, to any matter not contained in such lists, statements, or in the petition complaining of the election or return in question, *id. s.*3.

25. The parties appearing before the committee and delivering lists of votes, or of names of voters, to which they intend to object, shall state in such lists their specific objections to each vote, and no evidence shall be admitted before the committee or the commissioners, of any objections not so stated; and if no evidence is produced before them to substantiate the objections so stated, and if the committee are of opinion that such proceeding was frivolous and vexatious, they shall report the same to the house, with their opinion on the other matters relating to such petition, and the opposite party may recover from the petitioners the costs incurred by reason of such frivolous and vexatious objections in the usual mode of recovery thereof, 47 *G.*3. *S.*1. *c.*14. *s.*4.

26. Whenever it appears to a select committee, that any petition complaining of any of the causes of petition enumerated in *s.*1. cannot be effectually enquired into before them without great expence, they may, on application of the parties, make an order for the appointment of *commissioners*, 42 *G.*3. *c.*106. *s.*4.

27. But no such commission shall issue, unless notice be served on the opposite party as soon as the petition is presented, of the intention to apply to the committee for it, *id. s.*5.

28. If the committee think no such commissioners necessary, the committee may try the merits of the petition, as merits on petition are usually tried for *G. B.*, *id. s.*6.

29. Whenever the committee think fit to *make order* for such commissioners, they shall be appointed on the next sitting day after the order made at the time previously appointed by the committee in their presence, and in that of the petitioners and sitting members, and in that of all parties before the house, on distinct interests, or complaining or complained of on different grounds, or their respective counsel or agents, or of such of them as shall attend; and the names of 3 barristers, each being of at least 6 years standing, and having consented under their hands and seals to become commissioners on being so appointed, and not having voted, or having been sheriff, returning officer, or counsel, at the election in question, shall be delivered to the chairman of the committee on behalf of each party, and a list of the whole shall forthwith be made, and thereupon the parties, their counsel, or agents, beginning on the part of the petitioner, may alternately strike off one name till the list be reduced to 2; who, with the chairman (being a barrister of like standing, appointed as in *s.*8.) may act as commissioners for examining matters referred to them by, and as limited by the order of the select committee, *id. s.*7.

30. After the appointment of the 2 commissioners, and before the committee adjourns, a 3d commissioner shall be appointed, and when so appointed and consenting, shall be chairman either by consent of all parties, or if they cannot agree, by nomination of the select committee as in *s.*9., *id. s.*8.

31. The clerk of the crown in *Ire.*, or his deputy, shall, at the commencement of every session, transmit to the speaker of the house of commons of the united parliament, a list of all such barristers qualified and consenting as above, out of which list the committee shall appoint a chairman, but no barrister whose name is struck off the list as in *s.*7. shall act as such, 42 *G.*3. *c.*106. *s.*9.

32. When the parties agree in nominating any 3 such commissioners, and deliver a list of the names of the barristers so consenting to the committee, signed by all the parties, they shall be the commissioners, and shall appoint one of themselves chairman, *id. s.*10.

33. When more than 2 parties appear before the house, on distinct interests, at the striking the committee, they shall not be permitted to give in such list of barristers, but the select committee shall appoint the commissioners, and name which of them shall be chairman, *id. s.*11.

34. If within one hour after the time fixed by the select committee for appointing commissioners under this act, the petitioner shall not appear either personally, or by counsel or agent, or shall not give in a list of names as above, the committee shall not proceed to appoint such commissioners, but shall forthwith report to the house, that he has made default in the recognizance entered into on presenting such petition, *id. s.*12.

35. If within the like time, the sitting member or other party opposing the petition, shall not appear as in *s.*12., or shall not give in any list of names as in *s.*7., in order to appoint commissioners and reduce their names from the list, the chairman of the committee shall stand in his place, and when it comes to his turn as such to strike out a name, shall put all the remaining names in a glass, and draw one out, which name shall be struck off, and the number reduced to 2 as in *s.*7.; and the same method of reduction shall be followed whenever a party waves his right of striking off names from the list, *id. s.*13.

36. The chairman of the committee shall issue a warrant under his hand and seal, directed to each commissioner, commanding him on penalty of 500*l.* to repair to the city, borough, town, or place, in, or for which the election or return complained of or other subject matter of the petition arose, or happened on a day certain therein named, (being not less than 14, or more than 21 days after the day of their appointment,) and shall address to the chairman of the commissioners a true copy of the petition, and of the said lists, disputed votes, and statements of the parties delivered before the committee, with a true copy of the order of the committee specially assigning and limiting the matters as to which the commissioners are to examine evidence, and to report the same, with such other documents and papers as the committee think proper; all which warrants and papers shall be conveyed to the clerk of the crown in *Ire.*, or his deputy, and by him transmitted to the parties in the method used in conveying writs in *G. B.*, and the chairman of the committee shall also transmit a copy of his *warrant* only to the *Dublin Gazette* for insertion in its next number, *id. s.*14.

37. After completion of these proceedings the chairman of the committee shall report his proceedings to the house, stating that they have gone through all other parts of the petition, except those specially referred to the commissioners in *Ire.*, and may ask permission to adjourn till the speaker shall by warrant direct them to re-assemble, on which, permission being given, they may adjourn accordingly, *id. s.*15.

38. In petitions on controverted elections in *Ire.*, the committee shall not be dissolved on account of the death or absence of its members, except they are reduced to less than 9, *id. s.*16.

39. At the place and on the day appointed, between 10 *a.m.* and 4 *p.m.*, the chairman and commissioners shall open their court and commence proceedings by reading the warrant of the chairman of the committee, and all other papers transmitted by them to him, and shall then swear faithfully to do their duty, the chairman taking the oath first and administering it to the commissioners (every one of whom acting not being qualified by his degree as barrister, shall forfeit 500*l.*) they shall sit every day except *Sundays*, *Good Friday*, or *Christmas-day*, from 10 *a.m.* to 4 *p.m.* without longer adjournment than 24 hours, except in case of a commissioner's death or continued absence as in *s.*18. unless *Sunday*, *Christmas-day*, or *Good Friday* intervene, in which latter case the 24 hours shall be reckoned exclusive of such *Sunday*, &c. *id. s.*17.

40. Every commissioner absenting himself, except in cases of illness, sudden accident, or necessity, to be made appear to the other commissioners by facts specially stated and verified on his oath, and such illness being certified on oath of a physician before a justice, shall forfeit 500*l.* for every day he shall so absent himself, *id. s.*18. & 21.

41. The commissioners shall never sit until all of them are met, except in cases where the absence of a commissioner is verified on oath as in last *pl.*, nor then except by consent of parties, given as in *s.*20.; and if they, or such number as is so consented to, the chairman being one, shall not meet in one hour after the adjournment-hour, a further adjournment shall be made, and so from time to time till the commissioners and chairman are assembled; and if their number be unavoidably reduced to less than 3, by death or otherwise, and shall so continue for 3 sitting days, and no such consent is given, the party who originally

appointed the defaulting commissioner shall nominate another barrister, having consented as above, in his place; and in case of the chairman's death or absence for 3 sitting days, the commissioners shall nominate a barrister to be a new chairman, or if they cannot agree, their names shall be put in a glass in their open court, and the first drawn name shall appoint a chairman, consenting as above, and shall give notice of his appointment, who shall thereon, on 500*l.* penalty, repair to the place of meeting on a day certain named by the commissioners, not more than 14 days from the day of his appointment, and shall have all the powers of such original commissioner, 42 *G.* 3. *c.* 106. *s.* 19.

42. But any number of commissioners (the chairman being always one) may act during the absence or after the death of any commissioner, with consent of the parties, entered on their minutes of proceedings and signed by them or their agents, *id. s.* 20.

43. The commissioners may adjourn to any town within the county which they may think necessary, *id. s.* 22.

44. The chairman may at all times, by warrant under his hand and seal, send for persons, papers, and records, and the commissioners shall examine all witnesses on oath, and all matters referred to them with the same powers and in like manner as committees of the house do, and shall appoint a clerk to take down in writing minutes of their proceedings, who shall from time to time make true copies thereof, and of all evidence produced before them, and shall give one copy thereof to each of the parties interested or his agent, on their demand, on being paid 6*d.* for every sheet of 72 words, *id. s.* 23. [and see rest of section, *infra, pl.* 57. *Only* 3*d. a sheet* is given for *these copies*, as well as those to be furnished to the clerk of the crown for *Ire.* and to the speaker of the house of commons, for which 6*d.* a sheet was allowed by 42 *G.* 3. *c.* 106. *s.* 31., *infra, pl.* 54., 47 *G.* 3. *St.* 1. *c.* 14. *s.* 6.]

45. No counsel shall plead, examine, or cross-examine witnesses before the commissioners, but they shall do so themselves, 42 *G.* 3. *c.* 106. *s.* 24.

46. Commissioners shall state their reasons in writing for rejecting any witness or evidence tendered, but the party offering such witness, &c. may require the same to be taken, and it shall be taken down separately by the clerk, and a copy thereof with a statement of the purpose for which it was produced shall be signed and sealed by the commissioners in the nature of a bill of exceptions to evidence, and shall be transmitted to the committee; and if they are of opinion that the tendering of such evidence was frivolous or vexatious, or that his testimony was irrelevant to the matter in issue, they shall report such opinion to the house, and the party who opposed the receiving such witness or evidence shall recover the full costs incurred by such opposition or by the same being received as above in the manner provided by law for recovery of costs in cases of frivolous, &c. petitions or opposition thereto, *id. s.* 25.

47. When any person shall be appointed clerk to any such commissioners, he shall be sworn by their chairman, faithfully to take down in writing the evidence adduced before them, and from day to day to transcribe, &c. the same for their use, and that he will as far as possible give the exact words in which the evidence is delivered, and conduct himself impartially to the best of his judgment, 47 *G.* 3. *S.* 1. *c.* 14. *s.* 1.

48. No person who voted at such election, or who claims to vote for the place to which the petition relates, shall be such a commissioner, and see S. P. *ante, pl.* 29., nor clerk to such commissioner, without consent in writing of the petitioners and sitting members petitioned against, *id. s.* 2.

49. Any objection to such commissioner shall be made at the time of his first appointment, and to their clerk, at the first meeting of the commissioners, or shall be of no effect, *id. s.* 3.

50. The sum to be received by any clerk shall not in any instance exceed 50*l.* for any such copy so furnished by him, and containing as well the minutes of all proceedings, as of all evidence produced before the commissioners, *id. s.* 7. [and see *pl.* 44. within brackets.]

51. Every person wilfully giving false evidence, or making false oath or affidavit before the commissioners, or any justice, touching things provided by this act, shall be prosecuted for the same, and on conviction, shall be sent to some house of correction to hard labour, for not exceeding 7 years, or shall be transported for a like period, as the court think proper: and the chairman, by warrant under hand and seal, directed to any constable, or other person specially appointed by him, may summon any witness to attend the commissioners at the day and place mentioned in the warrant, 42 *G.* 3. *c.* 106. *s.* 28.

52. Witnesses neglecting to attend, without lawful excuse to be determined by the commissioners, or prevaricating or otherwise misbehaving, in giving or refusing to give evidence before them, or being guilty of any contempt or misbehaviour towards them, while sitting as such, shall be committed by the chairman's warrant, directed to the gaoler of the common gaol of the county or place in which they shall sit, for any time not exceeding 6 calendar months, [unless he be a peer of realm or lord of parliament,] 42 *G.* 3. *c.* 106. *s.* 29.

53. If it be necessary to summon a member of parliament to give evidence, who is then attending his duty in parliament, the chairman of the commissioners shall certify the same to the speaker, who shall report it to the house, *id. s.* 30.

54. Each commissioner immediately after the final report of the committee on the petition, shall receive from the treasury in *Dublin* 200*l.* for his attendance, with a guinea *per* day, for the time he has been engaged on the commission, with 1*s.* 6*d.* a mile travelling expences, from or to his usual abode in his attendance thereon, and their clerk shall receive a reasonable sum for his attendance, not exceeding 2*l.* 2*s.* per day, with such sum not exceeding 6*d. per* sheet of 72 words, for the copies of evidence transmitted under *s.* 23. as the commissioners think fit, 42 *G.* 3. *c.* 106. *s.* 31. [*semble* lowered to 3*d.*, 47 *G.* 3. *S.* 1. *c.* 14 *s.* 6. *ante, pl.* 44.]

55. All penalties by this act imposed may be recovered with full costs of suit, by any person suing for same by action of debt in any court of record in *Ire.*, stating that defendant is indebted to plaintiff in the amount of the penalty sued for by virtue of this act, without essoin, &c. and but one imparlance allowed, *id. s.* 32.

56. Every indictment, information, or action for offences against or forfeitures incurred under this act, shall be found, filed, or commenced in one year after the fact, or in 6 months after the proceedings of the house of commons in any such petition are concluded, *id. s.* 33.

57. The commissioners in 10 days after the evidence is closed, shall transmit by their clerk one copy of the minutes of all proceedings before them, to the clerk of the crown for *Ire.*, or his deputy, and another to the speaker of the house of commons: [and the clerk of the commissioners shall have 3*d.* fee for every sheet of 72 words in both such copies, payable at the treasury in *Dublin*, 47 *G.* 3. *S.* 1. *c.* 14. *s.* 6. but the whole of such fees shall not exceed 50*l. id. s.* 7. *pl.* 50.] [*semble, fixing* the amount of this fee at 3*d.*, which might have previously been made 6*d.*, at pleasure of the commissioners, see 42 *G.* 3. *c.* 106. *s.* 31. *ante, pl.* 54.] and the speaker shall communicate it to the house, and the commissioners shall adjourn in order to receive any further orders (*viz.* to re-assemble, see *s.* 27. *infra, pl.* 62.) which the committee may think requisite to make, 42 *G.* 3. *c.* 106. *s.* 23.

58. When from the length of the evidence adduced, they cannot transmit a copy of the minutes of their proceedings within such 10 days, they shall do so with all convenient dispatch, assigning the reason for such delay, 60 *G.* 3. *&* 1 *G.* 4. *c.* 7. *s.* 2.

59. Within 2 days after the copy of the proceedings before the commissioners is received by the speaker, he shall insert in the *London Gazette* a warrant, signed by him, directing the select committee to re-assemble within a month from the date, if parliament be then sitting, or within a month from the commencement of the next session: and such committee shall try and determine the merits of the petition in the usual manner, on the written minutes of evidence taken before the commissioners, but shall not call for or receive any other evidence: and may hear counsel as to its effect, and shall report their own opinion to the house, on the whole merit of such election or other matter of the petition, 42 *G.* 3. *c.* 106. *s.* 26.

60. If the speaker receive a copy of such proceedings when the house of commons is adjourned for a longer time than one month, from the publication of his warrant in the *London Gazette*, as in 42 *G.* 3. *c.* 106. *s.* 26., he shall in such warrant direct the committee to re-assemble in one month after the day to which the house may be adjourned: and if the house adjourn subsequently to any day so fixed by the speaker, he shall by another warrant, inserted as above, direct them to re-assemble within a like period, from the day to which the house is adjourned, 60 *G.* 3. *&* 1 *G.* 4. *c.* 7. *s.* 1.

61. When any select committee shall re-assemble to try the merits of any petition, pursuant to 42 *G.* 3. *c.* 106. *s.* 26. *pl.* 59. after proceedings had therein before commissioners in *Ire.*, they may send for all books, papers, records, or other documents produced in evidence before such commissioners, without re-assembling the latter, or directing any warrant to their chairman, but shall try the merits of the petition, and determine all matters tried before the commissioners, from the written minutes of the proceedings before them, and from inspection of such books and documents as far as they relate to such proceedings, but shall not call for or receive in evidence any extracts therefrom, nor other than those produced before them, nor in any matter not in issue before them, 47 *G.* 3. *S.* 1. *c.* 14. *s.* 5.

62. The committee from time to time during their continuance, and before reporting their final opinion to the house on the merits of the petition, may by further warrant under hand and seal of their chairman, direct the commissioners to re-assemble for the purposes therein specified, and like proceedings shall be had on such further warrant of

the chairman of the committee, as in *s.* 14. is directed as to his warrant, 42 *G.* 3. *c.* 106. *s.* 27. *pl.* 36.

63. FOR BETTER SECURING THE FREEDOM OF ELECTIONS OF members to serve in parliament for any place in *Ire.*, by disabling certain revenue officers in *Ire.* from voting at such elections, 43 *G.* 3. *c.* 25.

64. No commissioner, collector, surveyor, supervisor, or gauger, or other officer of excise in *Ire.*, or any branch thereof; nor any commissioner, collector, surveyor, comptroller, searcher, or other officer of customs in *Ire.*, or any branch thereof; nor any surveyor, collector, comptroller, inspector, or other person soever employed by the commissioners of H. M.'s revenue in *Ire.*, in charging, collecting, levying, or managing any taxes in *Ire.*, paid under their direction; nor any commissioner or officer of stamps, or persons appointed by them to distribute stamps in *Ire.*: nor any post master or masters general, or their deputies, or persons employed under them, in the revenue of the post office in *Ire.*, nor any captain, master, or mate of any packet or vessel employed by the *Irish* post office for conveying the mail to *G. B.* or to or from any other place, shall be capable of voting in any election for the choice of an M. P. for any county, county of a city, borough, town corporate, university, or other place in *Ire.*, and if any person hereby disabled to vote, shall presume to vote during the time he shall hold, or within 12 calendar months after he shall cease to hold or execute any of the above offices, contrary to this act, his vote shall be void, and he shall forfeit 100*l.* *Irish* currency, one moiety to the informer, and the other to be paid into the hands of the treasurer of the county, &c. or place in *Ire.*, within which such offence has been committed, to be applied to such public charity or charitable purpose therein, as the next quarter sessions shall think fit, and to be recovered by any person suing for the same, by action of debt, or information in any court of record in *Dublin*, without essoin, or more than one imparlance allowed, and the offender shall be disabled from ever holding office under H. M., *id. s.* 1.

65. Nothing herein shall extend to any office in *Ire.*, now held, or usually granted to be held by letters patent for any estate of inheritance or freehold, *id. s.* 2.

66. No person shall be liable to any penalty of this act, unless prosecution be commenced within 12 calendar months next after the same is incurred, *id. s.* 4.

67. FOR AMENDING 35 *G.* 3. (*Ire.*) FOR REGULATING THE election of members of parliament, so far as relates to freeholds under 20*l.* yearly value, and for making other regulations relating thereto, 45 *G.* 3. *c.* 59. [AMD. 51 *G.* 3. *c.* 77.]

68. Every person registering a freehold under 20*l.* yearly value, not arising from a rent charge, shall register the same as follows, at a sessions of the peace for the county, county of city, or of town where the freehold lies, held at least 12 [calendar 51 *G.* 3. *c.* 77. *s.* 2.] months before the *teste* of the writ for the election, at which his vote was tendered by producing the deed, lease, or instrument, from which his freehold arises, and taking this oath or affirmation:

'I *A. B.* of—in the county of—[*or*, of the county of the city, *or*, town of—*as the case may be*,] do swear [*or*, *if a Quaker*, affirm,] That I am a freeholder of the county of —, and that I have a freehold therein, arising from [an house or houses, land, or both, or other hereditaments, *as the case may be*,] of the clear yearly value of 40*s.* at the least above all charges payable out of the same, lying and being at—[*naming the townland or townlands, or other denomination by which the place is generally known, and barony or half barony, or baronies and half baronies wherein it is situate*,] in this county [*and if in a city or town, or county of a city or town, naming the same, and the street, and square, row, alley, lane, or place*]; and that the said freehold does not arise from a rent charge; and that the same arises by virtue of the deed, lease, or instrument which I now produce, bearing date the — day of — in the year — for the life or lives of *A. B.* and *C. D.* [*or in case the said freehold be not for life or lives, then stating the nature of his tenure, as the case may be*,] at the yearly rent of —; and that I am in the actual occupation thereof, by residing thereon, or by tilling, or by grazing, or by both tilling and grazing [*as the case may be*,] to the amount of at least 40*s.* yearly value thereof; and that the said freehold is not set or agreed to be set to the person or persons who executed the said deed, lease, or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him, her, or them, nor do I intend to set the same to such person or persons, or any of them; and that I have not agreed to set it for the term for which I hold it; nor have I procured it fraudulently, or in exchange for a freehold in any other county. So help me God.'

And persons having freeholds not arising from a deed or lease, shall describe the same according to the nature of its tenure, in the oath to be taken by them in which case the words in the above oath importing that the same arises by virtue of deed, &c. shall be omitted, and such description inserted in its place, 45 *G.* 3. *c.* 59. *s.* 1. [as AMD. 51 *G.* 3. *c.* 77. *s.* 2.]

69. Every oath or affirmation made for the registry of a freehold under 20*l.* yearly value, not arising from a rent charge, shall be valid if the party making oath shall state therein that the freehold arises either by virtue of a deed, lease, or instrument produced by him, whether all or any of such terms are used in such oath, and if the whole yearly rent, of the yearly rent *per* acre, with the number of acres, are stated (whether the amount of receiver's fees is or is not included in the specified amount thereof, or whether the rent and sums are set forth in figures or in words at length) or in which the actual occupation of a freehold is stated to be either by residing, or by tilling or grazing, or by all, or any, or either such means, either stated copulatively or disjunctively, 51 *G.* 3. *c.* 77. *s.* 1.

70. Every adjournment of the sessions, and an adjournment of an adjournment thereof, shall be deemed a sessions of the peace for the purpose of such registry, and if such sessions lapse for want of such adjournment, a sessions shall be held at the same place on the 1st *Monday* in the next month, at which the clerk of the peace or his deputy shall attend for the purpose of such registry, and an adjournment thereof to any city or market town in the county, shall be a sessions *pro his vicibus*, 45 *G.* 3. *c.* 59. *s.* 13.

71. Every deed, lease, or instrument, produced by persons taking the above oath, shall be indorsed in open court by the clerk of the peace, with his name, and date of the month and year; who shall then compare it with the above oath, and within 10 days shall enter in the registry book its date, the names of the parties, and of the life or lives for which the same is held, *id. s.* 3.

72. No person shall be admitted to vote for a freehold under 20*l.* yearly value, who shall not have so registered his freehold at least 12 [calendar, 51 *G.* 3. *c.* 77. *s.* 2.] months before *teste* of the writ for holding the election, at which he shall offer his vote; and every freeholder, before he shall be admitted to poll at any election, shall, if required by the sheriff or any elector, declare on oath from whom he derives his freehold, if he holds it under any person, and if the same is situate in a city, town corporate, or market town, and describe the street, or part of the city or town in which it is situate, and who are his next resident neighbours, and when the same was granted, and for what life or lives, and whether the latter or any of them are in being at the time of such election, and whether he is the person who actually registered the freehold under which he desires to vote, which declarations shall be entered in the poll-book taken by the sheriffs or their deputies; and he shall, if so required by any elector, take this oath before he is admitted to poll:

'I *A. B.* of — in the county of — [*or*, of the town or city of —] do swear [*or*, *if a Quaker*, do affirm] that I am a freeholder of this county; and that I have a freehold therein arising from a house or houses, land, or both, or other hereditaments [*as the case may be*,] of the yearly value of forty shillings at the least, above all charges payable out of the same, lying and being at — in the barony or baronies, half barony or half baronies of — in this county [*and if in a city or town, or county of a city or town, naming the same, and the street, square, row, alley, lane, or place*]; and that the said freehold does not arise from a rent charge. So help me God.' *id. s.* 4.

and if so required, by any elector, the following words shall be added to such oath:

'and that the same arises by virtue of a deed, lease, or instrument [*or otherwise, as the case may be*] bearing date the — day of — in the year — for the life or lives of —; and that the said — one of the aforesaid lives, is still alive, to the best of my knowledge and belief [*unless he is himself one of the lives, in which case he shall swear*, that I am one of the lives therein, *instead of the words*, that the said — one of the aforesaid lives, is still alive, to the best of my knowledge and belief]; or in case the said freehold be not for life or lives, then stating the nature of his tenure,] or the words following, 'and that I have been in the actual occupation thereof for twelve successive calendar months, between — [*naming the day he registered the same*,] and — [*naming the date of the teste of the writ for holding this election*,] by residing hereon, or by tilling and by grazing, or by both tilling and grazing [*as the case may be*]; to the amount of amount of at least 40*s.* yearly value thereof [*as the case may be*];' or the words following, 'and that the said freehold is not set, or agreed to be set, to the person or persons who executed the said deed, lease, or instrument, or to the heirs or assigns of such person or persons, or to any one in trust for him or them; nor do I intend to set the same to such person or persons, or any of them; and that I have not set it, or agreed to set it, for the term for which I hold it; and that I have not been polled before at this election; and that I am to the best of my belief of the age of twenty-one years.' *id. s.* 5.

73. The blanks in such oath shall be filled up in conformity to the oath in *s.* 1. made at time of registry, *id. s.* 6.

74. All provisions of former acts respecting freeholds under 20*l.* yearly value, and not hereby repealed, are still applicable to them, *id. s.* 7.

75. Every grant of an interest importing to be, but not being a freehold, with intent to enable any person to vote, shall be valid against the grantor for any purpose excepting that of voting, *id. s.* 8.

76. A penalty of 100*l.* may be recovered from any person demising a freehold for life or lives, to induce the lessee to register it as a freehold, or to vote as a freeholder thereout by any person suing for the same by action or information, *id. s.* 9.

77. The clerks of the peace, or their deputies, of the counties in *Ire.* shall, at the general quarter sessions of the peace, or adjournment thereof next after his appointment, take oath as follows, and shall deliver

the same to the county treasurer, to preserve among the records of the county, 45 *G.*3. *c.*59. *s.* 10.

'I *A. B.* clerk or deputy-clerk of the peace for the county of — [*as the case may be*], do swear, That I will faithfully and honestly, and without favour or affection, perform and discharge the several duties directed to be performed by the clerks and deputy-clerks of the peace, by an act passed in the parliament of *Ireland*, in the thirty-fifth year of the reign of King *George* the Third, intituled, *An Act for regulating the election of members to serve in parliament, and for repealing the several acts therein mentioned*; and by an act passed in the forty-fifth year of King *George* the Third, intituled, [*here set forth the title of this act*]; and that I will not demand or receive any fee or fees for discharging any of the said duties, which I am not entitled to by law. So help me God.'

78. Such clerks and deputy-clerks of the peace shall give every freeholder who requires it a full and correct return of every freeholder, who shall register his freeholds according to 35 *G.*3. *c.*29. *Ir.*, and this act, with a certificate of its correctness at the bottom, as in the schedule annexed, *id. s.*11.

Name of Freeholder and Residence.	Name of Landlord and Residence.	Value of Freehold.	Description.	Situation.	Barony or Half Barony	Names of Life or Lives or other Tenure.	Rent.	Date of Registry.

79. Wilful perjury, or subornation thereof, in any of the oaths above required, shall be punished as such, *id. s.*14.

80. Papists taking the oaths and declarations in 13 & 14 *G.*3. *c.*35. *Ir.*, and 33 *G.*3. *c.*21. *Ir.* contained, in open court in some one of the four courts in *Dublin*, or at any assizes or general sessions of the peace, or at an adjournment, or adjournment of an adjourment thereof, held for the county where they dwell, or at any election, as in *s.* 4. directed, are entitled to vote as by 37 *G.*3. *c.*47. *Ir.* directed, 51 *G.*3. *c.*77. *s.*3.

81. On a poll being demanded at any election of a member of parliament for any county, city, town, or borough in *Ire.*, the returning officer shall, at the request of any candidate at such election, appoint two or more justices to administer the oaths and declarations required in *s.*3. in some convenient part of the court or place so as not to interrupt the poll; and the clerk of the peace, or his deputy, appointed under his hand for that purpose, shall attend and give to every person so taking and subscribing such oaths, a certificate thereof: and the said justices and clerk of the peace, and his deputy, before acting under such appointment, shall take this oath before, and administered by, the returning officer:

I — do swear that I will faithfully and impartially administer the oaths and declarations now required to be taken and subscribed by papists by 13 & 14 *G.* 3. *Ir. c.* 35.,' 33 *G.* 3. *Ir. c.* 21.

and any clerk of the peace, or his deputy, the following oath:

'I — do swear, that I will, on being thereunto requested, fairly and truly give to every person who shall now take and subscribe the oaths and declarations required by law to be taken by papists, in order to entitle them to vote at any election before the commissioners appointed by the returning officer for that purpose, a certificate thereof as required by law, and that I will not give any such certificate to any person before he has taken and subscribed such oaths and declarations as are mentioned in such certificate before me and in my presence, 51 *G.* 3. *c.* 77. *s.* 4.

82. The proper officer of every court shall, in 14 days after 1 *Jan.* yearly, transmit to the rolls office in *Dublin*, all rolls containing the names and additions of persons who have taken such oaths, &c. in the year preceding, *id. s.*5.

83. Such officer shall first enter in a book the names, &c. of all persons entered in such rolls, which shall be open to inspection at 2*s.* 6*d.* fee to such officer, who shall give a certificate thereof, when demanded, to any person, whose name is entered in such book, and who shall swear that he did at any former time take such oaths and declarations in open court, *id. s.*8.

84. If any person's vote is refused on account of the informality of such certificate, he may demand of the clerk of the peace a new certificate, paying 1*s.* fee, and shall then be permitted to poll, *id. s.*7.

85. Any officer of the court neglecting to transmit such rolls to the rolls office, or to make out such lists, or omitting therein the name of any persons entitled to a certificate, or inserting any not entitled, or neglecting or refusing to give such certificate, shall forfeit 100*l.* recoverable by bill, plaint, or information, in any court of record in *Dublin*, *id. s.*8.

86. FOR BETTER REGULATION OF POLLS, AND FOR MAKING further provision for election of members to serve in parliament for *Ire.*, 1 *G.*4. *c.*11. [57 *G.*3. *c.*131. is REP. by *s.*1.]

87. Every poll demanded at any election in *Ire.*, shall commence on the day on which it is demanded, or on the next day after at farthest, (unless it happen to be *Sunday*, *Christmas-day*, or *Good Friday*, and then on the day next after) and shall be duly proceeded in from day to day, for so many hours of each polling day as the returning officer is by this act directed to keep the poll open, (the above days only excepted) until finished; but so that no poll for such election in *Ire.*, shall continue more than 15 days at most, (the above days excepted); and if it shall continue till the 15th day, it shall be finally closed at or before the hour of 3 in the afternoon, and the returning officer shall immediately after its final close, truly and publicly declare the names of those who have the majority of votes on such poll, and shall forthwith make a return of those persons, 1 *G.*4. *c.*11. *s.*2.

88. Where a poll takes place as above, the returning officer shall, within 2 days of its final close, deliver all the poll books of such election to the clerk of the peace for such county, county of a city, or town, if such election is held for the same, or if in any other place, then to the officer who has the custody of the records of such place, verifying on oath (which any justice for such county, &c. or place shall administer), that the poll books delivered in are the original poll books of such election on which the return was founded, and that from the final close of the poll to the time he delivers in the same, there has been no erasure, addition, or alteration made therein, and such poll books shall be carefully kept amongst the records of such county, &c. or place, and their production by such clerk of the peace or officer, or his deputy, shall be deemed sufficient evidence of their authenticity, unless disproved, *id. s.*3.

89. Where a poll takes place at any election for a county, &c. as in *s.*3., the returning officer shall certify on the back of such return to the writ, the names of the candidates, with the number who voted for each as it appeared at the final close of the poll, which certificate shall be evidence of the truth of the facts therein unless disproved by contrary evidence, *id. s.*4.

90. Immediately after receipt of the writ for election for any county, the sheriff thereof shall, indorse thereon the date of receiving the same; and shall, within 2 days after its receipt, cause proclamation of the time and place of holding such election, to be made at the place where it ought by law to be holden, between 10 *a.m.* and 2 *p.m.*, and on the same day shall cause to be affixed on the doors of the county courthouse, public notice, signed by himself, of a special county court to be there holden for the purpose of such election only, and which shall be holden on some day (*Sunday*, *Christmas-day*, and *Good Friday* excepted) not later from the day of making such proclamation and notice, than the 16th, nor sooner than the 10th day; and the mayor, sovereign, portreve, provost, burgomaster, bailiff, or seneschal, of any borough or other place in such county, shall hold the election for the same not later than 8 days after receiving the precept of the sheriff of such county, having in the usual public place in such borough or other place caused to be affixed a notice under his hand, of the time and place of holding such election 4 days at least preceding the day of election; and the sheriff of a county of a town or city, shall hold the election for the same not later than 8 days from receiving the writ, having in the usual places thereof, caused to be affixed notice under his or their hand, of the time and place of holding such election, 4 days at least preceding the day of election, *id. s.* 5.

91. Whenever in any one barony or half barony of any county, or in any county of a town or city, the number of freeholders appearing by the books of the clerk of the peace capable of voting at any election for the same, exceeds 800, the returning officer shall provide 2 or more places of polling for such barony, &c. and shall make such a division of the freeholders according to the first letters of their names, that no more than 800 freeholders need poll in any one place of polling, but so as not to divide the names beginning with the same letter of the alphabet, and shall provide as many more places of polling as may be necessary, and appoint additional deputies and poll-clerks to take the poll therein, not exceeding one deputy and one poll-clerk for each such place, *id. s.*6.

92. The returning officer at all elections shall erect a booth or hire a building, unless there is already some fit place for the purpose, wherein he may decide all disputed questions, and objections to votes referred to him, which booth, building, or place shall be separate from and exclusive of the number of booths, buildings, or places necessary for polling electors; and shall give constant attendance in such separate booth, &c. during the entire number of hours that the polling shall continue each day, and shall proceed without suffering delay or interruption to take place in deciding all disputed questions, and objections to votes, referred to him from the polling booths; and the returning officer at any election for any city or borough, shall appoint a deputy to take the poll at any such election; whose deputy, in each place of polling, shall appoint such one person for each candidate, as shall be nominated to him by the latter, to be an inspector of the clerk appointed for taking the poll and the agent of such candidate in each place of polling; and such one other person for each candidate as shall be nominated by the latter to be a clerk for keeping a cheque-book of the poll-book in each place of polling, *id. s.*7.

93. The clerk of the peace at every such election for any county or county of a town or city, shall appoint, or in failure thereof the returning officer shall appoint a deputy-clerk of the peace, and likewise an assistant to him, to be present in each place of polling, who shall take with him into such place of polling the registry book belonging to the barony, half barony, or county of a town, or city, to be polled in such place of polling, and all the original affidavits or affirmations made by the persons capable of voting therein; which affidavits, &c. he shall have arranged alphabetically in separate parcels, (one or more for each letter of the alphabet), and endorsed with the names of the persons by whom they were made, and with the number of the entry of each affidavit, &c. in the registry book; and in those cases wherein a certificate of registry shall not be produced by the person tendering his vote or offering to poll, such deputy shall, on demand of the returning officer's deputy, produce the original affidavit, &c. of the registry of such person; and shall be entitled to receive 10*s.* and no more; and his assistant 5*s.* for each day of attendance; and if such deputy, or such assistant, shall alter, deface, destroy or lose any affidavit, &c. committed to his care, he shall forfeit 10*l.* for every such offence, to any person suing for the same, by action of debt, at any general quarter-sessions, 1 *G.* 4. *c.* 11. *s.* 8.

94. The returning officer at any election shall, on demand in writing of any candidate, appoint a sufficient number of competent persons to act as interpreters, in order to translate faithfully such oaths, affirmations, and questions and answers, as are required at any election; and every such interpreter shall immediately after such appointment, and before acting, take the following oath, which every returning officer may administer, and shall receive 10*s.* per day for his attendance, *id. s.* 9.

'I *A. B.* do swear, that I will faithfully interpret such oaths, affirmations, questions, and answers, as I shall be directed to interpret by the returning officer or officers, and his or their deputy or deputies, [*as the case may be*].'

95. Where any person shall tender his vote, or offer to poll at any election for a county, or county of a town or city, by virtue of a freehold, the returning officer's deputy shall, in the first place, refer to the entry of the affidavit or affirmation of the registry thereof in the registry book, and write down opposite thereto the initial letters of his name; and then shall refer to the certificate or affidavit of the registry thereof; and if any such person shall produce a certificate of the registry of his freehold, corresponding with such entry, without erasure or interlineation therein, signed in open court by two justices, and countersigned by the acting clerk of the peace, as directed by 35 *G.* 3. *c.* 29. (*Ir.*) or signed as directed by this or any other act, when the freehold is situated in a county of a town, or of a city, such certificate shall, without further proof, be deemed of equal authenticity with the original oath or affirmation, and conclusive evidence of his registry of such freehold; and the returning officer's deputy shall write down the initials of his name on the margin of such certificate; and in all cases wherein no such certificate is produced by the person tendering his vote, &c., or wherein such certificate, if produced, shall appear to such deputy not to be in manner and form as aforesaid, he shall direct the deputy clerk of the peace to produce the original affidavit, &c. of the registry of the freehold of such person so tendering his vote, &c. *id. s.* 10.

96. The returning officer's deputy, if required by any candidate or his inspector so to do, shall in person administer, in the place of polling where he presides, an oath in this form, to every person separately, who shall tender his vote at such election, and immediately after production of the certificate or affidavit of registry, when any such person votes by virtue of a freehold, *viz.*

'I, *A. B.* do swear, [*or, being a Quaker, or Moravian*, do solemnly affirm,] that I will true answer make to all such questions as the sheriff's or other returning officer's deputy [*as the case may be*] presiding in this booth shall demand of me; and I do also swear, [*or*, being one of the people called *Quakers* or *Moravians*, do solemnly affirm,] that I have not polled before at this election; and that I am, as I believe, 21 years of age. So help me God.'

And immediately after any person so tendering his vote, shall have taken such oath or affirmation, the returning officer's deputy shall, if required by any candidate or his inspector, put the following questions, and no others, without allowing any person to interrupt him, to every such person so tendering his vote, and the poll clerk shall forthwith write down the entries on the poll book according to the answers, and if any of the questions are not required to be put, then according to the entry of the voter's registry in the registry book:

1. What is your name?
2. Where do you reside?
3. Do you swear that you are possessed of a freehold in the county of —? [*naming the county, or county of a town, or city, for which the election is held.*]
4. Where is it situated?

And the returning officer's deputy shall then, if required as above so to do, refer to the certificate of registry, if produced by the person tendering his vote, or if not, to the original affidavit of registry, and then shall immediately ask, if required as above, without making or allowing any other to make any comments on such certificate or affidavit, the following question:

5. Is the freehold described in this certificate, *or*, affidavit of registry [*as the case may be,*] the same freehold which you now swear you are possessed of, and by virtue of which you now offer to vote?

And if it appears to the returning officer's deputy, from the certificate or affidavit of registry, that any person shall tender his vote, in respect of a freehold of 40*s.* value only, he shall then, if required as above, put the following questions:

6. Do you swear, that you have been in the actual occupation of this freehold, as described in your certificate or affidavit of registry, [*as the case may be,*] by tilling it, or by grazing it, or by residing upon it, during the whole of the last 12 months?
7. Do you swear, that this freehold is now of the clear yearly value of 40*s.* above all charges payable out of the same?

And whenever entry of the affidavit, &c. of registry of such person shall appear in the registry book; and such person shall have produced such certificate of registry as in *s.* 10.; or the original affidavit has been produced by the deputy clerk of the peace; and such person so tendering his vote has taken the above oath, and answered the above questions, such deputy shall then ask him this question:

8. For whom do you vote?

And his vote shall be entered on the poll book according to his answer; unless objection be made thereto by an inspector of a candidate appointed as above; and if it appears to such deputy from the answers given by any person to the first four questions aforesaid, that his freehold arises from a rectory, vicarage, curacy, or other ecclesiastical preferment, he shall forthwith proceed to ask him, "*For whom do you vote?*" and his vote shall be entered according to his reply, unless an objection be made as above: provided that the returning officer's deputy may take the vote of any person tendering his vote, whose freehold appears on the registry book, without referring to the certificate or affidavit, &c. of registry, or without administering any oath or putting any question to such person, except the question, "*For whom do you vote?*" if not required by any candidate or his inspector so to do; and provided that if an entry of the affidavit, &c. of the registry of the freehold of any person tendering his vote, required by law to be registered, shall not appear in the registry book; or if any person tendering his vote, shall not either produce such certificate, or be able to refer to an original affidavit, &c. of registry in the possession of the deputy clerk of the peace, or if any such person shall refuse to take the oath, or shall not give a direct answer to each question put to him, or shall admit in his answer to said question, that he is not the person whose freehold is registered, or that he has no freehold, or that the freehold described in his certificate, &c. is not the freehold for which he tenders his vote, or that he has not been in occupation thereof for the whole of the last 12 months, or that the same is not at the time of tendering his vote of 40*s.* value, above all charges payable thereout, such deputy shall direct such person to withdraw from the place of polling, and proceed immediately to receive the vote of the next voters, *id. s.* 11.

98. No objection shall be made to a vote till after the person tendering the same has declared for whom he votes; and if the vote is then objected to by an inspector of any candidate, the poll shall not be thereon delayed, but the returning officer's deputy shall direct the poll clerk to enter a memorandum on the poll books, showing for which candidate he has voted, and shall immediately proceed to receive the vote of the next person who shall tender his vote; and the inspector who has made the objection on behalf of any candidate shall instantly write down a memorandum, on a printed form to be provided by the returning officer, containing the name and abode of the voter, and the nature of the objection, and shall sign and date the same, and shall give the same to the returning officer's deputy, who shall sign the same with his initials, and then give the same to the assistant deputy clerk of the peace, who shall take it, together with the certificate, or affidavit, or affirmation of registry, if necessary, to the returning officer, to decide on its validity; and he or his assessor, at their discretion only, may order the voter to attend during the inquiry into his vote; and may examine such voter, by such questions as he shall think necessary, as to any objection to his vote: and shall administer this oath to him:

'I *A. B.* do swear [*or, being a Quaker or Moravian*, do solemnly affirm] that I will true answers make to all such questions as shall be here put to me by the returning officer or officers, or his assessor [*as the case may be.*]
So help me God.'

And if the vote is allowed, shall write down on the memorandum these words, "*Allow this vote;*" and if the vote is disallowed, then these words, "*Reject this vote;*" and in either case, shall write down the initials of his name, under the words so directed to be written down on the memorandum; and shall then deliver the said memorandum to the same assistant deputy clerk of the peace who had brought it to be forthwith carried back to the returning officer's deputy; and such deputy

shall either reject such vote, or order the poll-clerk to enter the same on the poll for the candidate to whom given, as he shall be directed by the returning officer, or his assessor; and every such memorandum shall be preserved by such deputy, and delivered by him to the returning officer, to be attached to the poll books at the close of the election; and the form of the memorandum so to be prepared shall be as follows;

Barony of

Number in the registry book.	Name of voter.	Abode of voter.	Objection.
			(Signed) Dated day of 18 .
Allow this vote. (Signed)		Reject this vote. (Signed)	

Provided that if any objection be taken to any vote, which is not in substance different from one previously ruled by the returning officer or his assessor; or if any objection be taken which appears to such deputy to be frivolous, or taken for delay, then he shall not transmit the memorandum containing such objection to the returning officer; and shall admit the vote so objected to to be entered upon the poll, 1 *G.* 4. *c.* 11. *s.* 12.

99. Every returning officer shall give such instructions in writing to his deputy appointed for taking the poll, as are necessary to point out to him what is required to be done in respect of objections to votes, and of the manner of transmitting them to such returning officer; and every such deputy shall obey such and any other instructions given to him by the returning officer, in respect of the due performance of his duty, *id. s.* 13.

100. No person, other than the returning officer or his assessor, shall ask any question of any person examined, on account of his vote having been objected to; and no person shall interfere with or suggest any question to them respecting such examination, and the latter may, at their discretion only, permit a barrister or barristers to argue any question of law before him, on the evening of any polling day, after the poll is closed, *id. s.* 14.

101. No deputy of any returning officer shall put questions to any person tendering his vote, except those in *s.* 11. directed to be put, or make any comments on the answers given to the same; or on any thing relating to any vote tendered before him, but shall forthwith refer any objection thereto to the returning-officer, as in *s.* 12., and shall not investigate any right to vote further than as in *s.* 11., nor reject the vote without reference to the returning officer, *id. s.* 15.

102. No person whatever shall plead or speak in any place of polling during the time of polling, on any thing concerning the same, or concerning the refusal of any returning officer's deputy to transmit an objection to a vote to the returning officer, as in *s.* 12. provided for, or to ask any questions of any person tendering his vote, *id. s.* 16. [and see *s.* 23.]

103. No person shall require any elector to take any oath of the nature of a rentcharger's or freeholder's oath, to show any circumstance concerning his freehold, in order to enable him to vote, except the oaths herein required; and every returning officer's deputy shall administer to every elector the bribery oath or affirmation, if required by any candidate, or inspector, or elector, so to do, *id. s.* 17.

104. If any person shall be admitted to poll at any election who has polled before thereat, or who has personated another elector for the purpose of polling thereat, or who has polled by virtue of a forged certificate of registry, or of a registry of an alleged freehold under a lease of land or tenements for life or lives, made by a lessor who had not at the time of making the same a freehold estate therein; or of a registry of an alleged freehold under a lease of land or tenements, for life or lives, which lease is to end on some such covenant or condition, that a freehold estate has not been demised thereby, the returning officer shall, on complaint of any candidate, take the vote of such person off the poll, at any time before its final close, provided that the act complained of as having been committed by such person, be set forth and positively declared to have been committed by such person, in an affidavit to be sworn before a justice, which shall be delivered to the returning officer; and further, that the act complained of shall appear to the returning officer, on due examination of one or more witnesses concerning the same, on oath, to be proved to have been committed by such person, which oath the returning officer shall administer; and the returning officer shall examine all such cases between 7 *a. m.* and 10 *p. m.* of each polling day, except that on which the poll shall be finally closed, unless all the objected votes referred to such returning officer by his deputies shall have been disposed of; provided that the affidavit setting forth every such complaint, shall be delivered to the returning officer, on the same day on which the act complained of is committed, 1 *G.* 4. *c.* 11. *s.* 18.

105. The returning officer shall cause the poll to be kept open in every place, and on every day of polling, from 9 *a. m.* except on the first day of polling, till 6 *p. m.* except on the last day of polling, between 15*th April* and 15*th Sept.*; and from 9 *a. m.*, except on the first day of polling, until 5 *p. m.*, except on the last day of polling, between 15*th Sept.* and 15*th April*; and in case any disputed questions, or objections to votes referred to him by his deputies, shall not be decided during the time for which the poll shall be so kept open, he shall give his attendance in his own place of sitting, and proceed to decide the same, from 7 to 10 *p. m.* each polling day, except on the last day of polling, *id. s.* 19.

106. The returning officer shall, on any day after the fourth day of polling, computing therein the day on which the poll is commenced, close finally the poll in any booth or place of polling in which no more than 20 persons have polled, or been referred for decision to the returning officer, during that day; provided that if it shall appear on the evidence of two or more witnesses on oath, which oath the returning officer shall administer to the returning officer, that any persons intending to offer themselves to poll in such booth, &c. have been prevented by violence from coming to the same for the purpose of polling on that day, then the returning officer may keep such booth open for another day, and so on from day to day, if such violence be repeated, and be found to have taken place on such evidence as above to satisfaction of the returning officer, *id. s.* 20.

107. No sheriff of a county shall appoint any person to act as his deputy at any election, unless he shall have a freehold estate of 50*l.* yearly value at least, above all charges; and such sheriff shall demand on oath of such person, whether he has a freehold estate of that value, at the time when he shall administer to him the sheriff's deputy's oath, *id. s.* 21.

108. The returning officer may summon all constables, bailiffs, and other peace officers, to attend the places of polling, and keep the peace at such election, and perform such other things as are assigned by the returning officer, and may appoint any number of special constables that he may think proper to assist therein; and every such constable, &c. so employed, shall be entitled to receive 5*s.* for each day of attendance; and if, being so summoned, he neglect to attend during the whole election, or to obey the lawful commands of the returning officer, he shall forfeit his office, and all salary due to him, *id. s.* 22.

109. The returning officer, or his deputies, at any election, may commit all persons to gaol for not exceeding 24 hours, who shall plead or speak on any thing concerning the polling, or any objection to a vote, or the refusal of any deputy to transmit an objection to the returning officer, or put any question to any returning officer or elector, in any place of polling, or in the booth of the returning officer, contrary to *s.* 14. and *s.* 16., or who shall be found rioting or interrupting the poll, or wilfully preventing the approach of electors to the place of poll, or who shall be guilty of contempt to such returning officer or deputy, *id. s.* 23.

110. In case of the death or severe illness of any returning officer, during the continuance of the poll, the first sworn deputy, under penalty of 500*l.* to any person who shall sue, shall proceed with the poll, and act in every respect for all purposes of the election, and with all power to do any act required by law to be done by a returning officer at any election, as if he had been originally the returning officer; and shall take the oath directed by law to be taken by the returning officer at commencement of the poll, to be administered by any 2 justices; and shall proceed with, and finally close the poll at the time in *s.* 2. required, and make return of the person who hath the majority of votes, unless his authority is superseded by the recovery of the returning officer; and in case of the death or severe illness of such first sworn deputy, the next in succession shall act as returning officer, subject to like penalty, and with same powers, and taking the like oath; and so on, each deputy shall act as the returning officer in case of the death or severe illness of the acting returning officer, *id. s.* 24.

111. Every returning officer duly convicted of having acted corruptly or partially in execution of his duty, as such, shall be adjudged guilty of a high misdemeanor, and imprisoned for not exceeding 3 years; and is for ever incapable of holding any office, civil or military, under the crown, *id. s.* 25.

112. The expence of erecting booths, hiring buildings, and of employing assessors, sub or deputy sheriffs, clerks of the peace, their deputies and assistants, poll and other clerks, interpreters and constables, peace officers, and all other persons directed by this and other acts, to be employed by the returning officer for conducting an election for any county, &c., or other place, and also of making proclamations and returns, and of stationary, advertisements, and all other expences necessary to provide the means of taking such

poll, shall in the first instance be paid by the returning officer presiding at such election, 1 *G.* 4. *c.* 11. *s.* 26.; [*s.* 27. relating to grand jury presentments for reimbursing returning officers, is REP. 1 & 2 *G.* 4. *c.* 58. *s.* 7. *pl.* 138.]

113. Every affidavit or affirmation of registry made heretofore, shall be deemed to be according to law, notwithstanding no reference is made in it to a former registry; and in any affidavit, &c. hereafter made at any sessions of the peace, no words whatever shall be introduced having any reference to a former registry; and the acting clerk of the peace at every sessions of registry, shall immediately after each affidavit &c. is signed by the 2 presiding justices, and by the acting clerk of the peace, and before proceeding to do any other business soever, enter into a book the substance of every such affidavit, &c. in succession, and not alphabetically, in the form following:—

No.	Name of freeholder.	Place of abode.	Situation of freehold.	Name of landlord.	Value of freehold.	Names of lives or other tenure.	Place & date of registry.

And the entry in such book of all the affidavits, &c. so registered on each day of sessions, shall be signed by the presiding justices, or 2 of them at the least, before they leave the court, and countersigned and dated by the acting clerk of the peace, 1 *G.* 4. *c.* 11. *s.* 28.

114. Clerks of the peace shall enter in alphabetical order, according to the surnames of the persons who have registered freeholds, the substance of every affidavit of registry of every freeholder capable of voting on 1*st Jan.* 1821, at any election for the same, in the above form, in separate books, one for each barony or half barony, county of a town, or of a city, in which such freeholds lie, affixing before each name a number, to show how many have registered under each letter of the alphabet in each book; and shall enter in the same manner the substance of every such affidavit made after 1*st Jan.* 1821, *id. s.* 29.

115. Within one calendar month after *Jan.* 1. 1821, every clerk of the peace, shall cause not less than 50, nor more than 200 copies of the registry books, commencing with the entries of 20*l.* and 40*s.* freeholds, from 1*st Jan.*, 1813, within one calendar month after 1*st Jan.*, 1822, and shall every succeeding year cause to be printed, in the cheapest manner and by contract, not less than 50, nor more than 200 copies of all entries in the registry book of each barony and half barony, county of a town or of a city, of all affidavits, &c. of persons who have registered their votes within the year then last past, ending on such 1*st Jan.* respectively; and shall deliver in each year, one printed copy thereof to each justice residing in such county: provided that the clerk of the peace shall not suffer the original registry books to be out of his possession, but shall cause copies to be made for the purpose of printing them, *id. s.* 30.

116. Every clerk of the peace, shall produce one of the said printed copies of registry books of each barony or half barony in such county, or of such county of a town or of a city, corrected by him, and certified under his hand to be correct, to a judge of assize, at the spring assizes in 1821, for any such county; and shall produce at every succeeding spring assizes for the same a printed copy of all entries made in such books within the year ending 1*st Jan.* then last past, corrected by him, and certified as above; which copies shall be immediately delivered over, in presence of the judge, to the clerk of the crown, who shall sign and date the same; and shall be preserved among the records of such county, and shall be deemed equally valid as the original books at any election, in case they or any part thereof, are not produced at such election by the clerk of the peace; and the clerk of the crown shall produce such printed copies at any election, if required so to do by the sheriff of the county; and no judge at any such spring assizes, shall fiat any presentment for paying any salary to any clerk of the peace, until such printed copies, so certified, are so delivered in his presence to the clerk of the crown; and the clerk of the peace need not hereafter deliver copies of the entries in the books of registry to the county treasurer, *id. s.* 31.

117. The sessions shall not allow any person to register his freehold by virtue of any written instrument, unless stamped according to law; and the clerk of the peace shall certify in every certificate of the registry of a freehold of 40*s.* value only, that the same was registered by virtue of a written instrument stamped according to law, *id. s.* 32.

118. If any clerk of the peace shall neglect to appoint deputies and assistants to attend the places of polling at any election, or to have the original affidavits or affirmations of registry arranged and indorsed, or to enter in a book at every sessions of registry the substance of every affidavit, &c. then made as herein-before required, or to enter in books the substance of all affidavits or affirmations of registry of all the freeholders capable of voting at an election on 1*st Jan.* 1821, or of those

who may thereafter register freeholds, as in *s.* 29., or to cause registry books to be printed and delivered to the clerk of the crown, in form as herein-before required, or to certify in every certificate of registry granted after 1*st May*, 1820, that the written instrument produced by the person registering a freehold was stamped according to law, shall, for every such offence, forfeit not exceeding 500*l.* to any person suing for the same, to be recovered by information in any court of record in *Dublin*, 1 *G.* 4. *c.* 11. *s.* 33.

119. The grand jury of every county, or county of a town or city, at every spring assizes, shall present such sums as shall be a proper remuneration to the clerk of the peace for expence of printing the registry books, as in *s.* 30.; provided that no such presentment be made till the contract for the printing be produced, and that it appear to the grand jury that the clerk of the peace has caused them to be printed in the cheapest manner, *id. s.* 34.

120. [After recital of 37 *G.* 3. *c.* 47. (*Ir.*)] Freeholders having freeholds not consisting of rent-charges, and desirous to register them, as being of 50*l.* or 20*l.* yearly value, shall omit in such oath or affirmation the name of the parish in which such freehold is situate, and name therein the townland or other denomination by which the place is generally known wherein such freehold is situated, *id. s.* 35.

121. Persons polling or offering to poll a second time, at the same election, or personating, or attempting to personate any other person, for the purpose of polling at such election, shall be guilty of a misdemeanor, and shall be imprisoned for not more than two years, at discre- of the judge, *id. s.* 36.

122. If any person shall vote at any election, by virtue of the registry of an alleged freehold, under a lease of land and tenements for life or lives, made by a lessor who had not, at the time of making the same, a freehold estate therein; or under a lease of land or tenements for a life or lives, which lease is to end and determine on some such covenant or condition, that a freehold estate has not been demised by the same; or under a lease of land or tenements for a life or lives, or a certain number of years, which life or lives is or are dead; or under a lease of land or tenements for a life or lives, which lease has expired or been surrendered, after due notice not to vote by virtue of such registry has been given to such person by any candidate, or his inspector, and which notice they may give to such person at any time before or during such election, or in the place of polling, such person, on conviction thereof, shall forfeit to any person suing for the same 20*l.*, to be recovered by him, with treble costs of suit, by action of debt, at any quarter sessions or assizes held in the county in which such election has taken place, *id. s.* 37.

123. "Recital of the provisions of certain *Irish* acts, and of 45 *G.* 3. *c.* 59. that oaths made for registry of freeholds shall be read aloud in open court, and signed by 2 justices therein, which is inconvenient." In all counties of towns and of cities, on the day immediately preceding the opening each quarter sessions, unless such day falls on a *Sunday*, and then on the day next but one preceding the opening of each quarter sessions, and immediately after the criminal and other business of such sessions has been fully transacted, unless such day shall fall upon a *Sunday*, and then on the second day after such business has been fully transacted, the chief magistrate of such county of a town or city, or his deputy, in case of absence or illness, shall, on being required so to do by any freeholder of such county, &c. hold an open court of sessions for registering all such freeholders as shall present themselves for that purpose, in form now required by law; and the chief magistrate, or deputy, shall sit each day from 10 *a. m.* till 4 *p. m.*, and any freeholder in any county of a town or city, may register the same before the recorder, or his deputy, presiding in open court, at any quarter sessions, or adjournment thereof, for the county, &c. in which such freehold is situate; and such chief magistrate, or deputy, and recorder, or deputy, shall administer all oaths, and sign all certificates now required by law to render the registry of such freehold valid; and their signatures so affixed in open court shall be, singly, a sufficient attestation of such registry, in place of the signature of 2 magistrates, and of the clerk of the peace, as now required by law; and the certificate of registry of a freehold in any county of a city or town so signed as aforesaid, shall be sufficient evidence of the registry thereof at any election, if without erasure or interlineation; and the affidavits of registry so attested shall be delivered by such mayor, recorder or deputies, to the clerk of the peace, to be filed amongst the records of the court, *id. s.* 38.

124. If any chief magistrate of any county of a town or city, shall wilfully omit to hold any such session, by himself or deputy, as in *s.* 38., on being required so to do, as above; or if any other chief magistrate, or recorder, shall omit, or wilfully refuse to register the freehold of any person duly qualified, presenting himself for that purpose to him, he shall forfeit 100*l.* for every neglect of duty; and if the clerk of the peace, or deputy, shall neglect to attend at any such session of the peace, on due notice given to him of holding the same by any such freeholder, and there to do all acts now required of him by law for registr-

of freeholders, he shall, for every such offence, forfeit 50*l.*, to be recovered by information in any court in *Dublin*, one moiety to H. M., and the other to him who shall recover the same, 1 *G.*4. *c.*11. *s.*39.

125. If any person shall falsely make, forge or counterfeit, or cause, &c. to be falsely made, &c., or shall willingly act or assist in the false making, &c. any certificate of the registry of any freehold or affidavit, &c. relating thereto, or any instrument purporting to be a certificate of the registry, or an affidavit relating thereto, or shall utter or publish, or assist to utter or publish, or produce in any polling booth as true, any such forged, &c. certificate, affidavit or instrument, with intent to make or support any claim of himself, or any other person to vote at any election, he shall be deemed guilty of felony, and transported for 7 years, *id. s.*40.

126. Every person whom any returning officer shall employ to act as a clerk for taking the poll, shall enter in a book the number opposite to the name of each freeholder in the registry book who shall tender his vote, his name and abode, situation and value of freehold, and for whom he votes, and shall, before the beginning of the poll, take the following oath which shall be administered by the returning officer, *id. s.*41.

'I *A. B.* do swear, that I will, at this election of a member [*or* members, *as the case may be*] to serve in parliament for the county, county of the town, or city [*as the case may be*] of — truly and indifferently take the poll, and set down the number opposite to the name of each freeholder in the registry book, his name and the place of his abode, and the situation and the value of his freehold, and for whom he shall poll. So help me God.'

127. Any deputy sheriff, poll clerk, clerk, or deputy, or assistant deputy clerk of the peace, interpreter, constable, or peace officer, who shall absent himself from the duty of his office at any election, during any part of the time that the poll shall be kept open on each day, shall forfeit all compensation for his attendance during such election; and the returning officer, in case of the neglect, or insufficiency of any such person, shall immediately remove him, and appoint a person to fill his place, *id. s.*42.

128. Nothing in this act shall extend to abridge or defeat the franchise of any person who before this act has duly registered his franchise; franchises registered under 57 *G.*3. *c.*131. before passing this act, are not affected by this act, *id. s.*43, (see *s.*1.)

129. Persons having freeholds under 20*l.* yearly value, not consisting of a rent charge, and liable only to crown or quit rent, may register the same in like manner as provided for persons having freeholds of 20*l.* yearly value in 37 *G.*3. (*Ir.*) *c.*29. and such person so registering his freehold, shall insert in the oath of registry, the words "forty shillings," instead of "twenty pounds," or "fifty pounds," and shall add these words, "and that the said freehold does not consist of a rent charge, and that it is liable to no rent except quit or crown rent, *or* that it arises from fee farm grant, *or* that I hold it under a lease or leases for ever, or under a lease or leases for lives, renewable for ever, [*as the case may be*]," and every person who offers to vote by virtue of a freehold under 20*l.* value, and holding it, subject to quit or crown rent, shall make the same affirmations and take the same oaths as are now provided for persons having freeholds of 20*l.* value; provided that such persons shall in such oaths make the alterations and additions herein set forth in their oath of registry, *id. s.*44.

130. All former acts for regulation of election of members of parliament for *Ire.* shall be in force, except as altered by this act, *id. s.*45.

131. To REGULATE THE EXPENCES OF ELECTIONS OF MEMBERS of parliament for *Ire.* 1 & 2 *G.*4. *c.*58.

132. After 23d *June*, 1821, no other charges shall be made for any thing performed or done in the execution of any writ or precept for holding an election in *Ire.*, besides the charges set forth in sched. (A.), *id. s.*1.

133. No other person, besides the persons mentioned in that schedule, shall receive fee or reward for any thing done in execution of any writ or precept for holding an election, *id. s.*2.

134. No person hereafter elected to serve in parliament for any county, city, town, or borough, shall, by himself, or friends, or agent, directly or indirectly, give any fee or reward, or make payment of money by way of compliment, or on any account to any returning or deputy returning officer, clerk of the peace or his deputy, on penalty of being hereby declared to be disabled to serve in parliament on such election for such county, &c. *id. s.*3.

135. So much of 35 *G.*3. *c.*29. (*Ir.*) as provides that no candidate for any county shall employ at his election more than one agent and one clerk for each barony or half barony therein, is repealed, *id. s.*4.

136. After passing this act, no candidate at an election for any county, &c. (as in *s.*3.) shall pay to any barrister, agent, inspector, or clerk, any money for his trouble at any such election, exceeding the sums in schedule (B), *id. s.*5.

137. If any such candidate shall give, by himself, his friends, or agents, or by any person employed by him or them, any money, fee, office, employment, or reward, or promise, or security for any money, &c. to any barrister, as in last *pl.*, for doing any thing concerning any matter relating to such election, directly or indirectly, above the sum set forth to be paid in schedule (B.), he shall be disabled to serve in parliament on such election for such county, &c. as in *s.*3., 1 & 2 *G.*4. *c.*58. *s.*6.

138. 1 *G.*4. *c.*11. *s.*27. relating to grand jury presentments for reimbursing returning officers, is repealed, *id. s.*7.

139. Nothing herein shall cause any candidate at an election for any county, &c. to be liable to payment of any charges for expences attending execution of any writ or precept for holding an election, to which he was not liable previous to 1 *G.*4. *c.*11. except for such additional places of polling, and deputy clerks, and assistant clerks of the peace, as by that act *s.* 6. *pl.* 91. required to be provided.

Schedule (A.)—Charges for executing a writ or precept for holding an election.

	£	s.	d.
For providing each place of polling or booth for commissioners, for administering oaths of qualification to Roman catholics, such place of polling or booth not being in a public building, a sum not exceeding	15	0	0
Such place of polling or booth being in a public building, a sum not exceeding	7	10	0
For the assessor to the returning officer, for attending the election, and for the 1st day's polling, a sum not exceeding	50	0	0
For each subsequent day's attendance, a sum not exceeding	11	7	6
For each poll clerk, for each day's polling, a sum not exceeding	1	2	9
For each deputy clerk of the peace, for each day's polling, a sum not exceeding	0	10	0
For each assistant deputy clerk of the peace, for each day's polling, a sum not exceeding	0	5	0
For each interpreter, for each day's attendance at a poll which may be required, a sum not exceeding	0	10	0
For each constable (of whom not more than 2 who are employed to attend a place of polling shall be paid), for each day's polling, a sum not exceeding	0	5	0

The said allowances to cover all extra and incidental expences belonging to each of the above-mentioned persons.

For all incidental expences, such as indentures, stamps, poll books, advertisements, stationery, and all other expences belonging to the execution of a writ or precept for holding an election, a sum not exceeding the rate of 3*l.* for each place of polling.

Schedule (B.) Payments which a candidate may make at an election to his counsel, agents, inspectors, and clerks.

	£	s.	d.
To one barrister as counsel for attending the election, and for the 1st day's polling, a sum not exceeding	50	0	0
For each subsequent day's polling, a sum not exceeding	11	7	6
To one conducting agent, a sum not exceeding	100	0	0

And an additional sum to cover all expences, *bonâ fide* incurred for making up books, and for other expences necessary for taking a poll.

To every other agent or inspector, for the 1st day's polling, a sum not exceeding	6	16	6
For every subsequent day's polling, a sum not exceeding	3	8	3
To each cheque clerk and other clerk, for each day's polling a sum not exceeding	0	15	0

The said allowances to cover all expences for lodging, diet, and all other extra incidental expences belonging to each of the above-mentioned persons. (No candidate to pay more than one counsel, one conducting agent, one inspector, and one cheque clerk, for each place of polling; one agent for the sheriff's booth, 3 agents for preparing tallies, and 2 clerks for the same purpose, for each barony or half barony.)

IRELAND (*UNION*).

1. FOR THE UNION OF GREAT BRITAIN AND IRELAND, 39 & 40 *G.*3. *c.*67. *Articles* 1—2, 5—7. *Articles* 3—4, and *Article* 8. *s.*2., relate to IRELAND (*Parliament*), and *Art.*8. *s.*1. to *id.* (*Administration of Justice.*)

2. THE ARTICLES OF UNION approved by the parliaments of both countries, are as follows, and are *confirmed* by the royal assent, *Art.*8. *s.*1.

3. The kingdoms of *G. B.* and *Ire.* shall, on 1 *Jan.* 1801, and for ever after, be united into one kingdom, called "*The United Kingdom of Great Britain and Ireland*," and the royal style and titles belonging to the imperial crown of such U.K., and its dependencies, and the ensigns armorial flags, and banners thereof, shall be such as H.M. by royal proclamation, under the great seal of U.K. shall appoint, 39 & 40 *G.*3. *c.*67. *Art.* 1.

4. The succession to the crown of U.K., and the dominions thereto belonging, shall continue as settled by the existing laws, and the terms of union between *Eng.* and *Scot.*, *id. Art.*2.

5. The churches of *Eng.* and *Ire.* as now by law established, shall be united into one protestant episcopal church, called "*The United Church of Eng. and Ire.*," and the doctrine, worship, discipline, and government of which united church shall be as now by law established for the church of *Eng.*, and its continuance shall be deemed an essential part of the

union; and in like manner the doctrine, &c. of the church of *Scot.* shall remain as now by law, and by the acts of Union [*5 & 6 A. c.* 8. *art.* 25.] established, 39 & 40 *G.* 3. *c.* 67. *Art.* 5.

6. H.M.'s subjects of *G. B.* and *Ire.* shall, from 1*st Jan.* 1801, be entitled to the same privileges, and be on the same footing as to encouragements and bounties on the like articles, being the growth, produce, or manufacture of either country, and generally in respect of trade and navigation, in all ports and places in U.K. and its dependencies; and in all treaties made by H. M. with any foreign power, his subjects of *Ire.* shall have the same privileges, and be on the same footing, as those of *G. B. id. Art.* 6. (*s.* 1.)

7. After 1*st Jan.* 1801, all prohibitions and bounties on the export of articles the produce or manufacture of either country to the other shall cease, and they shall thenceforth be so exported without duty or bounty on export, *id. Art.* 6. (*s.* 2.)

8. All articles the produce or manufacture of either country (not herein after enumerated as subject to specific duties) shall from thenceforth be imported into each country from the other free from duty, other than the countervailing duties in *Sched. No.* 1. (A) & (B), or such as may hereafter be imposed by parliament, as herein after provided [and for 20 years from the union the articles enumerated in *Sched. No.* 2. shall be subject on import to the duties there contained, but now see 1 *G.* 4. *c.* 45.] and the woollen manufactures called old and new drapery, shall pay on import into each country from the other the duties now payable on import into *Ire.*; salt, hops, and coals on import into *Ire.* from *G. B.* duties not exceeding those to which they are now subject, *id. Art.* 6. (*s.* 3.) [The duties under this act are not repealed by 43 *G.* 3. *c.* 68. *s.* 4., 44 *G.* 3. *c.* 98. *s.* 1., 49 *G.* 3. *c.* 98. *s.* 9., but continue, subject to the modifications of other acts, as 45 *G.* 3. *c.* 18. &c. See that act, *s.* 5., and 59 *G.* 3. *c.* 52. *s.* 5.]

9. Calicoes and muslins shall, on import from either country to the other, be liable to the present duties till *5th Jan.* 1808, when they shall be decreased in equal annual proportions till they stand at 10 *per cent.* from *5th Jan.* 1816, till *5th Jan.* 1821, and cotton yarn and twist shall, on like import, be subject to present duties till *5th Jan.* 1808, after which the latter shall be anually in like manner reduced, so that all duties may cease thereon from *5th Jan.* 1816, *id. Art.* 6. *s.* 4.

10. Articles of the growth, &c. of either country, which are subject to internal duty, or to duty on the materials of which they are composed, may be made subject on import into each country from the other to a reasonable countervailing duty in respect of the above-mentioned duty; [*see the articles Sched. No.* 1. (A) (B)] and on export thereof a drawback shall be given equal in amount to the countervailing duty payable on such articles on their import into the same country from the other; and in like manner the united parliament may *impose any new or additional countervailing duties, or take off or diminish the existing ones*, as may appear on the like principle just in respect of any additional internal duty, or duty on the materials composing such article, or of any abatement of duty thereon: and when any such new duty is imposed on the above import, a drawback equal to it in amount shall be given in like manner on the export of every such article from one country to the other, 39 & 40 *G.* 3. *c.* 63. *Art.* 6. (*s.* 5.)

11. All articles the growth, &c. of either country, when exported through the other, shall in all cases be exported subject to the same charges as if exported directly from the country of which they were the growth, &c. *id. Art* 6. (*s.* 6.)

12. All duty on import of foreign or colonial goods into either country, shall on export to the other be either drawn back, or the amount (if any is retained) placed to the credit of the country to which they shall be exported, so long as the expenditure of U.K. is defrayed by proportionable contributions; but all existing duties, bounties, or prohibitions on corn, meal, malt, flour, or biscuit, may be regulated, varied, or repealed, as parliament shall deem expedient, *id. Art.* 6. (*s.* 7.) [Then follows the schedule of articles to be charged with countervailing duties from *Ire.* into *G. B.* and *G. B.* into *Ire.* respectively. Art. 7. is superseded by 56 *G.* 3. *c.* 98.]

13. The great seal of *Ire.* may, if H. M. shall so think fit, be used in like manner after as before the union, except where it is otherwise provided by the above articles within *Ire.*, and H.M. may, so long as he sees fit, continue the privy council of *Ire.* for that part of the U.K. *id. Art.* 8. *s.* 3.

JEOFAILS.

1. Concerning mispleading, jeofails, [and attornies, see Attorney, *pl.* 14—15.] 32 *H.* 8. *c.* 30. [Con. 33 *H.* 8. *c.* 17., 37 *H.* 8. *c.* 23. Made Perp. 2 & 3 *E.* 6. *c.* 32. *s.* 1. [Ext. to writs of *mandamus* for restoring persons to offices and franchises in corporations, and to proceedings in *quo warranto* for like purposes, 9 *A. c.* 20. *S.* 7. as to the *courts* and *proceedings* therein, to which these statutes do and do not extend. See *infra*, *pl.* 15. and *last pl.*]

2. If any issue be tried [*viz.* verdict found] in any court of record, by oath of 12 or more indifferent men, the justices shall give judgment therein, notwithstanding any mispleading, lack of colour, insufficient pleading, or jeofail, discontinuance, misconveying of process, misjoinder of issue, lack of warrant of attorney for the party against whom the issue is tried, [*or* verdict found,] or other default of the parties, their counsel or attornies, and such judgments shall not be liable to reversal by writ of error, or false judgment, for any such default, 32 *H.* 8. *c.* 30. *s.* 1. [See *s.* 2. Attorney, *pl.* 15.]

3. For reformation of jeofails, 18 *El. c.* 14. [Ext. to writs of *mandamus* for restoring persons to offices and franchises in corporations, and to proceedings in *quo warranto* for the like purposes, by 9 *A. c.* 20. *s.* 7.]

4. After verdict of 12 men or more given in any action in any court of record, the judgment thereon shall not be stayed or reversed by reason of any default in or lack of form touching false *Latin*, warrant from the register, or other default in form, in any writ original or judicial, count, declaration, plaint, bill, suit, or demand, or for want of any writ original or judicial, or by reason of any imperfect or insufficient return of any sheriff or officer, or for want of any warrant of attorney, [see *s.* 3. Attorney, *pl.* 16.] or for any default in process, on or after aid prayer, or voucher, nor shall any such record of judgment, after verdict, be reversed for any such defect, 18 *El. c.* 14. *s.* 1.

5. For further reformation of jeofails, 21 *J.* 1. *c.* 13. (*and* recital in 16 & 17 *C.* 2. *c.* 8. *s.* 1.) [see rest of this statute, Error, *pl.* 20—22.]

6. After verdict of 12 men or more given in any court of record, the judgment thereon shall not be stayed or reversed for any variance in form only, between the original writ or bill, and the declaration, plaint, or demand, or for lack of averment of the life of any person, so as on examination he be proved to be in life, or because the *venire facias*, *habeas corpora*, or *distringas*, is awarded to a wrong officer, or that the *visne* is in some part misawarded, or sued out of more or fewer places than ought to be, so that one place be right named, or because any of the jury is misnamed, either in surname or addition, if on examination he prove to be the man who was meant to be returned, or because there is no return on any of the writs, so as a panel of the jurors' names be returned and annexed to the writ; or for that the sheriffs or other returning officer's name is not set to the return, so as on examination, it is proved to be returned by the sheriff, undersheriff, or other such officer; or because the plaintiff in an ejectment, or in any personal action, being an infant under 21 years, did appear by attorney therein, and the verdict pass for him, 21 *J.* 1. *c.* 13. *s.* 2.

7. After verdict of 12 men, given in any action, bill, suit, or demand, in any of the courts of record at *Westminster*, or in the counties palatine of *Chester*, *Lancaster*, or *Durham*, or great sessions of *Wa.*, judgment thereupon shall not be stayed or reversed for default in, or lack of form, or because only one or no pledges to prosecute are returned on original writ, or entered on any bill or declaration; or because the sheriff's name is not returned on the original writ; or for default of alleging *profert* into court, of bond, bill, indenture, or other deed mentioned in any pleadings; or for default of alleging *profert* into court, of letters testamentary, or of administration, or for omission of *vi et armis*, or *contra pacem*; or for clerk's mistake of christian or surname of plaintiff or defendant, demandant or tenant, sum, or sums of money, day, month, or year, in any pleading where the right, name, sum, &c. are rightly laid in the same, or in any preceding writ, plaint, roll, or record, to which plaintiff might have demurred, and shown same for cause; nor for want of averment of *hoc paratus est verificare* or *verificare per recordum*, or not laying a *prout patet per recordum*, or for wrong *venue*, so as the cause were tried by a jury of the proper county or place where the action is laid, 16 & 17 *C.* 2. *c.* 8. *s.* 1.

8. No judgment after verdict, confession by *cognovit actionem*, or *relictâ verificatione*, shall be reversed for want of *misericordiâ*, or *capiatur*, or by entering one by mistake for the other, or for that "*ideo concessum est per curiam*," is entered for "*ideo consideratum est per curiam*;" nor for that the costs in any judgment are not entered to be by consent of plaintiff, or that the increase of costs, after verdict in any action, or on nonsuit in replevin are not entered to be at request of the party for whom the judgment is given; but all such variances and defects, not being against the right of the matter of the suit, or altering the issue or trial, shall be amended by the judges of the courts where such judgments are given, or into which the record is removed by writ of error, *id. ibid.*

9. For expediting justice in cases of demurrers and pleadings, 27 *El. c.*5., [virtually Amd. 4 *&* 5 *A. c.*16. *ss.*1—2. and *s.*7.]

10. For preventing arrests of judgments, 16 *&* 17 *C.*2. *c.*8. [see rest of statute, Error, *pl.*20—22. Made Perp. 22 *&* 23 *C.*2. *c.*4.; 27 *El. c.*5. is Exp., and with 16 *&* 17 *C.*2. *c.*8., virtually Ext. to the proceedings enumerated in 4 *&* 5 *A. c.*16. *s.*2. See *infra*, *pl.*15. *and* 16., and to all writs of *mandamus*, and informations in *quo warranto*, 9 *A. c.*20. *s.*7. Franchises, *pl.*50.]

11. After demurrer joined and entered in any action in any court of record, the judges shall give judgment according to the very right of the cause and matter in law, without regarding any defect or want of form in the process, pleadings, or other proceedings soever, except those only which the party demurring shall specially set down with his demurrer; and no judgment shall be reversed in error for any such defect as above, and not so specially set down, 27 *El. c.*5. *s.*1.

12. After demurrer joined and entered, the court may amend all such defects, not so specially set down, *id. s.*2.

13. For amendment of the law, and better advancement of justice, 4 *&* 5 *A. c.*16. *ss.*1—2. *s.*7., and *s.*24. *infra*, *pl.*16. [The above sections are Ext. with all other statutes of jeofails to informations and proceedings on writs of *mandamus* and *quo warranto*, 9 *A. c.*20. *s.*7., to all suits in H. M.'s courts of record at *Westminster*, for recovery of any debt immediately owing, or revenue belonging to H. M.; and to all courts of record in the counties palatine and great sessions in *Wa.*, and to all courts of record within this kingdom, 4 *&* 5 *A. c.*16. *s.*24.]

14. Where demurrer is joined and entered in any suit in any court of record, the judges shall give judgment, as the very right of the cause and matter in law shall appear, without regarding any omission or defect in any writ, return, plaint, declaration, or other pleading, process, or course of proceeding, except those only which the party demurring shall specially set down with his demurrer as causes thereof, notwithstanding that such imperfection, &c. might have heretofore been taken to be matter of substance, and not aided by 27 *El. c.*5.; so as sufficient matter appear on the pleadings, on which the court may give judgment according to the very right of the cause; and no advantage shall be taken of an immaterial traverse, or of the default of entering pledges, or of alleging the bringing into court any bond or other deed mentioned in the declaration or other pleading, or of any letters testamentary, or of administration; or of omission of *vi et armis et contra pacem*, or of the want of averment of *hoc paratus est verificare*, or *hoc paratus est verificare per recordum*, or *prout patet per recordum*; but the court shall give judgment according to the very right of the cause, without regarding any such imperfections, or other matter of the like nature, except it be specially shown for cause of demurrer, 4 *&* 5 *A. c.*16. *s.*1.

15. All the statutes of jeofails shall extend to judgments entered on confession, *nil dicit*, or *non sum informatus*, in any court of record; and no such judgment shall be reversed, nor shall any judgment on any writ of enquiry of damages executed thereon be staid or reversed for any thing which would have been aided by the statutes of jeofails, in case a verdict had been given in the action, so as there be an original writ or bill, and warrants of attorney *duly* [see *s.*3., Attorney, *pl.*16.] filed, 4 *&* 5 *A. c.*16. *id. s.*2. [These statutes Ext. to process and pleadings, when in English, 4 *G.*2. *c.*26. *s.*4.; to all proceedings under 18 *G.*2. *c.*18. *viz. s.*5. *&c.*, Parliament, *pl.*143., *id. s.*15., or under 49 *G.*3. *c.*118., *same title*, *pl.*100., *id. s.*4.; to actions in *Scotch* exchequer, for debts due to the crown, 6 *A. c.*26. *s.*9.]

16. Nothing in these acts shall extend to any [*appeal* of felony or murder Rep., 59 *G.*3. *c.*46. *s.*1.], indictment, presentment, or inquisition of treason, murder, felony, or other matter, or process upon them, nor to any writ, bill, action, or information on any penal or popular statute, except concerning customs and subsidies of tonnage and poundage, 16 *&* 17 *C.*2. *c.*8. *s.*2.; and also except actions of debt for not setting out tithes, *id. s.*5., and debt immediately owing, or revenue belonging to H. M. 4 *&* 5 *A. c.*16. *s.*24.; [nor to any writ of error brought by any executor or administrator, 16 *&* 17 *C.*2. *c.*8. *s.*5.], 18 *El. c.*14. *s.*2., 27 *El. c.*5. *s.*3., 21 *J.*1. *c.*13. *s.*3., 16 *&* 17 *C.*2. *c.*8. *s.*2. *&* *s.*5., 4 *&* 5 *A. c.*16. *s.*7.; to all actions, &c. under 18 *G.*2. *c.*18., Parliament, *pl.*143., or under 31 *G.*2. *c.*14. *tit. id.*, *pl.*153., or under 49 *G.*3. *c.*118. *tit. id.*, *pl.*100.

JEWS.

(Statutes *repealed and expired.*)

1. To permit persons professing the jewish religion to be naturalized by parliament, and for other persons therein mentioned, 26 *G.*2. *c.*26. Rep. 27 *G.*2. *c.*1.

2. Statutum de judeismo. *Stat. Incert. Temp.*, 1 *Stat.* 8*vo ed.* 411. [According to Lord *Coke*, 2 *Inst.* 506. passed 18 *E.*1. seems obsolete.]

(Statute *in force.*)

1. To oblige jews to maintain and provide for their protestant children, 1 *A. St.*1. *c.*30.

2. If any jewish parent, in order to compel his protestant child to change his religion, shall refuse to allow such child a fitting maintenance suitable to the ability of the parent, and the age and education of such child, then on complaint to the chancellor, lord keeper, or commissioner of great seal, such chancellor, &c. may make such order therein as he thinks fit, 1 *A. S.*1. *c.*30.

JUDGES.

(Statute *expired.*)

To enable such person as H. M. shall please to appoint to the vacant office of a baron of the exchequer, to take on himself the degree of a serjeant at law, 39 *G.*3. *c.*67. [Exp. See *c.*113.]

(Statutes *in force.*)

1. For augmenting the salaries of the puisne judges of K. B. and of each of the judges of C. P. of the barons of the coif in exchequer, and justices of *Chester*, and great sessions in *Wales*, 32 *G.*2. *c.*35. *ss.*9—11. [*s.*12. relates to Scotland (*Judges*), and see the rest of the statute, Stamps. *Note.* These salaries are secured to them, 2 *G.*3. *c.*36. and 5 *G.*3. *c.*47. (but the stamp duties granted in order to effect these augmentations are Rep.) and are further augmented as follows; as to justices of *Chester*, and great sessions, 12 *G.*3. *c.*30.; as to *puisne* judges of K. B., C. P., and barons of coif in exchequer, 19 *G.*3. *c.*65. (which augmentations are charged on the consolidated fund by 27 *G.*3. *c.*13. *s.*66.; and see as to allowances to the chancellor, judges, &c. charged on the civil list, 1 *G.*4. *c.*1. *Sched. class* 2.); as to master of the rolls, 39 *G.*3. *c.*110. (the augmentation made under this act to the chief baron, puisne judges of K. B. and C. P. and barons of exchequer being Rep. by 49 *G.*3. *c.*127. *s.*1.) as to chief baron, puisne judges of K. B, and C. P., and barons of exchequer, chief and 2d justices of *Chester*, and justices of great sessions in *Wales*, 49 *G.*3. *c.*127.]

2. [The duties of stamps, &c. on which the augmentations of the judges' salaries were charged, being consolidated by 27 *G.*3. *c.*13. and now Rep.] There shall be paid to them out of the money forming the consolidated fund, the following annual sums, being the amount of the augmentations made by 32 *G.*2. *c.*35., 2 *G.*3. *c.*36., 5 *G.*3. *c.*47., 12 *G.*3. *c.*30., 19 *G.*3. *c.*65., to their salaries respectively: *viz.* to the 3 puisne judges of K. B. 900*l.* each; to chief justice of C. P. 500*l.* [*see note, infra*]; to the 5 puisne judges of C. P. 900*l.* each; to the chief baron of exchequer, 1500*l.*; to the 3 other barons, 900*l.* each; to the chief justice of *Chester*, 500*l.*; to each of the justices of great sessions in *Wales*, 350*l.*; such salaries to be paid quarterly, on 10*th Oct.*, 5*th Jan.*, 5*th April*, and 5*th July*, 27 *G.*3. *c.*16. *s.*66. [Note.—The above augmentations were thus made, *viz.* 500*l.* to the chief justice of C. P. was included in the words of the grant in 32 *G.*2. *c.*35. *s.*9. which were "to *each* of the judges of C. P. 500*l.*;" 500*l.* by 32 *G.*2. *c.*35. *s.*9. and 400*l.* by 19 *G.*3. *c.*65. to each puisne judge of K. B. and puisne baron of exchequer; 1000*l.* by 32 *G.*2. *c.*3. and 500*l.* by 19 *G.*3. *c.*65. to the chief baron; 200*l.* by 32 *G.*2. *c.*35. *s.*9. and 300*l.* by 12 *G.*3. *c.*30. *s.*1. to the chief justice of *Chester*; 150*l.*, and 200*l.* by the same acts to the 2d justice of *Chester*, and to each of the justices of great sessions in *Wales*; see the present salaries, *infra*, *pl.*8.]

3. Such officer of the master of the rolls and chief baron, and of each of the puisne justices and barons as they shall respectively appoint, shall, as soon as may be after 25*th Mar.* and 29*th Sept.* half yearly, deliver to the treasury an account signed by such master of the rolls, &c. respectively of their clear salaries after the deduction of all fees and taxes paid in respect thereof, and also of all fees, &c. received or payable to them in respect of the execution of their offices, either in the courts at *Westminster*, at the rolls, or at chambers, in respect of any business depending in K. B., C. P., or exchequer, in the preceding half year, 39 *G.*3. *c.*110. *s.*2.

4. There shall be paid out of the consolidated fund of *G. B.* in preference to all later charges thereon, as much money as will make up the salary and pecuniary profits of the master of the rolls, 4000*l. per ann.* 39 *G.*3. *c.*110. *s.*1. [rest of this section is Rep., 49 *G.*3. *c.*127. *s.*1.]

5. There shall be paid out of the like fund, so much money as will make up the salaries of the chief baron, 5000*l.*; of each puisne judge and baron of the degree of the coif, 4000*l.*, 49 *G.*3. *c.*127. *s.*2.

6. In whatever sums the whole amount which has been received, or was payable to such persons in respect of their offices within the half year preceding the delivery of the account, as by 39 *G.*3. *c.*110. *s.*2. *pl.*3. directed, is less than 2500*l.* for the chief baron, and 2000*l.* for each of such other judges, shall be the sums to be issued for the half year in which such account shall be delivered, and shall be computed so as to make up their salaries to the above half yearly sums, *id. s.*3.

7. The annual sum of 40*l. viz.* at 10*l.* per term to the 2d judge of K. B. for his trouble in charges to the grand jury, and pronouncing judg-

ment on malefactors, shall not be included in the account by 39 *G.*3. *c.*110. *s.*2. *pl.*3. required, 49 *G.*3. *c.*127. *s.* 4.

8. There shall be paid out of the consolidated fund the yearly sums herein mentioned, *viz.* to the chief justice and second justice of *Chester*, and to each justice of the great sessions in *Wa.* 400*l.* in augmentation of their respective salaries and profits, and over and above any sum to which they may be entitled under any act now in force, 49 *G.*3. *c.*127. *s.*5. [Thus making up 900*l.* to the chief justice, and 750*l.* to each of the above justices, *see supra*, *pl.* 2. in note.]

9. The sums to be issued in pursuance hereof shall be paid half-yearly, free of all taxes and deductions, (except property tax now Exr.) on 10*th Oct.* and *5th April* annually, by equal portions, under the same regulations as by 39 *G.*3. *c.*110. prescribed, as far as they are applicable, *id. s.*6.

10. The 39 *G.*3. *c.*110. shall extend to this act as far as it is applicable, and not hereby altered, *id. s.*7.

11. If any person having the office of master of the rolls, chief baron, puisne justice, or baron of any such courts, shall die, or resign the same, the executors, &c. of the person dying, or the person resigning, shall be entitled to such proportionable part of such salary according to such rates as may have accrued during the time such person executed the office, and the proper officer of the successor shall deliver in such account on the days required, signed by such successor and his predecessor, or by the executors, &c. of the party dying, who shall then receive what according to this act is due; and if the party resigning or dying has received more than a proportionable part of the clear salary, the former, or the executors, &c. of the latter, shall pay to the successor a sum equal to such excess, *id. s.*4.

12. Such successor shall be entitled to receive such salaries and profits as may become due from the death or resignation of his predecessor, in like manner as if his patent was dated on the day after such death, &c., *id. s.*5.

13. To ENABLE H.M. TO GRANT ANNUITIES TO PERSONS in certain offices in the courts of *Westminster* hall on their resignations of their respective offices, 39 *G.*3. *c.*110. *ss.*6—11. [AMD. 53 *G.*3. *c.*153.]

14. H.M., by letters patent under the great seal of *G. B.*, may grant unto any person executing the office of lord high chancellor of *G. B.*, or lord keeper, a yearly sum not exceeding 4000*l.* from the time of his resignation for his natural life, the same to be paid and charged on the consolidated fund, and payable quarterly, clear of all deductions, on *5th Jan.*, *5th April*, *5th July* and 10*th Oct.* by equal portions; provided that H.M. may, by such letters patent, limit the duration of any such annuity granted to the chancellor, &c. to such periods during life in which he shall not execute such or any other office of profit under H.M., so as such annuity and the profits of such other office do not together exceed 4000*l.*, 39 *G.*3. *c.*110. *s.*6.

15. H.M. may, in like manner, grant unto any person who has executed the office of chief justice of K.B., and has resigned the same, a yearly sum not exceeding 3000*l.* [800*l.* more, 53 *G.*3. *c.*153. *s.*1.], and to any person who has executed the office of master of the rolls, chief justice of C.P. or chief baron of the exchequer, and has resigned the same, a yearly sum not exceeding 2500*l.* [800*l.* more, 53 *G.*3. *c.*153. *s.*1.], and to any person who has executed the office of a puisne judge of K.B. or C.P., or of baron of the coif of the exchequer and has resigned same, a yearly sum not exceeding 2000*l.* [600*l.* more, 53 *G.*3. *c.*153. *s.*1.], such annuities to be paid out of and charged on the consolidated fund [so in 53 *G.*3. *c.*153. *s.*1.], to commence from the resignation and continue during the life of the grantee, and to be paid in manner and at the times in 39 *G.*3. *c.*110. *s.*6. last *pl.*, the first payment being made on such of the said days as shall first happen after such resignation [but no such annuity shall be valid unless such chief justice, &c. has continued in one or more of such offices for 15 years, or is afflicted with a permanent infirmity disabling him for executing his office, which shall be distinctly recited in the grant, 39 *G.*3. *c.*110. *s.*7.], 39 *G.*3. *c.*110. *s.*7. [as AMD. by 53 *G.*3. *c.*153. *s.*1.]

16. The treasury, and high and under treasurer of exchequer, may, by warrant under their hands, direct the auditor of the receipt of exchequer to make forth and pass debentures for paying such annuities, and the money payable on such account as in *s.*2. *pl.*3., without demanding fees for same, and which warrants and debentures shall be a sufficient authority for payment thereof at the times therein stated, 39 *G.*3. *c.*110. *s.*8.

17. After the signing such warrants or debentures, the same shall be good according to their purport and this act, and shall not determine by the death of H.M., or by the death or removal of any commissioner of treasury or high or under treasurer of exchequer, or by the determination of their offices, *id. s.*9.

18. The treasury and exchequer shall, without fee, do all acts herein required of them, in order to render this act effectual, *id. s.*10.

19. The annuities granted by 39 *G.*3. *c.*110. and 53 *G.*3. *c.*110., shall be paid, clear of taxes and deductions, (except property tax, now EXP.), by equal portions, together with and in the same manner as annuities granted by 39 *G.*3. *c.*110. only, and subject to the like rules, 53 *G.*3. *c.*153. *s.*2. [and 39 *G.*3. *c.*110. shall extend to this act as far as it is applicable, and not hereby altered, *id. s.*3.]

20. The receipt of all such persons to whom any such annuities or sums of money have been granted, shall be a good discharge for the payment thereof without further warrant, and the same shall be paid clear of all taxes and charges; and if any officer of exchequer neglects to pay the same, or to do any act necessary to enable any such retired judge, &c. to receive the same, such judge, &c. may prosecute the officer, his heirs, executors or administrators, by bill plaint or action of debt, and shall recover and sue out execution against them for so much of such annuity then due as is in the hands of such officers at the time of demand for payment, or refusal to do such act, 39 *G.*3. *c.*110. *s.*11.

21. TO ENABLE SUCH PERSONS AS H.M. MAY APPOINT to the office of chief justice or judge of either bench, or of chief baron or baron of exchequer, to take on themselves the degree of a serjeant-at-law in vacation, 39 *G.*3. *c.*113.

22. H.M. at any time in vacation, whilst any of the above offices is vacant, may cause a writ to be issued out of chancery, directed to any barrister at law H.M. shall think fit, commanding him to appear in such court, and take on himself the state and dignity of a serjeant at-law, and such person shall accordingly appear before the chancellor at the time and place by him appointed, and on so appearing and taking the oaths usually administered to a serjeant-at-law, shall, without farther act, be deemed a serjeant-at-law; and in case H.M. shall be pleased by writ or letters patent under the great seal, to appoint such person so sworn to any of the above offices, he shall be deemed lawfully appointed, and may hold and execute the same as if he had been a serjeant-at-law, sworn in the usual way, *id. ibid.*

23. TO AUTHORISE JUDGES TO WHOM PETITIONS for certain bills, shall be referred to examine witnesses on oath, 41 *G.*3. U.K. *c.*105.

24. One or more judges of *Scot.* to whom any petition for any bill concerning lands, hereditaments, or other heritable subjects in *Scot.*, shall be referred by the house of lords, and one or more of the judges of *Ire.*, to whom any petition concerning lands or other hereditaments in *Ire.* shall be referred, may examine on oath all witnesses produced before them, touching the matter of such petition, and may administer an oath accordingly, which shall be as available, and persons taking the same shall be punished for false evidence in the same way, as if it had been administered to the witness at the bar of the house of lords, *id. ibid.*

JUDGMENTS.

1. HOW DELAYS OF JUDGMENT IN COURTS OF JUSTICE shall be redressed, 14 *E.*3. *S.*1. *c.*5.

2. At every parliament shall be chosen a prelate, 2 earls, and 2 barons, with commission from H.M. to hear by petition complaints of delays of judgments or grievances, and they shall have power to cause to come before them at *Westminster* or elsewhere, the tenor of records and processes of such judgments delayed, and to cause the justices to come before them to hear the reasons thereof; which cause so heard by good advice of themselves, the chancellor, treasurer, justices of both benches, and other of H.M.'s counsel as many and such as they think necessary, shall proceed to judgment, and the tenor of the record with the judgment shall be remanded before the justices before whom the plea did depend, who shall give judgment according to the same record; and if the difficulty cannot well be determined without assent of parliament, the said tenor shall be brought by the said prelate, &c. into the next parliament, and final accord shall be there taken what judgment ought to be given, and by advice of the said prelate, &c. be it ordained to encrease or diminish the number of the ministers as need may be, 14 *E.*3. *S.*1. *c.*5. [see ERROR *passim.*]

3. AFTER JUDGMENT GIVEN IN H.M.'S COURTS, THE PARTIES and their heirs, shall be thereof in peace till the judgment is reversed by attaint or error, 4 *H.*4. *c.*23.

4. "Whereas it has been found mischievous that the judgments in H.M.'s courts at *Westminster*, do often relate to the 1st day of the term of which they are entered, or to the day of the return of the original or filing bail, and bind defendant's lands from that time, though in truth they were acknowledged or suffered, and signed in the vacation after such term, whereby often purchasers are aggrieved, 29 *C.*2. *c.*3. *s.*13."

EVERY JUDGE OR OFFICER OF ANY OF H.M.'S COURTS AT *Westminster* who shall sign any judgments, shall, at such signing without fee for doing the same, set down the day of the month and year of his so doing on the paper book, docquet, or record which he shall sign, which day shall be also entered on the margin of the roll of the record, where such judgment is entered, *id. s.*14.

5. Such judgments as against *bonâ fide* purchasers, for valuable consideration of lands, tenements, and hereditaments chargeable thereby, shall, in consideration of law, be judgments only from the time when they are so signed, and shall not relate to the first day of the term,

whereof they are entered, or the day of the return of the original or filing the bail, 29 *C.*2. *c.*3. *s.*15.

6. FOR BETTER DISCOVERY OF JUDGMENTS IN THE COURTS OF K. B., C. P., and exchequer at *Westminster*, 4 *& 5 W. & M. c.*20. [CON. 6 *&* 7 *W.*3. *c.*14. *s.*3. MADE PERP. 7 *&* 8 *W.*3. *c.*36. *s.*3.]

7. The clerk of essoins of C. P., every clerk of doggets of K. B., and the master of the office of pleas in exchequer, shall, before the last day of every *Easter* term, make into an alphabetical dogget by defendants' names, a particular of all judgments for debt by confession, *non sum informatus*, or *nil dicit*, entered in such respective courts of the *Hilary* term preceding, and continuing plaintiffs' and defendants' names, places of abode, title, trade, or profession, (if any such be in the records,) and the debt, damages, and costs recovered, and in what county, city, or town the actions were laid, and the number roll of entry thereof; and every clerk of the judgments, and other clerk in K. B. and C. P., and the clerk of the judgments in exchequer, and all other clerks of those courts, shall, in 10 days before the end of *Easter* term, bring to the clerks of the doggets of C. P. and K. B., [*Qu.* clerk of essoins of C. P.? *see* above] and to the master of office of pleas in exchequer, notes in writing of the judgments entered by them of the said *Hilary* term, on every judgment on verdict, writ of inquiry, demurrer, or other judgment, for debt or damages, in order to entry in manner aforesaid; the same shall be done for *Easter* and *Trinity* terms before the last day of *Michaelmas* term, and for *Michaelmas* term before the last day of *Hilary* term, 4 *& 5 W. & M. c.*20. *s.*1.

8. Such doggets shall be kept in books of parchment in the respective offices, to be searched by all persons at reasonable times, on payment to the officers having custody thereof 4*d.*, for every term's search, for judgments against any one person, on penalty of 100*l.* for every term's neglect of duty in the premises by any clerk above-mentioned, to go one moiety to the party grieved, the residue to the informer suing in any H. M.'s courts at *Westminster*, without essoin, &c. and but one imparlance, *id. s.*2.

9. No judgment not doggeted in such books, shall affect any lands, tenements, or hereditaments, as to purchasers or mortgagees, or have preference against heirs, executors, or administrators in administration, *id. s.*3.

10. Four-pence in addition to the now usual fees shall be paid by the plaintiff [to the respective clerks of the judgments, *see preamble to section*,] on every judgment entered up, *id. s.*4.

JUDICIAL PROCEEDINGS.

(STATUTES *expired.*)

1. FOR REGULATING CRIMINAL PROCEEDINGS AGAINST CERTAIN scholars of *Oxford*, 9 *H.*5. *S.*1. *c.*8. EXP.

2. FOR CONTINUANCE OF PROCESS AND JUDICIAL PROCEEDINGS, [on account of the inconvenience of keeping certain returns in *Easter* term,] 12 *C.*2. *c.*3. [EXP.]

3. FOR CONFIRMATION OF JUDICIAL PROCEEDINGS OF ILLEGAL courts of justice, 12 *C.*2. *c.*12. [EXP.]

(STATUTES *in force.*)

1. THAT ALL PROCEEDINGS IN COURTS OF JUSTICE IN *Eng.* and in exchequer in *Scot.*, shall be in the *English* language, 4 *G.*2. *c.*26. [AMD. 6 *G.*2. *c.*6., 6 *G.*2. *c.*14. *ss.*3—5., an act of a similar, nature was passed *A. D.* 1650, and was CON. till 1*st August*, 1660, by 12 *C.*2. *c.*3. *s.*4. *See also* 36 *E.*3. *c.*15. PLEADING, *pl.*8.]

2. All writs, process, and returns, pleadings, rules, orders, indictments, informations, inquisitions, presentments, verdicts, prohibitions, certificates, patents, charters, pardons, commissions, records, judgments, statutes, recognizances, bonds, rolls, entries, fines, and recoveries, and all proceedings whatever in courts of justice in *Eng.*, [great sessions of *Wa.* and *Ber.*, 6 *G.*2. *c.*14. *s.*3. and *s.*5.] and exchequer in *Scot.*, shall be in *English*, and not in *Latin*, *French*, or other tongue, and shall be written in such common and not court hand, as the statutes are usually engrossed in, the lines and words to be written at least as close as the statutes usually are, and *not* abbreviated, [*but* see 6 *G.*2. *c.*14. *s.*5. next *pl.*] 4 *G.*2. *c.*26. *s.*1. [as EXT. by 6 *G.*2. *c.*14. *s.*3.; but 4 *G.*2. *c.*26. does not extend to the court of the receipt of exchequer, 6 *G.*2. *c.*6. *s.*1., which court, and its several members, shall carry on business according to the usual course, *id. s.*2. *But it should seem* that the process annexed to the schedules of defendants in process for debts due to H. M., should be in *English* and common legible hand, according to 4 *G.*2. *c.*26., see 6 *G.*2. *c.*14. *s.*5. latter part, which is EXP.; and the quarterly imprest certificates of monies issued at receipt of H.M.'s exchequer shall be written in *English*, in common hand and character, 1 *&* 2 *G.*4. *c.*121. *s.*1. ACCOUNTS PUBLIC, *pl.*23.; and so of accounts made out for declaration by commissioners of public accounts, *id. s.*7. *tit. id. pl.*62.]

3. Such proceedings may be written or printed in a common legible hand or character, and with the like way of writing or printing, and expressing numbers by figures, as have been heretofore or are now commonly used in *English*, 6 *G.*2. *c.*14. *s.*5.

4. A penalty of 50*l.* is recoverable by any person suing for same by action of debt, bill, plaint, or information, commenced within 3 months, in any court of record at *Westminster*, of great sessions in *Wa.*, or of exchequer in *Scot.*, without essoin, &c. and with but one imparlance, for writing or printing such proceedings in any other language than *English*, or in court hand; but such penalty shall not extend to the usual technical names of writs, process, or other technical words, if written or printed in a legible hand, not being court hand, and with usual *English* abbreviations, 4 *G.*2. *c.*26. *s.*1., [as AMD. 6 *G.*2. *c.*14. *ss.*4, 5.]

5. Nothing in this act shall extend to certifying beyond seas any case or proceedings in admiralty, which may be certified in *Latin* as formerly, 4 *G.*2. *c.*26. *s.*3.

6. All statutes of jeofails shall extend to forms and proceedings in courts of justice (except criminal cases), when they are in *English*, and this clause shall be construed in the most beneficial manner, *id. s.*4.

JURY. (*See* ATTAINT.)

(STATUTES *expired.*)

1. FOR ADMITTING A TRAVERSE AGAINST AN UNTRUE INQUISITION, 1 *H.*8. *c.*12. [EXP.]

2. SHERIFFS SHALL RETURN SUFFICIENT JURORS, 11 *H.*7. *c.*26. [CON. 12 *H.*7. *c.*2., 19 *H.*7. *c.*16. all EXP.]

3. FOR THE RETURNING OF ABLE AND SUFFICIENT JURORS, 16 *&* 17 *C.*2. *c.*3. [EXP. *See preamble of* 4 *W. & M. c.*24. *s.*15.]

(STATUTES *in force.*)

1. CONCERNING CHARTERS OF EXEMPTION AND LIBERTIES, THAT the purchaser shall not be impannelled in assizes, juries, and inquests, it is provided, that if their oaths be so requisite that without them justice cannot be administered, as in great assizes, perambulations, and in deeds or writings of covenants, or where they be named witnesses, or in attaints and other cases like, they shall be compelled to swear, saving to them at another time their exemption, 52 (or 54) *H.*3. *Stat. Marl. c.*14. [*see* 2 *Inst.* 127., and 7 *&* 8 *W.*3. *c.*32. *s.*6. *pl.* 66.]

2. THE JUSTICES IN EYRE SHALL NOT AMERCE TOWNSHIPS ON their circuits, because all being 12 years old came not afore the sheriffs and coroners to make enquiry of robberies, burnings of houses, or other things pertaining to the crown, so that there come sufficient to make such inquests, except inquests of the death of man, whereat all being 12 years old ought to appear, 52 (*or* 54) *H.*3. *Stat. Marl. c.*24.

3. HOW MANY AND WHAT PERSONS SHALL BE RETURNED IN JURIES and assises, 13 *E.*1. *West. Sec. c.*38. [AMD. 21 *E.*1. *St.*2. (8*vo ed.* 234. *De iis, qui ponendi sunt in assisis, &c.*) 28 *E.*1. *c.*9.; and as to qualification, 2 *H.*5. *St.*2. *c.*3., 8 *H.*6. *c.*29., and of jurors in the sheriffs tourn, 1 *R.*3. *c.*4.—*Note.* THE *Qualification* of juror for the counties in *Eng.* is now 10*l. per ann.*, and in *Wa.* 6*l.*, 4 *&* 5 *W.*3. *c.*24. *s.*15. *post*, *pl.*35., in cities and towns the qualification appears to be as under the above act; but see as to cases of felony 23 *H.*8. *c.*13. *pl.* 29.; leaseholders are now qualified, see 3 *G.*2. *c.*25. *s.*18. *pl.*100; and as to *Middlesex*, 4 *G.*2. *c.*7. *s.*3. *pl.*101.]

4. No more shall be summoned in one assize than 24, and old men above 70, and men being sick, or not dwelling in the county, shall not be put on juries or petit assises, nor they that dispend less than 20*s.* yearly; and if such assises and juries be taken out of the shire, none shall pass in them, but such as dispend 40*s.* yearly, except such as be witnesses to deeds and writings; [*but see* now *pl.*35.] This act shall not extend to the great assises where knights do pass, not resident in the shire, so that they have land in the shire; and if the sheriffs or bailiffs of liberties offend herein, they shall restore damages to the party grieved, nd be amerced to H. M.; and justices assigned to take assises, may hear plaints against this act, and minister justice in form aforesaid, *id. ibid.*

5. No sheriff nor bailiff shall put in any recognizance of juries, inquests, assises, and attaints that pass out of their proper bailiwicks, any, except they have lands to the yearly value of 100*s.* at least; [*but see* now *pl.*35.] and this statute shall not repeal the last statute of *Westminster Sec.* 13 *E.*1. *c.*38. except as to such as ought to pass in recognizances out of their counties, yet so that within the county before justices of H.M., assigned to the taking of juries, inquests, or other recognizances, none shall be impannelled except he have lands to the yearly value of 40*s.* and likewise saving that before justices errant for common pleas in their circuit, and also in cities, boroughs, and other market-towns, it shall be done as it hath been accustomed, 21 *E.*1. *St.*2.

6. No sheriff nor bailiff shall impannel in juries more persons, nor otherwise than is ordained by the statute, and shall put in the jury such as be next neighbours, [now of the *body* of the county, 24 *G.*2. *c.*18. *s.*3. *pl.*36.] most sufficient and least suspicious; and he that otherwise doth, and is attainted thereupon, shall pay the plaintiff his damages double, and be grievously amerced to H.M., 28 *E.*1. *c.*9.

7. No person shall pass in any inquest upon trial of the death of a man, nor betwixt party and party in plea, real or personal, whereof the debt or damage amounts to 40 marks, if he have not lands of the yearly value of 40*s*., so that it be challenged by the party, that such person hath not such lands, 2 *H*. 5. *S*. 2. 3. [not to extend to juries *de medietate linguæ*, 8 *H*. 6. *c*. 29., as to which *see post pl*. 19., and see now *pl*. 35.]

8. No bailiff nor other officer shall return in any pannel any person in any shire of *Eng*. to be put on any enquiry in any of the sheriff's turns but such as be of good fame, and having lands of freehold within the same counties to the yearly value of 20*s*., or copyhold to the yearly value of 26*s*. 8*d*., 1 *R*. 3. *c*. 4. *s*. 1.; and if any bailiff or other officer return any person contrary to this statute, he shall lose for every person so returned 40*s*., and the sheriff other 40*s*., the one half to H. M., and the other half to the party that will sue by action of debt, wherein no essoin, &c. and every indictment before any sheriff in his turn otherwise taken, shall be void, 1 *R*. 3. *c*. 4. *s*. 2. [*but indictments* found in the sheriff's tourn are to be sued at the quarter sessions, 1 *E*. 4. *c*. 2. QUARTER SESSIONS.]

9. OF INQUESTS TO BE TAKEN WHEREIN H. M. IS PARTY, notwithstanding it be alleged that the jurors, or some of them, be not indifferent for H. M., yet such inquests shall not remain untaken for that cause; but if they that sue for H. M. will challenge any of those jurors, they shall assign a cause, and the truth of the challenge shall be enquired of, 33 *E*. 1. *S*. 2. *Ordinatio de inquisitionibus*.

10. THE PUNISHMENT OF A JUROR THAT IS AMBIDEXTER and taketh money, 5 *E*. 3. *c*. 10. [AMD. 34 *E*. 3. *c*. 8. and further AMD. and EXT. to embraceors], 38 *E*. 3. *St*. 1. *s*. 12.

11. If any juror in assizes, juries or inquests, take of the one party and the other, and be thereof attainted, he shall not be put in any assizes, juries, or inquests, and nevertheless be commanded to prison, and further fined at H. M.'s will: and the justices before whom such assizes, &c. shall pass shall have power to enquire and determine according to this statute, 5 *E*. 3. *c*. 10.

12. In every plea, whereof the inquest or assize doth pass, if any of the parties will sue against any of the jurors, that they have taken of his adversary, or of him, for their verdict, he shall have his plaint by bill presently before the justices before whom they did swear, and if the juror plead to the country, the inquest shall be taken forthwith; and if any other than the party will sue for H. M. against the juror, it shall be so heard; and if the jurors be attainted at the suit of other than the party, he that sueth shall have half the fine; and the parties to the plea shall recover their damages by the taxing of the inquest; and the juror so attainted shall have imprisonment one year, which shall not be pardoned; and if the party will sue by writ before other justices, he shall have suit in such form, 34 *E*. 3. *c*. 8.

13. If any jurors do take any thing of the plaintiff or defendant to say their verdict, and thereof be attainted by the process in 34 *E*. 3. *c*. 8. be it at the suit of the party that will sue for himself or H. M. or at the suit of any other, all such jurors shall pay ten times as much as he hath taken; and he that will sue shall have the one half, and H. M. the other; and all imbraceors to procure such inquests for gain shall be punished as the jurors; or if the juror or imbraceor have not whereof to make grec, he shall have imprisonment for one year. And no justice or other minister shall inquire of office upon the points of this article, but only at the suit of the party or of others, 38 *E*. 3. *St*. 1. *c*. 12.

14. OF JURIES IN ATTAINTS, 14 *E*. 2. (1 *Stat*. 8*vo*. *ed*. 353.)

15. If the first jurors which be living appear not in court before the justices assigned to take such juries of 24, at the first grand distress upon them returned, or if return be made that they have nothing, then by their absence the taking of the jury shall not be delayed, observing in all other things the usual process, *id*. *ibid*.

16. NO INDICTOR SHALL BE PUT IN INQUESTS upon the deliverance of a party indicted of trespass or felony, if he be challenged for the same cause, 25 *E*. 3. *S*. 5. *c*. 3.

17. OF INQUESTS *de medietate linguæ*, 28 *E*. 3. *c*. 13. *s*. 3. [CON. 8 *H*. 6. *c*. 29. For rest of this statute, see MERCHANT.]

18. In all inquests and proofs which be to be taken between aliens and denizens, be they merchants or others, as well before the mayor of the staple as before other justices, although H. M. be party, the one half of the inquest shall be denizens and the other half aliens, if so many can be found, that be not parties, nor with the parties in contracts, pleas, or other complaints, and if there be not so many, then such as can be found, and the remainder of denizens, good men, 28 *E*. 3. *c*. 13. *s*. 3.

19. The 28 *E*. 3. *c*. 13. *s*. 3. shall be in force, notwithstanding 2 *H*. 5. *S*. 2. *c*. 3. requiring jurors to have 40*s*. a year, and that act shall only extend to inquests between denizen and denizen, 8 *H*. 6. *c*. 29. [*Qu*. see *pl*. 35.]

20. PANELS SHALL BE MADE OF THE MOST NEIGHBOURING PEOPLE not suspected nor procured; and the sheriffs, coroners, and other ministers, which do to the contrary, shall be punished, before the justices who take the inquest, according to their trespass, as well against H. M. as against the party, for the damages by him sustained, 34 *E*. 3. *c*. 4.

21. PANELS OF JURIES SHALL BE ARRAYED FOR FOUR DAYS before the sitting of the justices at *nisi prius*, 42 *E*. 3. *c*. 11. [Further regulated, 6 *H*. 6. *c*. 2.]

22. No inquest but assises and deliverances of gaols shall be taken at *nisi prius*, nor in other manner, before that the names of all that shall pass in the inquests be returned in court; and the sheriffs shall array the panels in assises 4 days at least before the sessions of the justices, upon pain of 20*l*., so that the parties may have view of the panels if they demand it; and bailiffs of franchises shall make their answer to the sheriffs 6 days before the sessions, upon the same pain; and in all panels arrayed by the sheriffs or bailiffs shall be put the most substantial people, and worthy of credit, and not suspect, and the nighest, 4 *E*. 3. *c*. 11.

23. The panels of special assises shall be arrayed, and a copy indented of the same by the sheriff delivered to the plaintiffs, tenants, and defendants, 6 days before the sessions of the justices, if demanded; and bailiffs of franchises shall make their returns to sheriffs 8 days before such sessions, upon pain of 40*l*. to H. M. by the sheriff or bailiff neglecting, 6 *H*. 6. *c*. 2.

24. THE PENALTY FOR TAKING BRIBES for the arraying of a jury, 18 *H*. 6. *c*. 14. [*Qu*. EXP. see *s*. 2. and for abuses in returning juries in criminal cases, 3 *H*. 8. *c*. 12. See 27 *El*. *c*. 6. *s*. 4. *post*, *pl*. 49.]

25. If any sheriff or other having power to make arrays and panels do take any gift or reward for making the same, the party aggrieved shall have his suit by writ or bill against such sheriff, &c. before the justices where such arrays be returned, to recover ten times as much as they received for making such array; and such justices may hear and determine such suits, as well by examination of the defendants as by trial of inquests thereof, and award execution, and in such writ process shall be awarded as in case of trespass, provided such suits shall be taken in the county where such sheriffs, &c. shall be at the time of such array, 18 *H*. 6. *c*. 14. *s*. 1. This ordinance shall continue to the next parliament; and if it then seem meet to H. M. and the lords, shall endure for ever, *id*. *s*. 2.

26. All panels returned, which be not at the suit of any party, that shall be made by every sheriff and their ministers afore any justices of gaol delivery, or of peace in their sessions, to inquire for H. M. shall be reformed, by putting to and taking out of names of the persons so impanelled, by the direction of the justices before whom the panels be returned; and such justices shall command every sheriff, &c. to put other persons in such panel by their discretion; and if any sheriff, &c. do not return the panels so reformed, he shall forfeit 20*l*., the one half to H. M. and the other to him that will sue for the same by action of debt, &c. wherein no essoign, &c. and H. M,'s pardon shall be no bar against the parties that shall sue, 3 *H*. 8. *c*. 12.

27. FOR JURORS in *Middlesex*, 8 *E*. 4. *c*. 3. [see further, 4 *G*. 2. *c*. 7. *s*. 3. *post*, *pl*. 83. and 101.]

28. Every juror that shall be impanelled and returned within the county of *Middlesex*, in H. M.'s courts at *Westminster*, at every fourth day of the return shall be demanded; and all persons impanelled in those courts, that appear at such day, their appearance shall be recorded, and they shall not lose any issues that day; and every default, essoin, and other delay, of any plaintiff or defendant in any personal action shall be adjudged, adjourned and allowed, as before this statute, *id*. *ss*. 1, 2.

29. MEN IN CITIES, BOROUGHS AND TOWNS, which be clearly worth 40*l*. in goods, shall pass in trial of murders, 23 *H*. 8. *c*. 13.

30. Persons being natural born subjects, who enjoy the liberties and privileges of any city, &c. (as in the title) where they dwell, being worth in moveable goods 40*l*., shall be admitted in trial of murders and felonies, in every session and gaol delivery to be holden for such cities, &c., albeit they have no freehold, *id*. *s*. 1.

31. This act shall not extend to any knight or esquire, dwelling or resorting to such cities, &c., *id*. *s*. 2.

32. CONCERNING THE APPEARANCE OF JURORS, in the *nisi prius*, 35 *H*. 8. *c*. 6. and recitals in *ss*. 1, 2. [CON. 37 *H*. 8. *c*. 22., MADE PERP. 2 & 3 *E*. 6. *c*. 32.; so much of 35 *H*. 8. as relates to the *tales*, EXT. to *qui tam* actions, and where H. M. only is party, 4 & 5 *P*. & *M*. *c*. 7. *and* recital in *s*. 1.; and to *Wa*. and the counties palatine, 5 *El*. *c*. 25. *and* recital in *s*. 1.; and to defendants, 14 *El*. *c*. 9., AMD. 27 *El*. *c*. 6., 4 & 5 *W*. 3. *c*. 24. *ss*. 15—21., (which is CON. 7 & 8 *W*. 3. *c*. 32. *s*. 10., 10 *A*. *c*. 14. *s*. 4., 9 *G*. 1. *c*. 8. *s*. 2. *Qu*. if not now EXP.); and also AMD. 4 & 5 *A*. *c*. 16. *ss*. 6—7., 24 *G*. 2. *c*. 18. *s*. 3.]

33. In cases where such persons as should pass upon trial of any issue joined in the courts of *Westminster*, ought to dispend 40*s*. by the year of freehold for term of life, writs of *venire facias* shall be in this form: *Rex*, *&c*., *præcipimus*, *&c*., [see *pl*. 35.], and so forth, the residue being in the usual form: and where it is not necessary that such persons shall dispend 40*s*. by the year of freehold, such writs of *venire* shall be in such form, omitting the clause of *quorum quilibet habeat quadraginta*, *&c*., 35 *H*. 8. *c*. 6. *s*. 3. [but see now, *pl*. 35.]

34. Where jurors to be returned for trial of any issues in K. B., C. P., exchequer, or before justices of assize, by the laws now in force ought to have freehold of the yearly value of 40*s.* in every such case, the jurors shall have estate of freehold to the yearly value of 4*l.* at least; [*but see* next *pl.*] and the writs of *venire facias* shall be in this form: *Regina, &c. Præcipimus, &c. quod venire facias coram, &c. duodecim liberos & legales homines de vicineto de* B. *quorum quilibet habeat quatuor libras terræ, tenementorum vel reddituum per annum ad minus, per quos rei veritas melius sciri poterit, & qui nec. &c.*, and upon such writ, the sheriff or minister making the return, shall not return any person unless he may dispend 4*l.* in the year of freehold, out of ancient demesne, within the county upon pain to forfeit for every person 20*s.*; 27 *El. c.* 6. *s.* 1. [and see next *pl.*]

35. ALL JURORS (OTHER THAN STRANGERS UPON TRIALS *per medietatem linguæ*) to be returned for trials of issues joined in the courts of K. B., C. P., exchequer, or before the justices of assize, or *nisi prius*, *oyer* and *terminer*, gaol delivery or quarter sessions, in any county in *Eng.*, shall have, in their own names, or in trust for them, within the county 10*l.* by the year above reprises, of freehold or copyhold lands or tenements or lands, &c. of ancient demesne, or in rents, or in all or any of such lands, tenements or rents in fee simple, fee tail or for life, of themselves or another; and in counties in *Wa.*, such jurors shall have 6*l.* by the year as aforesaid, all which persons, shall be liable to be returned as jurors, before such courts or justices; and if any of lesser estate be returned, it shall be good cause of challenge, and he may be discharged on such challenge or on his own oath; and no juryman's issues making default, shall be saved, but by order of the court for some good cause, proved on oath; but shall be duly estreated and levied, and the writ of *venire* for impanelling juries in such cases in *Eng.*, shall be in this form: *Rex, &c præcipimus, &c. quod venire fac' coram, &c. duodecim liberos & legales homines* de vicineto [*but see* next *pl.*] *de* A. *quor' quilibet habeat decem librat' terræ, tenementor' vel reddituum per annum ad minus, per quos, &c. et qui nec, &c.*, and the rest shall be in the ancient manner, and such writs for juries in *Wa.* shall be in like form: altering *decem* into *sex*, and the sheriff, coroner or other minister, who is to make the panel, shall not return any juror unless he has such sums by the year, on pain to forfeit 5*l.* to H. M., 4 & 5 *W. & M. c.* 24. *s.* 15. [*See the* qualification for jurors in *Middlesex*, 4 *G.* 2. *c.* 7. *s.* 3. *pl.* 101.]

36. "Whereas great delays frequently happen in trials, by reason of challenge to the arrays of panels of jurors, and to the polls for default of hundredors" (required by 35 *H.* 8. *c.* 6. *s.* 3. to be returned), it is enacted, That every *venire facias*, for trial of any issue in any action or suit in any court at *Westminster*, shall be awarded of the body of the proper county where such issue is triable, 4 & 5 *A. c.* 16. *s.* 6. [NOTE. The proviso in *id. s.* 7., 'that *s.* 6. should not extend to any action or information on any penal statute,' is REP. as follows: EVERY *venire facias* for trial of any issue in any action or information on any penal statute in any of H. M.'s courts of record at *Westminster*, in the counties palatine of *Lancaster*, *Chester*, and *Durham*, and in *Wa.*, shall be awarded of the body of the proper county where such issue is triable, 24 *G.* 2. *c.* 18. *s.* 3. *These provisions* virtually supersede 35 *H.* 8. *c.* 6. *s.* 3. as to returning hundredors on the *venire*; and the challenge for the hundred in 27 *El. c.* 6. *s.* 5.]

37. Upon the trial of any issue in any personal action, all challenges, principal or for other cause, [*but not* for the hundred, see last *pl.* and 27 *El. c.* 6. *s.* 5., now superseded thereby,] shall be admitted as if this act had never been, 27 *El. c.* 6. *ss.* 5, 6.

38. Upon every writ of *habeas corpora* or other *distringas*, with a *nisi prius*, delivered of record to such sheriff, or other minister to whom making the return appertains, (as in *s.* 13. *pl.* 46.) he shall return the issues on every person impanelled on such writ, [5*s.*, 35 *H.* 8. *c.* 6. *s.* 4.], [10*s.*, 27 *El. c.* 6. *s.* 2.]; on the 2d *habeas, &c.*, [10*s.*, 35 *H.* 8. *c.* 6. *s.* 4.], [20*s.*, shillings, 27 *El. c.* 6. *s.* 2.]; and on the 3d, [13*s.* 4*d.*, 35 *H.* 8. *c.* 6. *s.* 4.]; [30*s.*, 27 *El. c.* 6. *s.* 2.]; and upon every writ further awarded to try such issue, he shall double the issues last specified, until a full jury is sworn in the process determined, on pain to forfeit for every return contrary hereto 5*l.*, 35 *H.* 8. *c.* 6. *s.* 4., 27 *El. c.* 6. *s.* 2.

39. In every such writ of *habeas corpora* or *distringas*, with *nisi prius*, where a full jury does not appear before the justices of assizes or *nisi prius*, or else after appearance where by challenge, the jury is like to remain untaken for default of jurors, then such justices, on request by the plaintiff or demandant, may command the sheriff, &c. to appoint so many persons of such county then present as shall make a full jury, and who shall be added to the former panel, and they may be challenged; and such justices may proceed to trial with such jury, and such trial shall be as good as if it had been tried by the jury impanelled under the *venire*; and in case any such person so appointed is called, and being present, does not appear, or if after appearance, he shall wilfully withdraw from court, such justices may set a fine on him at discretion; such fine to be levied as issues lost by jurors for default of appearance at common law are, 35 *H.* 8. *c.* 6. *ss.* 5—9.

40. The justices of assize and *nisi prius*, before whom any trial shall be made by virtue of any writ of *habeas corpora*, or *distringas*, where a full jury shall not appear, or after appearance of a full jury, by challenge, the jury is like to remain untaken for default of jurors, may, upon request made on behalf of H. M., or upon request of the party that followeth *qui tam*, on any penal statute, or his attorney, command the sheriff, &c. to name so many able persons of the county then present, (*i.e.* a *tales de circumstantibus*,) and to add the names to the former panel as shall make a full jury, (4 & 5 *P. & M. c.* 7. *s.* 2.) and every clause in 35 *H.* 8. *c.* 6. shall be taken to give the same advantage to H. M. and all such persons as shall pursue any action, &c. for H. M. and only or for him and the party, as the plaintiff in any other action might have, 4 & 5 *P. & M. c.* 7. *s.* 4.

41. In the shires of *Wa.*, and in the counties palatine of *Chester*, *Durham*, and *Lancaster*, where a full jury shall not appear before the justices of great sessions in such shires or counties, or by challenge of parties the jury is like to remain untaken for default of jurors, such justices upon request by the plaintiff or demandant may command the sheriff to name so many other persons of such counties present as shall make up a full jury; which shall be added to the former panel; and such parties may challenge the jurors so named, and such justices may proceed to trial with them in such manner as they might if all the jurors had been returned on the *venire*, and such trial shall be as good as if such jurors had been impanelled and returned under the *venire*; and in case such persons after being called be present and do not appear, or after appearance do wilfully withdraw themselves, such justices shall set such fine as they think good, to be levied as issues lost by jurors in such shires, &c. are, 5 *El. c.* 25. *s.* 2.

42. Where the plaintiff or demandant may have upon his request to the justices of *nisi prius* in *Eng.*, or to the justices of *oyer*, or of assizes, of the 12 shires of *Wa.*, and the counties palatine, a *tales de circumstantibus*, in all such cases the tenants, actors, avowants and defendants (if the plaintiffs or demandants shall forbear to pray the same) may, upon their request, have on the same record and by the same justices the *tales* unto them granted, in like manner as the plaintiff or demandant may, (*s.* 1.) and in all popular actions, informations and suits commenced in courts of record upon penal laws, wherein any person shall sue *qui tam*, the defendants shall be admitted to pray a *tales*, 14 *El. c.* 9, *ss.* 1, 2. [see the qualification of a talesman in *Eng.* and *Wa.*, 4 & 5 *W.* 3. *c.* 24. *ss.* 18, 19. *post*, *pl.* 52., and talesmen to be taken from the other panels, 7 & 8 *W.* 3. *c.* 32. *s.* 3. *post*, *pl.* 62.]

43. Where any jury returned by any sheriff, &c. is made full by such justices under this act, such persons as were returned in the panel to try such issue, who shall not appear, shall lose the issues on them returned in such wise, as if the jury remained for default of jurors, 35 *H.* 8. *c.* 6. *s.* 10. and for *Wa.* and counties palatine, 5 *El. c.* 25. *s.* 3.

44. Upon a reasonable excuse for default of appearance of any juror proved before such justices at the day of their appearance, by oath of 2 witnesses, such justices may in their discretion discharge such juror of the forfeiture of issues on him resumed, and such sheriff, &c. shall be discharged of the penalties for not returning such issues, and the return shall be good, 35 *H.* 8. *c.* 6. *s.* 11. [and S. P. for *Wa.* and the counties palatine, 5 *El. c.* 25. *s.* 4.]

45. If such justices afore whom such jury should appear in the county where the issue is to be tried, [by virtue of a writ of *nisi prius*, 35 *H.* 8. *c.* 6. *s.* 12.] do not come at the day and place appointed, [but the assize or *nisi prius* is discontinued thereby, or otherwise, other than for lack of jurors, 35 *H.* 8. *c.* 6. *s.* 12.,] then all such jurors shall be discharged of any issues on them returned, and the sheriffs of the above-mentioned penalties, 35 *H.* 8. *c.* 6. *s.* 12.; [S. P. for *Wa.* and the counties palatine, 5 *El. c.* 25. *s.* 5.]

46. If upon any writ of *habeas corpora*, or *distringas*, [with a *nisi prius*, 35 *H.* 8. *c.* 6. *s.* 13.] issues be returned on any hundredors or jurors by the sheriffs, &c. and such hundredors, &c. be not lawfully summoned or distrained, such sheriffs, &c. shall forfeit double the issues returned on them; the moiety of all forfeitures herein, [other than issues returned on jurors shall go to H. M. and the other to the party suing, by action of debt, &c. or information, in H. M.'s great court where such forfeiture is incurred, 5 *El. c.* 25. *s.* 6.] wherein no essoin, &c.; saving to all persons and bodies corporate having right, &c. to such issues, to be before any such justices, [of assize, or *nisi prius*, 35 *H.* 8. *c.* 6. *s.* 13] forfeited, all such right, &c. as if this act had not been made, 35 *H.* 8. *c.* 6. *s.* 13. [S. P. for *Wa.* and the counties palatine, 5 *El. c.* 25. *s.* 6.]

47. This act shall not extend to any city, or town corporate, or to any sheriffs, or minister therein for return of any inquest or panel to be made of persons residing therein, but they may return such persons as they were before accustomed, so as such sheriff return on such persons as be impanelled the like issues [which he ought to return, 5 *El. c.* 25. *s.* 7.] as herein mentioned, 35 *H.* 8 *c.* 6. *s.* 14. [S. P. for *Wa.* and the counties palatine, 5 *El. c.* 25. *s.* 7.]

48. If any sheriff or other minister return any person summoned in

any jury, wherein he shall for default of appearance lose any issues, where in truth such person was not summoned, the same sheriff, &c. shall forfeit to the person so returned, double the value of the issues lost, 27 *El.* c.6. *s.*3.

49. If any sheriff, under-sheriff, &c. or bailiff of franchise, shall take any money or other profit, or any agreement to have any profit for the not returning of any person to be sworn as juror for the trial of any issue joined before any justices, every sheriff, &c. so offending shall forfeit 5*l.*, the one moiety to H. M. and the other to such person as will sue for the same in any court of record, by action of debt, &c. or information, wherein no essoin, &c., *id. s.* 4.

50. This act shall not extend to any juries or issues to be returned in any city or town corporate, or other place privileged to hold plea, or in *Wa.*, but they may be returned as heretofore, *id. s.*7.

51. No sheriff or bailiff of any liberty shall return any person to have been summoned, unless such person has been duly summoned 6 days before the day of appearance; nor shall take money or reward to excuse any juror; upon pain to forfeit 10*l.* to H. M. (*s.*16.), saving to all cities, boroughs, and towns corporate, their ancient usage of returning jurors of such estate, and in usual manner, 4 & 5 *W. & M. c.*24. *s.*17.

52. It shall be lawful to return any person upon the *tales* in *Eng.* who has within the same county 5*l.* by the year, as in *s.*15. and not otherwise, *id. s.*18., and any person upon the *tales* in *Wa.* who has within the county 3*l.* by the year, as in *s.*15., *id. ss.*18, 19.

53. No fee shall be taken by any sheriff, clerk of assizes, or other person, upon account of any *tales* returned; upon pain of 10*l.* one moiety to the prosecutor, and the other to H. M., to be recovered by action of debt, &c. or information, wherein no essoin, &c. and only one imparlance allowed, *id. s.*20.

54. No writ *de non ponendis in assisis et juratis* shall be granted, unless upon oath made that the suggestions are true, *id. s.*21.

55. FOR CHALLENGES. ALL CLAUSES, &c. SPECIFIED IN ANY ACT of parliament made in the reign of *H.*8. touching any challenge for the county, hundred, or peremptory challenge, or concerning any trial of foreign pleas, pleaded by murderers, felons, or other offenders, shall as to such challenges and trials remain in force, 1 *E.*6. *c.*12. *s.*11.

56. FOR LEVYING OF ISSUES LOST BY JURORS, 27 *El. c.*7. and recital in *s.*1. [CON. 29 *El. c.*5. *s.*18., 31 *El. c.*10. *s.*17., 35 *El. c.*7. *s.*14. MADE PERP. 39 *El. c.*18. *s.*32.]

57. No sheriff, coroner, or other person to whom it belongs to return any writ, shall return any juror dwelling *out* of any liberty without the addition of his place of abode at the time of such return, or within one year next before, or some other addition by which the party may be known, nor any juror *within* any liberty with other addition than such as was delivered to him by the bailiff, or his deputy, certified under his hand; nor shall any bailiff of any liberty, or his deputy return any juror, or deliver to the sheriff, or his under-sheriff the names of any person to be returned upon any panel without the addition certified under his hands to the sheriff, of the place of abode of every person so returned at the time of such return, or within one year next before, or some other, by which such party may be known; and no extract of issues against any juror so returned shall be delivered out without such addition as is put in the original panel, or *tales* wherein such juror is returned, and no under-sheriff, bailiff, or other officer shall collect such issues so estreated of other persons than such as are charged by such estreat, on pain that every clerk that shall write such estreat, and every person so offending shall forfeit to H. M. 5 marks, and to the party grieved 5 marks, to be recovered by action of debt, &c. or information in any court of record wherein no essoin, &c. 27 *El. c.*7. *s.*2.

58. Justices of *oyer* and *terminer*, of assize, and of the peace, as well within liberties as without, shall hear and determine offences against this act, and award process of execution to levy such forfeitures within their limits, *id. s.*3.

59. FOR THE EASE OF JURORS AND BETTER REGULATING of juries, 7 & 8 *W.*3. *c.*32. [CON. 1 *A. St.*2. *c.*13. *s.*1., AMD. 8 & 9 *W.*3. *c.*10. 1 *A. St.*2. *c.*13. *s.*3., 3 & 4 *A. c.*18. *ss.*3—6. which is CON. 10 *A. c.*16. *s.*4., 9 *G.*1. *c.*8. *s.*2. There is no clause in either of these acts providing for their expiration at a limited time, and they do not appear to have been continued since the 9 *G.*1.]

60. If any plaintiff or demandant in any cause in the courts at *Westminster*, which is at issue, shall sue forth a *venire facias*, upon which any writ of *habeas corpora* or *distringas* with a *nisi prius* issues in order to the trial of such issues at the assizes, and such plaintiff, &c. shall not proceed to trial at the first assizes, after the *teste* of such *habeas*, &c.; in all such cases (other than where views by jurors is directed) the plaintiff, &c. whenever he thinks fit to try the issue, shall sue forth a new *venire* in this form: *Quod de novo venire facias coram*, &c. *duodecim liberos et legales homines* de vicineto [now of the *body* of the county, 24 *G.*2. *c.*18. *s.*3. *pl.*36.] *de* A. *quorum quilibet habeat decem librat' terræ, tenementor' vel reddituum per annum ad minus, per quos, &c. et qui nec, &c.* and the residue in the usual way, which writ being returned and filed, a *habeas corpora* or *distringas* with a *nisi prius* shall issue thereupon (for which the ancient fees shall be taken, as in case of the *pluries*, *habeas corpora*, or *distringas*) upon which the plaintiff, &c. may proceed to trial as if no former *venire* had been filed, and so *toties quoties;* and if any defendant or tenant, in any action in such courts shall wish to bring to trial any issue, when by the course of the court he may do the same by *proviso*, such defendant, &c. shall, of the issuable term, next preceding such intended trial, sue out a new *venire* by *proviso*, and prosecute the same by *habeas corpora* or *distringas*, with a *nisi prius*, as though there had not been any former *venire* sued out or returned, and so *toties quoties*, 7 & 8 *W.*3. *c.*32. *s.*1.

61. Every *venire facias* and *habeas corpora* or *distringas*, with a *nisi prius*, sued out according to this act, and all trials and proceedings thereon shall be good and not erroneous or assignable for error, *id. s.*2.

62. In every writ of *habeas corpora* or *distringas* with a *nisi prius* where a full jury shall not appear before the justices of assize or *nisi prius*, or else after appearance, when by challenge, the jury is like to remain untaken for default of jurors, the sheriff or minister who ought to return the talesmen shall on the award of the *tales* by such justice of assize, return freeholders or copyholders of the county where the cause is to be tried, and who are returned upon some other panel at the same assizes, and who are there attending to serve upon such *tales* and not others, if so many can be found, and either of the parties may challenge such jurors so annexed to such former panel, and such justices and judge of assize may proceed to trial with those before impanelled, and with such talesmen as they might if all such jurors returned on the *venire* awarded to try the issue had appeared, and such trial shall be good; and in case any freeholder or copyholder returned on such *tales*, and being present at such return, shall be called on, and shall not appear, or if after appearance he shall wilfully withdraw, such justice or judge may set a fine on such person, *id. s.*3. [see *ante*, 35 *H.*8. *c.*6. *s.*5—9. *pl.*39.]

63. That sheriffs may be the better informed of persons to be returned for trials of issues joined in the courts of chancery, K. B., C. P., or exchequer, or to serve upon juries at assizes, sessions of *oyer* and *terminer*, general gaol delivery, and sessions of the peace; all constables, tithingmen, and headboroughs, shall yearly, at the quarter-sessions in the week after *St. Michael*, upon the first day of such sessions, or upon the first day that such sessions shall be held by adjournment at any particular division, return a list of the names and places of abode of all persons within the places for which they serve, qualified to serve upon such juries, with their additions, between the age of 21 and 70 years, to the justices of peace; which justices, or 2 of them, at such sessions, shall cause to be delivered a duplicate of such list, by the clerks of the peace to the sheriffs, on or before the first of *Jan.* following, and cause such lists to be entered in a book by the clerk of the peace, and kept amongst the records of the sessions; and no sheriff shall impanel any persons to try issues joined in such courts, or to serve in any jury at the assizes, sessions of *oyer* and *terminer*, gaol-delivery or sessions of the peace, that shall not be named in such list; and any constable, tithingman, or headborough, failing to make such return, shall forfeit 5*l.* to H. M., to be recovered by bill or information, 7 & 8 *W.*3. *c.*32. *s.*4.

64. The justices of peace for all counties within *Eng.* or *Wa.*, shall yearly during the continuance of such act, at the quarter-sessions next after the 24th of *June*, issue their warrants to the head-constables of every hundred, lathe, or wapentake, requiring them to issue their precepts to the constables, tithingmen, and headboroughs, requiring them to meet together with such head-constables, within 14 days next after, at some usual place; where the constables, &c. shall prepare a list signed by them, of the names and places of abode of all the persons within the places for which they serve, qualified to serve on juries, according to 4 & 5 *W. & M. c.*24. *s.*15. *pl.*35. with their additions, between the age of 21 and 70 years, as by 7 & 8 *W.*3. *c.*32. is directed; which list the constable, &c. yearly at the quarter-sessions in the week after *St. Michael*, upon the first day of such sessions, or upon the first day that such sessions shall be held by adjournment at any particular place, shall return to the justices in open court; and any head-constable failing to issue his precept to meet with the constables, &c. shall forfeit 10*l.*, and any constable, &c. failing to meet the head-constable, and failing to prepare a list, and to return the same to such justices, shall forfeit 5*l*; and every such high-constable, constable, and tithingman, so offending, shall be prosecuted at the assizes, sessions of *oyer* and *terminer*, or general gaol-delivery or sessions of the peace; and the justices of peace at the quarter-sessions, yearly, shall cause such several acts to be read in court, 3 & 4 *A. c.*18. *ss.*5, 6. [See 3 *G.*2. *c.*25. *s.*7. *post*, *pl.* 86.]

65. Every summons of any person qualified to such services, shall be made by the sheriff, his officer or deputy, 6 days before, shewing to every person so summoned the warrant under the seal of the office; and in case any juror be absent from his habitation, notice of such summons shall be given, by leaving a note in writing under the hand of such officer, at the dwelling-house of such juror, with some person there inhabiting, 7 & 8 *W.*3. *c.*32. *s.*5.

66. That sheriffs may not incur any penalty by summoning or returning any person, named in the book of jurors transmitted to them from the quarter sessions, for not being qualified to serve as jurors; such return to such justices shall be a good excuse and bar for such sheriff, for such summons and return; and if any action or information is brought for such return against such sheriff, he may plead the general issue, and give this act in evidence; and if the plaintiff is nonsuited, discontinues, or if the defendant has a verdict, or a *noli pros.* be entered in any information, or a verdict pass for defendant thereon, the plaintiff or informer shall pay treble costs, to be awarded by the court, and levied by the usual process. And if the sheriff, his deputy, or bailiffs, shall summon any freeholder or copyholder, otherwise than as aforesaid, or neglect their duty in the services required by this act, or excuse any person for favour or reward, or allow any writ of *non ponendis in assisis et juratis*, or other writ, to excuse any person from the service of any jury, under the age of 70; such sheriff, &c. shall forfeit 20*l*, to be recovered by such party grieved, or whom else shall sue for the same, in any of the courts at *Westminster*, by action of debt, &c., or information, wherein no essoin, &c., and only one imparlance is allowed, 7 & 8 *W.*3. *c.*32. *s.*6.

67. No person shall be returned to serve upon any jury at the assizes or general gaol-delivery for the county of *York*, or at any sessions of the peace for any part thereof (the city of *York* and town of *Kingston upon Hull* excepted) above once in 4 years; and every sheriff of such county shall keep a register, wherein the names of all who have served as jurors, with their additions and places of abode, and the times and places of such their services shall be alphabetically entered, which registers shall be delivered over to the succeeding sheriff within 10 days after he shall be sworn into office; and every juror who shall serve at any such assizes, gaol-delivery, or sessions, may, at the end of such assize, &c. repair to the sheriff to have his name entered, of which he shall have a certificate, upon request, *gratis*, *id. s.*7. [See 3 & 4 *A. c.*18. *s.*4. *pl.* 77.]

68. The 7 & 8 *W.*3. *c.*32. *s.*7. shall extend not only to any sessions of the peace to be holden for any of the ridings within the county of *York*, but also to any sessions that shall be holden by adjournment for any part of such ridings, 10 *A. c.*14. *s.*5.

69. No person interested in such estate, as will qualify him to serve on juries, of the yearly value of 150*l.*, or of a greater value, shall be returned to serve on any jury at any sessions of the peace, for any part of the county of *York*, upon penalty of 20*l.*, to be forfeited by any sheriff or other officer making such return and summons, to be recovered for the use of any person that will sue in any court of record at *Westminster*, by action of debt, &c., or information or otherwise, wherein no essoin, &c., and only one imparlance allowed, 1 *A. St* 2. *c.*13. *s.*3.

70. If any person interested in such estate, as will qualify him to serve on juries, of the yearly value of 150*l.*, shall serve as a juror at any such sessions or adjournments, he shall not be thereby exempted from serving at the assizes for the county, for such term of 4 years, or any other term, 10 *A. c.*14. *s.*6.

71. Only one panel, consisting of 48 (each person having 80*l.* land *per annum*) shall be returned to serve on the grand inquest, and no more than 10 panels, consisting of 24 jurors each, shall be returned to serve upon trials in civil causes, at any assizes for the county of *York* (except where special juries are directed by rule of court) and at no one quarter-sessions of the peace for such county, or within any of the ridings within the same, or in any place where such sessions shall be holden by adjournment within such county, shall be returned above 40 persons, to serve either upon the grand inquest or other service there, 7 & 8 *W.*3. *c.*32. *s.*8.

72. The inhabitants of the city of *Westminster* shall be exempted from serving in any jury at the sessions of the peace for *Middlesex*, *id. s.*9.

73. This act, or 4 & 5 *W.*3. *c.*24. shall not give any longer time for the summoning of juries, to try any issues that are triable by jurors of of *London* or *Middlesex*, than was required before; nor shall give any longer time for the return of any writ, precept or process of *venire facias*, *habeas corpora*, or *distringas*; but where there shall not be 6 days between the awarding of such writ and return thereof, every juror may be summoned, attached, or distrained, as he might have been before either such act, 7 & 8 *W.*3. *c.*32. *s.*11.

74. This act shall not extend to the city of *London*, nor to any county of any city or town, nor to any town corporate that have power by charter to hold sessions of gaol-delivery or sessions of the peace, *id. s.*12.

75. All justices of peace shall at their sessions next before the feast of *St. Michael* yearly, issue precepts to the constables, requiring them to make such return of persons to serve upon juries, as by 7 & 8 *W.*3. *c.*32. *s.*4. *pl.*63. is directed, 8 & 9 *W.*3. *c.*10.

76. If any sheriff of the county of *York* shall, during the continuance of the act 7 & 8 *W.*3. *c.*32. *s.*4. *pl.*63. neglect to keep such register, as in such act is directed, or shall neglect to enter the names of the jurors in any assizes or quarter sessions, as in such act is directed, or shall neglect, within 10 days after the succeeding sheriff shall be sworn into office, to deliver over as well the registers that shall be made in the year wherein he shall have served sheriff, as also all such other registers as were prepared in the sheriffwick of any of his predecessors within 4 years next before, and which were delivered over to him, or shall neglect to deliver such certificate *gratis*, as in such act is mentioned, he shall forfeit 100*l.* one moiety to H. M., and the other moiety to such person as shall sue for the same, in any of H. M.'s courts at *Westminster*, by action of debt, &c. or information wherein no essoin, &c. and only one imparlance allowed, 3 & 4 *A. c.*18. *s.*3.

77. If any sheriff of the said county, his deputy or bailiff, during the continuance of the said act, shall knowingly summon or return any person to serve on any jury at the assizes or sessions of the peace, who shall within 4 years before such summons or return, have served on any jury at any assizes or sessions with such county, and shall not, upon producing of such certificate, discharge such summons or return, and thereof give notice to the party summoned, 6 days before such assizes or sessions of the peace; such sheriff, &c. shall forfeit to the party so summoned 20*l.* to be recovered as in *s.*3. mentioned, with costs, 3 & 4 *A. c.*18. *s.*4.

78. FOR THE BETTER REGULATION OF JURIES, 3 *G.*2. *c.*25. [AMD. 4 *G.*2. *c.*7. with acts are MADE PERP. and AMD. 6 *G.*2. *c.*37. *ss.*1, 2., 24 *G.*2. *c.*18. *ss.*1—4. See *s.*5. of this act, SITTINGS IN LONDON.]

79. The persons required by 7 & 8 *W.*3. *c.*32. *s.*4. *pl.*63., and by 3 & 4 *A. c.*18. *s.*5. *pl.*64. to give in, or who are by this act to make up lists of the names of persons qualified to serve on juries, shall (on request to any parish officer, who has in his custody any of the rates for the poor, or land tax,) inspect such rates, and take the names of such persons qualified to serve on juries, dwelling within their precincts; and shall yearly, 20 days before *Michaelmas*, upon 2 *Sundays*, fix upon the door of the church, within their precincts, a list of all such persons intended to be returned to the quarter sessions, as so qualified, and leave a duplicate of such list with a churchwarden or overseer of the poor; to be perused by the parishioners, without fee, to the end that notice may be given of qualified persons omitted, and of non-qualified persons inserted; and if any person not qualified shall find his name mentioned in such list, and the person required to make such list shall refuse to omit him, the justices at their quarter sessions, on satisfaction from the oath of the party complaining, or other proof, shall order his name to be struck out, 3 *G.*2. *c.*25. *s.*1.

80. If any person, required to give in or make up any such list, shall wilfully omit any person whose name ought to be inserted, or insert any who ought to be omitted, or shall take any reward for omitting or inserting any person, he shall, for every person so omitted or inserted, forfeit 20*s.* on conviction before one justice of the county, &c. where the offender shall dwell, on his confession, or proof thereof by one witness on oath; one half to the informer, the other to the poor of the parish, &c. for which the list is returned; and if the penalty is not paid within 5 days, it shall be levied by distress and sale of goods, by warrant from one justice; and the justices before whom such person is convicted shall certify the same to the next quarter sessions, which shall direct the clerk of the peace to insert or strike out the name improperly omitted or inserted; and duplicates of such lists, when delivered at the sessions and entered by the clerk of the peace, shall, during the sessions, or within 10 days after, be transmitted by the clerk of the peace to the sheriff; and the sheriff shall take care that the names be entered alphabetically, with their additions and places of abode; and every clerk of the peace neglecting his duty therein, shall forfeit 20*l.* to such person who shall prosecute for the same, till the party be convicted upon an indictment at the quarter sessions for the county, *id. s.*2.

81. If any sheriff or officer to whom the return of juries belongs, shall summon and return any persons to serve on any jury before the justices of assize, *nisi prius*, or judges of the great sessions in *Wa.*, or of the sessions for the counties palatine, whose name is not inserted in the duplicates so transmitted to him by the clerk of the peace; or if any clerk of assize, judge's associate, or other officer, shall record the appearance of any person so summoned and returned, who did not really appear, then any judge of assize, *nisi prius*, &c. shall, upon examination in a summary way, set such fines upon such sheriff, &c. for every person so summoned and returned, and for every person whose appearance shall be so falsely recorded, as such judge shall think meet, not exceeding 10*l.* nor less than 40*s.*, *id. s.*3.

82. No persons shall be returned as jurors at any assizes or *nisi prius*, &c. who have served within one year before in the county of *Rutland*, or 4 years in the county of *York*, [*see ante*, *pl.*69, 70.], or within 2 years in any other county, not being a county of a city or town; and if any sheriff shall wilfully transgress therein, any judge of assize, &c. shall on examination and proof of such offence, in a summary way, set a fine upon such offender, not exceeding 5*l.*, *id. s.*4.

83. The 3 *G.* 2. *c.* 25. *s.* 4. shall not extend to *Middlesex*, (*s.* 1.) and no person shall be returned to serve as a juror at any session of *nisi prius* in *Middlesex*, who has been returned as a juror at *nisi prius* in such county, in the two terms or vacations next preceding, under such penalty on the sheriff, or other summoning or returning officer, as might have been inflicted for any offence against the 3 *G.* 2. *c.* 25. *s.* 4., 4 *G.* 2. *c.* 7. *ss.* 1, 2. [See *s.* 3. as to leaseholders being jurors in *Middlesex*, *pl.* 101.]

84. Every sheriff, &c. shall register in a book the names of such persons as shall be summoned and serve as jurors at any assizes, &c. together with their additions and places of abode alphabetically, and the times of their services: and every person so summoned and serving shall, upon application to the sheriff, &c. have a certificate testifying his attendance, which such sheriff, &c. shall give without fee; and such book shall be transmitted by the sheriff, &c. to his successor, 3 *G.* 2. *c.* 25. *s.* 5.

85. No sheriff or other person shall take any reward, to excuse any person from serving on juries; and no officer appointed to summon juries shall summon any person other than such whose name is specified in a mandate signed by the sheriff, &c.; and if any sheriff or officer shall wilfully transgress in such cases, any judge of assize, &c. may, on examination and proof of such offence, in a summary way, set a fine on any person so offending, not exceeding 10*l.*, *id. s.* 6.

86. It shall be sufficient for any constables, tithingmen or headboroughs, after they have completed the lists of persons qualified to serve as jurors for their precincts, according to 7 & 8 *W.* 3. *c.* 32. and 3 & 4 *A. c.* 18. and this act, to subscribe the same in the presence of one justice for each county, &c. and at the same time to attest the truth of such lists upon oath to the best of their knowledge or belief; and such lists shall (being first signed by such justices) be delivered by such constables, &c. to the high constables of hundreds, &c. who shall deliver in such lists to the quarter sessions, attesting upon oath the receipt of such lists from the constables, &c. and that no alteration hath been made since their receipt thereof, *id. s.* 7.

87. Every sheriff, &c. in *Eng.* shall upon the return of every *venire facias* (unless in causes intended to be tried at bar, or where a special jury shall be struck by rule of court) annex a panel to the writ, containing the names, additions and places of abode of a competent number of jurors named in such lists, the names of the same persons to be inserted in the panel annexed to every *venire facias*, for the trial of issues at the same assizes; which number of jurors shall not be less than 48, nor more than 72, without direction of the judges appointed to go the circuits and sit as judges at *nisi prius* or assizes, or one of them, who may, by order under their hands, direct a greater or lesser number, and such number so directed, shall be the number returned to serve on such jury; and the writs of *habeas corpora* or *distringas*, subsequent to such *venire*, need not have inserted in the bodies of such writs the names of all the persons contained in such panel; but it shall be sufficient to insert in such writs *corpora separalium personarum in panello huic brevi annexo nominatarum*, or words of like import, and to annex to such writs panels, containing the names returned in the panel to the *venire*, with their additions and abodes; and for making such returns and panels and annexing the same, no other fees shall be taken than what are now allowed, and such persons named shall be summoned, but no other, *id. s.* 8.

88. Every sheriff or officer, to whom the return of juries in the court of great sessions in any county of *Wa.* shall belong, shall, at least 8 days before every great sessions, summon a competent number of persons qualified out of every hundred and commote within such county, so as such number be not less than 10, or more than 15, without the direction of the judge of the grand session, who may, by rule of court, direct a greater or lesser number to be summoned out of every hundred, &c.; and such officer shall return a list containing the names and additions, &c. of the persons so summoned, on the first court of the second day of every grand sessions; and the persons so summoned, or a competent number of them, as the judges shall direct, and no other, shall be named in every panel to be annexed to every *venire*, *habeas corpora*, and *distringas*, for the trial of causes in such grand sessions, *id. s.* 9.

89. Every sheriff or officer to whom the return of the *venire* for the trial of causes before the justices of the sessions for the counties palatine of *Chester*, *Lancaster*, or *Durham* doth belong, shall, 14 days at least before the sessions held, summon a competent number of persons qualified, so as such number be not less than 48, nor more than 72, without the direction of the judges; and shall, 8 days at least before such sessions, make a list of the persons so summoned, containing their names, additions, and places of abode; and such lists shall be hung up in the sheriff's office; and the persons named in such lists, and no others, shall be summoned to serve on juries at the next sessions; and such sheriff shall return such list on the first day of the sessions; and the persons so summoned, or a competent number of them, as the judges shall direct, and no other, shall be named in every panel to be annexed to every *venire*, *habeas corpora*, and *distringas* in such sessions, 3 *G.* 2. *c.* 25. *s.* 10.

90. The name of each person summoned and impanelled, with his addition and place of abode, shall be written in distinct pieces of parchment or paper of equal size, and shall be delivered to the marshal of such judge of assize or *nisi prius*, or of such great sessions, or of the sessions of such counties palatine, who is to try the causes in the county, by the under-sheriff, and shall, by the direction of the marshal, be rolled up all in the same manner, and put into a box or glass; and when a cause is brought to be tried, some indifferent person in open court shall draw out 12 of such papers: and if any of the persons drawn shall not appear, or are challenged and set aside, then a further number, till 12 be drawn who shall appear, and be allowed after challenge, &c.; and such 12 persons so first drawn and approved, their names being marked in the panel, and they being sworn, shall be the jury to try the cause; and the names of the persons sworn shall be kept apart in some other box, &c. till the jury have given in their verdict, and the same is recorded, or till the jury be discharged; and then the same names shall be rolled up again, and returned to the former box, &c. and so *toties quoties*, *id. s.* 11.

91. If a cause shall be brought on to be tried, before the jury in any other cause have brought in their verdict or are discharged, the court may order 12 of the residue to be drawn as before, for trial of such cause, *id. s.* 12.

92. Every person whose name shall be drawn, and who shall not appear, being called 3 times, on oath made that such person had been summoned, shall forfeit for every default (unless some reasonable cause of absence be proved by oath to the satisfaction of the judge) such fine, not exceeding 5*l.* nor less than 40*s.* as the judge shall think reasonable, *id. s.* 13.

93. Where a view shall be allowed, 6 of the jurors or more (who shall be consented to on both sides; or if they cannot agree shall be named by the proper officer of the courts of K. B., C. P., or the exchequer, at *Westminster*, or of such grand sessions of *Wa.* and the counties palatine, or, if need be, by a judge of the court where the cause is depending, or by the judge before whom the cause shall be brought on to trial,) shall have the view, and shall be first sworn, or such of them as appear on the jury, before any drawing; and so many only shall be drawn to be added to the viewers as shall make up the number of 12, *id. s.* 14.

94. The courts of K. B., C. P., and exchequer at *Westminster*, upon motion made on behalf of H. M., or on the motion of any prosecutor or defendant on an indictment or information for any misdemeanor or information in the nature of a *quo warranto* in K. B., or in an information in the exchequer, or on motion of any plaintiff or defendant in any cause depending in such courts, shall order a jury to be struck before the proper officer for the trial of any issue, in such manner as special juries are usually struck in such courts upon trials at bar, *id. s.* 15.

95. The justices of the sessions or assizes for the counties palatine of *Chester*, *Lancaster*, and *Durham*, on motion made on behalf of H. M. or on motion of prosecutor or defendant, on any indictment or information for any misdemeanor, or on the motion of any plaintiff or defendant in any action or suit brought in the courts of session or assizes in such counties, may, if they see fit, order a jury to be struck before the proper officer, for the trial of any issue joined in any of such cases, as special juries have been usually struck in the courts at *Westminster*, on trials at bar, 6 *G.* 2. *c.* 37. *s.* 2.

96. The person who shall apply for such jury shall pay the fees for striking it, and shall have no allowance for the same on taxation of costs, 3 *G.* 2. *c.* 25. *s.* 16.

97. The party who shall by virtue of 3 *G.* 2. *c.* 26. *s.* 15. or 6 *G.* 2. *c.* 37. *s.* 2. apply for a special jury, shall not only pay the fees of striking such special jury, but shall also pay all the expences occasioned by such special jury, and shall not have a further allowance for the same upon taxation of costs, than such party would be entitled to in case such cause had been tried by a common jury, unless the judge who tried the cause shall, immediately after the trial, certify in court, under his hand, upon the back of the record that the cause was proper to be tried by a special jury, 24 *G.* 2. *c.* 18. *s.* 1.

98. No person who shall serve on any jury appointed under such acts, shall be allowed for so serving more than the sum the judge who tries the issue thinks reasonable, not exceeding 1*l.* 1*s.*, except where a view has been directed, *id. s.* 2.

99. Where a special jury shall be ordered by rule of court in any cause arising in any city or county of a city or town, the sheriff shall be ordered by such rule to bring the books of persons qualified to serve on juries within the same, in like manner as the freeholders' book hath been usually ordered to be brought in order to the striking of juries for trials at bar, in the counties at large, and the jury shall be struck out of such books, 3 *G.* 2. *c.* 25. *s.* 17.

100. Any person having an estate in possession in land in his own right of the yearly value of 20*l.* over and above the reserved rent, being held by lease for the absolute term of 500 years, or for 99 years, or any other term determinable on one or more lives; and the name of every such person shall be inserted in the lists, and in the freeholders' books; and such leaseholder may be summoned to serve on juries as freeholders may, with like penalties for non-appearance, 3 *G.* 2. *c.* 25. *s.* 18.

101. All leaseholders within *Middlesex*, on leases where the improved rent or value amounts to 50*l.* or upwards *per ann.* over all ground rents, or other reservations, payable under such leases, shall be liable to serve on juries, when legally summoned, 4 *G.* 2. *c.* 7. *s.* 3. (but see 8 *E.* 4. *c.* 3. *ante*, *pl.* 27.)

102. The sheriffs of *London* shall not return any person to try any issue joined in any of the courts of K. B., C. P., or exchequer, or to serve on a jury at the sessions of *oyer* and *terminer*, gaol delivery, or sessions of the peace to be held for such city, who shall not be a housekeeper within such city, and have lands, &c. or personal estate to the value of 100*l.*, and the same cause alledged by way of challenge, and found, shall be admitted as a principal challenge; and the person challenged may be examined on oath of the truth of such matter, 3 *G.* 2. *c.* 25. *s.* 19.

103. The sheriffs or other officers to whom the returning of juries belongs, shall not return any person to serve on a jury for the trial of any capital offence, who would not be qualified to serve as a juror in civil causes; and the same matter alledged by way of challenge shall be a principal challenge; and the person so challenged may be examined on oath of the truth of such matter, *id. s.* 20.

104. This act shall be read once in every year, at the quarter sessions to be held for every county or place within *Eng.* and *Wa.* next after the 24*th June*, *id. s.* 21.

105. In trials where a peer or lord of parliament is party, no challenge shall be taken to any panel of jurors for want of a knight being returned in such panel, nor any array quashed by reason of such challenge, 24 *G.* 2. *c.* 18. *s.* 4.

106. To EMPOWER JUDGES OF COURTS OF RECORD in cities and towns corporate, liberties, and franchises, to set fines on persons who shall be summoned to serve upon juries in such court, and shall neglect to attend, 49 *G.* 2. *c.* 19.

107. Every person duly impanelled and summoned to serve upon any jury, for the trial of any cause to be tried in any court of record holden within *London* or in any other city, &c. (*as in the title*) within *England*, who shall not appear and serve on such jury (after being called 3 times, and on proof being made on oath that the person so making default was duly summoned) shall pay such fine, not exceeding 40*s.* nor less than 20*s.*, as the judge of the court deems reasonable, unless some just cause for such absence shall appear by oath or affidavit to the satisfaction of such judge, *id. s.* 1.

108. If any person on whom any fine is set under this act, shall refuse to pay the same to the person authorized by such judge to receive the same, such judge may, by warrant under hand and seal, cause such fine to be levied by distress and sale of the goods of the party fined; and the overplus, after deducting such fine, and the charges of distress and sale, shall be rendered to the party distrained on, *id. s.* 2.

109. Every fine imposed under this act, when levied, shall be paid by the person who received the same, to the proper officer of the city, &c. in which the court was holden wherein the fine was imposed, to be applied to such uses as issues set on jurors, or other fines set in such court are by charter, prescription, or usage applied, *id. s.* 3.

110. Actions for any thing done in pursuance of this act shall be commenced within 6 calendar months after the matter complained of arose, and the defendant may plead the general issue, and give this act and the special matter in evidence; and if the defendant has a verdict, or the plaintiff is nonsuited, or discontinues, or has judgment against him on demurrer the defendants shall recover double costs with the usual remedy to recover same, *id. s.* 4.

111. To REGULATE THE ATTENDANCE OF JURORS AT THE ASSIZES in certain cases, 1 & 2 *G.* 4. *c.* 46.

112. In any county wherein the judge or justices of assize in *Eng.*, or of great sessions in *Wa.*, or of courts of sessions held for the counties palatine, shall so direct, the sheriff or other officer to whom the return of *venire*, or other process for trial of causes at *nisi prius* belongs, shall summon and impanel not more than 144, or such lesser number of jurors, as the judge, &c. shall direct, to serve indiscriminately on the criminal and civil side, and shall divide them equally into 2 sets, the first of which shall attend and serve for so many days at the beginning of each assizes as such judge, &c. shall, before or at commencement of such assizes, respectively direct, and the other for the residue of the assizes, *id. s.* 1.

113. Such returning officer shall, in the summons to the persons in each set, require their attendance generally as at present, but on the back of each summons shall indorse whether the person named therein is in the 1st or 2d set, specifying at what time his attendance will be required, 1 & 2 *G.* 4. *c.* 46. *s.* 2.

114. Every such attendance and service shall entitle jurors to the like certificates and exemptions as for attendance, &c. during the whole assizes, *id. s.* 3.

115. The returning officer, as in *s.* 1., shall, on his return of all such process, as in *s.* 1., annex thereto a panel containing the christian and surnames, additions, and abodes of the persons in each set; and during the attendance, &c. of the first of such sets, the jury on the civil side shall be drawn from the names in that set, and during the attendance of the 2d, from the 2d, *id. s.* 4.

JUSTICES OF ASSIZE, &c.

[NOTE. This title comprehends the statute law relating to JUSTICES *of assize*, *gaol delivery*, *oyer* and *terminer*, and *nisi prius*; and of the *peace* so far only as the latter commission is annexed to those above recited, in order to give judges their necessary power on the circuits. For the general law of JUSTICES of PEACE, see that title: and see titles SITTINGS *in London and Middlesex*, and JUDGES.]

1. ASSISES OF *novel disseisin* and *mort d'ancestor* shall not be taken but in their proper shires, and after this manner: 'We, or if we be out of the realm, our chief justices, shall send our justices through every county once in the year, who, with the knights of the shires, [*but see* 20 *R.* 2. *c.* 3., *infra*, *pl.* 49.] shall take such assises in the counties, and those things which, at their coming into the county, cannot be determined, shall be determined in another place in their circuit, and those things which for difficulty cannot be determined, shall be referred to our justices of the bench, and there determined,' 9 *H.* 3. *M. C. c.* 15. [This statute is also placed *tit.* ACTION REAL, *pl.* 49.: but is repeated here as the first enactment relating to justices of assize.]

2. TO WHOM AND IN what cases commissions of *oyer* and *terminer* shall be granted, 13 *E.* 1. (*West. Sec.*) *c.* 29.

3. The writ of trespass *ad audiendum et determinandum* shall not be granted before any justices, except those of K. B. and C. P., and in eyre [or errants, 2 *E.* 3. *c.* 2.], and only for a great [ugly and horrible, 2 *E.* 3. *c.* 2.] trespass, where speedy remedy is necessary; neither shall a writ to hear and determine appeals be granted before justices assigned, unless in a special case, and when H. M. commandeth, but the indicters shall have a writ of *Odio et Atia* as in *M. C.* (*c.* 26., HOMICIDE, *pl.* 2—3.) 13 *E.* 1. *S.* 2. *c.* 29. 2 *E.* 3. *c.* 2. [This writ seems taken away, 28 *E.* 3. *c.* 9., but *Qu.* if not REV. since the repeal of all statutes contrary to *M. C.* by 42 *E.* 3. *c.* 1. See 2 *Inst* 43. 55. 315.]

4. THE APPOINTMENT and authority of justices of *nisi prius*, 13 *E.* 1. *West. Sec. c.* 30.

5. Two justices sworn shall be assigned, before whom assizes of *novel disseisin*, *mort d'auncestor*, and *attaint*, shall be taken, who shall associate to them one or two knights of the shire, and shall take the assizes and attaints but thrice in the year, first between the *quinzeme* of *St. John the Baptist*, and the *gule* of *August*, the second time between the *Feast of the Exaltation of the Holy Cross* and the *Utas of St. Michael*, and the 3d time between the *Epiphany* and *Purification of the Blessed Mary*; and in every shire, at every taking of assizes before their departure, shall appoint the day of their return, and shall adjourn the assizes from term to term, if the taking of them be deferred, at any day vouching to warranty, essoin, or default of jurors: and if they see fit that the assizes of *mort d'ancestor* being respited by essoin or voucher, ought to be adjourned into the bench, they may do so, and shall then send the record, with the original writ, before the justices of the bench, who, when the matter is come to taking the assize, shall remit the matter to the former justices before whom the assize shall be taken, but giving in such assizes 4 days in the year before such justices assigned. Inquisitions of trespass shall be determined before the justices of both benches, except the trespass is so heinous as to require great examination: inquisitions also of other pleas pleaded in either of the benches, shall be determined before them, wherein small examination is required, as when the seisin or entry of any is denied, or when one article is to be inquired; but inquisitions of many and great articles, which require great examination, shall be taken before justices of the benches, except both parties desire the inquisition may be taken before some of the associates when they come into those parts, so that it shall not be done but by 2 justices, or one with some knight of the county on whom the parties can agree: and such inquisitions shall not be determined by any justices of C. P., unless a day and place certain be mentioned in a writ judicial, by these words, "*Præcipimus tibi quod venire facias coram justiciariis nostris apud Westmonasterum in octabis sancti Michaelis* nisi *talis et talis tali die et loco ad partes illas venerint duodecim*," &c. *id. s.* 1.

6. Such inquests, when taken, shall be returned into the benches where judgment shall be given, and shall be enrolled, and inquisitions otherwise taken shall be of no effect, except that an assize of

darrein presentment and inquests of *quare impedit* shall be determined in their own shire before one justice of C.P. and one knight, yet at a day and place certain assigned in bank, whether defendant consent or not, and there judgment shall be immediately given, 13 *E.*1. *West. Sec. c.*30. *s.*2.

7. All justices of the benches shall henceforth have in their circuits clerks to enrol all pleas pleaded before them, as used in time past, and justices of assize shall not compel the jurors to say precisely whether it is disseisin or not, so that they shew the truth of the fact and require aid of the justices, but if they will say that it is disseisin, their verdict shall be admitted at their peril, and the justices shall not put in assizes or juries, any other than those who were summoned thereto at first, *id. s.*3.

8. APPOINTMENT OF JUSTICES OF GAOL DELIVERY AND THEIR power, 27 *E.*1. *St.*1. *c.*3.

9. The justices assigned to take assizes, in every county where they do take them, shall remain there after the assizes taken both together, if they be lay, and if one is a clerk, then one of the most discreet knights of the shire, being associate to the lay man by our writ, they shall deliver the gaols in such shires, as well within liberties as without, of all manner of prisoners after the usual form of gaol delivery of the shires, and shall then enquire what sheriffs and others have let out by replevin prisoners not replevisable, or have offended in any thing contrary to 3 *E.*1. *c.*15. for regulating the taking bail, *id. ibid.*

10. BEFORE WHAT PERSONS AND HOW NISI PRIUS SHALL BE granted, 27 *E.*1. *S.*1. *c.*4. [Virtually AMD. and EXPLD. 12 *E.*2. *S.*1. *cc.*3, 4., 2 *E.*3. *c.*16.] and 14 *E.*3. *St.*1. *c.*16.

11. THOSE INQUESTS AND JURIES SHALL BE TAKEN AT *nisi prius*, 12 *E.*2. *St.*1. *cc.*3, 4. *Statute of York.*

12. *NISI PRIUS* MAY BE GRANTED AS WELL AT SUIT OF TENANT AS demandant, 2 *E.*3. *c.*16.

13. INQUESTS AND RECOGNIZANCES DETERMINABLE BEFORE THE justices of either bench, shall be taken in vacation before any one of the justices before whom the plea is brought, [or before any judge of K.B. C.P. or exchequer, 14 *E.*3. *S.*1. *c.*16.] [*or* before the justices assigned to take assizes in those parts, 14 *E.*3. *S.*1. *c.*16. *infra, pl.* 17.] there being associate to him one knight of the same shire where such inquests shall pass, unless it be an inquest that requires great examination, in taking such inquests, the justices shall do as to them seems expedient, 13 *E* 1. *West. Sec. c.*30. *supra, pl.* 5—7. notwithstanding; 27 *E.*1. *St.*1. *c* 4.

14. "Since 27 *E.*1. *St.*1. *c.*4. needs to be better declared," IT IS AGREED, that inquests and juries taken in pleas of lands that do not require great examination shall be taken in the county before one justice of the court where the plea is, [*or* before the justices assigned to take assizes in those parts, 14 *E.*3. *S.*1. *c.*16. *infra, pl.* 17.] there being associate unto him one good man of the country, knight, or other, so that a certain day be given in the bench, and a certain day and place in the country in presence of the parties, if the demandant request it, and inquests and juries in pleas of land that require great examination, shall be taken in the country in the above manner before 2 justices of the bench, 12 *E.*2. *S.*1. *c.*3.

15. AND THE JUSTICES MAY RECORD NONSUITS AND DEFAULTS IN the country at the days and places so assigned, and shall report what is done at a day given in the bench, there to be enrolled, and thereupon judgment shall be given; such inquest and juries may be taken in the bench if they come, and this act does not extend to great assises, and one justice of either bench, there being associate to him one good man of the country, knight, or other, at request of the plaintiff, shall take inquests on pleas pleaded and to be pleaded, that be moved by attachment and distress, and may record nonsuits as above, and take inquests on defaults made there, and as to assizes of *darrein presentment*, and inquests on writs of *quare impedit* to be taken, it shall be done as in *Stat.* 13 *E.*1. *c.*30. *West. Sec.* contained; and the justice may record nonsuits and defaults in the country, and give judgment thereon as in bench, and report what he has done to the bench, there to be enrolled; and if the justices assigned to take such inquests in the country, do not come into the country, or come not at the day assigned, yet the parties on such inquests shall keep their day in the bench, *id. c.*4.

16. INQUESTS TO BE TAKEN IN THE COUNTRY UNDER 12 *E* 2. *St.*1. *cc.*3, 4. in plea of land, shall be taken as well at the request of the tenant as the demandant, other process according to that statute being saved, 2 *E.*3. *c.*16.

17. WHOSO DEMANDETH THE *NISI PRIUS* IN K.B., as well at suit of defendant as of plaintiff according to 2 *E.*3. *c.*16., the *nisi prius* shall be granted before any justice of the court where the plea is, if any of such court go into those parts, and if not, then before any justice of C.B. at a certain day, which may be accorded, and the tenor of the record sent to him under seal of the chief justice of the court, at which day he shall take the inquest and return the verdict under his seal with the writ, the tenor, and the panel, which shall be received in K.B., and there enrolled, and judgment given according to the verdict, and such justice of K.B. shall record defaults and nonsuits, as if the *nisi prius* had been granted before any justice of K.B., and after which defaults so recorded and returned in K.B., the justices shall give judgment on the same record, and in like manner shall it be done with pleas in C.P., whereof the inquests and juries shall be taken in the country by *nisi prius*; and if no justice of C.P. goes, the *nisi prius* shall be granted before any justice of K.B. to do as above said of the justices of C.P., and the tenor of the record shall be sent to him, and he shall have the like power as the justice of C.P. assigned to take inquest and juries of K.B.; and if none of the justices of either bench come into the county where inquests or juries are to be taken, then the *nisi prius* shall be before the chief baron of the exchequer, who shall have like power as such justices have by this act; and if none of them, then the *nisi prius* shall be before the justices assigned to take the assizes there, so always one of such justices be a justice of either bench, or a king's serjeant sworn, they having such power as aforesaid of the justices of either bench; and if the tenour of the record is demanded by one party to deliver to the justice before whom the *nisi prius* is granted to prevent fraud or damage to the other party, or to the people of the inquests, another shall be delivered to the other party if he require it; and the justices of both benches, the chief baron, and the justices assigned before whom the *nisi prius* is hereby granted, shall have power to give the judgments in the county and return the same according, as in 12 *E.*2. *S.*1. *cc.*3, 4. contained, 14 *E.*3. *St.*1. *c.*16.

18. ARTICLES AND OATHS OF H.M.'S MINISTERS IN THE EYRE of the justices, *Stat. Incert. Temp.* xiii.

19. THE STATUTE CALLED [RAGEMAN] REGULATION OF JUSTICES of assize: *id.* xiv.

20. EIGHT JUSTICES SHALL BE ASSIGNED TO TAKE ASSIZES, juries, and certificates, through the realm; *viz.* 2 in the counties of *York, Northumberland, Westmoreland, Cumberland, Lancaster, Nottingham*, and *Derby*; 2 in those of *Lincoln, Leicester, Warwick, Stafford, Salop, Northampton, Rutland, Gloster, Hereford*, and *Wigorn*; 2 in those of *Cornwall, Devon, Somerset, Dorset, Wilts, Southampton, Oxon, Berks, Sussex*, and *Surrey*; 2 in *Kent, Essex, Suffolk, Norfolk, Cambridge, Huntingdon, Bedford*, and *Buckingham*, and the assizes, juries, and inquests of *Middlesex*, shall be taken before the justices of the bench, [*semb.* disregarded in practice,] which said 8 justices assigned to take the assizes and certificates, shall specially attend, and daily through the year, *viz.* in the places where they think best and most to the advantage of the people, and writs of assizes, juries, or recognizances, shall be granted to be taken before any other justices than those assigned, except of H.M.'s special grace, *Stat. de Justiciariis Assignatis, Stat. Incert. Temp.* xv.

21. APPOINTMENT OF JUSTICES OF ASSIZE, GAOL-DELIVERY and *oyer* and *terminer*, 2 *E.*3. *c.*2.

22. The courts mentioned in 27 *E.*1. *S.*1. *c.*3. shall not be granted against that statute, and assizes, attaints and certifications shall be taken before justices commonly assigned [not procured by great men], but good men and lawful, having knowledge of the law, and none other, after the form of 13 *E.*1. *West.*2. *c.*29., 2 *E.*3. *c.*2. *s.*2. [and *see* 13 *E.*1. *West.*2. *c.*30. and *Stat. Incert. Temp.* xiv. xv.]

23. THE AUTHORITY OF JUSTICES OF ASSIZE and gaol-delivery, 4 *E.*3. *c.*2. [*see* rest of *tit.* and *s.*2. JUSTICES of PEACE, *pl.* 4—5.]

24. Good and discreet persons shall be assigned in all the shires of *Eng.* to take the assizes, juries and certifications, and to deliver the gaols at least 3 times a-year, or oftener if need be, 4 *E.*3. *c.*2. *s.*1.

25. Justices assigned to deliver gaols shall deliver them of those indicted before the keepers of the peace, which keepers shall send their indictments before such justices, who may enquire of sheriffs, gaolers, and other in whose ward such indicted persons shall be, if they make deliverance or let to mainprize any so indicted and not mainpernable, to punish such sheriffs, &c. if they do contrary hereto, *id. s.*3.

26. THE OATH OF THE JUSTICES, 18 *E.*3. *St.*4.

'Ye shall swear, that well and lawfully ye shall serve our lord the king and his people in the office of justice, and that lawfully ye shall counsel H. M. in his business, and that ye shall not counsel nor assent to any thing which may turn him in damage or disherison by any manner, way or colour; and that ye shall not know the damage or disherison of him, whereof ye shall not cause him to be warned by yourself or by other; [and that ye shall do equal law and execution of right to all his subjects, rich and poor, without having regard to any person; and that ye take not by yourself or by other, privily nor apertly, gift nor reward of gold nor silver, nor of any other thing which may turn to your profit, unless it be meat or drink, and that of small value, of any man that shall have any plea or process hanging before you, as long as the same process shall so be hanging, nor after, for the same cause; and that ye take no fee as long as ye shall be justice, nor robes of any man great or small, but of the king himself; and that ye give none advice nor counsel to any man, great nor small, in no case where the king is party.] [*These words* in brackets recited, 20 *E.*3. *c.*1.] And in case that any of what estate or condition they be come before you in your sessions with force and arms, or otherwise against the peace, or against the form of the statute thereof made, to disturb execution of the common law, or to menace the people, that they may not pursue the

JUSTICES OF ASSIZE, &c.

law, that ye shall cause their bodies to be arrested and put in prison; and in case they be such that ye cannot arrest them, that ye certify the king of their names, and of their misprision hastily, so that he may thereof ordain a covenable remedy, and that ye by yourself, nor by other, privily nor apertly, maintain any plea or quarrel hanging in the king's court or elsewhere in the country; and that ye deny to no man common right, by the king's letters, nor none other man's, nor for none other cause; and in case any letters come to you contrary to the law, that ye do nothing by such letters, but certify the king thereof, and proceed to execute the law notwithstanding the same letters; and that ye shall do and procure the profit of the king and of his crown, with all things where ye may reasonably do the same; and in case ye be from henceforth found in default in any of the points aforesaid, ye shall be at the king's will of body, lands and goods, thereof to be done as shall please him; as God you help and all saints,' 18*E.* 3. *S.* 4.

27. DUTY OF JUSTICES OF BOTH BENCHES and of assize, &c. 20*E.*3. *c.* 1. and of barons of exchequer, *id. c.*2. [Both AMD. virtually, 8*R.*2. *c.*3. which was SUSP. by 9*R.*2. *c.*1. till declared by parliament.]

28. All our justices [including barons of exchequer, *see* 20*E.*3. *c.*2., 8*R.*2. *c.*3.] shall henceforth do equal law and execution of right to all subjects without regard to any person, and without omitting to do right for any letters or command from H.M. or other, or by any other cause; and if any such letter, &c. come to them, or to others deputed to do law and right in disturbance of the law, they shall proceed as if none such had come, and shall certify H.M. and council of such commands contrary to law, 20*E.*3. *c.*1.

29. THE BARONS OF EXCHEQUER SHALL DO RIGHT AND REASON to all subjects, and shall deliver the people reasonably and without delay as in times past, 20*E.*3. *c.*2.

30. [After recital that H.M. has caused his justices to be sworn in *the words in brackets in the justices' oath, ante, pl.*26.] On pain to be at our will of body, lands and goods if they do contrary, and for this cause we have increased their fees so as reasonably to suffice them, *id. s.* 2.

31. NO JUSTICE OF K.B., C.B., OR BARON OF EXCHEQUER, shall, during their office, take by self, or other, robe, fee or reward of any but H.M., or allowance of any, except of meat and drink which are of no great value, and shall not give council to any, great or small, in affairs wherein H.M. is party or affected, and shall not be of any man's counsel in any plea or quarrel pending before them, or in any other of H.M.'s great courts or places, on pain of loss of office and making fine and ransom to H.M., 8*R.*2. *c.*3.

32. JUSTICES OF *oyer* and *terminer*, and their associates, and also of assizes, to be taken in the country and of gaol delivery, and those assigned and associated to them shall first make oath in certain points as enjoined by our council in our chancery before any commission be to them delivered, 20*E.*3. *c.*3.

33. THE JUSTICES ASSIGNED TO TAKE ASSIZES shall have commissions to enquire in their sessions, and shall enquire of sheriffs, escheators, bailiffs of franchises, and their under ministers, and also of maintainors, common embracers and jurors in the country, and of the gifts and other profits which the said ministers take of the people to execute their office, and for making the array of panels putting in the same jurors suspect and of evil fame, and of that the said maintainors, &c. take gifts of the parties in subversion of law and disturbance of common right, and to punish all them who are found guilty thereof as law and justice require, as well at suit of H.M. as of the parties, and the chancellor and treasurer shall hear the complaints of all who will complain and ordain speedy remedy, 20*E.*3. *c.*6.

34. THE JUSTICES ASSIGNED TO TAKE ASSIZES and deliver gaols, shall hold their sessions in the principal towns of every county, *viz.* where the shire courts are holden, 6*R.*2. *St.*1. *c.*5. [AMD. 11*R.*2. *c.*11. as to *Cumberland*, by 14*H.*6. *c.*3.; as to *Cornwall*, by 1*G.*1. *c.*45.; as to *Bucks.*, by 21*G.*2. *c.*12.]

35. [Because 6*R.*2. *S.*1. *c.*5. is grievous to the people], the chancellor shall provide remedy by advice of the justices when need requires, 11*R.*2. *c.*11.

36. THE ASSIZES FOR CUMBERLAND shall be holden in the city of *Carlisle* only, 14*H.*6. *c.*3.

37. THE HOLDING THE ASSIZES FOR *Cornwall* shall not be confined to *Launceston*, but the lord chancellor with advice of the justices of assize, may appoint a convenient place in that county for holding and executing all commissions of assize, *nisi prius*, *oyer* and *terminer* and gaol-delivery for that as for any other county, 1*G.*1. *c.*45.

38. ALL THE COMMISSIONS ENUMERATED IN THE LAST *placitum* appointed to be held and executed for *Bucks.* next after Trinity term, shall be held, &c. for each year in the town of *Buckingham*, 21*G.*2. *c.*12. *s.*1.

39. But if that town is unfit for holding assizes, by accident of fire, contagious distemper or other unforeseen exigency, to be made appear before the lord chancellor, he, with advice of the justices of assize, during continuance of such exigencies, and at no other time, may appoint another convenient place in the county for holding their assizes, *id. s.*2.

40. IN PLEAS WHERE A *nisi prius* is grantable of course after the great distress 3 times served and returned before the justices against the jurors and the justices demanded, if none of them will pursue, or if they refuse to have the writ of *nisi prius*, then such writ shall be granted at suit of any of the jurors present, and that as well in the exchequer as elsewhere, 7*R.*2. *c.*7.

41. [NO MAN OF LAW SHALL BE JUSTICE OF ASSIZES, or of deliverance of gaols in his own county, [*semble* REP. 12*G.*2. *c.*27. *pl.*47. and 49*G.*3. *c.*91. same *pl.* and the chief justice of C. P. shall be assigned to take such assizes and deliver goals, but as to the chief justice of K. B. it shall be done as for 100 years last past was usual, 8*R.*2. *c.*2. [CON. and AMD. 13*H.*4. *c.*2.; *as to* justices of *assize* only, 33*H.*8. *c.*24. In part REP. 12*G.*2. *c.*27. 49*G.*3. *c.*91.]

42. NO CHIEF JUSTICE OF K. B. SHALL BE ANY WAYS HEREAFTER made a justice of assize in any county within *Eng.* except that of *Lancaster*, 13*H.*4. *c.*2.

43. NO MAN OF LAW SHALL BE JUSTICE OF ASSIZE in the county where he was born or dwells, on pain to forfeit 100*l.*, 33*H.*8. *c.*24. *ss.*1, 2. [*Semb.* REP. 12*G.*2. *c.*27. and 49*G.*3. *c.*91] but this act shall not touch any persons who may be clerks of assize, and associate to any justice of assize of any county, city, or town in *Eng.* wherever such persons do dwell, or were born; but they may execute their offices notwithstanding, 33*H.*8. *c.*24. *s.*3., nor shall it extend to any mayors, sheriffs, recorders, stewards, bailiffs, sewters, or other officers being born or dwelling within any city, borough, or town, but that they may be justices of assize of fresh force, or of other assizes in the same city, &c., 33*H.*8. *c.*24. *s.*4.

44. This act shall not prejudice any justice of either bench for taking assizes in such courts, nor any justice taking them by adjournment, *id. s.*5.

45. But no clerk of assize during the session of assize, or *nisi prius* shall be of counsel with any person within any circuit of which he is clerk of assize, on pain to forfeit 10*l.*, to go in moieties to H. M. and party grieved, to be sued in any H. M.'s courts, by action of debt, &c. or information wherein no essoin, &c. or dilatory plea shall be allowed, *id. s.*6.

46. Nor shall this act extend to the justices, justice clerks, or clerk of assizes within the duchy and county palatine of *Lancaster*, who may execute their offices there as before this act, *id. s.* 7.

47. Every judge of K. B., and C. P., and every baron of exchequer, and other person learned in the law, who shall be appointed justice of *oyer* and *terminer*, or gaol delivery, [*or* of assize, 49*G.*3. *c.*91.] in any county within *Eng.* may exercise such office [or act under any commission of *nisi prius*, 49*G.*3. *c.*91.] in any such county notwithstanding they have been born or dwell there, without being liable to the penalty of 100*l.*, or any other penalty, 12*G.*2. *c.*27., 49*G.*3. *c.*91.

48. IN EVERY COMMISSION OF THE PEACE TWO MEN OF LAW in the same county where it is made, shall be assigned to go and proceed to the deliverance of thieves and felons, as often as they think it expedient, 17*R.*2. *c.*10.

49. NO LORD OR OTHER OF THE COUNTY SHALL SIT ON THE bench with the justices to take assizes in their sessions, on pain of fine to H. M. and the justices shall not suffer it, 20*R.*2. *c.*3.

50. THE JUSTICES OF *nisi prius* TAKING INQUESTS according to 13E.1. *West. Sec. c.*30. *ante, pl.*6., shall have power in cases of felony and treason to give judgment, as well where a man is acquit, as where he is thereof attainted, at the day and place where the inquests, &c. were taken, and to award execution, 14*H.*6. *c.*1.

51. FOR REGULATING THE COMMISSIONS AND SALARIES OF THE judges, 12&13*W.*3. *c.*2. *s.*3. in part.

52. After the limitation of the crown in this act mentioned, [see KING, &c.] shall take effect, the judges, commissions shall be made *Quamdiu se bene gesserint*, and their salaries ascertained and established; but on the address of both houses of parliament, they may be removed, *id. ibid.* [AMD. 1*G.*3. *c.*23.]

53. The commission, &c. of the judges shall continue in force during their good behaviour, notwithstanding the demise of the crown, 1*G.*3. *c.*23. *s.*1.; provided H. M. may remove any judges, on address of both houses of parliament, 1*G.*3. *c.*23. *s.*2.

54. The salaries settled on the judges shall be paid during continuance of their patents or commissions, *id. s.*3., and such of them as shall become payable out of any annual sum granted for support of H. M.'s household, and the honour of the crown, shall after the demise of H. M. be charged upon and payable out of the civil list revenues then subsisting till some further provisions be made, and shall then be payable out of the money applicable to such uses, *id. s.*4. [The chancellor, judges, and speaker of house of commons shall be paid from the 2d class in the civil list as settled by 1*G.*4. *c.*1. *tit.* KING, &c., *pl.*141.]

55. TO EMPOWER THE JUSTICES OF *oyer* and *terminer* and gaol delivery of *Newgate*, in the county of *Middlesex*, to continue to hold a session of gaol delivery for *Newgate*, began to be holden before the essoin day of term, and the sitting of the K. B. at *Westminster*, not-

withstanding the happening of such essoin day, or the sitting of such court at *Westminster*, or elsewhere in *Midd.*, 25 *G.* 3. *c.* 18. PUBLIC *clause*, *s.* 2. [*see similar* act for the session of the peace, 32 *G.* 3. *c.* 48. QUARTER SESSIONS.]

56. When any session of *oyer* and *terminer* and gaol delivery of *Newgate* for *Midd.* has been begun to be holden before the essoin day of any term, the same session may be continued and the business thereof concluded, notwithstanding the happening of such essoin day of the sitting of the court of K. B. at *Westminster*, or elsewhere in *Midd.* and all trials, judgments, proceedings, acts, and things, and all proceedings, &c. in pursuance of such judgments, had, made, or done at such sessions so continued, shall be valid, 25 *G.* 3. *c.* 18.

57. WHENEVER THE COURTS OF ASSIZE *nisi prius*, *oyer* and *terminer* or gaol delivery for any county at large in *Eng.* are held in or near any city or town that is also a county of itself, and at the same time with the like courts of such city or town, the lodgings of the judges shall be construed to be situate within the county at large, and also within such city or town for the purposes of this act, and for transacting the business of the assizes for such county at large, and for the county of such city or town during the time that such judges continue therein, for execution of their several commissions, 19 *G.* 3. *c.* 74. *s.* 70. [MADE PERP. 39 *G.* 3. *c.* 46.]

58. FOR GIVING CERTAIN POWERS TO JUSTICES OF ASSIZE, 1 *G.* 4. *c.* 55. *ss.* 5. 6. [see rest of title and *ss.* 1—2. SITTINGS IN *London* and *Midd. ss.* 3, 4. COURTS (*King's Bench*), *pl.* 2—3. *s.* 4. is also in OATHS.]

59. The judges of K. B. and C. P. and the barons of exchequer at *Westminster*, and the justices of *Chester*, each and every or any one of them during their respective circuits for taking assizes, may grant such summonses, and make such orders in all actions and prosecutions pending in any of H. M.'s courts of record at *Westminster*, in which the issue if brought to trial, would be to be tried upon such their respective circuits, as if such judges, barons, and justices were respectively judges of the court in which such actions, &c. are pending, and such summonses and orders shall be in full force accordingly, *id. s.* 5.

60. For the purposes of this act, the counties palatine shall be taken to be counties on the circuits of the respective justices of K. B., C. P., and barons of exchequer at *Westminster*, and justices of *Chester*, *id. s.* 6.

JUSTICES OF PEACE. (*See* QUARTER SESSIONS.)

(STATUTES *repealed and expired.*)

1. FOR APPREHENDING PERSONS in any county or place, on warrants granted by justices of peace in any other county or place, 23 *G.* 2. *c.* 24. *s.* 11. [REP. 24 *G.* 3. *c.* 55. *s.* 4.; and new provisions *which see post*, *pl.* 57.]

2. TO ENLARGE THE TIME FOR JUSTICES OF THE PEACE to take and subscribe the oath by 18 *G.* 2. *c.* 20. directed; 19 *G.* 2. *c.* 13. [EXP.]

(STATUTES *in force.*)

1. WHO SHALL BE ASSIGNED JUSTICES AND KEEPERS of the peace, 1 *E.* 3. *St.* 2. *c.* 16., 18 *E.* 3. *St.* 2. *c.* 2.

2. In every county good and lawful men, which be no maintainers of evil quarrels, shall be assigned to keep the peace, 1 *E.* 3. *St.* 2. *c.* 16.

3. Two or three of the best reputation [six, 12 *R.* 2. *c.* 10., eight, 14 *R.* 2. *c.* 11.] in the counties, shall be assigned keepers of the peace by H. M.'s commission, and the same with men learned in the law, shall be assigned to determine felonies and trespasses against the peace, and inflict punishment, 18 *E.* 3. *St.* 2. *c.* 2.

4. THE AUTHORITY OF JUSTICES OF THE PEACE, 4 *E.* 3. *c.* 2. *s.* 2; [for rest of this act, see JUSTICES OF ASSIZE, *pl.* 23—25.]

5. Good men shall be assigned in every county to keep the peace; and in such assignments mention shall be made, that persons indicted or taken by such keepers of the peace, shall not be let to mainprise by the sheriffs or others, if not mainpriseable by law; but they shall not be delivered but at common law, 4 *E.* 3. *c.* 2. *s.* 2.

6. WHAT SORT OF PERSONS SHALL BE JUSTICES OF PEACE, and what authority they shall have, 34 *E.* 3. *c.* 1.

7. In every county shall be assigned for the keeping of the peace, one lord, and three or four of the most worthy men in the county, with some learned in the law; and they shall have power to restrain offenders, rioters, and all other barretors, and to take and chastise them, and cause them to be imprisoned and punished; and also to inquire of those that have been pillagers and robbers beyond the sea, and go wandering, and will not labour; and to take all that they find by indictment or suspicion, and put them to prison, and to take of all that be not of good fame sufficient surety and mainprise for their good behaviour, and others duly to punish; and also to hear and determine at H. M.'s suit, all manner of felonies and trespasses done in the county according to law, and that writs of *oyer* and *determiner* be granted according to the statutes; but that the justices which shall be thereto assigned, be named by the court, and not by the party: all general inquiries shall cease, and fines for trespasses shall be reasonable and just, 34 *E.* 3. *c.* 1.

8. FOR APPOINTING AND REGULATING JUSTICES OF PEACE, their sessions and wages, 12 *R.* 2. *c.* 10. [AMD. 13 *R.* 2. *St.* 1. *c.* 7., 14 *R.* 2. *c.* 11.]

9. No fee to be taken for appointing a justice of peace: [*see* 12 *R.* 2. *c.* 2. (OFFICE AND OFFICER.)]

10. In every commission of justices of peace, there shall be assigned but 6, [eight, 14 *R.* 2. *c.* 11.] justices, with the justices of assizes, and such 6 [eight] justices shall hold their sessions every quarter of the year at least, and for three days, if need be; on pain to be punished after the advice of H. M.'s council, at the suit of every man that will complain; and they shall enquire diligently, amongst other things, if the mayors, bailiffs, stewards, constables, &c. have executed the statutes of servants and labourers, rogues and vagabonds [*viz.* 12 *R.* 2. *cc.* 3—9. REP. as to labourers]; and shall punish the defaulters by the penalty of 100*s.*; and every such justices shall take for their wages 4*s.* the day, for the time of their sessions, and their clerks 2*s.* of the fines and amerciaments arising of the sessions, by the hands of the sheriffs; and the lords of franchises shall be contributory to the wages, after the rate of their part of the fines, &c., and no steward of any lord shall be assigned in such commissions; and no association shall be made to the justices of peace, after their first commission: and it is not the intent of this statute, that the justices of the one bench or other, nor serjeants of the law, shall be bound by this statute, to hold such sessions 4 times in the year, as other commissioners which dwell in the country, 12 *R.* 2. *c.* 10.

11. Justices of peace shall be made anew in all counties of *Eng.*, of the most sufficient knights, esquires, and men of the law, notwithstanding it is in 12 *R.* 2. *c.* 10. contained, that no steward of any lord shall be assigned in the commission of a justice of peace: and they shall be sworn without favour to keep the laws, 13 *R.* 2. *St.* 1. *c.* 7.

12. In every county shall be assigned 8 justices of peace; and duplicates of the estreats of such justices shall be made, and the one part delivered to the sheriff to levy the money; and thereof to pay the justices and their clerks their wages, by indenture betwixt them; and the sheriffs shall have allowance in their account in the exchequer by the same indenture: and no duke, earl, baron, nor banneret, albeit they be assigned justices, and hold their sessions with the other 8 justices, shall take wages for the office; and the justices shall put their names, and the name of their clerk, with the number of the days of their sessions; and seals shall be made for the servants, and delivered to some good man of the county; and 12 *R.* 2. *c.* 10., and 13 *R.* 2. *S.* 1. *c.* 7., and all other statutes not repealed are confirmed, *id. ibid.*

13. FOR THE CHOOSING OF JUSTICES OF PEACE, 2 *H.* 5. *St.* 2. *c.* 1.

14. Justices of peace shall be made of the most sufficient persons dwelling in same counties, by the advice of the chancellor and of H. M.'s council, without taking other persons dwelling in foreign counties, (except lords and the justices of assizes,) to be named by H. M. and his council; and except also H. M.'s chief stewards of the duchy of *Lancaster*, *id. ibid.*

15. Suits and processes before justices of peace, shall not be discontinued by new commissions of the peace, but the justices in the new commissions shall have power to continue such pleas and processes; and finally to hear and determine the same, 11 *H.* 6. *c.* 6., [see commission of a justice not to be discontinued by preferment to a dignity or title, 1 *E.* 6. *c.* 7. *s.* 6., DISCONTINUANCE, *pl.* 7.]

16. FOR INQUIRY OF INQUESTS CONCEALED, AND FOR certificate of recognizances taken before justices of peace to be made to the sessions, 3 *H.* 7. *c.* 2. *ss.* 1—6. [This title is framed from these sections, see *s.* 1. STAR CHAMBER, and *ss.* 3—5. CORONER.]

17. The justices of peace of every shire may take an inquest, whereof every man shall have lands to the yearly value of 40*s.*, to enquire of concealments of other inquests taken afore them, or other of such matter and offences as are to be enquired of and presented before justices of peace, whereof complaint is made by bill, as well within franchise as without; and if any such concealment is found within the year after the same concealment, every person of such inquest shall be amerced, by the discretion of the justices in full sessions, *id. s.* 2.

18. Every justice taking recognizance for keeping the peace, shall certify the same at the next sessions, that the party bound may be called, and in case of his default, the same shall be recorded, and the recognizance and record of default certified into chancery, K. B. or exchequer, *id. s.* 6.

19. FOR THE JUSTICES OF PEACE FOR THE DUE EXECUTION of their commissions, 4 & 5 *H.* 7. *c.* 12.

20. Every justice of peace shall cause to be proclaimed yearly, in 4 principal sessions, the tenor of this proclamation; and every justice of peace present at any such sessions, if they cause not such proclamations to be made, shall forfeit to H. M. 20*s.* *id. s.* 1.

JUSTICES OF PEACE.

21. H. M. commandeth the justices of peace of each shire to endeavour to execute the tenor of their commission, and that every man that let them to execute their authority, that they shew it to H. M.; and if they do it not, and it come to his knowledge by other, they shall be taken as men out of credence, and be put out of commission for ever; and over this he commandeth all men grieved in any thing that the justice of peace may determine, that they make complaint to the justice of peace; and if they have no remedy, if it be nigh such time as the justices of assizes come into that shire, they shall show the complaint to such justices; and if then they have no remedy, they shall come to H. M. or to his chancellor; and his highness shall send for such justices, to know the cause why his subjects be not eased, and his laws executed; whereupon, if he find any of them in default, he shall be put out of the commission, and punished according to his demerits; and his highness shall not let for any cause, but that he shall see his laws to have true execution, and his subjects to live in surety, *4 & 5 H. 7. c. 12. s. 2.*

22. THE QUALIFICATION FOR A JUSTICE OF THE PEACE, *18 H. 6. c. 11.*

23. None shall be appointed a justice of peace, unless he have 20*l.* a-year in lands (*s. 1.*); penalty on unqualified persons acting as justices, 20*l.*; exception as to corporations (*s. 3.*), *id. ss. 42, 45.* [see further *5 G. 2. c. 18., post, pl. 28.*]

24. TO EMPOWER JUSTICES OF PEACE TO COMMIT CERTAIN offenders either to the house of correction or the county-gaol, *6 G. 1. c. 19. s. 2.* (this title is framed from that section.) [AMD. *27 G. 3. c. 11. Justices of* liberties empowered in certain cases to commit offenders to the county house of correction, *15 G. 2. c. 24.*, and further powers given in case of offenders for whom no limited punishment is assigned by law, *17 G. 2. c. 5. s. 32.*]

25. Any justice of peace, within his jurisdiction, may commit either to the common-gaol, or to the house of correction, as he sees fit, such vagrants and other criminal offenders, and persons charged with [or convicted of, *27 G. 3. c. 11.*] small offences [for want of sureties, *6 G. 1. c. 19. s. 2.*], as by any law [now in force, or hereafter to be made, *27 G. 3. c. 11.*], he is authorized to commit to the county-gaol, *6 G. 1. c. 19. s. 2., 27 G. 3. c. 11.*

26. Where any person, liable to be committed to the house of correction, is apprehended within any liberty, city, or town corporate, whose inhabitants are contributing to support of the house of correction of the county, riding, or division, in which such liberty, &c. is, the justices for such liberty, &c. may commit such person to the house of correction of such county, &c., which person so committed, shall be dealt with and be subject to the same correction as if committed by any justice of the same county, &c., *15 G. 2. c. 24.*

27. Where any offender is committed to the house of correction by any justice of peace, for offences cognizable before him, out of general or quarter sessions, and the time and manner of punishment is not expressly limited, such justice shall commit such offender to the house of correction, to be kept to hard labour until the next general or quarter sessions, or till discharged by due course of law, and 2 justices, one of whom shall be the justice who committed such offender, may discharge him before such sessions, if they see cause, and if not so discharged, such sessions may either discharge him, or continue him in custody for such time as they see fit, not exceeding 3 months, *17 G. 2. c. 5. s. 32.* [see the rest of this act, *viz. ss. 1—29. 33—34.*, VAGRANT: *ss. 30—31.* PRISON *and* PRISONER, *pl 105—106.*]

28. FOR THE FURTHER QUALIFICATIONS OF JUSTICES of the peace, *5 G. 2. c. 18.* [AMD. *7 G. 2. c. 10. s. 3., 18 G. 2. c. 20.*; and as to the oath to be taken by justices, *1 G. 3. c. 13.* (which is also AMD., *7 G. 3. c. 9.*) see *18 H. 6. c. 11. pl. 22—23.*]

29. No person shall be capable of being a justice of peace, or of acting as such for any county, [riding, or division, *18 G. 2. c. 20. s. 1.*] in *Eng.* or *Wa.* who has not, either at law or in equity, to his own use in possession, a freehold or copyhold [or customary, *18 G. 2. c. 20. s. 1.*] estate, for life, or for some greater estate, or an estate for [some long term of, *18 G. 2. c. 20. s. 1.*] years, determinable on one or more life or lives, or for a term originally created for 21 years or more, in lands, tenements, or hereditaments, lying in *Eng.* or *Wa.*, of the clear yearly value of 100*l.* over what will satisfy all incumbrances, [and over all rents and charges payable out of the same, or who is not seised of, or entitled in law or equity to his own use, to the immediate reversion or remainder in lands, &c. lying as aforesaid, which are leased for one, 2, or 3 lives, or for years determinable upon one, 2, or 3 lives, upon reserved rents, and which are of the clear yearly value of 300*l.* and who shall not, before he takes upon himself to act as a justice of peace at some general or quarter sessions for the county, &c. for which he intends to act, first take and subscribe the oath following, and which shall be kept by the clerk of the peace, amongst the records of the sessions, [*18 G. 2. c. 20. s. 1.*] *5 G. 2. c. 18. s. 1., 18 G. 2. c. 20, s. 1.* [See further, as to the oaths of justices, *1 G. 3. c. 13. post, pl. 46.*]

'I, *A. B.* do swear, that I truly and *bonâ fide* have such an estate, in law or equity, to and for my own use and benefit, consisting of —, [*specifying the nature of the estate, whether messuage, land, rent, tythe, office, benefice, or what else,*] as doth qualify me to act as a justice of the peace for the county, riding, or division of —, according to the true intent and meaning of an act of parliament made in the 18th year of the reign of H. M. king *George* the second, intituled, *An act to render more effectual an act passed in the 5th year of his present Majesty's reign, intituled, An act* [*set out the title*] and that the same [*except where it is an office, benefice, or ecclesiastical preferment,*] is lying, or being, or issuing out of lands, tenements, and hereditaments, being within the parish, township, or place of —, or in the several parishes of —, in the county of —, or in the several counties of —, [*as the case is*].'

30. No attorney, solicitor, or proctor, shall be capable to be a justice of the peace in *Eng.* or *Wa.* during such time as he shall practise as such, *5 G. 2. c. 18. s. 2.*

31. If any person not so qualified, shall take on himself the office of a justice of peace, or shall do any act as such, he shall forfeit 100*l.*, one moiety to H. M., and the other to such person as will sue for the same, by action of debt, &c. or information in any court of record at *Westminster*, wherein no essoin, &c. and only one imparlance shall be allowed, *id. s. 3.*

32. Every such clerk of the peace shall, upon demand, deliver an attested copy of such oath to any person paying 2*s.* for the same which being proved to be a true copy of such oath, shall be admitted to be given in evidence upon any issue in any action or information brought upon this act, *18 G. 2. c. 20. s. 2.*

33. Any person who shall act as a justice of the peace for any county, &c. in *Eng.* or *Wa.* without having taken and subscribed such oath, or without being qualified according to this act, shall forfeit 100*l.* one moiety to the use of the poor of the parish in which he usually resides, and the other to the use of such person who shall sue for the same, to be recovered, with costs, by action of debt, &c. or information, in any court of record at *Westminster*, in which no essoin, &c. and only one imparlance shall be allowed, and in every such action or information, the proof of qualification shall lie on such person against whom the same is brought, *id. s. 3.*

34. If the defendant in any such action or information intends to insist upon any lands, &c. not contained in such oath, as his qualification to act as a justice of peace at the time of the supposed offence, he shall, at or before pleading, deliver to the plaintiff or informer, or his attorney, a notice in writing specifying such lands, &c. (other than those contained in the oath) and the parish or place, and the county wherein the same are (offices and benefices excepted, which may be ascertained by their usual names); and if the plaintiff or informer shall thereupon not proceed any further, he may, with the leave of the court, discontinue such action or information on payment of such costs as the court shall award, *id. s. 4.*

35. Upon the trial of the issue in any action or information so brought, no lands, &c. not contained in such oath and notice, or one of them, shall be allowed to be insisted upon by the defendant, as part of his qualification, *id. s. 5.*

36. Where the lands, &c. contained in such oath or notice, are together with other lands, &c. belonging to the person taking such oath, or delivering such notice, liable to any charges, rents, or incumbrances, within and for the purposes of this act, the lands, &c. contained in such oath or notice, shall be deemed chargeable, only so far as the other lands, &c. so jointly charged are not sufficient to pay the same, *id. s. 6.*

37. Where the qualification or any part thereof consists of rent, it shall be sufficient to specify in such oath or notice so much of the lands &c. out of which such rent is issuing as shall be of sufficient value to answer such rent, *id. s. 7.*

38. In case the plaintiff or informer, in such action or information discontinued the same, otherwise than as in *s. 4.*, or is nonsuit, or has judgment against him, the defendant shall recover treble costs, *id. s. 8.*

39. Only one penalty of 100*l.* shall be recovered from the same person by virtue of this act, or of *5 G. 2. c. 18.* for the same or any other offence committed by the same person, before the bringing of the action or information upon which one penalty of 100*l.* has been recovered, and due notice given to the defendant of the commencement of such action or information, *id. s. 9.*

40. Where an action or information is brought, and due notice given thereof, as in *s. 9.*, no proceedings shall be had upon any subsequent action or information against the same person, for any offence committed before the time of giving such notice; but the court where such subsequent action or information is brought, may, upon the defendant's motion, stay proceedings therein; so as such first action or information be prosecuted without fraud, and with effect; but no action or information, not so prosecuted, shall be deemed an action or information within this act, *id. s. 10.*

41. Every action, bill, plaint, or information, given by this, or *5 G. 2. c. 18.* shall be commenced within 6 calendar months after the fact upon which the same is grounded was committed, *id. s. 11.*

42. This act shall not extend to any city or town being a county of itself, or to any other city, town, cinque-port, or liberty, having justices of peace within their respective limits by charter, commission, or otherwise; but in every such city, &c. such persons may be capable to be justices of peace, and in such manner only as they might have been if this act had not been made, 5 *G.*2. *c.*18. *s.*4., 18 *G.*2. *c.*20. *s.*12.

43. Nothing in this act, or in 5 *G.*2. *c.*18. shall extend to any peer, or lord of parliament, [or to the lords or other of H. M.'s privy council, or to the justices of either bench, or to the barons of the exchequer, or to H. M.'s attorney or solicitor-general, or to the justices of great sessions for the county palatine of *Chester*, and the several counties of *Wa.* within their respective jurisdictions, 18 *G.*2. *c.*20. *s.*13.] or to the eldest son or heir apparent of any peer or lord of parliament, or of any person qualified by 9 *A. c.*5. to serve as a knight of a shire, 18 *G.*2. *c.*20. *s.*13., and 5 *G.*2. *c.*18. *s.*5.

44. Nothing in this act, or in 5 *G.*2. *c.*18. shall extend to incapacitate the officers of the board of green cloth from being justices of peace within the verge of H. M.'s palaces, or to incapacitate the commissioners and principal officers of the navy, or the two under-secretaries in each of the offices of principal secretary of state, [or the secretary of *Chelsea College*, 18 *G.*2. *c.*20. *s.*14.] from being justices of peace for such [maritime, 5 *G.*2. *c.*18.] counties, or places where they usually have been justices, 5 *G.*2. *c.*18. *s.*6., 18 *G.*2. *c.*20. *s.*14.

45. This act shall not extend to any of the heads of colleges, or halls in *Oxford* or *Cambridge*, [or to the vice-chancellor of either of such universities, or to the mayor of the city of *Oxford*, or of the town of *Cambridge*, 7 *G.*2. *c.*10. *s.*3., 18 *G.*2. *c.*20. *s.*15.] but they may be, and act as justices of peace in the counties of *Oxford*, *Berks*, and *Cambridge*, as fully as if this act had not been made, 5 *G.*2. *c.*18. *s.*7., 7 *G.*2. *c.*10. *s.*3., 18 *G.*2. *c.*20. *s.*15.

46. All persons who shall be justices of peace at the demise of his present majesty, or any of his successors, and shall afterwards be appointed justices of peace by any commission granted by H. M. or his successors, and who shall take the oaths of office of a justice of peace before the clerk of the peace of the county, &c. for which such justice shall act, or the deputy of such clerk of the peace, and who shall have taken and subscribed, at some general session of the peace, the oath required by 18 *G.*2. *c.*20. may act as justices for such county, &c. without being obliged to take and subscribe again such oath, without incurring any penalty; and all acts done by them, or under their authority, shall be valid, 1 *G.*3. *c.*13. *s.*1.

47. After passing this act, no person who hath taken, or shall take the oaths usually taken by a justice of peace, under a *dedimus potestatem* issued from the clerk of the crown, shall be obliged to sue out any other *dedimus potestatem* from such clerk to authorize any person to administer again to any such justice, on any new commission of the peace being issued under the great seal of *G. B.*, the oaths usually annexed to such *dedimus* and taken by a justice of peace; but the clerk of the peace, or his deputy of every county, &c. in *Eng.* and *Wa.*, for which any such justice hath acted and qualified, or hereafter before the issuing any such new commission shall act and qualify himself, shall on every such new commission of the peace being issued, prepare a parchment roll, with the oaths annexed to, and usually taken under the *dedimus* by justices of the peace, ingrossed on such roll; and shall administer without fee, the oaths in such roll specified to every such justice within the respective counties, &c. for which he shall act, and who shall desire to take such oaths; and every such justice, after the taking the oaths, shall subscribe his name on such roll; and such roll shall be kept by the respective clerks of the peace amongst the records of the sessions, *id. s.*2.

48. FOR OBVIATING DOUBTS WHICH HAVE arisen with respect to so much of 1 *G.*3. *c.*13. as directs the taking of certain oaths by justices of the peace on the issuing of any new commission of the peace, 7 *G.*3. *c.*9.

49. All justices of the peace, appointed by any commission granted by his present majesty, or after his demise, by any of his successors, who have, after the issuing of the first commission, taken and subscribed the oaths in 1 *G.*3. *c.*13. shall not be obliged, during the reign of H. M., or during any future reign in which such oaths shall have been so taken and subscribed as aforesaid, to take and subscribe the same oaths, by reason of such persons being again appointed justices by any subsequent commission granted during any such reign; and shall not incur any penalty for the not taking such oaths, 7 *G.*3. *c.*9.

50. TO OBLIGE JUSTICES OF PEACE AT THEIR GENERAL QUARTER sessions to determine appeals made to them according to the merits of the case, notwithstanding defects of form in the original proceedings, and to oblige persons suing forth writs of *certiorari* to remove orders made on such appeals into H. M.'s court of K. B., to give security to prosecute the same with effect, 5 *G.*2. *c.*19.

51. Upon any appeals to the general or quarter sessions for any county, city, or precinct in *Eng.*, against judgments or orders made by any justices, such sessions shall cause any defects of form, found in such original judgments or orders, to be amended without costs, and shall then proceed to hear the merits thereof, and examine all witnesses on oath, and hear all proofs relating thereto, and make such determination as by law they ought to do, in case there had been no such defect, 5 *G.*2. *c.*19. *s.*1.

52. No *certiorari* shall be allowed to remove any such judgment or order, unless the party prosecuting the same, before its allowance, enters into a recognizance, with sufficient sureties before one justice for the county or place, or the justices at the general or quarter sessions, where the judgment, &c. was had, or before a judge of K. B. in 50*l.* with condition to prosecute the same at his own costs with effect, without any delay, and to pay the parties, in whose favour such judgment, &c. was given within one month after its confirmation, their full taxed costs; and in case no such recognizance is so entered into, or if such condition is not performed, such justices may make such order for the party for whom such judgment was given, in such manner as if no *certiorari* had been granted, *id. s.*2.

53. Such recognizance so taken, shall be certified to K. B., and there filed with the *certiorari*, and judgment, &c. removed thereby; and if such judgment, &c. is confirmed by such court, the party entitled to such costs, for recovery thereof within 10 days after demand made of the party who ought to pay them, and on oath of the making such demand and refusal to pay, shall have an attachment against him for contempt; and such recognizance shall not be discharged until such costs be paid and such order so confirmed obeyed, *id. s.*3.

54. TO EMPOWER JUSTICES OF PEACE TO ACT IN CERTAIN CASES relating to parishes and places, to the rates and taxes of which they are rated or chargeable, 16 *G.*2. *c.*18.

55. Every justice within his jurisdiction may execute every thing appertaining to his office, so far as the same relates to the laws concerning the poor, vagrants, highways, or parochial taxes or rates, notwithstanding such justice is rated to, or chargeable with the taxes within such parish, affected by such act of such justice, *id. s.*1.

56. This act shall not authorize any justice for any county or riding at large, to act in the determination of any appeal to the quarter sessions for such county, &c. from any order or thing relating to the parish where such justice is so charged or chargeable, *id. s.*3.

57. FOR AMENDING AND MAKING MORE EFFECTUAL THE PROVISION in 23 *G.*2. *c.*26. (*s.*11. which is REP. by this act, *s.*4.) for apprehending persons in any county on warrants granted by justices of peace of any other county or place, 24 *G.*2. *c.*55. [*See the* principle of this statute much extended, 13 *G.*3. *c.*31. *s.*1. *pl.*61., *viz.* to the apprehending offenders who escape from one part of the U.K. to another.]

58. In case any person, against whom a warrant is issued by any justice or justices of peace of any county, riding, division, city, liberty, town, or place, shall escape, reside, or be in any other county, &c. out of the jurisdiction of the justice who granted such warrant, any justice or justices of such other county, &c. shall, on proof on oath of the hand writing of the justice granting such warrant, indorse his name thereon, and which shall be sufficient authority to the person bringing such warrant, and to those to whom it was originally directed, to execute such warrant in such other county, &c. and to apprehend and carry such offender before such indorsing justice, or some other of the same county, &c. *and* [the word *and* is omitted in the act, but *semb.* should be inserted, *see* 44 *G.*3. *c.*92. *s.*1. *pl.*68., &c.] in case the offence is bailable, and such offender is willing to give bail for his appearance at the next assizes, or quarter sessions for the county, &c. where the offence was done, such justice of such other county, &c. may take bail of such offender for his appearance at such assizes or sessions, in the same manner as the justice for the proper county, &c. might; and the justice of such other county, &c. so taking bail, shall deliver the recognizance, together with the examination or confession of such offender, and all other proceedings relating thereto, to the constable or the person apprehending such offender, who shall receive the same, and deliver them over to the clerk of assizes, of the peace, or of the county, &c. where such offender is to appear, and such recognizance, examination, &c. shall be as valid as if taken before the justice of the proper county, &c. and the same proceeding shall be had thereon; and if such constable or other person shall neglect to deliver over such recognizance, &c. to the clerk of assizes or of the peace of the county, &c. wherein such offender is required to appear by such recognizance, he shall forfeit 10*l.*, to be recovered by bill, plaint, or information, in the courts at *Westminster*, by any person that will sue for it, wherein no essoin, &c. and only one imparlance are allowed; and in case the offence, for which such offender is apprehended in any other county, &c. is not bailable, or in case he will not give bail to the satisfaction of the justice before whom he is brought, then such constable or other person shall convey him before one justice of the proper county, &c. where the offence was done, to be dealt with according to law, 24 *G.*2. *c.*55. *s.*1.

59. No action of trespass, false imprisonment, information, or in-

dictment, or other action shall be brought against any justices who shall indorse such warrant for or by reason thereof, (*s.*2.) but such person may bring his action against the justice who originally granted such warrant, as before this act, 24 *G.*2. *c.*55. *s.*3.

60. FOR THE MORE EFFECTUAL EXECUTION OF THE CRIMINAL laws in the two parts of the *U.K.* [then of *G.B.* only] 13 *G.*3. *c.*31. [AMD. *as to s.*1. by 48 *G.*3. *c.*58. *s.*2. and generally by 44 *G.*3. *c.*92. 45 *G.*3. *c.*92. and 54 *G.*3. *c.*186. EXT. to *U.K.* 54 *G.*3. *c.*186. *s.*2. *pl.* 82.]

61. If any person against whom a warrant shall be issued by any justice within *Eng.*, for any crime, shall escape, or be in *Scot.*, the sheriff, or steward-depute, or substitute, or any justice of the place where such person shall escape, &c. or be, may indorse his name on the warrant; which warrant so indorsed, shall be authority to the person bringing the same, and to all persons to whom it was originally directed; and also to all sheriffs and stewarts, officers, constables, and other peace officers where such warrant shall be indorsed, to execute the same in the place where it is indorsed, by apprehending the person, and to convey him into the county of *Eng.*, adjacent to *Scot.*, in which the crime was committed, and before one of the justices of such county, to be there dealt with according to law: or, in case the crime was committed in a county not next adjacent to *Scot.*; then to convey him into any county of *Eng.*, next adjacent to that part of *Scot.*, and before one justice of such county, who shall proceed with regard to such person, in the manner directed by 24 *G.*2. *c.*56. as if the said person or persons had been apprehended in the said county, 13 *G.*3. *c.*31. *s.*1. [EXT. to the whole of the *U. K.*, 54 *G.*3. *c.*186. *s.*2. *pl.* 82., and see like provision for persons escaping from *Ire.*, into *Eng.* or *Scot.*, *infra*, *pl.* 70.]

62. All clauses in 13 *G.*3. *c.*31. 44 *G.*3. *c.*92. and 45 *G.*3. *c.*92. whereby the execution in *Scot.* of any warrants issued by any justice in *Eng.*, for any offence against the laws of *Eng.*, is regulated, shall extend to all warrants issued by any of the judges in K.B. in *Eng.*, of great sessions in *Wa.*, or by any justice of oyer and terminer, or gaol delivery, or other person having authority to issue the same in *Eng.*, for any offence against the laws thereof, 48 *G.*3. *c.*58. *s.*2.

63. If any person against whom a warrant shall be issued by the lord justice-general, lord justice-clerk, or any of the lords commissioners of justiciary, or by any sheriff, or steward-depute or substitute, or justice of *Scot.*, for any crime against the laws of that part of the *U.K.*, shall escape or be in *Eng.*, any justice of the county, where such person shall escape or be, may indorse his name on the warrant; which shall be authority to the person bringing the same, and to all persons to whom it was originally directed; and also to all constables, or other peace officers of the county, &c. where such warrant shall be indorsed, to execute the same in the county, &c. where it is indorsed, by apprehending the person, and to convey him into the county in *Scot.*, adjacent to *Eng.*, where the crime was committed; and before the sheriff or steward-depute or substitute, or one justice of such county, to be there dealt with according to law: or in case the crime was committed in a county not next adjacent to *Eng.*, then to convey him into any county of *Scot.*, next adjacent to *Eng.*, and before the sheriff or steward-depute, or substitute, or one of the justices of such county; which sheriff, &c. is to proceed with such person according to the law of *Scot.*, as if he had been apprehended in that county, 13 *G.*3. *c.*31. *s.*2. [EXT. to the whole of the *U. K.* 54 *G.*3. *c.*186. *s.*2. *pl.* 82.]

64. The expence of removing prisoners as aforesaid shall be repaid to the person defraying the same by the treasurer of the county of *Eng.*, or by the sheriff, or steward-depute, or substitute of the county of *Scot.* in which the crime was committed, the amount being previously ascertained by an account thereof verified on oath before two justices of such county, and allowed and signed by them, 13 *G.*3. *c.*31. *s.*3.

65. If any person having stolen money, cattle, goods, or other effects, in either part [extended to any part of the *U. K.* 44 *G.*3. *c.*92. *s.*7. *pl.* 74.] of the *U. K.*, [of *G. B.*] shall afterwards have the same effects, or part thereof, in his possession, in the other part thereof, it shall be lawful to indict, try, and punish such person for theft or larceny in that part of *U.K.* where he shall so have such effects in his possession, *id. s.*4.

66. Any person, in either part of the *U. K.* of *G. B.* who shall receive or have any effects stolen, in the other part of the *U. K.*, knowing the same to be stolen, shall be liable to be indicted, tried, and punished for such offence in that part of the *U. K.* where he shall receive the said effects, *id. s.*5. [EXT. to any part of *U.K.* 44 *G.*3. *c.*92. *s.*8. *pl.* 75.]

67. TO RENDER MORE EASY THE APPREHENDING AND bringing to trial offenders escaping from one part of the *U. K.* to the other, and also from one county to another, 44 *G.*3. *c.*92. [AMD. 45 *G.*3. *c.*92.]

68. In case any person against whom a warrant shall be issued by any justice within *Ire.*, shall escape or be in any other place out of the jurisdiction of such justice, any justice or justices for the county, city, liberty, town, or place, where such person shall escape or be, on proof made on oath of the hand writing of the justice granting such warrant, shall indorse his (or their) name or names thereon, which indorsement shall be sufficient authority to the person bringing the same, and to all others to whom it was originally directed to execute such warrant, in the county, &c. where it was indorsed, and to apprehend and carry him before the indorsing justice, or some other justice or justices of the county, &c. or place where such warrant was indorsed, [who in case the offence is bailable, and the offender ready to give bail for his appearance at the next assizes, or general gaol delivery, or general quarter sessions for the county, &c. or place where the offence was committed, shall proceed with him and take bail accordingly, in the same manner as the justices of the proper county, &c. might have done; *but see additional* provisions for taking bail in these cases, 45 *G.*3. *c.*92. *s.*1. *pl.* 78.] and shall deliver the recognizance with the offender's examination or confession, and all other proceedings relating thereto had before him or them, to the constable or other officer, or person so apprehending such offender, who shall receive and deliver over to the clerks of the crown or peace for the county, &c. or place where such offender is required to appear by such recognizance; and such recognizance and examination respectively shall be as effectual as if taken or acknowledged before a justice, &c. of the county, &c. or place where the offence was committed, and the same proceedings shall be had thereon, and any such constable or officer, who shall not deliver over the same as above, shall forfeit 5*l.*, *Irish* currency, to be recovered by bill, civil bill, plaint or information, in any of H. M.'s court of record in *Ire.*, by any person who will sue for the same, wherein no essoin, &c. or more than one imparlance shall be allowed; and in case the offence for which he is so apprehended, shall not be bailable, or if the offender shall not give bail for his appearance as above, to the satisfaction of the justice, then the constable, &c. so apprehending him, shall carry him before a justice of the proper county, &c. or place where such offence was committed, to be there dealt with according to law, 44 *G.*3. *c.*92. *s.*1.

69. No action of trespass, or false imprisonment, indictment, or other action, shall be commenced against any justice or justices for indorsing such warrant, but any person may prosecute his action against the justice, &c. who originally granted it, as he might before this act, *id. s.*2.

70. If any person against whom a warrant shall be issued by any of the judges of K.B., or by any justice of oyer and terminer, or gaol delivery, or any justice of peace, or other persons having authority to issue the same within *Ire.*, for any offence against the laws in force in *Ire.*, shall escape or be in *Eng.*, or *Scot.*, any justice of the county, &c. or place, in the latter respectively where the offender is, may indorse his name on such warrant, which, when so indorsed, shall be sufficient authority to the persons bringing it, and to all those to whom it was originally directed, and to all constables or other peace officers of the county, &c. or place where such warrant shall be so indorsed, to execute the same in the county, &c. or place where it is so indorsed, by apprehending the person against whom it is granted, and to convey him by the most direct way into *Ire.*, and before one of the justices of the county in *Ire.*, living near the place and in the county where such offender shall land, who shall proceed as if the latter had been legally apprehended in his county in *Ire.*, *id. s.*3.

71. If any person against whom a warrant shall be issued by any judge of K.B., or of the great sessions in *Wa.*, or by any justice of oyer and terminer, or gaol delivery, or any justice of peace in *Eng.*, or *Scot.*, for any offence against the laws of either country, shall escape to or be in *Ire.*, any justice of the county or place in the latter, where such person is, shall indorse his name on such warrant, which, when so indorsed, shall be sufficient authority to the person bringing the same, and to those to whom it was originally directed, and to all constables, sheriffs, and other peace officers of the county or place in *Ire.*, where it is so indorsed, to execute the same therein, by apprehending the offender, and to convey him by the most direct way to *Eng.* or *Scot.*, respectively, and before a justice of the county or stewartry, living near the place and in the county where he shall arrive and land: which justice shall proceed with regard to him as if he had been legally apprehended in the said county, &c. of *Eng.* or *Scot.* respectively, *id. s.*4.

72. The expence of removal of prisoners to any place in *Eng.*, *Ire.*, and *Scot.*, shall be defrayed by the treasurer of the county in *Eng.*, and *Ire.*, and in *Scot.*, as in 13 *G.*3. *c.*31. *s.*3. *pl.* 64., 44 *G.*2. *c.*92. *s.*5.

73. The treasurers of the several counties in *Ire.* who have paid the amount of any such expences so ascertained as aforesaid, shall lay the said account, with its allowance, signed as in *s.*5. [or as in 13 *G.*3. *c.*31. *s.*3. *pl.* 64.] before the grand juries at the next or any subsequent assizes, who shall present the same to be raised from the county at large, to reimburse such treasurers, *id. s.*6.

74. Persons having stolen or otherwise feloniously taken money, cattle, goods, or other effects, in any one of the parts of the U.K., and afterwards having the same or any part thereof in possession or custody,

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in any other part of the U.K., may be indicted, tried and punished for theft or larceny in the latter part of the U.K., as if such money, &c. had been actually stolen there, 44 *G.*3. *c.*92. *s.*7.

76. Persons in any one part of U.K. who shall receive or have any cattle, goods, or effects, stolen or feloniously taken in any other part of U.K., knowing them to have been so stolen, &c. shall be liable to be indicted, tried, and punished, in that part of the U.K. where they shall receive, &c. such goods, as if the same had been originally stolen, &c. in the latter part of the U.K., *id. s.*8.

77. To AMEND 13 *G.*3. *c.*31., and 44 *G.*3. *c.*92., [REP. as to *ss.*5—6. by 54 *G.*3. *c.*186. *s.*1.]

78. *After reciting* "That *no provision* is made by 13 *G.*3. *c.*31., and 44 *G.*3. *c.*92. for bailing persons apprehended in one part of U.K. for bailable offences charged to be committed by them in another part of U.K.," [but see that part of 44 *G.*3. *c.*92. *s.*1. *pl.*68., which is between brackets], it is enacted, *that* persons apprehended in either *Eng.*, *Scot.*, or *Ire.*, for an offence charged to have been committed in either of the other parts thereof, under any warrant indorsed as by 13 *G.*3. *c.*31. *s.*1. *pl.*61., and 44 *G.*3. *c.*92. *s.*1. *pl.*68. is provided, may be taken before the indorsing judge or justice, or before some other justice of the county, &c. or place where the same was indorsed; and if the offence be bailable, and the offender is ready to give bail for appearance, according to the exigence of the warrant, such judge or justice may proceed with such offender, and take bail for him according to the said exigence, as the judge or justice who originally issued the same might have done; and shall take the recognizance or bail-bond of such offender and his bail in duplicate, and shall deliver one of them to the constable or other persons so apprehending such offender, who shall receive and deliver it to the clerk of the crown or peace, or other proper officer of the court in which such offender is bound to appear; and the same shall be as valid as if taken before a judge or justice of the county where the offence was committed; and such bailing judge or justice, &c. shall transmit the other duplicate to the court of exchequer of that part of U.K. where such bail is taken, to be kept of record; and the court in which any person so bound to appear shall forfeit any recognizance or bail-bond, shall transmit a certificate under their seal, or under that of one of the justices thereof, testifying such forfeiture to the said court of exchequer, which may proceed on such certificate to levy the sum forfeited, in the same manner as they may proceed on any recognizance, &c. forfeited within the same part of U.K., and estreated in due course into that court; provided that if the offence is not bailable, or if the offender shall not give bail as above, such judge shall remand him to the custody of the person who apprehended him, who shall convey him into that part of U.K. wherein the offence was committed, by the means provided by the recited acts, 45 *G.*3. *c.*92. *s.*1.

79. In case any person suing out such warrant shall shew, by affidavit or otherwise, to the satisfaction of the judge or justice granting it, that it may be necessary to execute it in a part of U.K. different from that in which it is issued, and if the offence appears to the latter to be such that it would not be lawful for any judge, &c. before whom such offender might be brought by reason of the indorsement, to admit him to bail, he shall write on the face of such warrant *not bailable;* and where these words are omitted, the latter judge, &c. may admit the offender to bail, *id. s.*2.

80. The service of every *subpœna* or other process on any person in any one part of U.K., requiring their appearance to give evidence in any criminal prosecution in any other part thereof, shall be as valid as if sued in the latter part of U.K.; and if he shall not appear, then the court, on proof of service of *subpœna*, shall transmit a certificate of default to the K.B. in *Eng.* if such service was had there, or if in *Scot.* to the justiciary court there, or if in *Ire.* to K.B. there, which courts shall proceed against and punish the defaulter as if he had neglected to appear in obedience to their *subpœna* or other process, *id. s.*3.

81. No such court shall in any case proceed against any person for not appearing to give evidence in obedience to such *subpœna* or process, unless it appears to them that a reasonable sum to defray the expences of going and returning had been tendered at the time of serving the *subpœna*, *id. s.*4. [See a former like provision, applying only to *English* offenders in *Scot.* tried in *Eng.*, and *Scotch* offenders in *Eng.* tried in *Scot.*, 4 *J.*1. *c.*1. *s.*27. and *s.*32.]

82. All warrants issued in *Eng.*, *Scot.*, or *Ire.*, respectively, shall be indorsed, executed, enforced, and acted upon, by all justices and officers of the peace, in any part of the U.K. in the manner directed by 13 *G.*3. *c.*31. *ss.*1—2. *pl.*61. and 63., in relation to warrants issued in *Eng.* or *Scot.* respectively, 54 *G.*3. *c.*186. *s.*2.

83. Any judge of any of H.M.'s courts of record in *Westminster*, of the court of sessions in the county palatine of *Chester*, or of great sessions in *Wa.*, or in any such court of record in *Dublin*, may indorse any letters of second diligence issued in *Scot.* for compelling attendance of any witness resident in *Eng.*, *Wa.*, or *Ire.*, on any criminal trial in *Scot.*; and the same when so indorsed shall have the like force as in *Scot.*, and shall entitle the bearer to apprehend the witness or witnesses named therein, and convey him to *Scot.*, for the purposes of the trial, without tendering expences to such witness, 54 *G.*3. *c.*186. *s.*3.

84. FOR RENDERING JUSTICES OF THE PEACE MORE SAFE in the execution of their office, and for indemnifying constables and others acting in obedience to their warrants, 24 *G.*2. *c.*44. [AMD. and EXT. to *Ire.*, 43 *G.*3. *c.*143. and by 43 *G.*3. *c.*141.]

85. No writ shall be sued out against, nor any copy of any process at the suit of a subject be served on any justice of the peace, [or any governor or deputy governor of any county or place in *Ire.*, 43 *G.*3. *c.*143. *s.*1.] for any thing done by him in the execution of his office, until notice in writing of such intended writ or process be delivered to him, or left at the usual place of his abode, by the attorney for the party who intends to sue, at least one calendar month before the suing out or serving the same; in which notice shall be clearly and explicitly contained the cause of action, and on which shall be indorsed the name of such attorney, with the place of his abode, who shall be intitled to the fee of 20*s.* for preparing and serving such notice, 24 *G.*2. *c.*44. *s.*1., 44 *G.*3. *c.*143. *s.*1. for *Ire.*

86. Such justice [and such governor, &c. 43 *G.*3. *c.*143. *s.*2.] at any time within one calendar month after such notice given, may tender amends to the party complaining, or to his attorney; and in case the same is not accepted, may plead such tender in bar to any action grounded on such writ or process, together with the plea of not guilty, and any other plea, with leave of the court; and if on issue joined, the jury find the amends so tendered to have been sufficient, they shall give a verdict for the defendant; and in such case, or in case the plaintiff becomes nonsuit, or discontinues, or judgment be given for such defendant upon demurrer, such justice [or governor, &c. 43 *G.*3. *c.*143. *s.*2.] shall have the like costs as if he had pleaded the general issue only; and if the jury find that no amends were tendered, or that the same were not sufficient, and also against the defendant on such other plea, they shall give a verdict for the plaintiff, and such damages as they think proper, which he shall recover, together with his costs, 24 *G.*2. *c.*44. *s.*2., 43 *G.*3. *c.*143. *s.*2. for *Ire.*

87. No such plaintiff shall recover any verdict against such justice, [or governor, &c. 43 *G.*3. *c.*143. *s.*3.] where the action is grounded on any act of the defendant as justice of the peace, [or governor, &c. 43 *G.*3. *c.*143. *s.*3.] unless it is proved upon the trial that such notice was given, but in default thereof such justice, [or governor, &c. 43 *G.*3. *c.*143. *s.*3.] shall recover a verdict and costs, 24 *G.*2. *c.*44, *s.*3., 43 *G.*3. *c.*143. *s.*3. for *Ire.*

88. In case any such justice, [or governor, &c., 43 *G.*3. *c.*143. *s.*4.] shall neglect to tender amends, or has tendered insufficient amends before action brought, he may by leave of the court, before issue joined, pay into court such sum as he shall see fit, whereupon such proceedings, &c. shall be had as in other actions, where the defendant is allowed to pay money into court, 24 *G.*2. *c.*44. *s.*4., 43 *G.*3. *c.*143. *s.*4. for *Ire.*

89. No evidence shall be permitted to be given by the plaintiff in such action of any cause except such as is contained in such notice, 24 *G.*2. *c.*44. *s.*5., 43 *G.*3. *c.*143. *s.*5. for *Ire.*

90. No action shall be brought against any constable, headborough, or other officer [in *Ire.*, 43 *G.*3. *c.*143. *s.*6.] or against any person acting by his order and in his aid, for any thing done in obedience to any warrant under the hand and seal of any justice of peace [or governor or deputy-governor of any county, &c. in *Ire.* 43 *G.*3. *c.*143. *s.*6.] until demand made or left at his usual place of abode by the party intending to bring such action, or his attorney or agent, in writing, signed by the party demanding the same, of the perusal and copy of such warrant, and the same hath been neglected for 6 days; and in case after such demand and compliance therewith by showing such warrant, and permitting a copy thereof to be taken, any action is brought against such officer or person for any such cause, without making the justice [or governor, &c., 43 *G.*3. *c.*143. *s.*6.] who signed and sealed such warrant defendants, then on producing such warrant at the trial, the jury shall give a verdict for the defendant, notwithstanding any defect of jurisdiction in such justice [or governor, &c., 43 *G.*3. *c.*143. *s.*6.], and if such action is brought jointly against such justice [or governor, &c., 43 *G.*3. *c.*143. *s.*6.] and such officer and such person, then on proof of such warrant, the jury shall find for such constable or officer, and such person; and if a verdict be given against such justice [or governor, &c., 43 *G.*3. *c.*143 *s.*6.] the plaintiff shall recover his costs, taxed in such manner by the proper officer as to include such costs as such plaintiffs are liable to pay to such defendants for whom such verdict is so found, 24 *G.*2. *c.*44. *s.*6., 43 *G.*3. *c.*143. *s.*6. for *Ire.*

91. Where the plaintiff in any such action against such justice [or governor, &c. 43 *G.*3. *c.*143. *s.*6.] shall obtain a verdict, in case the judges who tried the cause shall in open court certify on the back of the record that the injury for which such action was brought was ma-

licious and wilful, the plaintiff shall have double costs, 24 *G.*2. *c.*44. *s.*7., 43 *G.*3. *c.*143. *s.*6. for *Ire.*

92. No action shall be brought against any justice of peace [or governor, &c. 43 *G.*3. *c.*143. *s.*7.] for any thing done in execution of his office, or against any constable or other officer or person acting as in *s.*6., unless commenced within 6 calendar months after the act committed, 24 *G. c.*2.44. *s.* 8., 43 *G.*3. *c.*143. *s.*7. for *Ire.*

93. IN ALL ACTIONS BROUGHT IN *G. B.* OR *Ire.* AGAINST ANY JUSTICE of peace for or on account of any conviction by him made under any act in force in the *U. K.*, or for any thing done or commanded by such justice to be done, for the levying of any penalty, apprehending of any party, or for or about carrying such conviction into effect; in case such conviction has been quashed, the plaintiff, besides the amount of the penalty which may have been levied on him in case such levy was made, shall not recover any greater damages than 2*d.*, nor any costs, unless it is expressly alleged in the declaration, and which shall be in an action on the case only, that such acts were done maliciously and without probable cause, 43 *G.*3. *c.* 141. *s.*1.

94. Such plaintiff shall not recover against such justice any penalty which has been levied, or any damages or costs, in case it is proved at the trial that such plaintiff was guilty of the offence for which he was convicted or apprehended, or had otherwise suffered, and that he had undergone no greater punishment than was assigned by law for such offence, *id. s.*2.

95. FOR SETTLING AND ASCERTAINING THE FEES to be taken by clerks to justices of peace, 26 *G.*2. *c.*14. [AMD. as to such fee in *Middlesex*, 27 *G.*2. *c.*16. *s.*4. *pl.*100.]

96. The justices of peace throughout *Eng.*, at their respective general quarter sessions next after 24 *June*, 1753, shall make a table of the fees to be taken by clerks to justices of peace within the county, city, or division for which such sessions are held; and such respective tables of fees being approved by the justices of peace at the next succeeding general quarter sessions for such county, &c., with such alterations as such sessions think proper, shall be laid before the judges at the next assizes, or at the great sessions for *Wa.*, and the counties palatine of *Chester*, *Lancaster*, and *Durham*, for the respective county, &c.; who shall confirm such respective tables of fees as settled by such justices, or with such alteration as to such judges appear reasonable; and such justices in their respective quarter sessions may, from time to time, make any other table of fees to be taken instead of the fees contained in the table so confirmed, and after the same are approved by the justices of peace at the next succeeding general quarter sessions, may lay such new table before the judges at the next assizes, or at the great sessions for *Wa.* and such counties palatine, who shall ratify the same if they think fit; but no table of fees to be made by such justices shall be valid until confirmed by such judges, 26 *G.*2. *c.*14. *s.*1.

97. If at any time after 3 calendar months from the time that such table of fees is made and ratified, any clerk to any justice of peace, or any person acting as such, shall under pretence of any thing done by such justice in the execution of his office, or done by such clerk, demand or receive any other or greater fee than is so ascertained and confirmed, he shall forfeit 20*l.* to any person who shall sue for the same by action of debt, &c., or information in any court of record at *Westminster*, wherein no essoin, &c. and only one imparlance shall be allowed, *id. s.*2.

98. All the tables of fees so made and confirmed shall be deposited with the clerk of the peace for the respective county, city, or other division; and who shall cause copies of such tables to be kept constantly in a conspicuous part of the room where the general or quarter sessions are held; under pain of forfeiting 10*l.*, to be recovered as in *s.*2. directed, *id. s.*3.

99. All suits brought by virtue of this act, shall be brought before the end of 3 months after the offence committed, *id. s.*4.

100. The table of fees to be taken by clerks to justices of peace for *Middlesex*, which shall be settled and approved by the justices for such county at their general or quarter sessions, shall be laid before the chief justices of the K. B. and of C. P., and the chief baron of the exchequer, or any two of them, who shall confirm such table as so settled, or with such alterations as to them, or any 2 of them, appear reasonable; and such justices for such county shall make a table of such fees at their next general or quarter sessions after the 24th of *June*, 1754, and approve or alter the same at the next succeeding sessions, and from time to time make and approve any other table of such fees, 27 *G.*2. *c.* 16. *s.*4.

101. TO CONFIRM CERTAIN ACTS AND ORDERS MADE BY JUSTICES of the peace, being of the *quorum*, notwithstanding any defect in not expressing therein that such justices are of the *quorum*, 26 *G.*2. *c.*27. [AMD. and EXT. to cases within cities, &c. which have only one justice of the *quorum*, 7 *G.*3. *c.*21.]

102. No act, order, adjudication, warrant, indenture of apprenticeship, or other instrument done, or hereafter to be done or executed by 2 or more justices, which doth not express that one of them was of the *quorum*, shall be impeached for that defect only, 26 *G.*2. *c.*27.

103. All acts, orders, adjudications, warrants, indentures of apprenticeship, or other instruments, which shall be done under any act of parliament made or to be made by 2 or more justices qualified to act within any such cities, boroughs, towns corporate, franchises, and liberties, as have only one justice of the *quorum*, though neither of them are of the *quorum*, shall be as valid in law as if one of them was of the *quorum*, 7 *G.*3. *c.*21.

104. FOR THE MORE EASY AND EFFECTUAL PROCEEDING UPON distresses to be made by warrants of justices of peace, 27 *G.*2. *c.*20. [AMD. 33 *G.*3. *c.*55. *s.*3.] *see ss.* 1, 2 of 33 *G.*3. *c.*55. *post*, *pl.* 128—129.

105. In all cases where any justice of peace is or shall be required by any act of parliament to issue a warrant of distress for levying any penalty, or sum directed to be paid by any such act, such justice in such warrant may order the goods so to be distrained to be sold within a time therein limited, so as such time be not less than 4, or more than 8 days, unless the penalty or sum for which such distress was made be sooner paid, with the reasonable charges of distress, 27 *G.*2. *c.*20. *s.*1.

106. The officer distraining shall deduct the reasonable charges of taking, keeping, and selling such distress out of the money arising by such sale; and the overplus after such charges and penalty or sum are paid, shall be returned on demand to the owner of such goods, and such officer shall, if required, shew his warrant to the party distrained, and suffer a copy to be taken, *id. s.*2.

107. This act shall not alter or repeal the provisions or directions relating to distresses made for tythes and church rates payable by *Quakers* in 7 & 8 *W.* 3. *c.*34. and 1 *G.* 1. *S.*2. *c.*6. contained, *id. s.*3.

108. In all cases where any penalty, forfeiture, fine, or other money, may by warrant of any justice or justices of peace be directed to be levied by distress and sale of the goods, &c. of any party, if sufficient distress cannot be found within the jurisdiction of the justice granting such warrant, on oath thereof made by one witness before any justice of any other county, riding, division, city, borough, town corporate, or place, (which oath shall be certified by him by indorsement on the warrant,) such penalty, &c. or so much thereof, as may not have been levied before, shall by virtue of such warrant and indorsement be levied by the persons to whom the same was originally directed on the goods of such person in such other county, &c. and the money arising thereby shall be applied in like manner, as if such goods had been found within the jurisdiction of the justice first granting such warrant; and if no such distress is found, such offenders may be proceeded against according to law, provided that the justice indorsing such certificate, and authorizing the execution of any such warrant not granted within his jurisdiction, shall not be answerable for any irregularity done in obtaining it, 33 *G.*3. *c.*55. *s.*3.

109. TO EMPOWER JUSTICES OF PEACE TO ADMINISTER OATHS, where any penalty is to be levied or distress to be made, in pursuance of any act of parliament, wherein the same is not expressly directed, 15 *G.*3. *c.*39.

110. Where any penalty is directed to be levied, or distress to be made by any act of parliament now or hereafter to be made, the justice or justices acting under any of such acts, may administer any oath or affirmation for the levying of such penalty, or making such distress, *id. ibid.*

111. FOR THE PAYMENT OF COSTS TO PARTIES ON COMPLAINTS determined before the justices of peace out of sessions, and for the payment of the charges of constables in certain cases, 18 *G.*3. *c.*19. *ss.*1—6. 9—10. [*see ss.*7, 8. FELONY, *pl.* 80—82.]

112. Where any complaint is made before any justice of peace for any county, riding, division, city, town corporate, franchise, or liberty, and any warrant or summons issues in consequence thereof, any justice who has heard and determined such complaint, may award costs to be paid by either party, as he sees fit, to the party injured; and if the same are not forthwith paid, or security given to the satisfaction of such justice, he may, by warrant under hand and seal, levy the same by distress and sale of the goods of the party so neglecting to pay, and where no goods are to be found, may commit him to the house of correction for the county, &c. wherein such party shall reside, there to be kept to hard labour for not exceeding one month, nor less than 10 days, or until such money, together with expences of such commitment, be first paid, 18 *G.*3. *c.*19. *s.*1.

113. On the conviction of any person on any penal statute, when the penalty shall amount to, or exceed 5*l.*, such costs shall be deducted by such justice at his discretion from the penalty, so that such deduction shall not exceed one-fifth of the penalty, and the remainder shall be paid to the parties entitled to the whole as if this act had not been made, *id. s.*2.

114. The forms hereto annexed, shall in their respective cases be used, *id. s.*3. [*see* APPENDIX.]

115. Every constable, headborough, or tithing-man, shall every 3 months, and within 14 days after he goes out of office, deliver to the

overseers of the poor of the parish, township, or place, an account entered in a book, and signed by him, of all sums expended by him on account of such parish, &c. in all cases not before provided for by law, or by this act, and also of all sums received by him on account of such parish, &c. and such overseer shall, within 14 days after, lay the same before the inhabitants of such parish, &c.; and if the same is approved by a majority, shall pay what is due out of the poor-rates, but if the same, or part thereof, is disallowed, such overseers shall return such account to such constable, &c. who may produce such book to a justice of peace for the county, &c. as in *s.* 1., giving notice thereof to such overseers, which justice shall examine the same, and determine the objections to such account, and settle the sum that is due, and enter the same in such account, and sign his name thereto, and such overseers shall pay such sum out of such rates, 18 *G.*3. *c.*19. *s.*4.

116. In case the overseer or overseers shall find such parish, &c. aggrieved by any neglect or act done, or omitted by such constable, &c. or by any justice, or shall have a material objection to such account or determination, he or they may, on giving notice to such justice, as well as to such constable, &c. appeal to the next general or quarter sessions for the county, &c.; and the justices there shall receive and finally determine such appeal, but if no reasonable notice has been given, may adjourn it to the next quarter sessions, and then finally determine the same; and such justices may award to the party, for whom such appeal is determined, reasonable costs, as they may do under 8 & 9 *W.*3. *c.*30. in cases of poor settlements, *id. s.*5.

117. In all corporations or liberties which have not 4 justices of the peace, such overseer may appeal (where appeal is hereby given) to the next general or quarter sessions for the county, riding, or division, wherein such corporation may lie, *id. s.*6.. [*see ss.*7, 8. FELONY, *pl.*80—82.]

118. The justices for any county, &c. as in *s.* 1., in quarter sessions assembled, may lay down or alter such rules as to any costs or charges thereafter to be allowed under this act, as to them appears just, which rules having received the approbation and signature of a judge of *oyer* and *terminer*, or gaol-delivery, at the assizes for the county, shall be binding, and not otherwise, on all persons; and no person shall be allowed a greater sum than according to such rules, *id. s.*9.

119. Actions against any person for any thing done in pursuance hereof, shall be brought within 6 calendar months after the fact done, and the defendant may plead the general issue, and give this act and the special matter in evidence, and that the same was done in pursuance hereof; and if it so appear the jury shall find for the defendant; and if the plaintiff is nonsuited or discontinues his action after appearance, or has a verdict, or judgment on demurrer against him, the defendant shall have treble costs with usual remedy to recover the same, *id. s.* 10.

120. TO ENABLE JUSTICES OF PEACE TO ACT AS SUCH in certain cases, out of the limits of the counties in which they actually are, 28 *G.*3. *c.*49. [AMENDING 9 *G.*1. *c.*7. *s.*3., see *ss.*1—2. 4. of 9 *G.*1. *c.*7. POOR, *pl.*174—176., *ss.*5—9. *tit. id. pl.*221—225.; and AMD. 1 & 2 *G.*4. *c.*63.]

121. Any justice or justices of peace, acting as such, for two or more counties adjoining, may act as such in all matters concerning either of such counties, and all acts of such justice or justices, and of any constable or other officer in obedience thereto, shall be as valid as if done in the county to which such acts more particularly relate; and all constables and other officers of the county to which such acts relate, shall obey the warrants and orders of such justice or justices, and do their duties, under the pains to which any constable may be liable for neglect of duty; provided such justice or justices be personally resident in one of such counties at the time of doing such act, and such warrants, &c. be directed in the first instance to the constable or other officer of the county to which the same more particularly relate, 28 *G.*3. *c.*49. *s.*1.

122. Any constable, tythingman, headborough, or other peace officer, or any other person apprehending any person offending against law, and whom they might take into custody, may convey the person so apprehended to any justice, acting for such county, and resident in such adjoining county; and such constables, &c. and persons shall in such cases so act, as if such justice was resident within the county to which they belong; and all persons obstructing such constables, &c. in their offices in such county so adjoining, shall be liable to the same penalties as if the same had been committed in the county for which such constables were appointed to act, *id. s.*2.

123. Any sheriff, or person acting under his authority, constable, or peace officer, or other person lawfully taking into custody any person offending against law, and whom he might convey to gaol, may convey such person so in custody into and through any part of such county so adjoining, in their way to such gaol within the county where such offence was done; and all persons escaping from such custody, or aiding such escape, or rescuing such person so in custody, shall be subject to the like penalties, as if the escape, &c. had happened, in the county wherein such offence was done, *id. s.*3.

124. If any justice of peace for any county shall dwell in any city, or other precinct that is a county of itself, situate within the county at large, for which he is appointed a justice, although not within the same county, he may grant warrants, take examinations, and make orders for any matter which one justice may act in, at his own dwelling-house, although it be out of the county where he is authorized to act, and is in some city or precinct adjoining, that is a county of itself, and all such warrants, orders, and acts, and the act of any constable, tithingman, headborough, overseer of the poor, surveyor of highways, and other officer in obedience thereto, shall be valid in law, although out of the limits of the proper authority; but nothing herein shall give power to justices for counties at large, to hold their quarter sessions in cities or towns, being counties of themselves, nor impower justices, sheriffs, bailiffs, constables, or other peace officers of counties at large, to act or intermeddle in matters arising in such cities or towns, but all such actings shall be of the same force as if this act had not been made, 9 *G.*1. *c.*7. *s.*3.

125. Any justice acting for any county at large, may act as such at any place within any city, or other precinct, being a county of itself, and situate within, or adjoining to such county at large; and all acts done by such justice for such county at large, within such city, &c. shall be as valid as if done within the county at large; provided nothing in this act shall give power to the justices for any county at large, not being justices for such city or precinct, or any constable acting under them, to act in any matters arising within such city, 28 *G.*3. *c.*49. *s.*4.

126. Any justice acting for any county at large, or for any riding or division of a county in which there are distinct commissions of the peace, may act as a justice for such county at large, riding, or division, in sessions or otherwise, at any place within any city, town or other precinct, having exclusive jurisdiction, but not being a county of itself, and situate within, surrounded by, or adjoining to any such county at large, riding, &c. and all acts heretofore done by such justice, for such county at large, riding, &c. shall be valid, but nothing herein shall give power to the justices for any county at large, riding, &c. not being justices for such city, &c. or to any officers acting under them, to meddle in any matters arising within such city, &c., 1 & 2 *G.*4. *c.*63.

127. TO AUTHORIZE JUSTICES OF PEACE TO ENFORCE FINES upon constables, overseers, and other peace or parish officers, for neglect of duty, and on masters of apprentices for ill usage of such their apprentices, and also to make provision for the execution of warrants of distress granted by magistrates, 33 *G.*3. *c.*55. [*See* similar provisions for *Ire.*, 59 *G.*3. *c.*92. *ss.*5—7.]

128. Two justices assembled at any special or petty sessions, on complaint on oath before them, of any neglect of duty or disobedience of any lawful warrant or order of any justice of peace, by any constable, overseer of the poor, or other peace or parish officer, or on complaint made to such two justices on oath by or on the behalf of any apprentice, whether bound by the parish, township, or otherwise, provided no more than 10*l.* be paid on such binding, against his master or mistress of any ill usage of such apprentice by him or her, (such constable, &c. master or mistress having been duly summoned to appear and answer such complaint,) may impose on conviction any reasonable fine, not exceeding 40*s.*, upon such constable, &c. master, &c. as a punishment; and by warrant under their hands and seals at such sessions, may direct such fines, if not paid, to be levied by distress and sale of the offender's goods, rendering overplus after deducting the fine and charges to him; and such fine when imposed on any such constable, &c. shall go to the poor of his parish, &c. at the discretion of such justices, and when imposed on such master or mistress shall, at the like discretion, be either so applied or be paid to the use of such apprentice as a recompence for the injury done him, and all persons aggrieved by the imposition of any such fine, or order, or warrant of distress, or by the judgment of such justices, or by any act done in the execution of such warrant, may appeal to the next general or quarter-sessions for the county, riding, or division, giving 10 days' notice thereof, and for want of such distress, such person shall be committed to the house of correction for not exceeding 10 days, 33 *G.*3. *c.*55. *s.* 1. [and see tit. APPRENTICE, *pl.* 13—16.]

129. No person acting under any such warrant of distress shall be a trespasser *ab initio*, by reason of any irregularity or informality in such warrants, or the proceedings thereon but any person aggrieved by the issuing and execution thereof, may recover special damages in an action on the case, in any court of record, *id. s.*2. [The last section, *viz. s.*3., relates to warrants of distress, which see *ante*, *pl.* 107.]

130. FOR THE MORE EFFECTUAL PRESERVING THE PEACE, AND securing the freedom of election in the town of *Nottingham*, and county of such town, 43 *G.*3. *c.*45.

131. The justices of peace for the county of *Notts.* may act as justices for the town and county of the town of *Nottingham*, in as full and ample a manner as if such town had not been made a distinct county, and as

fully as the mayor and aldermen of such town as justices of peace have done before this act, and all persons either within such county of *Notts.* at large, or within such town, who are authorized by any of such justices acting as such for such town under this act, may act in pursuance of such authority, in the same manner, and subject to the same pains, and under the same privileges as to any act to be done in pursuance thereof, as if such act was required to have been done within the county of *Notts.* at large, 43 *G.*3. *c.*45. *s.* 1.

132. FOR GIVING JURISDICTION TO JUSTICES OF PEACE to hear and determine prosecutions for penalties incurred by any offence against the laws relating to the revenue of customs, 49 *G.*3. *c.*65. *ss.*1—6. [*See* the rest of this act, THAMES POLICE.]

133. Two justices for any county, riding, division, city, or liberty, wherein any offence shall arise, or the offenders be found, may examine into and determine all prosecutions for penalties incurred for any offence against this act, or any act now or hereafter to be made relating to the customs, and on information exhibited, may summon the party accused, and on his appearance or default may examine the matter of fact, and on proof by confession or oath of one witness may convict the offender in the penalty, and in case of non-payment, may by warrant under their hands and seals cause the same to be levied upon the goods of the offender, and in default of distress may commit him to the county gaol for 6 months, or until the penalty is paid, 49 *G.*3. *c.*65. *s.* 1.

134. This act shall not empower such justices to hear and determine any prosecution for any such penalties where they in the whole exceed 50*l.* unless they are allowed by any other act now, or hereafter to be in force, *id. s.*2.

135. In all proceedings before any justice or justices for any fine, penalty or forfeiture incurred under any act now or hereafter to be in force, relating to the customs, every summons issued for the appearance of the party accused, and left at his house, or usual abode, and directed to him by his right or assumed name, shall (except where particular provisions are made for summoning offenders, or for condemning seizures made by persons unknown) be deemed as good as if the same had been served personally upon the party, and directed to him by his proper name, *id. s.*3.

136. Where any party is convicted before any two of such justices in any such penalties, &c. under such acts, wherein no power of mitigation is given, or where it is given only by reference to some other law, such justices may mitigate such penalty to any sum not less than one-half, *id. s.*4.

137. Where any such offender is committed to any such gaols for default of distress, and there remains for the time for which he was committed, he shall be wholly discharged from the payment of such penalty in respect whereof the warrant of distress was issued, *id. s.*5.

138. No information or proceeding for any such fines, &c. shall be exhibited before any justice of the peace after expiration of 6 months from the time of the offence being committed, *id. s.*6.

139. TO REMEDY CERTAIN INCONVENIENCIES IN LOCAL AND EXclusive jurisdictions, 60 *G.*3. and 1 *G.*4. *c.*14.

140. The justices of peace acting within and for any town, liberty, soke or place not being a county, but having exclusive jurisdiction for the trial of felonies and misdemeanors committed within the same, shall have full power within such limits at their discretion to commit any person duly charged before them with any capital offence committed within such limits to the gaol of the county in which such town, &c. is situated, there to be tried at the next session of *oyer* and *terminer*, or general gaol delivery for the county, in the same manner as if such offence had been done in other part of the county, and as if he had been committed by any justice acting for the county at large, 60 *G.*3. and 1 *G.*4. *c.*14. *s.*1.

141. Where any justice or justices of peace under this act shall commit any person to the county gaol, they shall also bind over all necessary parties and witnesses by recognizance, to prosecute and give evidence against such offenders at the next sessions of *oyer* and *terminer* and general gaol delivery, and shall transmit such recognizance, and all depositions taken before them relating to the charge to the clerk of the crown, assize, or other proper officer, to be filed in the court of *oyer*, &c. for such county, to the intent that the same be used or put in force by the judge of the court as shall be thought fit, *id. s.*2.

142. In all cases of any commitment to the county gaol under this act, all the expences to which the county may be put by reason of such commitment, together with all such expences of prosecution and witnesses as the judge shall allow by virtue of any law in force, shall be borne by such town, &c. within which such offence was committed, in like manner, and to be raised by the same means whereby such expences would have been raised, if the offender had been prosecuted and tried within the limits of such exclusive jurisdiction, and the judge or court of *oyer*, &c. shall make such order touching such costs and expences as he may think proper, and direct to whom and in what manner such expences shall in the first instance be paid, and how it shall be repaid and raised within such exclusive jurisdictions, in case there be no treasurer or other officer within the same, who by the custom of such place ought to pay the same in the first instance, *id. s.*3.

143. TO INCREASE THE POWER OF MAGISTRATES in the appointment of special constables, 1 *G.*4. *c.*37. [PUBLIC *Clause*, *s.*5.]

144. Where it appears to any 2 or more justices acting for any county, city, division, riding, or place, by the information on oath of 5 respectable householders of such county, &c. that any tumult, riot, or felony has taken place, or is likely to take place, such justices may call upon and appoint, by precept in writing under their hands, any householders or others (not legally exempt from serving the office of constable) residing within their respective divisions, or the neighbourhood thereof, to act as special constables, for such time and in such manner as such justices think necessary for the preservation of the public peace, and the prevention or suppression of any tumult, &c., and may administer to such person the usual oaths administered to special constables, *id. s.*4.

145. Every person (not being so exempt as in *s.* 1.) so called in, who shall neglect to take the office, and to act as such special constable, shall be liable to such fines as persons neglecting to take the office of constable are by law (see 33 *G.* 3. *c.*55. *ante*, *pl.* 128.,) subject to, *id. s.*2.

146. The general or quarter sessions for any county, as in *s.* 1., where special constables have been called out, may direct such reasonable allowances to be made them as to the justices there shall seem meet; the same to be paid by the treasurer of such county, &c. to such persons as the said justices direct, and such treasurer shall forthwith pay the sum allowed to such persons, and be allowed the same in his accounts, *id. s.*3.

147. The court before which any indictments may be tried under this act, shall award reasonable costs of trial to such persons as may prefer such indictments, and may order the treasurer of such county, &c. to pay the sum so ordered to such persons as the court shall direct, and such treasurer shall forthwith pay and be allowed the same in his account, *id. s.*4.

KING AND ROYAL FAMILY. (*See* CROWN PROPERTY.)

(STATUTES *repealed and expired.*)

1. THE KING'S PREROGATIVE in the wardship of his tenant's heir who holds in chief, *Stat. Prerog. Reg.* 17 *E.*2. *S.*2. *c.* 1. [SUPERSEDED, 12 *C.*2. *c.*24. *ss.* 1—2. and *s.* 12.

2. ——— in the marriage of his tenant's heir, *id. c.* 2. [*see note to c.* 1.]

3. ——— in the *primer seisin* of his tenant's land, *id. c.* 3. [*see note to c.* 1.]

4. ——— in the assignment of dower to his tenants' widows, and that they shall not marry without his consent, *id. c.* 4. [*see note to c.* 1.]

5. ——— in dividing coparcener's lands holden of him, *id. c.* 5. [*see note to c.* 1.]

6. ——— in the marriage of his women tenants, *id. c.*6. [*see note to c.* 1.]

7. ——— in the alienation of lands held in chief, *id. c.*7. [*see note to c.* 1.]

8. ——— in enjoying the lands of *Normans*, *id. c.* 12. [*semb.* EXP.]

9. ——— as to his tenant intruding before doing homage, *id. c.* 13. [*see note to c.* 1.]

10. NO LANDS HELD OF H. M. as of an honour, shall be taken into his hands, as holden in chief as of his crown, 1 *E.*3. *S.*2. *c.*13. [EXP. 1 *E.*6. *c.*4.; but these acts *semble* REP. 12 *C.*2. *c.*24. *ss.*1—2. and *s.*12.]

11. A confirmation of alienations made by tenants of king *Henry* 3d, 34 *E.*3. *c.*15. [EXP.]

12. The castles and rights of the earl of *Warwick* vested in H. M. 21 *R.*2. *c.*10. [REP. 1 *H.*4. *c.*3.]

13. Those belonging to the duke of *Gloster* in *Essex*, vested in H. M. 21 *R.*2. *c.*11. [REP. *id. ibid.*]

14. FOR RELIEF OF PERSONS SERVING with the duke of *York*, in 23 *R.*2., 2 *H.*4. *c.*24. [EXP.]

15. FOR RESTRAINING GRANTS BY H. M., 4 *H.*4. *c.*4. [*semb.* EXP.]

16. THE REALMS OF *Eng.* and *France* intailed to H. M. and his four sons by name, 7 *H.*4. *c.*2. [virtually EXP.]

17. FOR PAYMENT OF PERSONS having grants from the crown according to their priority, 7 *H.*4. *c.*16. *semb.* EXP.

18. FOR GRANTS MADE by H. M. since the 1st year of his reign, 7 *E.*4. *c.*4. [*semb.* EXP.]

KING AND ROYAL FAMILY.

19. For reviving the seigniories of lands attainted to H. M., and then passed by his grant, 7 *E.* 4. *c.* 5. [*semb.* Exp.]

20. To declare the establishment of succession of H. M. in the imperial crown of this realm, 25 *H.* 8. *c.* 22. [*semb.* Exp. except *s.* 3. and *s.* 14. (see Marriage). Amd. and an oath prescribed, 26 *H.* 8. *c.* 2. which is Exp.]

21. For establishing the succession of the imperial crown of this realm, 28 *H.* 8. *c.* 7. [Amd. 35 *H.* 8. *c.* 1. both Exp.]

22. To authorize such as succeed to the crown of this realm when they come to the age of 24 years, to make frustrate such acts as were made afore in their time, 28 *H.* 8. *c.* 17. [Rep. 1 *E.* 6. *c.* 11.]

23. To declare the dissolution of H. M.'s pretended marriage with *Ann* of *Cleves*, 32 *H.* 8. *c.* 25. Exp.

24. For resumption of extraordinary grants, and of licences of absence, and reversions in the town and marches of *Calais*, and in *Ber.*, and of the sheriffwicks for life in *Wa.*, 32 *H.* 8. *c.* 27. [*semb.* Exp.]

25. The jurisdiction of the great master of H. M.'s household, 32 *H.* 8. *c.* 39., [Rep. 1 *M. St.* 3. *c.* 4.]

26. For confirmation of letters patent, granted *by* H. M., notwithstanding misnaming of any thing contained therein, 34 & 35 *H.* 8. *c.* 21. [Expld. &c. and extended to grants *to* that king, 35 *El. c.* 3. *semble both acts* Exp.]

27. A confirmation of letters patent, 1 *E.* 6. *c.* 8. [Exp.]

28. For confirmation of H. M.'s letters patent of bargains and sales, notwithstanding lack of particulars or bill assigned of the patentee, 7 *E.* 6. *c.* 3. [Exp.]

29. To declare queen *Mary* to have been born in lawful matrimony, [*viz.* between king *Henry* 8. and queen *Catharine*,] and also to repeal all acts of parliament, *viz.* 25 *H.* 8. *c.* 22. 28 *H.* 8. *c.* 7. and sentences of divorce to the contrary, 1 *M. S.* 2. *c.* 1. [virtually Exp.]

30. Touching the articles of H. M.'s most noble marriage, 1 *M. S.* 3. *c.* 2. [Exp.]

31. An act whereby certain offences be made treason, and also for government of H. M.'s issue, 1 & 2 *P. & M. c.* 10. [Exp.]

32. For recognition of H. M.'s title to the imperial crown of this realm, 1 *El. c.* 3. similar act for *James* 1., 1 *J.* 1. *c.* 1. [Exp.]

33. For confirmation of grants made to H. M. and letters patent made by H. M. to others, 18 *El. c.* 2. [*semb.* Exp.]

34. For confirmation of grants made to H. M. and of letters patent granted by her to others, 43 *El. c.* 1. [Exp. *com. semb.*]

35. For exercise of government by the queen, during H. M.'s absence, 2 *W & M. S.* 1. *c.* 6. [Exp.]

36. For enabling H. M. to settle a revenue to support the dignity of prince *George* of *Denmark*, should he survive H. M., 1 *A. S.* 2. *c.* 2.

37. For settling the precedence of the princess *Sophia*, electress of *Hanover*; of the elector her son; and of the electoral prince, the duke of *Cambridge*, 10 *A. c.* 4. [Exp.]

38. For better support of H. M.'s household, and of the honour and dignity of the crown of *G. B.*, 1 *G.* 1. *St.* 1. *c.* 1. [Exp.]

39. For enabling H. M. to settle a revenue for supporting the dignity of the Princess, if she survive the Prince of *Wales*, 1 *G.* 1. *St.* 2. *c.* 22. [Exp.]

40. For better support of H. M.'s household, and of the honour and dignity of the crown of *G. B.*, 1 *G.* 2. *St.* 1. *c.* 1. [Exp.]

41. For enabling H. M. to settle a revenue for supporting the royal dignity of the queen, in case she survives him, 1 *G.* 2. *St.* 1. *c.* 3. [Exp.]

42. To enable H. M. to be regent of this kingdom during H. M.'s absence, without taking the oaths, 2 *G.* 2. *c.* 27. [Exp.]

43. To provide for the administration of government in case the crown should descend to any of the children of *Frederick* Prince of *Wales*, being under 18 years old, and for the care of their persons, 24 *G.* 2. *c.* 24. [Exp.]

44. For support of H. M.'s household, and of the honour and dignity of the crown of *G. B.*, 1 *G.* 3. *c.* 1. [Exp. see now 1 *G.* 4. *c.* 1., *infra*, *pl.* 141.]

45. For enabling H. M. to make provision for supporting the royal dignity of the queen, in case she survives him, 2 *G.* 3. *c.* 1. [Exp.]

46. To provide for the administration of the government, in case the crown should descend to any children of H. M., under the age of 18, and for the care and guardianship of their persons, 5 *G.* 3. *c.* 27. [Exp.]

47. For better support of H. M.'s household, and of the honour and dignity of the crown of *G. B.*, 17 *G.* 3. *c.* 21. [Exp.]

48. To authorize the lord steward of the household, lord chamberlain, masters of the horse and robes, and the lords of the treasury respectively, to pay bounties granted by H. M., to persons in low circumstances, [notwithstanding 22 *G.* 3. *c.* 82. *s.* 10. and 30.], 25 *G.* 3. *c.* 61. [Exp.; *sed quære*, recited 1 *G.* 4. *c.* 1. *s.* 1.]

49. For enabling H. M. to settle an annuity on the Prince of *Wales* during their joint-lives; for paying the debts of the latter, out of his revenues; for preventing the accumulation of debts in future; and for regulating the mode of expenditure thereof, 35 *G.* 3. *c.* 129. [Exp.]

50. For the better enabling H. M. to make provision for a jointure for the Princess of *Wales*, for the term of her life, 35 *G.* 3. *c.* 130. [Exp.]

51. For better support of H. M.'s household, and of the honour and dignity of the crown of U. K.; and for preventing accumulation of arrears in payments out of the civil list revenues, 44 *G.* 3. *c.* 80. [Exp.]

52. To provide for the administration of the royal authority, and for the care of H. M.'s royal person during his illness; and for the resumption of the exercise of the royal authority by H. M., 51 *G.* 3. *c.* 1., [Amd. 53 *G.* 3. *c.* 14., 58 *G.* 3. *c.* 90. All Exp.]

53. For making provision for the better support of H. M.'s household, during H. M.'s indisposition, 52 *G.* 3. *c.* 6. [Amd. 55 *G.* 3. *c.* 15. Both Exp.]

54. For granting to H. M. the sum of 100,000*l.*, to defray the expences of the assumption of the personal exercise of the royal authority by the Prince Regent on behalf of H. M., 52 *G.* 3. *c.* 7. [Exp.]

55. For regulation of H. M.'s household; to enable the queen to meet her increased expences during H. M.'s illness; for the care of H. M.'s real and personal property, 52 *G.* 3. *c.* 8., [Amd. 53 *G.* 3. *c.* 14. Both Exp.]

56. To provide for the care of H. M.'s royal person during his illness, 59 *G.* 3. *c.* 1. [*Custos Act*, Exp.]

(Statutes *in force*.)

1. The chancellor and justices of K. B. shall follow the person of H. M., that some sages of the law may be at all times near him, 28 *E.* 1. *c.* 5.

2. H. M. shall have wreck of the sea throughout the realm; [but see Wreck], whales and sturgeons taken in the sea, or elsewhere within the realm, except in certain places privileged by H. M., 17 *E.* 2. *S.* 2. *c.* 10.

3. In H. M.'s grants of a manor or land with the appurtenances, [knights' fees, Exp.], advowsons and dowers belonging thereto are not included, unless expressly mentioned, though amongst other persons it hath not been so, 17 *E.* 2. *S.* 2. *c.* 15.

4. For regulating grants by H. M., of lands, offices, &c. 1 *H.* 4. *c.* 6. [Amd. 2 *H.* 4. *c.* 2., 6 *H.* 4. *c.* 2. Both Exp.; & *Qu.* if this act in force?]

5. All who demand of H. M., lands, offices, or other profits, shall mention in their petitions the value of the thing demanded, and also what they had of H. M.'s gift, or of his progenitors before; and in case they make not such mention, and that be duly proved, H. M.'s patent shall be of no force, *id. s.* 1.

6. For regulating grants by H. M., 18 *H.* 6. *c.* 1.

7. The day of delivery to the chancellor of every warrant sent by H. M. to him, shall be entered of record in chancery; and the chancellor shall cause patents to be made, dated the day of the said delivery, and not before, and patents made to the contrary shall be void, *id. s.* 1.

8. No letters patent shall be made of any lands before an inquisition of H. M.'s title be found returned in the chancery or exchequer, if such title be not found of record; nor within the month after the return, if it be not to them which tender their traverses as in 8 *H.* 6. *c.* 16., Escheator, *pl.* 10.; and letters patent made to the contrary, shall be void, 18 *H.* 6. *c.* 6.

9. The steward, treasurer, and comptroller of H. M.'s house for the time being, or one of them, may enquire by oath of 12 men, into conspiracies by H. M.'s servants to destroy H. M., or any of his sworn council, or the said officers of his house; which offence is declared felony, and triable before the above mentioned officers, 3 *H.* 7. *c.* 14.

10. If the yeomen and grooms of H. M.'s chamber do not attend on the king, their patents shall only be of force during his pleasure, 4 & 5 *H.* 7. *c.* 7.

11. All feoffments, grants, demises, and writings, whereunto sealing is requisite to be made of any parcel of the earldom of *March*, [the Marches] shall be passed under the great seal, and not by the special seal of the marches, 4 & 5 *H.* 7. *c.* 14.

12. That the master of the rolls and other officers of chancery shall not go to the war, 11 *H.* 7. *c.* 18., [Amd. 19 *H.* 7. *c.* 1.]

13. Every person within *Eng.* or *Wa.*, having offices, fees, and annuities by gift or grant from H. M., who does not personally attend him when he goes to the wars, [*semb.* takes the field] in person, (except by H. M.'s special licence, or in case of unfeigned illness, or hinderance of personal attendance as above, duly proved), shall forfeit such offices, &c., which shall stand void at H. M.'s pleasure, 11 *H.* 7. *c.* 18. *s.* 1.

14. Tenants of honours, castles, manors, lands, tenements, and hereditamens, by grant from H. M., shall attend him, as in last *pl.* on pain of forfeiture, 19 *H.* 7. *c.* 1. *s.* 1. [but *semb.* Rep., 12 *C.* 2. *c.* 24. *s.* 1.]

15. Such person shall have H. M.'s wages from the time of coming from his house toward him up to his return thither, at 20 miles a day from the time of setting out till their return, *id. s.* 2. [see note to last *pl.*]

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16. The persons exempted from this attendance are spiritual persons, the master of the rolls and officers and clerks of chancery, justices of either bench, barons of exchequer, and other officers and clerks of those courts, H.M.'s attorney and solicitor general, the serjeants at law, [11 *H.*7. *c.*18. *s.*2., 19 *H.*7. *c.*1. *s.*3.], the clerk of H.M.'s council, and all persons above 60 or under 21 years are also exempted, 19 *H.*7. *c.*1. *s.*3.

17. This act shall not extend [to forfeit H.M.'s grant of any ward or idiot, or custody of the same, REP. 12 *C.*2. *c.*24. *s.*2. nor] to females inheriting by H.M.'s grant, 19 *H.*7. *c.*1. *s.*3., nor to H.M.'s grants of land wherein any consideration in money is expressed as paid for the same, 19 *H.*7. *c.*1. *s.*4.

18. FOR AVOIDING SECOND LETTERS PATENT granted by H.M., 6 *H.*8. *c.*15.

19. If any person make suit to H.M. for any lands, offices or other things by H.M. granted to any person during pleasure, the first patentee being in life, he shall express in his petition or patent the tenor of the former patent, and that H.M. hath determined his pleasure against the first patentee; or the second patent shall be void, *id. s.*1.

20. CONCERNING CLERKS OF THE SIGNET AND PRIVY SEAL, 27 *H.*8. *c.*11.

21. Every grant made in writing by H.M., signed with his sign manual, to be passed under the great seal of *Eng.* or *Ire.*, or of the duchy of *Lancaster*, or of any of his counties palatine, or of *Wa.*, or by process out of exchequer; and all grants and writings which any officers shall make in H.M.'s name, shall, before it is passed under any H.M.'s seals, or process made of the same, be brought to the principal secretary, or one of the clerks of the signet to be passed, *id. s.*1.

22. The clerk of the signet to whom the said writings are delivered, shall, within 8 days (unless he know H.M.'s pleasure to the contrary), make letters of warrant, subscribed with his hand and sealed with H.M.'s signet to the lord privy seal; and one of the clerks of the privy seal, on examination had by the lord privy seal of the warrant, shall, within 8 days (unless the latter command to the contrary), make other letters of like warranty, subscribed with the name of the clerk of privy seal, to the lord chancellor, chancellor of the duchy, &c. or other officer for the writing and ensealing of letters patent or closed, or other process making, according to the tenor of the warrant from the privy seal, *id. s.*2.

23. No person shall write any warrant upon any grant made by H.M. or any of his aforesaid officers, or procure the same to be passed under any the above seals otherwise than as before specified, on pain to forfeit 10*l.* one half to H.M. and the other half to him that will sue, *id. s.*3.

24. The clerks which shall pass any grants by immediate warrant, shall receive for the offices of the signet and privy seal, as well the fees in this act taxed for writing such grant, as also those for the seal which they shall deliver to one of the clerks of the signet or privy seal of the same, within 3 months, on pain of 10*l.* to be levied in form aforesaid, *id. s.*4.

25. This act shall not prejudice the lord treasurer concerning such warrants or precepts as he by virtue of his office, may direct immediately to the lord chancellor, or other person for making out H.M.'s grants of any offices, or other thing belonging to his disposition, *id. s.*5.

26. All leases of H.M.'s manors, lands, tenements and hereditaments in the county palatine of *Lancaster* which the chancellor of the duchy or county palatine shall make in the name of H.M., may pass under the seals of the duchy or county, *id. s.*6.

27. Grants of offices, or other thing in the said county or duchy, the yearly fees whereof amount to not above 2*d. per* day, may be passed by the chancellor of the duchy as before, *id. s.*7.

28. Every clerk of H.M.'s signet and privy seal shall have for writing a warrant on a bill for *tales* or reward, 12*d.*; for a warrant for gift of every office, 20*d.*; for a warrant for a pension, annuity or wages, 20*d.*; for a warrant for a special living or other perpetuity, 6*s.* 8*d.*; for a warrant on every bill for a *conge d'elire*, royal assent, restitution of temporalities, donatives, advocations, presentations or other ecclesiastical matter, 3*s.* 4*d.*; for every warrant on a placard, licence, pardon or sheriff's reward, 2*s.*; for every warrant on a denizen, 3*s.* 4*d.*; for a warrant for keeping an idiot, 20*d.*; on pain for taking larger fees of 10*l.*, one half to his H.M. and the other to him that will sue, *id. s.*8.

29. The lord chancellor may use his discretion in passing any thing by the great seal without fees for the great seal, signet, and privy seal, as the case shall require, and as hath been accustomed, and the clerks for writing such patents shall be discharged of all penalties for not receiving and paying fees to the signet and privy seal, *id. s.*9.

30. This act shall not prejudice any persons whom H.M. shall by express command appoint to procure any thing to be sealed for H.M.'s private affairs, or those of his realm, so that his name be entered in the book of the clerk of the hanaper, thus: "*per* A. *ad mandatum domini regis*," *id. s.*11.

31. Nor shall prejudice any person having the grant or lease of any farm the yearly rent of which does not amount to 6*l.* 13*s.* 4*d.*, *id. s.*12.

32. FOR RATIFICATION OF H.M.'s style, 35 *H.*8. *c* 3. [*virtually* REP. as to the treason by 1 *M. St.*1. *c.*1. *s.*3.; *expressly* REP. by 1 & 2 *P.* & *M. c.*8. *s.*20.; but REV. as to all but the treason by the REP. of the latter act by 1 *El. c.*1. *s.*2.]

33. It shall be high treason to attempt to deprive H.M. of this style, *viz. Henry* the 8th, by the grace of God, king of *Eng. France* (now omitted) and *Ire.* [*but see* now the union acts], defender of the faith, and of the church of *Eng.* and *Ire.* in earth the supreme head, 35 *H.*8. *c.*3. [*Semb.* entirely superseded as to the king's stile by the proclamation thereof, in pursuance of 39 & 40 *G.*3. *c.*67. *Art.*1., IRELAND (*Union*), *pl.*3.]

34. CONCERNING GRANTS AND GIFTS MADE BY PATENTEES out of letters patent, 3 & 4 *E.*6. *c.*4. (and recital in *s.*1.) [EXPLD. 13 *E. c.*6.]

35. All persons claiming under patents made by H.M., or any other that have any estate or interest in any lands, offices or other things, by or under such patentees, may convey unto themselves title as well against H.M. as any other person, by shewing forth the exemplification or *constat* of the roll, or of so much thereof as shall serve for the matters in variance under the great seal, and the exemplification or *constat* of the enrolment shall be of the same force as the first letters patent should be for, if the same were pleaded or shewed, 3 & 4 *E.*6. *c.*4. *s.*2.

36. All patentees, and other persons having by or from them any estate or interest in lands, or other thing by the queen to be granted, may convey to themselves such title, as well against her as against all other persons, by shewing forth any exemplification or *constat* under the great seal of the enrolment of such patent, or of so much thereof as may serve for such title, the patents then remaining in force, as if they were pleaded and shewed forth, *id. s.*2.

37. THE ROYAL POWER OF THIS REALM, and all the dignities belonging to the same, being vested in either male or female, shall be as fully enjoyed by one as the other, 1 *M. S.*3. *c.*1. *s.*3.

38. FOR RE-ESTABLISHING THE OFFICE OF lord steward of the queen's household, 1 *M. S.*3. *c.*4. [*repealing* 32 *H.*8. *c.*39, which erected a great master of H.M.'s house instead of the above.]

39. FOR RESTORING TO THE CROWN THE ANCIENT jurisdiction over the state, ecclesiastical and spiritual, and abolishing all foreign power repugnant to the same, 1 *El. c.*1. *ss.*16—17. 19—34. 37—38., (and recital in *s.*1.)

40. No foreign prince or person, spiritual or temporal, shall exercise any power or privilege, spiritual or ecclesiastical, within this realm or any of the queen's dominions, *id. s.*16.

41. Such jurisdictions spiritual and ecclesiastical, as by any spiritual &c. power have been or may lawfully be exercised for visitation of the ecclesiastical state and persons, and for reformation, &c. of the same, and of all errors, heresies, schisms, &c. shall for ever be annexed to the imperial crown of this realm, *id. s.*17.

42. Every ecclesiastical person soever, and every temporal judge, justice, mayor, and other lay officer, and every other person having H.M.'s wages, shall take a corporal oath on the evangelists before such persons as shall please H.M. under the great seal to be assigned, *id. s.*19. [This oath of supremacy is abrogated by 1 *W.* & *M. c.*8., and another appointed, but the present forms are provided by 1 *G.*1. *S.*2. *c.*13. and 6 *G.*3. *c.*53. *s.*1. OATHS.]

43. If any such ecclesiastical officer or minister, temporal judge, or other lay officer, shall refuse to take the oath, he shall forfeit during life every ecclesiastical benefice, &c. and every temporal promotion which he hath solely at the time of such refusal; and the title in every such promotion, as against such person refusing, shall be void, *id. s.*20.

44. Every person so refusing shall be disabled to exercise any office, &c. which he hath jointly with any other person, *id. s.*21.

45. Every person preferred to any archbishopric, bishopric, or other ecclesiastical promotion, or to any lay office, before he takes on him to exercise such promotion, shall take the oath before the persons who have authority to admit to such office, or before such as by H.M., by commission under the great seal, shall be appointed, *id. s.*22.

46. If any person so promoted refuses to take such oath, he shall be disabled to have the same promotion, *id. s.*23.

47. Every temporal person doing homage to or received into service with H.M. shall take the said oath before the lord chancellor or persons by H.M. appointed, *id. s.*24.

48. Every person taking orders, and promoted to any degree of learning in any university, before he shall take the same, shall take such oath before his ordinary, &c., chancellor, or vice-chancellor, *id. s.*25.

49. If any person having any estate of inheritance in a temporal office, shall refuse, but afterwards shall willingly require to take, and does take the said oath, he shall be vested in like estate and possession thereof as before the refusal, *id. s.*26.

50. If any person inhabiting within the said dominions shall by writing, printing, teaching, preaching, express words or act, advisedly, &c. affirm the authority, &c. or jurisdiction spiritual of any foreign prince, state, or person heretofore claimed within this realm; or shall advis-

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edly, &c. execute any thing for the advancement thereof, he shall on conviction, for his first offence, forfeit unto H. M. all his goods, as well real as personal, 1 *El. c.* 1. *s.* 27.

51. If any person so convicted shall not have goods to the value of 20*l.* he shall, beside the forfeiture of them, suffer imprisonment one year, *id. s.* 28.

52. All the ecclesiastical promotions of every spiritual person so offending shall be void; and the patron may present to them, as if the incumbent were dead; and such offender shall on conviction for the second offence incur a *præmunire*, *id. s.* 29.

53. If a third time convicted, his offence shall be adjudged high treason, *id. s.* 30.

54. No person shall be impeached for any of the offences so committed only by preaching, teaching or words, unless indicted within one year; and if he be imprisoned for the offences in *s.* 27., and be not indicted in one half year, he shall be set at liberty, *id. s.* 31.

55. This act shall not repeal any clause contained in the act of repeal, 1 & 2 *P. & M. c.* 8. *s.* 40. concerning any matter of *præmunire*, *id. s.* 32.

56. If any peer is indicted of any offence revived or made *præmunire* or treason by this act, he shall be tried by his peers as in treason, *id. s.* 34.

57. No person shall be arraigned for any offence under this act, unless two witnesses testify the same, and are confronted at the time of the arraignment, *id. s.* 37.

58. If any person shall give relief or comfort to the person of any offender in case of *præmunire* or treason revived or made by this act, it is no offence unless it be proved by two witnesses that the persons that give such relief had notice of such offence committed by the offender, *id. s.* 38.

59. FOR CONSOLIDATING THE ESTATES TAIL, and reversion in fee which H. M. hath in the post office, and 24,000*l.* *per annum* of the hereditary excise, 1 *J.* 2. *c.* 12. [*ss.* 1—3. are EXP.]

60. H. M., his heirs, and successors, shall henceforth be seised of, all and singular, the revenues, issues, and profits, of the general post office, and of the yearly sum of 24,000*l.* issuing out of the hereditary excise, in fee simple, 1 *J.* 2. *c.* 12. *s.* 4. [but see 1 *G.* 4. *c.* 1. *infra, pl.* 141. *Civil List Act.*]

61. FOR ESTABLISHING THE CORONATION OATH, 1 *W. & M. S.* 1. *c.* 6. (and recital in *s.* 1.)

62. The following oath shall be administered to every king or queen who shall succeed to the imperial crown of this realm at their respective coronations, by one of the archbishops or bishops of *Eng.*, thereto appointed by such king or queen, and before all persons present at such coronation, in this manner, *id. s.* 4.

The archbishop or *bishop shall say*,—Will you solemnly promise and swear to govern the people of this kingdom of *Eng.*, and the dominions thereto belonging, according to the statutes in parliament agreed on, and the laws and customs of the same?

The king or *queen shall say*,—I solemnly promise so to do.

Archbishop or *bishop*.—Will you to your power cause law and justice in mercy to be executed in all your judgments?

King or *queen*.—I will.

Archbishop or *bishop*.—Will you to the utmost of your power maintain the laws of God, the true profession of the gospel and protestant reformed religion established by law? and will you preserve unto the bishops and clergy of this realm, and to the churches committed to their charge, all such rights and privileges as by law do or shall appertain unto them, or any of them?

King or *queen*.—All this I promise to do.

After this, the king or queen, laying his or her hand upon the holy gospels, shall say,

King or *queen*.—The things which I have here before promised, I will perform and keep. So help me God.

Then the king or queen shall kiss the book.

63. NO COMMISSION, EITHER CIVIL OR MILITARY, shall determine by reason of the death or demise of the king or queen of this realm, but every such commission shall remain in full force for 6 months next after any such death, *&c.* unless in the mean time superseded, *&c.* by the next and immediate successor to whom the imperial crown of this realm is limited to descend, 7 & 8 *W.* 3. *c.* 27. *s.* 21. [EXPL. 1 *A. St.* 1. *c.* 8., commencing 8*th March*, 1701., *id. s.* 7.]

64. No grant of any office or employment, either civil or military, hereafter made, shall determine on the demise of the king or queen, but every such grant shall remain in full force for 6 months next after any such demise, unless in the mean time superseded or made void by the successor, 1 *A. St.* 1. *c.* 8. *s.* 2.

65. No writ, plea, or other proceeding on any indictment or information for any offence or misdemeanor, nor any process for any debt or account due to the sovereign for any lands, tenements, or other revenue, pending at his demise, shall be discontinued thereby, but shall remain in full force notwithstanding, *id. s.* 4.

66. No commission of assize, oyer and terminer, general gaol delivery, or of association, writs of admittance, *si non omnes*, of assistance, or commission of the peace, shall be determined by the demise of any king or queen of the realm, but shall continue in full force for 6 months next ensuing, notwithstanding any such demise, unless determined by the successor, and no original writ, writ of *nisi prius*, commission, process or proceedings soever, in, or issuing out of any court of equity, nor any proceeding on any office or inquisition; nor any writ of *certiorari*, or *habeas corpus* in any cause criminal or civil; nor any writ of attachment, or process for contempt, nor any commission of delegacy or reviver, for any matter ecclesiastical, testamentary, or maritime, or any process thereon, shall be abated or discontinued by such demise, 1 *A. St.* 1. *c.* 8. *s.* 5.

67. This act and 7 & 8 *W.* 3. *c.* 27. *s.* 21. *ante, pl.* 63. shall extend to *Ireland*, *Jersey*, *Guernsey*, and H. M.'s dominions in *America*, and elsewhere, *id. s.* 6.

68. FOR FURTHER LIMITATION OF THE CROWN, and better securing the rights and liberties of the subject, 12 & 13 *W.* 3. *c.* 2.

69. The princess *Sophia*, electress of *Hanover*, and the heirs of her body being protestants, declared next successors to the crown after the king and princess *Anne* of *Denmark*, and their issue, *&c.*, *id. s.* 1.

70. A papist or person married to a papist, is incapacitated from inheriting the crown, and every king and queen succeeding to the crown shall take the coronation oath, and subscribe the declaration in 1 *W. & M. S.* 1. *c.* 6., *id. s.* 2.

71. TO REPEAL SO MUCH OF 12 & 13 *W.* 3. *c.* 2. *s.* 3. AS ENACTS, that no person who should come to possession of the crown, shall go out of the dominions of *Eng.*, *Scot.*, or *Ire.* without consent of parliament, 1 *G.* 1. *St.* 2. *c.* 51. (*s.* 1. is to this purport, so is not repeated here.)

72. FOR [*enabling* H. M. *to discharge the debt due on his civil list*, EXP.] PREVENTING THE CIVIL LIST from being in arrear in future, by regulating the mode of payments thereout, and by suppressing or regulating certain officers paid out of the civil list revenues, 22 *G.* 3. *c.* 82. [AMD. 44 *G.* 3. *c.* 80. *s.* 2., 50 *G.* 3. *c.* 117. *ss.* 13—14.] and see 50 *G.* 3. *c.* 111. relating to SCOTLAND (*Pensions*).

73. The office of [third secretary of state, or secretary of state for the colonies, *but quære* now,] the board of trade and plantations; the offices of the lords and gentlemen of police in *Scot.*; the principal officers of the board of works; of the great wardrobe; of the jewel office; the treasurer of the chamber; the cofferer of the household; the offices of the six clerks of the board of green cloth; of paymaster of the pensions; of the master of the harriers, the master of the fox hounds, and the master of the stag hounds; together with certain of the officers dependent on the same, shall be abolished, 22 *G.* 3. *c.* 82. *s.* 1.

74. Any office of the same nature established hereafter, shall be deemed a new office, *id. s.* 2.

75. The treasury shall direct persons to prepare for their approbation methods accommodated to the reforms in this act, and to appoint officers for carrying such plans into execution, under the lord steward or chamberlain, master of the horse, and any other officer, to whom the said officers shall be subordinate; and the said lord steward, &c. shall within 15 days after each quarter, make out an estimate of all the articles of expence of H. M.'s civil government, within their departments; which, after being inspected, and approved by the said lord steward, &c. shall be presented to the treasury; and which estimate shall not be exceeded (except as after) above 5000*l.* in any of those departments in one year, without reasons produced to the treasury; and upon the expiration of the quarter, the treasury shall direct so much of the monies of the civil list revenues to be issued at the exchequer to the lord steward, &c. or persons appointed by the lord steward, &c. with the consent of the treasury, as shall be sufficient to pay the whole expence incurred in such quarter, to be by him distributed among the persons intitled to receive the same, *id. s.* 4.

76. The court of virge, or the green cloth, shall be held with all the accustomed jurisdiction, powers, and privileges, without any of the clerks of the green cloth, whose office is taken away, *id. s.* 5. [*ss.* 6—12. are REP. by 54 *G.* 3. *c.* 157. *s.* 1., which act regulates the conduct and expenditure of the office of works, see WORKS (PUBLIC).]

77. The furniture, pictures, plate, and all other moveables soever, formerly under the care of the office of great wardrobe, or other wardrobe or jewel office, shall be committed to the care of the chamberlain, *id. s.* 13.

78. Work formerly done under the direction of the wardrobe shall be executed (so far as regards the previous estimate and subsequent controul and account) in the manner directed for works undertaken by the surveyor of the buildings, *id. s.* 14.

79. The business done by the commissioners of trade and plantations may be exercised by any committee of the privy council, which H. M. shall appoint, without any salary for exercising the same, *id. s.* 15.

80. All public money under management of the lords of trade and police in *Scot.* shall be under management of the convention of royal burghs, *id. s.* 16.

81. No pension exceeding 300*l.* *per annum* shall be granted to one

person; and the whole pensions granted in one year shall not exceed 600*l.*, a list of which, with the names of the persons, shall be laid before parliament in 20 days after the beginning of each session, until the whole pension list is reduced to 90,000*l.*; which sum it shall not exceed by more than 5000*l.* in the whole of all the grants: nor shall any pension, after the said reduction, to one person, exceed 1,200*l.* yearly, except to the royal family, or on an address of either house of parliament, 22 *G.*3. *c.*82. *s.*17.

82. As it hath been usual that persons who have served the crown in foreign courts, have, after the expiration of their service, received a proportion of their former appointment, nothing in this act relative to pensions, shall extend to such allowance, if the persons do not enjoy some place or profit from the crown to the amount of the pension usually paid is such cases, and the list of pensions shall be laid before parliament, *id. s.*18.

83. No pension or allowance shall be granted to any person for having served the crown in foreign courts within less than 10 years from date of his first appointment in such service, during which time he shall have served not less that 3 years; and no such allowance shall exceed 2000*l. per annum*, and shall abate if he is appointed to any civil office, or under the crown, of equal or greater amount, and also shall be subject to proportionate abatement if its value is less than the amount of such allowance, 50 *G.*3. *c.*117. *s.*13.

84. Before granting any such pension, the grantee shall not be less than 35 years old, and the secretary of state for foreign affairs shall transmit to the treasury a certificate under his hand, that such person has not within 10 years declined serving as a foreign minister, except for sufficient cause, in any rank or station equal or superior to that in which he had last served, which certificate shall be recited in the grant of such pension, *id. s.*14.

85. No pension shall be paid but at the exchequer, and with the name of the person to whom, or in trust for whom, it is granted; and those transferred thither by this act shall be subject to no taxes or fees, except those to which before this act they were subject; nor shall any pension hereafter granted be charged with other fees than were heretofore paid, 22 *G.*3. *c.*82. *s.*19. [see other fees, 26 *G.*3. *c.*90.]

86. Nothing herein shall restrain the first commissioner of the treasury, by H. M.'s consent, from taking away from the private list of pensions, the names and pensions of any person at present entered on the said list, *id. s.*20.

87. He may return into the exchequer any pension or annuity, without the name of the person to whom the same is payable, on taking an oath before the barons of the exchequer, or one baron, or before the cursitor baron:

'I *A.B.* do swear, that, according to the best of my knowledge, belief, and information, the pension or persions, annuity or annuities, returned without a name by me into the exchequer, is or are not, directly or indirectly, for the benefit, use, or behoof, of any member of the house of commons, or, so far as I am concerned, applicable, directly or indirectly, to the purpose of supporting or procuring an interest in any place returning members to parliament. So help me God,' *id. s.* 21.

88. On taking oath, the pension, &c. shall be paid at the exchequer to the order of the first commissioner, and his receipt taken as an acquittance for the same, *id. s.*22.

89. If such secret pension continues in the list for more than 5 years, the first commissioner, or one of the secretaries, or one of the chief clerks of the treasury, shall make oath, before it is paid at the exchequer, that he does believe that the person for whose use the pension hath been granted is living, *id. s.*23.

90. It shall not be lawful to issue from the exchequer, to any secretary of the treasury, or other person soever, from the civil list revenues, for *secret service within this kingdom*, any money exceeding 10,000*l.* in one year, *id. s.*24.

91. When it is expedient to issue money for foreign secret service it shall be issued to a secretary of state, or to the first commissioner of the admiralty; and who shall for his discharge at the exchequer within 3 years from issuing the money, produce the receipt of H. M.'s minister, commissioner, or consul, in foreign parts, or of any commander-in-chief, or other commander of the navy or land forces, to whom the same shall have been given, that it hath been received; which shall be filed in exchequer, in order to charge the said minister, &c. and shall be sufficient to acquit the secretary or first commissioner of the admiralty, in their account at exchequer, *id. s.*25.

92. Any foreign minister, &c. charged by any secret service money received, shall stand discharged thereof, if within one year after his arrival in *G. B.* he shall either return the said money into the exchequer, or make oath before the barons of the exchequer, or one of them.

'I. *A. B.* do swear, that I have disbursed the money intrusted to me for foreign secret service, faithfully, according to the intent and purpose for which it was given, according to my best judgment, for H. M.'s service.

'So help me God.' *id. s.* 26.

93. Whenever it is necessary for the secretary of state, or first commissioner of the admiralty, to make payment of any money issued for foreign secret service, or for secret service, in detecting, preventing, or defeating conspiracies against the state, in any place within this kingdom, then it shall be sufficient to acquit the said secretary or first commissioner, for such secretary, or the under secretary in the office to which such secret service money hath been paid, or for the first commissioner or secretary of the admiralty, to make the following oath before the barons of the exchequer, or before the cursitor baron.

'I. *A. B.* do swear that the money paid to me for foreign secret service, [*or* for secret service in detecting, preventing, or defeating treasonable or other dangerous conspiracies against the state, *mutatis mutandis, as the case may be*], has been *bona fide* applied to the said purpose or purposes, and to no other; and that it hath not appeared to me convenient to the state that the same should be paid abroad. 'So help me God.' *id. s.* 27.

94. The stated sums now paid to secretaries of state, under the name of secret service money, but which are part of the salary of the office, shall be given under the name of salary; and no stated sum shall be allowed for secret service out of the civil list; but when deemed necessary by the treasury, shall be issued by their direction to the officer aforesaid, as before directed, *id. s.*28.

95. Whenever any money is issued for any special service, or given without provision of annual or other payment, but in a gross sum, as to any secretary of the treasury, or others, to be paid over to any person for special service, or as royal bounty, the said money, together with the service, or as royal bounty, to which the same is applied, as also the name of the person to whom the money is paid, shall be entered in a book in the treasury, to be produced to either house of parliament, if required, *id. s.*29.

96. Money given as royal bounty, more than once in 3 years, shall be reputed a pension, *id. s.*30.

97. The treasury shall draw out a plan of the establishments and payments of the civil list in classes, to be signed by the commissioners, and deposited with the clerk of the house of commons, and all money shall be paid according to the plan, *id. s.*31. [see 1 *G.*4. *c.*1. *pl.*141.]

98. Whenever any such classes have become in arrear more than 2 quarters, the treasury shall cause an account of such arrear, and the class in which it arises, to be laid before the house of commons in one month after, or if parliament is not then sitting, in 14 days after then next sitting, 44 *G.*3, *c.*80. *s.*2.

99. It shall not be lawful for the treasury to direct the payment of any salary or pension till the bills, salaries and pensions of all those who are entitled, according to the foregoing order, are first discharged, or cash set apart in exchequer sufficient to answer the whole demand in the preceding classes: but nothing herein prevents the treasury from ordering all occasional payments for which warrants are granted at the treasury, and not comprehended in the classes aforesaid, to be made according to their discretion, and the circumstances of the case, *id. s.* 32.

100. If any salary, fee, or pension remains in arrear at the usual time of payment, at the end of 2 years, from want of cash belonging to the civil list, to pay the same, it shall not be carried as a debt to the account of the year following, but shall be wholly extinguished, as if it had not been payable, *id. s.*33.

101. All fines hitherto payable, and by this act not excepted on any payment within the civil list, shall still continue to be paid, and remain for the disposal of the treasury, *id. s.*34.

102. The treasury shall cause books to be kept for the charges of each of the classes distinctly; and the result of payment in the said books shall be entered in a separate book at the end of each year, and being opposed to the receipt of the civil list cash, a balance shall be struck upon the whole, *id. s.*35.

103. The treasury may allow to every person holding his office by patent for life, or having purchased his place, an annuity equal to the emoluments of his office; and also to other persons in the subordinate offices, such annuities as they shall think equitable, for the support of such person, until provided for in H. M.'s service, according to his abilities, *id. s.*36.

104. Whatever is directed by this act to be done by the treasury, may be done by the high treasurer, or commissioners of the treasury for the time being, or 3 of them, *id. s.*37.

105. FOR PREVENTING THE ACCUMULATION OF DEBTS BY ANY future heirs apparent of the crown, and for regulating the mode of expenditure from the time when a separate establishment shall be made for such future heir apparent, 35 *G.*3. *c.*125.

106. When a separate establishment is made for any heir apparent, his principal officer shall in 14 days after prepare for his approbation a plan thereof in distinct departments and classes, with a plan of the payments of each and of every office therein; and shall also make an estimate of the annual expences of each distinct department, one copy of which (after being approved by the heir) shall be lodged with the treasury, another in the office of the treasurer, or other principal

officer of the heir, and another with the clerks of both houses respectively, and after the first quarter day for payment of such revenue, all disbursements made thereout for the above purposes, shall be made by such treasurer or principal officer in the order specified in such estimate, and no other; and for which he shall be responsible in damages to the party grieved; provided that any alteration which may be expedient to make in such establishment shall be stated by him, on being directed by the heir, and if approved of by the latter shall be lodged as above; and on any increase to such establishment, the said treasurer, &c. shall prepare a new estimate under the same rules, 35 *G.* 3. *c.* 125. *s.* 1.

107. Such treasurer or principal officers for the time being shall cause a book to be kept, in which all payments for the above purposes shall be duly entered with their dates, and the treasury shall, from time to time (at least once a year) demand inspection thereof, which shall be granted, *id. s.* 2.

108. Such treasurer, &c. in 14 days after expiration of every quarter, shall cause to be prepared a just account of the expences of the preceding quarter, containing the sums paid, demands made and outstanding, and the expences of each department, and shall audit the same with the vouchers, and sign his approbation thereof, if not exceeding the estimates made as above, *id. s.* 3.

109. On such settlement of the quarterly account, such treasurer or principal officer authorized thereto, by warrant under privy seal of such heir apparent, may pay the sums specified in such accounts as the quarterly expence, as aforesaid, to the respective creditors of such heir, *id. s.* 4.

110. If any deficiency arises in his revenues at the end of any quarter, so as to create an arrear in the payment of any claims against such heir so allowed, such arrears shall be carried to the next quarter's account, and (except where arrears of the preceding quarter are likewise carried to the same account), shall be placed therein, and shall be paid first out of the next quarter: provided that no arrear of salary from such heir, &c. to any officer concerned in executing this act, shall be carried on above one quarter after that in which it is due, nor shall any arrear of any sort be carried on above two quarters of a year after due, and shall have a preference in the quarter to which carried; and no such officer, &c. shall audit, allow, or settle any accounts, or pay any sums for that quarter till such arrears are paid, provided that the arrears of the last preceding quarter are paid next, *id. s.* 5.

111. If at the end of any quarter of a year, any surplus of the revenue shall remain after paying all debts and arrears, it shall be paid over to the heir's privy purse, *id. s.* 6.

112. Every creditor whose demand accrues after the first quarterly day of payment, shall deliver into the office of such treasurer, &c. a particular in writing of the nature and amount thereof, and signed by him, within 10 days after the quarter expired, in order to its being included in the preceding quarterly account to be audited as above, or the same shall not be included in the same, or paid by such treasurer, &c.; and all such demand and securities for the same shall be barred at law and equity; and any such treasurer, officer, &c. neglecting to insert such demands in their accounts shall pay the amount in damages to the party grieved, *id. s.* 7.

113. No action shall be brought by any creditor against such heir apparent for any debt accruing after the 1st quarter day for payment of such revenue, nor on any security for the same; and all such proceedings are void, *id. s.* 8.

114. Where a demand is made or debt claimed, which have wholly accrued after the said first quarter day, and within the next preceding quarter, and the particulars have been declared as in *s.* 7., and the same is not paid, the creditors, at any time within 3 calendar months after delivery of such particulars, may sue such treasurer, &c. for recovery thereof; but no execution shall issue against his person or effects, but the judgment shall be a charge on the funds of such heir which shall be in the treasurer's hands, in 2 quarters after that in which the debt sued for shall have accrued; which funds shall be liable to payment of the same and costs, in preference to all demands, except those on any such prior judgment; and a docket of every judgment so obtained shall be entered by the creditor in the office of such treasurer, &c. within 10 days after signing the same, in order to entitle him to the benefit hereof, *id. s.* 9.

115. If any officer of the establishment, or other person entrusted with the management of such revenues, shall neglect to make up or transmit, or to audit and investigate the same, or to pay the monies in his hands for that purpose in the order hereby established, or shall misapply the same contrary to this act, or shall wilfully omit to insert in his quarterly account the claim of any creditor, delivered as above, or shall wilfully make up, &c. any false account, he shall pay damages to the party grieved; and all penalties and damages incurred by virtue of this act may be recovered by action of debt or on the case, in any court at *Westminster*, with costs without essoin or more than one imparlance allowed, 35 *G.* 3. *c.* 125. *s.* 10.

116. CONCERNING THE DISPOSITION OF CERTAIN real and personal property of H. M., and also of the real and personal property of H. M. and of the queen-consort for the time being, 39 & 40 *G.* 3. *c.* 88.

117. None of the provisions in 1 *A. St.* 1. *c.* 7. *ss.* 5—8. (CROWN PROPERTY, *pl.* 25—29.) 1 *G.* 3. *c.* 1. *s.* 3. and 1 *G.* 1. *S.* 1. *c.* 1. [EXP.,] and 34 *G.* 3. *c.* 75. (*tit. id. pl.* 33, *&c.*) shall extend to any manors, messuages, lands, tenements, or hereditaments, of whatever tenure, purchased by H. M., his heirs or successors, out of monies issued for their privy purse not appropriated to any public service; nor to any lands, &c. which have or shall come to H. M. by gift, devise, or descent, from any of his ancestors or other persons not kings or queens of this realm; and the operation hereof shall commence from the birth of king *G.* 3., *id. s.* 1.

118. All hereditaments of copyhold, customary, or leasehold tenure, purchased by or come to H. M. by gift, devise of, or descent from persons not kings and queens of this realm, whether surrendered or assigned to H. M., or to any person in trust for him, shall be vested in *James* earl of *Cardigan*, his heirs, executors, and administrators, according to the tenure, in trust for H. M.; and all such copyhold, &c. lands, &c. so to come to H. M. by gift, &c. as above, shall be vested in some trustee, to be appointed by instrument in writing under the sign manual; which earl and the other trustee shall be duly admitted to such copyhold or customary hereditaments, on payment of such fines, and subject to such rents, services, and customs, as of right shall be due; and shall be deemed, in respect of the lords of such manors, to be the only tenants of such hereditaments, *id. s.* 2.

119. Nothing herein shall defeat any grant already made by H. M. of any hereditaments so purchased by and conveyed, surrendered or assigned in trust to or for him, *id. s.* 3.

120. Notwithstanding any thing in the acts in *s.* 2., H. M., by instrument under his sign-manual, attested by 2 or more witnesses, or by last will, &c., in writing attested by 3 or more witnesses, may grant, sell, give, or devise any of the hereditaments so purchased or come to him or them as above, (and whether conveyed to or vested in himself, or in any trustee for him,) unto any person for any estate or purpose, as any of H. M.'s subjects may grant, give, or devise the like belonging to such subjects; and such trustee for H. M. shall convey the same as H. M. under his sign-manual, attested as above, shall direct; and all provisions made by law for conveyance of trust-estates, by infants, idiots, and lunatics, shall extend to such trustees for H. M., who shall convey the same accordingly, *id. s.* 4.

121. If no disposition by grant, will, or otherwise, be made by H. M., his heirs or successors, &c. or if any disposition so made shall not exhaust the whole estate therein, the said lands and hereditaments shall on the demise of H. M., descend in the same manner as before making this act, subject to the provisions of *s.* 10., as to any personalty part thereof; and every freehold in fee simple which shall so descend, shall be subject to the restrictions of the acts recited in *s.* 1., *id. s.* 5.

122. The lands, &c. (as in *s.* 4.) so vested in H. M. or his trustees, shall be subject to all parliamentary and parochial taxes, to be assessed as if they belonged to any of H. M.'s subjects, *id. s.* 6.

123. As long as such lands, &c. are vested in H. M. or his trustees, freed under this act from the restrictions of the acts recited in *s.* 1., the taxes mentioned and other annual payments payable in respect thereof, shall be paid out of the privy purse, and accounts thereof shall be returned to the persons executing the office of H. M.'s privy purse, who shall pay the same, *id. s.* 7.

124. The queen consort for the time being may, during her own and H. M.'s joint lives, by deed under her hand and seal, attested by 2 witnesses, or by last will attested by 3 or more witnesses, grant, and dispose of, convey or devise, any lands, &c. purchased by or in trust for her, or vesting in her or her trustees, for any estate of inheritance, or freehold, or copyhold, or customary estate, under any deed, gift, will, or otherwise, for all or any part of such estate, right, and interest, as she or such her trustee hath or have therein, and also by her last will may bequeath all such her chattels, whether real or personal, and personal estate soever, to any person and for any purpose, as if she were sole; but nothing in this act shall enable such queen-consort to make any grant or disposition of any palace or mansion, gardens, lands, or hereditaments belonging to H. M., in right of the crown, but vested in her for life, for her jointure, or to make any other grant which she could not make if sole, *id. s.* 9.

125. All personal estate of H. M. consisting of monies issued or applied for the use of his privy purse, or not appropriated to the public service, or goods, chattels, or effects which have not come to H. M. in right of the crown, shall be deemed his personalty, subject to disposition by will, in writing under his sign-manual, and to payment of such of his debts as are of right payable out of his privy purse; and such part

thereof as shall not be so bequeathed, &c. shall go in such manner on his demise, as if this act had not been made, 39 & 40 *G.* 3. *c.* 88. *s.* 10.

126. Any will already made by H. M. is valid, *id. s.* 11.

127. H. M. may, by warrant under his sign-manual, direct the execution of any trusts or purposes to which any hereditaments which have escheated or shall escheat to H. M., his heirs or successors, shall have been liable at the time they so escheated, or would have been liable in the hands of subjects, and to make any grants of such hereditaments, to any trustee or otherwise, for execution of such trusts, and to make grants of any hereditaments which shall escheat as above, to any person either for restoring the same to any of the family of the person whose estates they had been, or of rewarding any persons making discovery of such escheat as to H. M. seems fit, *id. s.* 12.

128. To ENABLE THE KEEPER OF THE PRIVY PURSE, for the time being, to dispose of and transfer all such public stocks or funds as stand in his name in the books of the bank of *Eng.* in trust for H. M., 52 *G.* 3. *c.* 148. (and recital in *s.* 1.)

129. He shall account for the proceeds thereof to the person by law authorized to audit such accounts, *id. s.* 2.

130. FOR APPROPRIATING THE CIVIL LIST REVENUES to ensure regular payment of the annual charges thereon, as specified in a schedule of the several classes thereof annexed, 56 *G.* 3. *c.* 46. *ss.* 3—13. (framed to show the object of these sections; *ss.* 1—2. appear personal.) [*The schedule* is EXP. and a new one is provided by 1 *G.* 4. *c.* 1. *viz*]

1st Class. H. M.'s privy purse	£. 60,000
2d Class. Allowances to the lord chancellor, judges, and speaker of the house of commons	32,955
3d Class. Salaries, &c. of H. M.'s ambassadors and other ministers, salaries to consuls, and pensions to retired ambassadors and ministers	226,950
4th Class. Expences (except salaries) of H. M.'s household in the departments of the lord steward, lord chamberlain, master of the horse, master of the robes, and surveyor-general of works	209,000
5th Class. Salaries in the above departments	140,700
6th Class. Pensions limited by the act 28 *G.* 3. *c.* 32.	95,000
7th Class. Salaries to certain officers of state, and various other allowances	41,300
8th Class. Salaries to the commissioners of the treasury and chancellor of the exchequer	18,822
Occasional payments, not comprised in any of the aforesaid classes	26,000
1 *G.* 4. *c.* 1. *Schedule.*	£ 845,727

131. The treasury, at commencement of each quarter, or within 30 days therefrom, shall, by warrant under their hands, direct what sums shall respectively be appropriated in the receipt of exchequer, out of the quarterly civil list revenues, for defraying the several charges on the respective classes thereof, but so that the sum appropriated to the 6th class does not exceed 1-4th of its estimated annual amount, as in the schedule; and so that the sums appropriated to the other classes in any one quarter are equal to 1-4th of the estimated amount together with any saving on such class, in the preceding quarter; and the several sums so directed to be appropriated shall, in the first instance, be applied in payment of all the unsatisfied charges of every description of the class in respect to which the appropriation was made, in preference to any other charges on the civil list revenues; and no part thereof shall be applied for any other purpose, or in aid of other classes or charges in such civil list, except as in *s.* 4.; but if the actual charge of any such class exceeds the sum appropriated thereto, such excess may be issued out of the civil list revenues not appropriated to any class, 56 *G.* 3. *c.* 46. *s.* 3.

132. If any savings or surplus arise in any quarter in respect of any money appropriated to any particular class, so that the same is more than sufficient for the full payment of the charges thereon, such quarterly surplus shall be carried forward in exchequer to the credit, and applied for the purposes of the class in which it has arisen, until 5th *Jan.* yearly; and if it arises in the 3d class, the treasury shall direct it to be carried to the consolidated fund; and if in any other classes of the civil list, to be applied in aid of the charges of any other class, or on H. M.'s civil list revenues, as appears most expedient, *id. s.* 4.

133. The treasury shall, from time to time, by warrant, direct the proper officers of exchequer to pay to any person named therein, any sum directed to be paid to any person from any pension, fee or salary, but unpaid, in consequence of his death, before the day up to which it was so directed to be paid, and the sums received under such warrant shall be repaid into exchequer; and if arising on the 3d class, shall be applied to the account of the consolidated fund; and if in any other classes of the civil list, to the account of its revenues, *id. s.* 7.

134. The treasury shall appoint a proper person, who shall examine and audit all the tradesmen's bills, and expences incurred in the departments of the lord chamberlain, lord steward, and master of the horse, and shall examine into all the expenditure within those departments during its progress, and report thereon to the treasury, that the same may be as far as practicable in conformity to previous estimates thereof, as approved by the treasury; and such officer, in execution of his duty, shall obey the orders of the treasury, who may grant him out of the civil list revenues not exceeding 1500*l. per annum*; but he shall not sit in parliament, 56 *G.* 3. *c.* 46. *s.* 8.

135. The treasury shall prepare a full code of instructions for guidance of such auditor's conduct in execution of his duties, and may alter or add to the same as the good of the service may require, all of which shall bind him, as if here inserted, *id. s.* 9.

136. Such officer, with authority of treasury in each particular case, may call before him any persons holding offices under the lord chamberlain, lord steward, or master of the horse; and any persons not belonging to those departments, who may have furnished or been concerned in furnishing any articles for the use of either of them, or who may (in his judgment) be able to give information relating thereto; and may examine them on oath, or affirmation (if quakers), which he may administer as to any such accounts, charges, &c. or articles supplied, or as to any thing necessary for the full audit of such accounts, &c.; and in case of failure to comply with such lawful requisition, every person so refusing, if an officer, servant or tradesman, employed in any such department, shall be dismissed, and incapable of being employed as such in H. M.'s service; and shall pay such fine to H. M. as the court of exchequer, on application by the said officer or attorney-general, shall think fit to impose, *id. s.* 10.

137. Every person, who in such examination on oath or affirmation, shall wilfully and corruptly give false evidence, shall be liable to the penalties of wilful perjury, *id. s.* 11.

138. The officer so to be appointed shall, after duly examining such accounts and vouchers, make up a state thereof according to his instructions, and deliver it to the treasury, who may, if they see fit, direct any further examination of the account or allow it, if they are satisfied therewith; which allowance, and a warrant under sign-manual, issued in pursuance thereof, shall be a full discharge on such account without further audit or discharge, *id. s.* 12.

139. To PROVIDE FOR CERTAIN LADIES AND OTHER ATTENDANTS of the late Queen *Charlotte*; (framed from preamble to this section,) 59 *G.* 3. *c.* 22. (*s.* 5.)

140. H. M. may grant pensions not exceeding 18,246*l. per ann.* to such persons as he shall think fit, charging same on consolidated fund: to commence *5th April*, 1819, and be payable quarterly at exchequer, free of taxes, *id. ibid.*

141. FOR SUPPORT OF H. M.'s HOUSEHOLD, AND OF THE HONOUR and dignity of the crown of the U. K., 1 *G.* 4. *c.* 1. [EXPL. as to *s.* 8. by 1 & 2 *G.* 4. *c.* 31.]

142. All powers and provisions of 1 *G.* 3. *c.* 1., 22 *G.* 3. *c.* 82., 25 *G.* 3. *c.* 61., 27 *G.* 3. *c.* 13., 33 *G.* 3. *c.* 34. (*Ir.*) 54 *G.* 3. *c.* 157., 56 *G.* 3. *c.* 46., 59 *G.* 3. *c.* 22., or of any other statute of *G. B.* or *Ire.*, or of the U. K., in force at the demise of *G.* 3., as to the hereditary revenues in *Eng.* and *Ire.*, and the collecting and payment or keeping separate accounts thereof, or computing the amount of all or any of them, shall remain in force, *id. s.* 1.

143. The produce of the hereditary revenues in *Eng.*, which, during the life of *G.* 3., were by those acts made part first of the aggregate fund; and (after 27 *G.* 3. *c.* 13.), of the consolidated fund of *G. B.* and all the hereditary revenues in that part of U. K., which by 33 *G.* 3. *c.* 34. (*Ir.*) were made part of the consolidated fund of *Ire.*, and which hereditary revenues in *Eng.* and *Ire.* respectively, at the demise of *G.* 3., made part of the consolidated fund of the U. K.; and all arrears since such demise, shall, during the life of H. M., be made part of the consolidated fund of U. K.; and after his demise shall be payable to H. M., his heirs and successors, *id. s.* 2.

144. 850,000*l.* in *Eng.*, and 207,000*l.* in *Ire.*, shall be payable quarterly on 10*th Oct.*, *5th Jan.*, *5th April, and 5th July*, out of the consolidated fund of U. K. for support of H. M.'s household, and of the honour and dignity of the crown; and the sum due for the quarter, may be issued by the treasury weekly, daily, or otherwise, during such quarter, but shall not be exceeded; and on each quarter day, the whole then due shall be made up, *id. s.* 3.

145. Monies applied out of the vote of 200,000*l.* in the last session to the payment of pensions charged on the civil list or consolidated fund, shall be retained in the exchequer towards the aids of 1820, out of the first payments to the civil list under this act, and those applied to the like purposes out of the hereditary revenues paid into exchequer, between the demise of *G.* 3. and *5th April*, 1820, according to 1 *G.* 3. *c.* 1. and 27 *G.* 3. *c.* 13. shall be repaid to the consolidated fund, and the remainder still unapplied, shall be carried to the consolidated fund on *5th July*, 1820, *id. s.* 4.

146. All the provisions of the recited acts, applicable to the civil list revenues at the demise of *G.* 3., shall apply to those granted by this act, *id. s.* 5.

147. The sum to be appropriated in each quarter to defraying the charge of the first class of the civil list, shall be equal only to 1-4th of the sum of 60,000*l.*, being the estimated amount of the future annual charge of this class; (see *Sched.*), 1 *G.*4. *c.*1. *s.*6.

148. Whenever the total charge on the civil list exceeds 1,070,000*l.* [1,100,000*l.* by 56 *G.*3. *c.*46. *s.*13. restored to 992,000*l.*, 59 *G.*3. *c.*22. *s.*10. before this act], an account stating particulars, and cause of such exceedings, shall be submitted to parliament within 30 days after their being ascertained, if parliament is then sitting; and if not, then within 30 days after its next meeting, *id. s.*7.

149. The revenues payable to *G.*3. in *Scot.* for his life, shall be paid from his demise during H. M.'s life, in like manner, and subject to the same charges as in the life of *G.*3., with a general saving of all rights to or demands on the same, except by H.M. or his trustees, *id. s.*8. [*s.*9. relates to SCOTLAND (*Pensions*), *s.*10. to same in *Ire.*]

150. FOR REMOVING DOUBTS AS TO THE CONTINUANCE of the hereditary revenue in *Scot.*, 1 & 2 *G.*4. *c.*31.

151. The hereditary revenues of the crown in *Scot.*, and other revenues granted to *G.*2., during his life, and reserved to *G.*3. during his life, by 1 *G.*3. *c.*1., were at the disposal of *G.*3. during his life by virtue of that act, subject to the provisions by law established concerning the same, any thing in 59 *G.*3. *c.*53. (*Supply act*) notwithstanding; and the hereditary revenues so settled on *G.*3. for life, belong to, and are at disposal of H. M. in the same manner as they belonged, &c. to *G.*3. before passing 59 *G.*3. *c.*53.; and they and the civil establishment in *Scot.* payable thereout, shall continue to be paid in like manner as before that act; but nothing herein shall prevent the surplus remaining after defraying the whole charges upon the said fund, recited in 1 *G.*4. *c.*1., from being carried to the account of the consolidated fund of U. K. as by that act directed, *id. s.*1.

152. Nothing herein shall impeach H. M.'s rights or prerogatives over the small branches of his revenue, [*viz.* the first fruits and tenths of the clergy, fines for writs of covenant, and writs of entry payable in the alienation office, post-fines, [revenue of wine licences, *Qu.*] monies arising by sheriff's' profers, and compositions in exchequer, and by seizures of uncustomed or prohibited goods, revenue of duchy of *Cornwall*, and rents of lands in *Eng.* and *Wa.*, or fines for leases thereof, and monies arising from the further subsidies of tonnage, poundage and other duties, by 1 *A.* (*St.*1.) *c.*7. *s.*3. granted, and all other branches and revenues chargeable with the 700,000*l. per ann.* [granted, 9 & 10 *W.*3. *c.*23.] except the duty of 4½ *per cent.* in specie arising in *Barbadoes* and the *Leeward Islands*] used by his predecessors since 1 *A.* (*St.*1.) *c.*7. other than the power of granting during his life, or for term of years, the produce of any such of those small branches as are subject to the restrictions of that act, with respect to the absolute disposition thereof, in derogation of the special purpose of this act, to carry the same to the consolidated fund, 1 *G.*4. *c.*1. *s.*11. [a similar provision, 1 *G.*3. *c.*1. *s.*9. The above seem to be the small branches of revenue alluded to, and are extracted from 1 *A. St.*1. *c.*7. *s.*3. and 1 *G.*3. *c.*1. *s.*3.]

153. Nothing herein shall affect any rights or powers of control or direction exercised by authority of the crown, or other lawful warrant relative to any leases, grants, or assurances of any such small branches of hereditary revenues, or to any proceedings for recovery thereof, or compositions made for them, or to any remission or mitigation of any penalties incurred by import of prohibited and uncustomed goods, or to fines, rents, boons, and services resumed on such grants, &c. or to their mitigation or remission; but such rights shall be enjoyed as at the demise of *G.*3., *the true intent of this act* being not that they should in any degree be abridged, but only that the monies arising from their full enjoyment subject as above, shall, during H. M.'s life, be made part of the consolidated fund, *id. s.*12.

154. An annual account of all monies hereafter arising or received for droits of admiralty or crown, and from the surplus of the 4½ *per cent.* duties [see above, *s.*11. and recited from 1 *A. St.*1. *c.*7. *s.*3.] over all charges thereon, and from all surplus revenues of *Gibraltar*, or other H. M.'s possessions out of U. K. and from all other casual revenue, whether arising in or out of U. K., and of the application thereof, shall be laid before parliament on or before 24*th Mar.* in each year, if parliament be then sitting, or if not, then within 30 days after its next meeting, *id. s.*14.

LABOURERS.

(STATUTES *repealed and expired.*)

1. STATUTE OF LABOURERS REGULATING THEIR wages, 25 *E.*3. *St.*1. *cc.*1—6. and part of *c.*7. [CONF. 2 *R.*2. *St.*1. *c.*8., 7 *H.*4. *c.*17. REP. 5 *El. c.*4. *s.*2. and see preface to 23 *E.*3. 1 *Stat.* 8*vo. ed.* 554, 555.]

2. FOR ISSUING COMMISSIONS TO LEVY THE FINES and forfeitures of labourers in aid of the subsidy, 25 *E.*3. *St.*7. [*Semb.* EXP. and REP. 5 *El. c.*4. *s.*2.]

3. THE LORDS OF FRANCHISES SHALL HAVE THE FINES of labourers and servants, &c. forfeited, 31 *E.*3. *c.*6. [*Semb.* REP. 5 *El. c.*4. *s.*2.]

4. THE STATUTE OF LABOURERS. [25 *E.*3. *c.*5. *pl.* 1. CONF. ALTD. and ENF. 34 *El.*3.*c.*9. *Semb.* REP. 5 *El. c.*4. *s.*2.]

5. THE PUNISHMENT OF LABOURERS AND ARTIFICERS departing from their service into another country, 34 *E.*3. *c.*10. [CONF. 42 *E.*3. *c.*6. *Semb.* REP. 5 *El. c.*4. *s.*2.]

6. LABOURERS FLEEING TO A CITY OR BOROUGH SHALL be delivered up. 34 *E. c.*11. [REP. 5 *El. c.*4. *s.*2.]

7. THE FINES AND AMERCIAMENTS OF LABOURERS, artificers and servants, shall be to the use of the commons. 36 *E.*3. *c.*14. [*Semb.* REP. 5 *El. c.*4. *s.*2.]

8. HANDICRAFTSMEN SHALL USE BUT ONE MYSTERY, 37 *E.*3. *c.*6. [REP. 5 *El. c.*4. *s.*2. See note, 1 *Stat.* 8*vo. ed.* 37 *E.*3.]

9. FOR REGULATING OF SERVANTS, LABOURERS, BEGGARS, AND vagabonds, 12 *R.*2. *cc.*3. 9. [CON. 7 *H.*4. *c.*17., 2 *H.*5. *c.*4. *s.*1., but REP. 21 *J.*1. *c.*28. *s.*11., 5 *El. c.*4. *s.*2. and *c.*4. in part by 4 *H.*5. *c.*4. and 4 *H.*8. *c.*5. now EXP.]

10. FOR REGULATING LABOURERS' WAGES, 13 *R.*2. *St.*1. *c.*8. *ss.*1—2. [CONF. 4 *H.*4. *c.*25. REP. 5 *El. c.*4. *s.*2.]

11. CONCERNING LABOURERS, 4 *H.*4. *c.*14. [*Semb.* REP. 5 *El. c.*4. *s.*2.]

12. FOR ENFORCING THE EXECUTION OF THE statutes of labourers [*viz.* 12 *R.*2. *cc.*3—9. and 25 *E.*3. *St.*1.] by justices of peace, 2 *H.*5. *c.*4. *s.*1. and *s.*3. [see rest of this title, and *s.*2. QUARTER SESSIONS. REC. 2 *H.*6. *c.*15. or *c.*16. EXP. (*See* 2 *Stat.* 8*vo. ed.* 387.) *comm. semb.* REP. 5 *El. c.*4. *ss.*1, 2.]

13. FOR REGULATING LABOURERS' WAGES, 6 *H.*6. *c.*3. [CON. 8. *H.*6. *c.*8. REP. 5 *El. c.*4. *s.*2.]

14. FOR REGULATING LABOURERS, HUSBANDMEN AND ARTIFICERS, 23 *H.*6. *c.*12. [*Semb.* REP. 5 *El. c.*4. *ss.*1, 2.]

15. FOR SERVANTS' WAGES, 11 *H.*7. *c.*22. [REP. 12 *H.*7. *c.*3. 5 *El. c.*4. *s.*2.]

16. CONCERNING ARTIFICERS AND LABOURERS, 5 *H.*8. *c.*3. [*Semb.* REP. 5 *El. c.*4. *ss.*1, 2.]

17. FOR LABOURERS AND ARTIFICERS WITHIN THE CITY OF *London*, 7 *H.*8. *c.*5. [*Semb.* REP. 5 *El. c.*4. *s.*2.]

18. TOUCHING THE RETAINING OF JOURNEYMEN BY DIVERS persons, 3 & 4 *E.*6. *c.*22. [REP. 5 *El. c.*4. *s.*2.]

(STATUTES *in force.*)

1. ALL ALLIANCES AND COVINS OF MASONS AND CARPENTERS and congregations, chapters, ordinances and oaths between them made, shall be void, 34 *E.*3. *c.*9.

2. MASONS SHALL NOT CONFEDERATE THEMSELVES IN chapters and assemblies, and those convicted of causing the same to be held, shall be adjudged for felons, and those attending the same, punished by imprisonment, with fine and ransom at H. M.'s will, 3 *H.*6. *c.*1.

3. TOUCHING DIVERS ORDERS FOR ARTIFICERS, LABOURERS, and servants in husbandry, 5 *El. c.*4. (recital in *s.*1.) and *ss.*2. 5—14. 21—24. 47—48. [AMD., &c. 39 *El. c.*12. (which was CON. 1 *J.*1. *c.*25. *ss.*17—24., 21 *J.*1. *c.*28. *s.*1. EXP.) 1 *J.*1. *c.*6. *ss.*3—9. (*semb.* REP. as to *ss.*3—9. by 53 *G.*3. *c.*40. *s.*1.) 20 *G.*2. *c.*19., (which see *infra, pl.* 24.) 6 *G.*3. *c.*25. *ss.*4—5., 53 *G.*3. *c.*40.; see the sections REP. and EXP. in Chronological Table of "SECTIONS, &c. *Repealed and Expired*," and rest of this title and statute, APPRENTICE, *pl.* 6, *&c.*]

4. All statutes concerning the *hiring, keeping, departing, working, wages, or order* of servants, workmen, artificers, apprentices, and labourers, and the penalties therein, are repealed, 5 *El. c.*4. *s.*2.

5. So much of 5 *El. c.*4. *viz. ss.*15—20., with 1 *J.*1. *c.*6. *s.*3., and the *Scotch* acts, 22 *Parl. J.*6. and 1 *Parl. C.*2. "Anent Justices of Peace and Constables," as authorizes justices of peace or magistrates of cities and burghs, to rate wages or fix prices of work for artificers, labourers, and craftsmen, are repealed, 53 *G.*3. *c.*40.

6. No master or mistress shall put away his or her servant, and no person retained according to this statute, shall depart from his master, &c. before the end of his term, on 40*s.* penalty, recoverable as in *s.*8. *pl.*8. except for some reasonable cause shewn and allowed before one or 2 justices within the county, or before the mayor, or other chief officer of the city, borough, or town corporate, where the master, &c. lives, who shall hear and determine the same according to the equity of the cause,

5 *El. c.* 4. *s.* 5. [*but the power* of the justices under this act is confined to servants employed in husbandry, *Rex v. Inhabitants of Hulcot*, 6 *Term. Rep.* 583.]

7. No such master or mistress shall put away any such servant at the end of his term without giving him one quarter's warning before such end; nor shall any such servant depart from his master, &c. at the end of his term without one quarter's warning given before such end, [before 2 witnesses *comm. semb.* see *s.* 9. *pl.* 10.] on penalty as in next *pl.*, *id. s.* 6.

8. Every person, who after retaining any servant, shall put him away before end of his year, unless for some reasonable cause allowed as in *s.* 5. *pl.* 6., or who shall put away any servant at the end of his term without a quarter's warning given before such end as in *s.* 6., shall (unless he be able to prove by 2 such sufficient witnesses such reasonable cause before the justices of *oyer* and *terminer*, of assize, or of quarter sessions, or before the mayor or other head-officer of any city, borough, or town corporate, and 2 aldermen, or 2 other discreet burgesses, if there are no aldermen,) forfeit 40*s.* *id. s.* 8.

9. Every person between 12 and 60 years old, not retained or apprentice with any fisherman or mariner, nor in service with any carrier of corn or meal for the city of *London*, nor with any husbandman in husbandry, nor in any city in any of the acts in *s.* 4. [REP.] mentioned, nor retained for half year or a year in mining for silver, tin, lead, iron, copper, stone, sea, stone, moor or cherk coal, nor in glass-making, nor being a gentleman born, or student, or scholar in university or any school, nor having 40*s.* a-year for life, &c. in land, nor 10*l.* in goods; nor having a father or mother, or other ancestor, whose heir-apparent he is, having land of 10*l.* yearly value, or 40*l.* in goods, nor being officer or servant, nor having a farm, &c. on which to labour, nor otherwise retained, shall be compelled to serve in husbandry within the shire, (*see s.* 47. *pl.* 11.) by the year, *id. s.* 7.

10. If any person retained under this statute, depart from his service before the end of his term, unless for cause allowed, as in *s.* 5. *pl.* 6. or at the end of his term without giving a quarter's warning, as in *s.* 6. *pl.* 7., and before 2 witnesses; or if any person bound to serve in husbandry, &c. refuses to serve for the wages limited, or covenants to serve but doth not, then on complaint by the master or person with whom such refusal is made, or promise not kept, to 2 justices, or to the mayor, &c. as in *pl.* 8., they may commit him to ward, till he be bound to the party to serve for the wages limited, and to be discharged without fee to the gaoler, *id. s.* 9.

11. If any servant or apprentice of husbandry, or of any *occupation aforesaid*, [*see s.* 3. *semb.* REP.] unlawfully [*see* next *pl.*] depart into any other shire, the said justices and chief officers of towns, &c. being justices there, may grant writs of *capias* directed to the sheriffs or other head officers of the places, whither such servant, &c. have so departed, to take their bodies returnable before them, so that if they come by such process, they be put in prison till they find surety to serve their masters, *id. s.* 47.

12. No person retained under this statute, (see *s.* 2. *pl.* 4. and *s.* 7. *pl.* 9.) shall, after his retainer expired, depart from the city, town, parish, lath, rape, wapentake, hundred, or shire, where he last served, to serve elsewhere, without a certificate under seal of such city or town, or of the constable or constables, or other head officer or officers, and of 2 other honest householders of the city, town, or parish, where he last served, declaring his lawful departure, and the name of the shire and place where he last dwelt before his departure according to the following form; which certificate or testimonial shall be delivered to him, and registered by the parson or curate of parish where the master dwells, taking 2*d.* fee only:

'*Memorandum*, That *A. B.* late servant to *C. D.* of *E.* husbandman or tailor, &c. in the county, &c. is licensed to depart from his said master, and is at his liberty to serve elsewhere according to the statute in that case made and provided. In witness whereof, &c. dated the day, month, year, and place, &c. of the making thereof, *id. s.* 10.

13. No person that shall depart out of a service, shall be retained into any other, without shewing such certificate to the chief officer of the town, and in every other place to the constable, curate, churchwarden, or other head officer, where he is retained, on pain of imprisonment, till he can procure a certificate, which if he cannot do within 21 days, he shall be whipped and used as a vagabond; every person retaining such person without certificate, shall forfeit 5*l.*; and any such person taken with a forged certificate, shall be whipped as a vagabond, *id. s.* 11.

14. All artificers and labourers being hired by the day or week, shall between the middle of *March* and *Sept.* be at work at or before 5 in the morning, and continue till between 7 and 8 at night, (except the time of breakfast, dinner, or drinking, which shall not exceed 2 hours and a half, *viz.* half an hour at drinking, for dinner one hour, and for sleep when allowed to sleep, which is from midst of *May* to midst of *Aug.* half an hour at most, and half an hour at breakfast,) and between midst of *Sept.* and midst of *March*, shall be at work from spring of day till night, except in time for breakfast and dinner, on pain to forfeit 1*d.* for every hour's absence, to be deducted from the wages, 5 *El. c.* 4. *s.* 12.

15. Every artificer and labourer lawfully retained in any work taken in piece, task, or gross, shall not depart from same before it is finished, unless for not paying the wages agreed on, or on being taken to serve H. M. or other lawful cause, without licence of master, on pain of one month's imprisonment, and forfeiture of 5*l.* to the party from whom he departs, recoverable with costs by action of debt in any court of record without essoin, &c., *id. s.* 13.

16. No such artificer or labourer retained to work, shall depart from his work till finished, if his master will so long have him, and pay his wages, on pain of one month's imprisonment, *id. s.* 14.

17. EVERY ARTIFICER, CALLICO PRINTER, HANDICRAFTSMAN, miner, collier, keel, pit, or glass man, potter, labourer, or other person, who shall contract with any person soever for any time soever, and shall absent himself from service before the term is completed, or is guilty of any other misdemeanour, then any justice where such artificer, &c. is found, on complaint thereof made on oath to him by the party with whom he contracted, or by his steward or agent, may issue his warrant for apprehending him, and enquire into the complaint; and if it appear to such justice that any such artificer, &c. has not fulfilled his contract, or has been guilty of any misdemeanor, he may commit him to the house of correction for not more than 3 months, nor less than one month, 6 *G. 3. c.* 25. *s.* 4.

18. Any person grieved by such determination, order, or warrant of any justice, except an order of commitment, may appeal to the next general quarter sessions, giving 6 days' notice of appeal, and of the cause and matter thereof, to such justice and the parties concerned, and entering into recognizance within 3 days after such notice before some justice to try such appeal, abide the order, and pay the costs awarded by the quarter sessions; which quarter sessions shall, on due proof of such notice and recognizances, determine such appeals, and give such relief and costs to the parties as they judge proper, and their judgments shall be conclusive on all parties concerned, *id. s.* 5.

19. Any servant, workman, or labourer, wilfully assaulting his master or mistress, or other person, having at the time of the assault the oversight of him or his work, shall, on conviction before any 2 justices of the county, where the offence is committed, or before the head officer in a town corporate, by confession or evidence of 2 witnesses, be imprisoned by discretion of such justices, or of such head officer, with 2 of the corporation at least, for one year or less, or shall suffer greater punishment, not extending to life or limb, as shall be awarded by the justices in open sessions, or by such head officer with 6 of the corporation, before whom the offence is examined, 5 *El. c.* 4. *s.* 21.

20. In hay and corn harvest, every justice and constable, or other head officer of every township, on request, and for avoiding the loss of grain or hay, may cause all artificers and persons fit to labour, by the discretion of such justice, &c. to serve by the day for mowing, reaping, getting, and insuring those crops, on pain of 2 days' and a night's imprisonment in the stocks by such constable for refusal: and the latter shall forfeit for not doing thereof 40*s.*, *id. s.* 22.

21. All persons of the counties where they have used to go into other shires for harvest work, and having no harvest work sufficient in the county where they dwelt in the winter past, bringing with them a testimonial of one justice or other head officer, for which 1*d.* only shall be paid, (other than persons retained in service) may repair into any other county for harvest works, *id. s.* 23. [*see form* of testimonial, *id. s.* 10. *pl.* 12.]

22. Two justices, the head officer of any city, borough, or town corporate, and 2 aldermen, or 2 other discreet burgesses, if there are no aldermen, may appoint any unmarried woman of between 12 and 40 years old, and out of service, whom they think fit to serve, to be retained for the year, week, or day, at what wages they think fit, and if she refuse, may commit her to ward till she be bound to serve as above, *id. s.* 24.

23. High constables of hundreds may keep petty sessions, called statute sessions, where they have been used, *id. s.* 48.

24. FOR BETTER ADJUSTING AND MORE EASY RECOVERY of the wages of certain servants, and for their better regulation, 20 *G. 2. c.* 19. *ss.* 1—2. 5—6. [see *s.* 3. APPRENTICE, *pl.* 14. REP. as to *s.* 7. by 27 *G. 2. c.* 6. *s.* 1. AMD. as to *s.* 1. by 31 *G. 2. c.* 11. *s.* 3. (*ss.* 1—2. of which act see POOR, *pl.* 207.) and 1 *G. 4. c.* 93. *s.* 4. EXT. to the tinners and miners in the stannaries of *Devon* and *Cornwall*, 27 *G. 2. c.* 6. *s.* 2. with a saving for those who choose to apply to the stannary courts, or to the warden, &c. as heretofore, *id. s.* 3.]

25. Differences arising between masters and servants in husbandry hired for a year or more, [or for less than a year, 31 *G. 2. c.* 11. *s.* 3.] or between masters and artificers, handicraftsmen, miners, colliers, keelmen, pitmen, glassmen, potters, and other *labourers*, [this term extends to labourers of all descriptions, *Lowther* v. Earl of *Radnor*, 8 *East.* 113.]

employed for any certain time, shall be heard by one or more justices of the county or place where the master shall inhabit, and they shall examine on oath such servants, &c. or other witnesses, and may make any order of payment therein as seems just, but not exceeding 10*l.* to any servant, nor 5*l.* to any artificer, &c. to be levied by distress and sale of the employer's goods, with costs of distress and sale, rendering him the overplus in case of nonpayment, within [21 days, 20 *G.*2. *c.*19. *s.* 1. 31 *G.*2. *c.*11. *s.*3., now by 1 *G.*4. *c.*93. *s.*4.] any period the justice or justices think proper, 20 *G.*2. *c.*19. *s.* 1., 31 *G.*2. *c.*11. *s.*3., 1 *G.*4. *c.*93. *s.*4. [NOTE. 1 *G.*4. *c.*93. *expires* at the end of the session of 1822., *id. s.*5.]

26. Such justice, &c. may hear and determine the master's complaint on oath, against any such servant, artificer, &c. *as in last pl.* for ill behaviour in their employment, and may punish the offender by commitment to house of correction, there to be corrected and kept to hard labour, for not exceeding one month, or by abating some part of his wages, or discharging him from his service; and on the servant's complaint on oath of ill treatment, or refusal of necessary provisions, may also summon the master at a reasonable time fixed in the summons: at which time they may examine the complaint, whether the master be present or not: and on proof on oath of due service of the summons, may discharge such servant, artificer, &c. from his employment, by discharge given *gratis* under his hand and seal, 20 *G.*2. *c.*19. *s.*2.

27. Every person aggrieved by the determination or warrant of such justices, except any order of commitment, may appeal to the next general quarter sessions, who shall finally determine the same, and award such costs to the appellant or respondent, as they think reasonable not exceeding 40*s.* to be levied as in *s.*1. *pl.* 25., *id. s.*5.

28. No *certiorari* or other process, shall remove proceedings under this act, into any court at *Westminster*, *id. s.*6.

LACE MANUFACTURE.

1. TO PREVENT ABUSES IN THE PAYMENT OF WAGES TO persons employed in the bone and thread lace manufactory, 19 *G.*3. *c.*49.

2. All lace merchants and dealers in lace or other persons, who shall employ any person in making of bone and thread lace, or who shall buy any bone or thread lace of the maker, shall pay such persons for their labour, and for all the lace bought of them, in money only, and not with goods, or by way of truck, or in any other manner soever, either in the whole or in part, 19 *G.*3. *c.*49. *s.*1.

3. If any lace merchant or dealer in lace, or other person, shall pay any person employed in making such lace, in the whole or in part, for their labour, or for the purchase of any such lace, with goods or by way of truck, or in any other manner than with money only, such lace merchant, dealer, or other person, so offending, shall forfeit 10*l.* to be levied by distress and sale of the goods of the offender, by warrant, under the hand and seal of any one justice; rendering overplus after charges of such warrant, distress and sale deducted, to the owner of the goods, and such forfeitures shall be paid to the party aggrieved; and for want of sufficient distress, such justice shall commit the offender to the common gaol for 6 calendar months, unless such penalty and charges attending the recovery shall be sooner paid, *id. s.*2.

4. If any money shall be due to any person employed in making lace, for labour, or for the purchase of such lace, such person may apply to any one justice, and in case it shall, upon the oath of the party complaining, appear to him that such money is due, he shall cause the same to be levied as such forfeiture may be, *id. s.*3.

5. Any person aggrieved by any thing done in pursuance of this act, may appeal to the general quarter sessions within 6 calendar months after the fact was committed, first giving 14 days' previous notice to the person in whose favour the act shall be done, of his intention to appeal; and the quarter sessions may hear and determine such appeal, and make such order therein, and award costs to either party, as they think fit: and may by warrant levy the costs by distress and sale of the goods of the party liable to pay the same, rendering overplus after costs of distress and sale deducted, to the owner; and the determination of such quarter sessions shall be conclusive upon all parties, *id. s.*4.

6. FOR BETTER ENCOURAGING THE MANUFACTURE OF thread lace in *G. B.* 46 *G.*3. *c.*81. [*See* as to the duties on foreign lace, mentioned in *ss.*1—2.; 59 *G.*3. *c.*52. *Sch.*(A.) *tit.* Lace.—NOTE. A *Conviction* on this act for selling *British thread* lace without a licence, as in *s.*15. *pl.*14. was quashed on evidence that the lace was of *cotton* thread: and the majority of magistrates held that as the act of 46 *G.*3. referred to 43 *G.*3. *c.*68., at the passing of which last mentioned act, *cotton* thread lace was not known: and as both acts used the term *British thread* lace in the same way, the legislature could not have meant to include *cotton* thread lace, *Rex. ex. inform. Owen* v. *Watts*, *Manchester sessions*, *Jan.* 1821. *Mr. Williams for the Appellant.*]

7. All thread lace of foreign manufacture shall, after entry at the custom-house, and before delivery into the importer's custody, be marked or sealed at one end of every piece with such mark, &c. and by such officer as the commissioners of customs shall appoint, who shall in his own hand, together with such mark, &c. also signify the number of yards in such piece, and rate of custom duty paid thereon, but no such thread lace shall be so marked, &c. nor imported in a parcel containing less than 12 yards, unless of 2*l.* or more value *per* yard, or unless brought into *G. B.* for private use, and not for use of another, or to be sold as merchandize: and pieces of thread lace joined or pieced, shall be forfeited, and may be seized by any officer of customs, 46 *G.*3. *c.*81. *s.*3. [*ss.* 4—8. are EXP.]

8. On oath of any one credible person, that there is reason to suspect that foreign thread lace, for which the duty ought to have been paid, and without mark thereon, as in *s.*3. is in the possession of any lace dealer, shopkeeper, &c. or other person for sale, two justices may issue their warrant to any officer of customs or of the peace, to search for the same in the day-time, and to open doors, boxes, &c. and to seize and carry away the same, with its packages; all of which shall be forfeited, and the party in whose possession it is found, shall for every offence forfeit 50*l.*, *id. s.*9.

9. Foreign thread lace found on land within *G. B.*, not marked or sealed, nor having the hand-writing, as in *s.*3. *pl.*4. on one end of every entire piece or remnant of thread lace, exceeding 12 inches in length, shall be forfeited, and may be seized by any officer of customs, and the persons having possession thereof, shall forfeit 50*l*, or (if the value of the lace so found exceed 50*l.*) double the value thereof, and on every 2d conviction before two justices for like offence, the convict shall pay double the sum forfeited on the 1st; and for every 3d, treble; in moieties to H. M., and the officer of customs suing, *id. s.*10.

10. Every person who shall forge any mark or seal to resemble any mark, &c. provided for the above purpose, or the impression thereof, shall on conviction suffer death as a felon without clergy, and every person who shall sell or expose to sale, or have in possession any such thread lace, with a counterfeit mark, seal, or hand writing, *see s.* 3., *pl.*7. knowing it to be counterfeited, or shall use or affix any such mark, &c. to any piece or remnant of lace, other than the original, shall forfeit 100*l.* in moieties as in *s.*10., *id. s.*11.

11. The proof that thread lace is not of foreign manufacture, shall be on the person having it in his possession, *id. s.*12.

12. The value of foreign thread lace shall be ascertained on its importation, as in [43 *G.*3. *c.*68. (or *semble* now as in 59 *G.*3. *c.*52.) *Sch.* (A.) Inwards *tit. Lace*,] and if not valued by the importer according to its true value, shall be dealt with according to the 43 *G.*3. *c.*68. but such lace shall be only sold for exportation, and if worn or used in this kingdom, may be seized by any customs officer, *id. s.*13.

13. Foreign thread lace shall be imported into *G. B.* at the port of *London* only, *id. s.*14.

14. Every dealer in foreign thread lace shall annually take out a licence, on which shall be charged a stamp duty of 3*l.* 5*s.*, and every dealer in *British* thread lace, [see note to *pl.*6.] a like licence, with 5*s.* stamp duty, and both shall take out distinct licences for every shop, &c. where they expose such lace to sale, *id. s.*15.

15. The above duties shall be under the care of the commissioners of stamps, who may employ such officers with such salaries, &c: and use such stamps to denote the duties as to them seem necessary, with all their other powers under former stamp acts, *id. s.*16.

16. Any 2 such commissioners, or persons authorized by them, may grant such licences: all of which, if issued between 1*st Aug.* and 1*st Sept.*, shall bear date 2*nd Aug.*, if at any other time, shall bear date the day of their issue, to continue in force till 1*st Aug.* following, *id. s.*17.

17. All money arising by stamp duties hereby granted, shall be paid to the receiver general for stamps, who shall pay it over to the exchequer, with the other stamp duties to be carried to the consolidated fund, *id. s.*18.

18. Every person who shall forge or counterfeit, or cause to be forged, &c. any stamp made or used in pursuance of this act, or who shall counterfeit or resemble, or procure, &c. the impression of any such stamp on any vellum, parchment, paper, or other material, or the impression of the stamp on any vellum, &c. allowed to be used under this act, thereby to defraud H. M. of the duties on such licences, shall suffer death as a felon, without clergy, *id. s.*19.

19. No person shall sell or expose to sale foreign or *British* made thread lace, unless licensed as in *s.*15, *pl.*14. on pain of forfeiting 50*l.* if a dealer in foreign lace; 5*l.* if in *British* lace. *id. s.*20. [See note to *pl.*6.]

20. Every person vending or exposing to sale any foreign or *British* made thread lace, and having taken out a licence as above, shall cause the words "Dealer in Foreign lace," or "Dealer in *British* lace," to be painted, &c. in large or legible characters, either over the door, or in some visible place in front of his shop or place where such lace is kept for sale; and if he be a licensed hawker and pedlar, then on the cart and boxes used for conveyance thereof, on penalty of 50*l.* if a dealer in foreign, or 5*l.* if in *British* lace, *id. s* 21.

21. When any new statute regulation is made respecting foreign thread lace, the commissioners of customs shall cause an alteration in the mark or seal directed in *s.3. pl.7.*; and all thread lace sold or exposed to sale by any lace dealer, after one calendar month from such alteration, with the old mark, &c. may be seized by any customs or peace officer, by order under the hand of one or more justices of the county or place where it is found; and the vendor shall be liable to penalty, as if the lace had not been marked, &c., as in *s.3. pl.7.*; provided that all thread lace having the original mark or seal, and brought to the custom house within such month, shall be marked with the new mark, &c. *gratis*, 46 *G.3. c.81. s.22.*

22. All pecuniary penalties of more than 50*l.* incurred under this act, shall be recovered with costs in any court at *Westminster*, by action of debt, bill, plaint, or information, without essoin, &c., or more than one imparlance, and shall go in moieties to H.M. and the person suing, *id. s.23.*

23. Every person summoned as a witness to give evidence before any justice touching this act, and who shall not appear at the appointed time and place, without reasonable excuse to be allowed by the justice, or who on appearance shall refuse to give evidence, shall forfeit 10*l.* for every such offence, recoverable as in next *pl.*, and shall be committed to gaol or the house of correction for not more than 2, nor less than one month, *id. s.24.*

24. Pecuniary penalties imposed by this act, and not exceeding 50*l.* shall be recoverable before 2 justices of the county or place wherein the offence is committed, on proof thereof, either by confession or oath of one or more witnesses; to go in moieties to H.M. and informer, and in case of non-payment, the justices by warrant shall cause it to be levied by distress and sale of the offender's goods, (the overplus, after deducting costs of the latter, being rendered to the owner) and shall also commit the offender to gaol till such penalties and reasonable charges of distress are paid by such offender, or levied as above; and any justice may by warrant cause such offender to be apprehended and brought before him, to answer any charge for such penalty, and commit him to gaol till the hearing, unless he enter into a recognizance, with 2 sureties in a sufficient sum fixed by the justices, to appear thereto, *id. s.5.*

25. No person committed to any gaol, &c. for any offence against this act, shall be detained therein for more than 3 months, *id. s.26.*

26. Persons aggrieved by judgment of such justices may, on entering into a recognizance with 2 sureties approved by such justices, to the amount of the value of such penalty, together with a sum in judgment of such justices adequate to the amount of costs which may be awarded, conditioned to pay the penalty and costs adjudged if the judgment is affirmed, appeal to the next quarter sessions, who shall summon and examine their witnesses on oath, and finally determine the same, or at discretion may state the fact specially for determination of K.B. therein; and if the judgment of such justices is affirmed, such justices, (*viz. the sessions*) or K.B. may award the costs of appeal, as seems fit, *id. s.27.*

27. Convictions in the form following, *mutat. mutand.*, shall be good, without stating the evidence, or more than the substance of the offence, in all cases where justices shall act, *id. s.28.*

'Be it remembered, that on the — day of — in the year of our Lord — at — in the county of — *A. B.* came before us *C. D.* and *I. K.* two of H.M.'s justices of the peace for the said county, residing near the place near where the offence hereinafter mentioned was committed, and informed us, that *E. F.* of — in the said county of — [*here set forth the fact for which the information is made*]; whereupon the said *E. F.* being duly summoned to answer to the said charge, appeared before us, and, having heard the charge contained in the said information, acknowledged and voluntarily confessed the facts therein contained to be true; but in his [*or*, her] defence alledged [*here setting forth the substance of the defence*] [*or*, voluntarily confessed the said charge to be true, *or* did not make any defence against the said charge, whereupon the same was fully proved on the oath of *G. H.* a credible witness; *or*, said that he (*or*, she) was not guilty of the said offence, whereupon the same was fully proved on the oath of *G. H.* a credible witness, *or as the case shall be*]; [*or*, did not appear before us pursuant to the said summons, but the said charge was fully proved on the oath of *G. H.* a credible witness, *or*, *as the case shall be*]; and therefore it manifestly appearing to us that the said *E. F.* is guilty of the offence charged in the said information, we do hereby convict him [*or*, her] of the said offence, and do adjudge that he [*or*, she] hath forfeited the sum of — of lawful money of *G. B.*, to be distributed as the law directs, according to the form of the statute in such case made and provided. Given under our hands and seals the — day of —.'

28. No conviction on this act shall be removed by *certiorari* or otherwise into K.B. or other court, except as above, *id. s.29.*

29. Every person sued for any thing done in pursuance hereof, may plead the general issue, and give the special matter in evidence; and if a verdict pass for defendant, or if plaintiff is nonsuited, or has judgment against him on demurrer, or discontinues, or is nonprossed, defendant shall have treble costs, *id. s.30.*

LANDLORD AND TENANT.

1. THE STATUTE OF GAVELET IN LONDON, 10 *E.2.*

2. All persons having rents in the city of *London* may distrain their tenants for arrears of rent, and if nothing be found in the fee whereby they may be distrained, then the tenants shall be impleaded of gavelet, by writ of customs and services, which may be well done by freemen in the hustings court, so that if the tenants admit their services, they shall satisfy the lords of their arrears. But if they deny them, the demandants shall name their suit, to wit, 2 witnesses, whose names shall be enrolled, and shall have a day given to bring them, at the next hustings; at which day, if they bring their witnesses, and it is shewn in open court that the plaintiffs have at any time received the rents they demand, then the tenants shall lose their fees by award of the court, and the plaintiffs recover their tenements in demean. But if the tenants acknowledge their services, and the arrears, then the arrears shall by judgment of the court be doubled, and they shall give to the sheriff for the wrongful withholding 100*s.* And if they do not come in, after summons, then such fees shall be delivered unto the plaintiff, in full hustings, to be holden for a year and a day, within which time, if the tenants do come unto them, and offer to satisfy their arrears double, and the sheriff his fine, they shall have the same again, but otherwise, after the year and a day accomplished, such tenements shall remain to the lords of the fees in demean for ever; and then such tenements shall be called *forseboke*, because they remain for ever in demean for default of service. The same shall be observed if the tenants do acknowledge the arrears, and do not make such satisfaction, *id. ibid.*

3. CONCERNING GRANTEES OF REVERSIONS TO TAKE ADVANTAGE of the conditions to be performed by the lessees, 32 *H.8. c.34.*

4. All grantees or assignees to or by H.M., or to or by any other person, and the heirs, executors, successors, and assigns of every of them, shall have like advantage against the lessees, their executors, &c. and assigns, by entry for non-payment of rent, or for doing of waste, or other forfeiture; and also shall have the same advantage by action only for not performing of other covenants, conditions, or agreements contained in the indentures of their leases, demises, or grants, against all the lessees, farmers, and grantees, their executors, &c. and assigns, as such lessors or grantors, or their heirs might have had, *id. s.1.*

5. All farmers, lessees, and grantees of lordships, manors, lands, tenements, rents, parsonages, tithes, portions, or any other hereditaments for years, life, or lives, their executors, &c, and assigns, shall have like action, advantage, and remedy against all persons and bodies politic, their heirs, successors, and assigns, which shall have any gift or grant of H.M., or of any other person, of the reversion of the same manors, lands, &c. so letten, for any condition, covenant, or agreement expressed in any indentures of lease, as the same lessees or any of them might have had against such lessors and grantors, their heirs and successors, all benefits of recoveries in value, by reason of any warranty in deed or in law, by voucher, or otherwise excepted, *id. s.2.*

6. FOR RECOVERY OF ARREARAGES OF RENTS BY EXECUTORS of tenant in fee-simple, 32 *H.8. c.37.* [*see as to* rents, rack-rents of assize, and chief rents, 4 *G.2. c.28. s.5. pl.31.*]

7. The executors or administrators of persons unto whom any rent or fee farm, is due at the time of his death, shall have an action of debt for such rent or fee-farm against the tenants, that ought to have paid it in the life of their testator, or against the executors and administrators of such tenants; and such executors and administrators of any person to whom such rent or fee-farm is due at the time of his death, may distrain for the arrearages thereof upon the lands, &c. charged with the payment of such rents, so long as such lands continue in the seisin or possession of the said tenant in demean, who ought to have paid the same in the life-time of the testator, or in that of any other person claiming only by or from such tenant by purchase, gift, or descent, in like manner as their testator might have done in his life-time, and such executor or administrator may make avowry accordingly, 32 *H.8. c.37. s.1.*

8. This act shall not extend to any such manor or lordship in *Wa.*, whereof the inhabitants have used time out of mind to pay unto every lord of such lordship, &c. at his first entry, any sums of money for the discharge of all duties and penalties wherewith such inhabitants were chargeable to any of the lord's ancestors or predecessors, *id. s.2.*

9. If any man shall have in right of his wife, any estate in fee-simple, fee-tail, or for term of life, in any rents or fee-farms, and the same are unpaid in the wife's life; the husband, after the death of his wife, his executors and administrators, shall have an action of debt for such arrearages against the tenant of the demean that ought to have paid the same, his executors or administrators; and also such husband after the death of his wife may distrain for such arrearages, in like manner as if his wife had been living, and may make avowry accordingly, *id. s.3.*

10. If any shall have any rents or fee-farms for term of life of any other person, and such rent, &c. shall be unpaid in the life of such person, and after such person doth die; he unto whom such rent or fee-farm was due, his executors or administrators, shall have an action of debt against such tenant in the demean that ought to have paid the same when first due, his executors and administrators, and also distrain for the same arrearages upon such lands, &c. out of which such rents or fee-farms were issuing, in like manner as if such person, by whose death the estate in such rents and fee-farms was determined, had been in full life, and may make avowry accordingly, 32 *H.* 8. *c.* 37. *s.* 4.

11. FOR ENABLING THE SALE OF GOODS DISTRAINED FOR RENT, in case the rent be not paid in a reasonable time, 2 *W. & M. S.* 1. *c.* 5., (and recital in *s.* 1.)

12. Where any goods or chattels be distrained for rent reserved and due upon any demise, lease, or contract, and the tenant or owner does not, within 5 days after such distress taken, and notice thereof (with cause of such taking) left at the chief mansion-house, or other most notorious place on the premises charged with such rent, replevy same with sufficient security to be given to the sheriff, then at the expiration of 5 days, the party distraining shall, with the sheriff or under-sheriff of the county, or with the constable of the hundred, parish, or place, (who shall assist therein,) cause the goods distrained to be appraised by 2 sworn appraisers, (whom such sheriff or constable may swear,) and shall afterwards sell the same for the best price that can be gotten towards satisfaction of such rent, and the charges of distress, appraisement, and sale, leaving overplus in the hands of such sheriff, &c. for the owner's use, *id. s.* 2. [*See* 8 *A. c.* 14. *s.* 5. *pl.* 22., 11 *G.* 2. *c.* 19. *s.* 10. *pl.* 40.]

13. Any person having rent arrear, upon any such demise, &c. as in *s.* 2., may seize and secure any sheaves or cocks of corn, or corn loose or in the straw, or hay lying or being in any barn or granary, or upon any hovel, stack or rick, or otherwise upon any part of the land charged with such rent, and may lock up and detain same where found as a distress, until replevied upon such security as aforesaid; and in default of replevying within the times in *s.* 2., the same may be so appraised and sold; so as such corn, grain, or hay distrained is not removed by the party distraining to the damage of the owner, but kept where found (as impounded), until replevied, or sold in default of such replevy, within such time, *id. s.* 3. [*See as* to growing crops, 11 *G.* 2. *c.* 19. *s.* 8. *pl.* 38.]

14. Upon any pound breach, or rescous of goods distrained for rent the party aggrieved shall, in a special action on the case, recover his treble damages and costs of suit against such offender, or against the owners of the goods, in case the same be afterwards found in his possession, *id. s.* 4.

15. Provided, that if any such distress and sale is made, under colour of this act, for rent pretended to be due where none is due, then the owner of the goods, &c. so distrained and sold, his executors or administrators shall, by action of trespass, or on the case, to be brought against the party distraining, or his executors or administrators, recover double the value of the goods, &c. distrained and sold, with full costs of suit, *id. s.* 8. [*See* 11 *G.* 2. *c.* 19. *s.* 19. *pl.* 49.]

16. FOR THE BETTER SECURITY OF RENTS AND TO PREVENT FRAUDS committed by tenants, 8 *A. c.* 14. [AMD. as to holding over after notice to quit given by the landlord, 4 *G.* 2. *c.* 28. *s.* 1., and after notice given by the tenant, 11 *G.* 2. *c.* 19. *s.* 18., and as to regulating proceedings in ejectments on re-entry for non-payment of rent, and making surrenders of under-leases unnecessary, or the grant of a new lease in chief, by 4 *G.* 2. *c.* 28. (not to EXT. to *Scot.*, *id. s.* 7.), and AMD. generally, 11 *G.* 2. *c.* 19., which is AMD. as to recovery in cases of vacant possession, 57 *G.* 3. *c.* 52.] [*See as to proceeding* in ejectment on notice to quit, 1 *G.* 4. *c.* 87. *pl.* 61.]

17. No goods upon any tenements leased shall be taken by any execution, unless the party at whose suit the execution is sued out, shall, before the removal of such goods, pay to the landlord of such premises, or his bailiff, all rent due for such premises; provided the arrears do not amount to more than one year's rent; and in case the arrears shall exceed one year's rent, then the party at whose suit execution is sued out, paying such landlord or his bailiff one year's rent, may proceed to execute his judgment; and the sheriff shall levy and pay to the plaintiff, as well the money paid for rent, as the execution money, 8 *A. c.* 14. *s.* 1.

18. In case any lessee for life, years, at will, or otherwise, of tenements, upon the demise whereof any rents shall be reserved, shall fraudulently or clandestinely carry off from such premises his goods, with intent to prevent the lessor from distraining the same for rent, such lessor, or any person by him impowered, within 5 days next ensuing such carrying off, may seize such goods wherever found, as a distress for such arrears of such rent; and may sell or dispose of the same as if the goods had been distrained upon such premises, *id. s.* 2.

19. In case any tenant or lessee of lands or tenements, upon the demise whereof any rent is reserved, shall fraudulently or clandestinely carry off his goods, to prevent the landlord or lessor from distraining, such landlord within *Eng.*, *Wa.*, or *Ber.*, or any person by him impowered, within 30 days next ensuing such carrying off, may seize such goods wherever found, as a distress for the rent, and may sell or dispose of the same as if such goods had been distrained upon such premises, 11 *G.* 2. *c.* 19. *s.* 1.

20. Nothing in this act shall impower such lessor to seize any goods as a distress for rent, which shall be sold *bona fide*, and for a valuable consideration before such seizure, 8 *A. c.* 14. *s.* 3. [*See further as to* fraudulently conveying away any goods from off premises, 11 *G.* 2. *c.* 19. *ss.* 3—7. *pl.* 33—37, *&c.*]

21. Any person, having rent due upon any lease for life, may bring an action of debt for such arrears, as upon a lease for years, *id. s.* 4.

22. All distresses hereby impowered to be made shall be liable to such sales, and to be distributed in such manner as by 2 *W. & M. S.* 1. *c.* 5. *pl.* 12—13. directed, *id. s.* 5.

23. Any person having rent due upon any lease for life, for years, or at will, which has determined, may distrain for such arrears after the determination of such leases, as if the same were not ended, *id. s.* 6.

24. Provided that such distress be made within 6 calendar months after the determination of such lease, and during the continuance of such landlord's title, and during the possession of the tenant from whom such arrear becme due, *id. s.* 7.

25. Nothing in this act shall prejudice H. M. in the levying any debts or forfeitures due to her, but same may be levied as before this act made, *id. s.* 8.

26. In case any tenant for life or lives, or years, or other person who shall come into possession of any lands, &c. under or by collusion with such tenants, shall wilfully hold over after the determination of such terms, and after demand made and notice in writing given for delivering possession thereof by his landlord or lessor, or person to whom the remainder or reversion shall belong, his or their authorized agents; then the persons so holding over shall pay to the person so kept out of possession, his executors, &c. or assigns, during such time as he shall hold over, at the rate of double the yearly value of the lands detained, to be recovered in any courts of record by action of debt, whereunto the defendant shall give special bail, against which penalty there shall be no relief in equity, 4 *G.* 2. *c.* 28. *s.* 1.

27. In case any tenant shall give notice to quit the premises by him holden, at a time mentioned therein, and shall not accordingly deliver up the possession thereof at the time specified, then such tenant, his executors or administrators, shall henceforward pay to the landlord or lessor double rent, to be levied, sued for, and recovered in the same way as single rent, and such double rent shall continue to be paid whilst such tenant remains in possession, 11 *G.* 2. *c.* 19. *s.* 18.

28. In all cases between landlord and tenant, as often as one half year's rent shall be in arrear, and the landlord or lessor hath right by law to re-enter for non-payment, such landlord, &c. may, without any formal demand or re-entry, serve a declaration in ejectment for recovery of such premises; or in case same cannot be legally served, or no tenant is in actual possession, may affix it upon the door of any demised messuage, or upon some notorious place of the lands, &c. comprised in such declaration; which serving and affixing such declaration, shall stand instead of a demand and re-entry; and in case of judgment against the casual ejector, or nonsuit for not confessing lease, entry, and ouster; [and possession, *see Rule of M. T.* 1820, 4 *B. & A. Rep.* 196.] it shall be made appear to the court where the suit is depending, by affidavit, or be proved upon the trial in case the defendant appears, that half a year's rent was due before such declaration was served, and no sufficient distress was to be found on the premises demised, and that the lessor in ejectment had power to re-enter; the lessor in ejectment shall recover judgment and execution, in the same manner as if the rent in arrear had been legally demanded and a re-entry made; and in case the lessee or his assignee, or other person claiming under such lease, shall suffer judgment to be recovered on such ejectment, and execution to be executed thereon, without paying the rent and arrears, with costs, and without filing any bill for relief in equity within 6 calendar months after execution executed, such lessee or his assignee, and all persons claiming under such lease, shall be barred from all relief in law or equity, other than by writ of error for reversal of such judgment; and such landlord or lessor shall hold such premises discharged of such lease; and if on such ejectment verdict passes for the defendant, or the plaintiff is nonsuited, except for not confessing lease, entry, &c. defendant shall have full costs, provided that nothing herein shall bar the right of any mortgagee of such lease, who shall not be in possession, so as such mortgagee, within 6 calendar months after judgment obtained and execution executed, shall pay all rent in arrear, and costs and damages sustained by the lessor, and perform all covenants and agreements on the part of the first lessee to be performed, 4 *G.* 2. *c.* 28. *s.* 2.

29. In case the lessor, or other person claiming any right or interest in law or equity to such lease, shall within the time aforesaid file a bill

for relief in any court of equity, he shall not have or continue any injunction against proceedings, &c. on such ejectment, unless he shall within 40 days after full answer filed by the lessor of the plaintiff, bring into court such sum of money, as such lessor shall in his answer swear to be due and over and above all just allowances, and also the costs taxed in such suit, to remain till the hearing of the cause, or to be paid out to the lessor on security, subject to the decree of the court; and in case such bill shall be filed within the time aforesaid, and after execution executed, the lessor of the plaintiff shall be accountable only for so much as he shall really and without wilful neglect make of the demised premises, from the time of his entering into actual possession; and if what shall be so made by the lessor of the plaintiff happens to be less than the rent reserved, the lessee before he shall be restored to his possession, shall pay such lessor what the money so by them made fell short, 4 *G.* 2. *c.* 28. *s.* 3.

30. If the tenant or his assignee shall, at any time before trial in such ejectment, tender to the lessor, his executors or administrators, or his attorney in that cause, or pay into court all arrears with costs, all proceeding in such ejectment shall cease; and if such lessee, his executors, administrators or assigns shall, upon such bill filed, be relieved in equity, he shall enjoy such demised lands according to the lease made, without any new lease to be made, *id. s.* 4.

31. All persons shall have like remedy by distress, and by impounding and selling the same, in cases of rents seck, rents of assize, and chief rents, which have been answered or paid for 3 years within the space of 20 years before the first day of this session of parliament (21 *Jan.* 1730.), or shall be hereafter created, as in case of rent reserved upon lease, *id. s.* 5.

32. In case any lease shall be surrendered in order to be renewed, and a new lease made and executed by the chief landlord, the new lease shall without a surrender of any of the under leases, be as valid as if all the under leases had been surrendered; and every person in whom any estate for life or years shall be vested by virtue of such new lease, their executors and administrators shall be intitled to the rents, covenants, and duties, and have like remedy for recovery thereof, and the under lessees shall hold and enjoy the lands, tenements, &c. as if the original leases had been kept on foot; and the chief landlord shall have the same remedy, by distress or entry on the lands, &c. comprised in such under leases, for the rents and duties reserved by such new lease, so far as the same exceed not the rents and duties reserved in the lease out of which such under lease was derived, as they would have had in case such former lease had been continued, or the under leases had been renewed under such new lease, *id. s.* 6.

33. If any such tenant shall fraudulently remove his goods, or if any person shall knowingly assist such tenant in such fraudulent conveying away his goods, or in concealing same, all persons so offending shall forfeit to the landlord, &c. from whose estate such goods were carried off, double the value of such goods, to be recovered by action of debt in any court of record at *Westminster*, or in the courts of session in the counties palatine, or of great sessions in *Wa.*, wherein no essoin and only one imparlance shall be allowed, 11 *G.* 2. *c.* 19. *s.* 3.

34. Where the goods so carried off shall not exceed the value of 50*l.* such landlord from whose estate such goods were removed, his bailiff, servant, or agent, may exhibit a complaint in writing against such offenders before 2 justices of peace residing near the place whence the goods were taken, or where found, not being interested in the tenements; who may summon parties concerned, examine the fact, and all witnesses upon oath, or if quakers, upon affirmation; and in a summary way determine whether such person be guilty of such offence, and inquire of the value of the goods by them so fraudulently carried off or concealed; and on proof of the offence, by order under their hands and seals, such justices may adjudge the offenders to pay double the value of the goods to such landlord, his bailiff, &c. when such justices shall appoint; and in case the offenders having notice of such order shall neglect so to do, shall by like warrant levy same by distress and sale of the offender's goods; and for want of distress may commit them to the house of correction, without bail, to be kept to hard labour for 6 months, unless the money be sooner satisfied, *id. s.* 4.

35. Any person aggrieved by such order of the two justices, may appeal to the next quarter sessions for the county, who shall finally hear and determine the same, and give costs to either party in their discretion, *id. s.* 5.

36. Where the party appealing shall enter into a recognizance with one or two sureties in double the sum so ordered to be paid, with condition to appear at such quarter sessions, the order of such two justices shall not be executed in the mean time, *id. s.* 6.

37. Where any goods fraudulently carried away by any tenant, his servant or agent, or other person assisting, shall be put in any place locked up, or otherwise secured, so as to prevent such goods from being seized for rent, the landlord or lessor, his steward, bailiff, receiver, or other person empowered, may seize for rent such goods (first calling to his assistance the constable, headborough, borsholder, or other peace officer, of the place where the same shall be suspected to be concealed, who shall assist; and in case of a dwelling house, oath being also made before some justice of peace, of a reasonable ground to suspect that such goods are there) in the day time may break open such house, place, &c. and seize such goods for rent, as they might have done if such goods had been put in any open place, 11 *G.* 2. *c.* 19. *s.* 7.

38. Every lessor or landlord, his steward, bailiff, receiver, or other person empowered by him, may seize as a distress for rent, any cattle or stock of their tenants feeding upon any common appendant or appurtenant, or otherwise belonging to any part of the premises demised; and also may seize corn and grass, hops, roots, fruits, or other product, growing on the estates demised, as a distress for rent; and the same may cut, gather, and lay up, when ripe, in the barns or other proper place on such premises; and in case there shall be no proper place, then in any other barn or proper place which such landlord shall procure as near as may be to such premises; and in convenient time may appraise, sell, or dispose of the same, towards satisfaction of the rent due, and of the charges of such distress, appraisement, and sale, in the same manner as other goods may be seized and disposed of; and the appraisement thereof shall be taken when gathered, cured, and made, *id. s.* 8. [*See as to* crops cut down, and being in any barn, field, &c., 2 *W & M. S.* 1. *c.* 5. *s.* 3., *pl.* 13.]

36. Provided that notice of the place where the goods shall be lodged, shall within one week afterwards be given to such tenant or lodger, or left at the last place of his abode; and if after distress for rent so taken, of corn, grass, or other product growing, and before the same shall be ripe and cut, the tenant, his executors, administrators, or assigns, shall pay to the landlord, or to the steward, or other person employed to receive such rents, the whole rent in arrear, together with costs, then such distress shall cease, and the corn, grass, or other product distrained shall be delivered up to the lessee or tenant, his executors, &c., *id. s.* 9.

40. Any person lawfully taking any distress for rent, may impound or secure the distress on such part of the premises chargeable with the rent as shall be most convenient, and appraise, sell, and dispose of the same upon the premises, in such manner as any person may now do off the premises, by virtue of 2 *W. & M. S.* 1. *c.* 5. or of 4 *G.* 2. *c.* 28. and any person may come and go to and from such part of such premises, where the same are impounded, to view, appraise, and buy, and also to carry off the same on account of the purchaser; and if any pound breach or rescous be made of goods distrained for rent secured by virtue of this act, the person aggrieved shall have like remedy as in cases of pound breach or rescous by such statute, *id. s.* 10. [*for s.* 11. *see* ATTORNMENT. *pl.* 3.]

41. Every tenant to whom any declaration in ejectment is delivered for any land, &c. in *Eng.*, *Wa.*, or *Ber.*, shall forthwith give notice thereof to his landlord, or his bailiff, or receiver, under penalty to forfeit the value of 3 years' improved or rack rent of the premises, so demised, or holden in possession of such tenants, to the person of whom he holds; to be recovered by action of debt in any court of record at *Westminster*, or in the counties palatine of *Chester*, *Lancaster*, and *Durham*, or in the court of great sessions in *Wa.*, wherein no essoin, &c. nor more than one imparlance shall be allowed, *id. s.* 12.

42. The court where any such ejectment is brought, shall suffer the landlords to make themselves defendants by joining with the tenants to whom such declaration is delivered, if they shall appear; and in case they do not appear, judgment shall be signed against the casual ejector for want of appearance; but if the landlord of the lands, &c. for which such ejectment is brought, shall desire to appear by himself, and will enter into the like rule, that by the course of the court, the tenant in possession if he had appeared, ought to have done; then the court may permit him so to do, and shall stay execution upon such judgment against the casual ejector till further order is made therein, *id. s.* 13.

43. The landlord, where the agreement is not by deed, may recover a reasonable satisfaction for the tenements occupied by the defendants, in an action on the case for the use and occupation of what was so held; and if in evidence on the trial any parol demise, or any agreement not by deed, whereon a certain rent was reserved shall appear, the plaintiff shall not be nonsuited, but may make use thereof as an evidence of the *quantum* of the damages, *id. s.* 14.

44. Where any tenant for life shall die before, or on the day on which any rent was reserved upon any demise, which determined on the death of such tenant for life, the executors or administrators of such tenant for life may, in an action on the case, recover of the under-tenants, if such tenant for life die on the day on which the same was made payable, the whole, or if before such day, then a proportion of such rent, according to the time such tenant for life lived, of the last year or quarter, or other time in which such rent was growing due, making all just allowances, or proportionable part thereof respectively, *id. s.* 15.

45. If any tenant holding tenements at a rack rent, or where the rent reserved shall be full 3-4ths of the yearly value of demised premises, who shall be in arrear for one year's rent, shall desert such premises, and leave

the same uncultivated or unoccupied, so as no sufficient distress can be had to countervail the arrears; 2 justices of peace (having no interest in such premises), at the request of the lessor or landlord, his bailiff or receiver, may go upon and view the same, and affix on the most notorious part of the premises notice in writing, what day (at the distance of 14 days at least) they will return to take a 2d view; and if upon such 2d view the tenant, or some person on his behalf, shall not appear and pay the rent in arrear, or there shall not be sufficient distress upon such premises, such justices may put the landlord, &c. into possession, and the lease to such tenant, as to any demise therein contained only, shall become void, 11 *G.*2. *c.*19. *s.*16.

46. The remedies by 11 *G.*2. *c.*19. *s.*16. *pl.* 45. given to lessors and landlords, in case of any tenant deserting the demised premises, and leaving the same unoccupied, so as no sufficient distress can be had to countervail the arrears, shall be extended to the case of tenants holding any lands, &c. at a rack rent, or where the rent reserved shall be full 3-4ths of the yearly value of the demised premises, and who shall be one half year's rent in arrear, (instead of one year as by the said act provided,) and who shall hold the lands, &c. under any demise or agreement, either verbal or written, and although no power of re-entry is reserved to the landlord, in case of non-payment of rent, who is in arrear one half year's rent, 57 *G.*3. *c.*52.

47. Provided that such proceedings of such justices shall be examinable into in a summary way by the next justices of assize, and if they lie in *London* or *Middlesex*, by the judges of the courts of K.B. or C.P.; and if in the counties palatine, then before the judges thereof; and if in *Wa.*, before the courts of grand sessions; who shall order restitution to be made to such tenant, together with his costs, to be paid by the landlord or lessor, if they shall see cause for the same; and in case they shall affirm the act of such justices, shall award costs not exceeding 5*l.* for the frivolous appeal, 11 *G.*2. *c.*19. *s.*17.

48. All defendants in replevin may avow, or make cognizance generally, that the plaintiff in replevin, or other tenant of the lands, &c. whereon any distress for rent, quit-rent, relief, heriot or other services is made, enjoyed the same under a grant or demise at such a certain rent during the time wherein this rent distrained for incurred, which rent was then and still remains due; or that the place where the distress was taken was parcel of such certain tenements held of such honour, lordship or manor, for which tenements the rent, relief, heriot, or other service distrained for, was, at the time of such distress, and still remains due, without setting forth the grant, tenure, demise or title of such landlords or lessors, or owners of such manors, and if the plaintiff in such action becomes nonsuit, discontinues, or has judgment against him, the defendant in replevin shall have double costs, *id. s.*22.

49. Where any distress is made for any kind of rent justly due, and any irregularity or unlawful act is afterwards done by the party distraining, or his agent, the distress itself shall not be deemed unlawful, nor the party making it a trespasser *ab initio*; but the party aggrieved thereby may recover full satisfaction for the special damage sustained thereby and no more, in an action of trespass, or on the case at the election of the plaintiff; provided that where the plaintiff shall recover in such action he shall have full costs with the usual remedy to recover same, *id. s.*19.

50. No tenants or lessees shall recover in any such action if tender of such amends hath been made by the party distraining, or his agent, before such action brought, *id. s.*20.

51. In all actions of trespass, or on the case brought against any persons entitled to rents or services of any kind, or their bailiffs or receivers, or other persons relating to any entry under this act, or otherwise, upon the premises charged with such rent, &c. or to any distress or seizure, sale or disposal of any goods thereupon, the defendant may plead general issue, and give the special matter in evidence; and if the plaintiff is nonsuited, discontinues, or has judgment against him, the defendant shall have double costs, *id. s.*21.

52. All sheriffs and other officers granting replevins, shall, in every replevin of a distress for rent, take in their own names from the plaintiff and two responsible witnesses, a bond in double the value of the goods distrained (such value to be ascertained by oath of one witness not interested in the goods, and which oath may be administered by the person granting the replevin), and conditioned for prosecuting the suit with effect and without delay, and for duly returning goods distrained in case a return is awarded before any deliverance is made of the distress; and such sheriff or officer taking such bond, shall, at the costs and request of the avowant or person making conusance, assign such bond to him by indorsing the same, and attesting it under his hand and seal in the presence of two witnesses, which may be done without stamp if the stamp is affixed before action brought thereon; and if such bond be forfeited such assignee may bring an action, and recover on it in his own name, and the court wherein such action is brought, may, by a rule, give such relief to the parties on such bond as may be agreeable to justice, and such rule shall be in the nature of a defeazance to such bond, *id. s.*23.

53. To REGULATE THE COSTS OF DISTRESSES LEVIED for payment of small rents, 57 *G.*3. *c.*93.

54. No person making any distress for rent where the sum demanded does not exceed 20*l.* for such rent, nor any person employed in making such distress, or in doing any act in the course thereof, shall take out of the produce of the goods distrained and sold, or from the tenant distrained on, or from the landlord or other person, any more costs for such distress than such as mentioned in the following list, or for any act there mentioned, unless it were really done, *id. s.*1.

Levying distress, 3*s.*; Man in possession, *per* day, 2*s.* 6*d.*; Appraisement, whether by one broker or more, 6*d.* in the pound on the value of the goods; Stamp, the lawful amount thereof; all expences of advertisement, if any, 10*s.*; Catalogue, sale and commission and delivery of goods, 1*s.* in the pound in the net produce of the sale.

55. If any person shall in any manner levy or receive from any person, or retain or take from the produce of any goods sold for payment of rent, any greater costs than as aforesaid, or make any charge for any thing mentioned in the foregoing list and not really done, the party aggrieved may apply to a justice of the peace for the county, city, town, and acting for the division where such distress was made or proceeded in for redress; who shall summon the party complained of to appear before him at a time fixed in the summons, and examine into the complaint, and hear the defence of the party complained of; and if it appears that the party complained of has so offended, such justice shall order him to pay to the complainant treble the amount of money unlawfully taken; and in case of non-payment of any money or costs so ordered to be paid, shall issue his warrant to levy the same by distress and sale of goods, rendering the overplus to the owner after payment of the charges of such distress and sale, and if no sufficient distress can be had, shall commit him to the common gaol or prison within his jurisdiction until such order is satisfied, *id. s.*2.

56. Such justices, at the request of either party, shall summon all persons as witnesses, and administer an oath to them touching such complaint or defence against it; and if any person so summoned shall not obey, without some lawful excuse, or shall refuse to be examined on oath or affirmation, he shall forfeit 40*s.*, to be ordered, levied, &c. as in *s.*2. directed, except as to the form of the order, and hereinafter provided for, *id. s.*3.

57. Such justice, if he finds the complaint unfounded, may adjudge costs not exceeding 20*s.* to the other party, which order shall be effected as in *s.*2. directed; but nothing herein shall empower such justice to make any order or judgment against the landlord for whose benefit any such distress is made, unless such landlord personally levied the same, provided no person aggrieved by such distress, or by any proceeding thereon, or by any costs or charges levied in respect thereof, shall be barred from any remedy which he had before this act, except so far as the complaint to be preferred under this act has been determined by the order and judgment of the justice before whom it was heard, &c. and which order and judgment may be given in evidence under the general issue, *id. s.*4.

58. Such orders and judgments on such complaints shall be in the form following, and may be proved in any court by proof of the signature of such justice thereto, and such orders as regard persons summoned as witnesses may be made in such form as to such justice seems meet, *id. s.*5.

The Forms.

FORM of the order and judgment of the justice before whom complaint is preferred, where the same is for the complainant.

In the matter of the complaint, *A. B.* against *C. D.*, for a breach of the provisions of an act of the 57th year of H. M. king *George* the third, intituled *an act* [*insert the title*], of *I. E.*, a justice of the peace for the county of—, and acting within the division of —, do order and adjudge * that the said *C. D.* shall pay to *A. B.* the sum of — as a compensation and satisfaction for unlawful charges and costs levied and taken from the said *A. B.* under a distress for rent; and the further sum of — for costs on this complaint.

(Signed) *E. F.*

THE LIKE when the justice dismisses the complaint as unfounded and with or without costs.

In the matter [*same as other to the* *] that the complaint of the said *A. B.* is unfounded, [*if costs are given*] and I do further order and adjudge that the said *A. B.* shall pay unto the said *C. D.* the sum of — for costs.

(Signed) *E. F.*

59. Every broker, &c. making any distress, shall give a copy of his charges, and of all the costs of any distress signed by him to the person on whose goods the same is levied, although the rent demanded shall exceed 20*l.*, *id. s.*6.

60. A printed copy of this act shall be hung up in some convenient place in the halls, &c. where the justices of each county in *Eng.* and *Wa.* hold either their quarter or other sessions, *id. s.*7.

61. FOR ENABLING LANDLORDS MORE SPEEDILY TO RECOVER possession of lands and tenements unlawfully held over by tenants, 1 *G.*4. *c.*87. [EXTENDS to all parts of U.K. except *Scot.*, *id. s.*8. *See*

as to proceeding in ejectment on forfeiture of lease by, and power of re-entry on, non-payment of rent, 4 *G.* 2. *c.* 28. *ss.* 2—4. *pl.* 28—30.]

62. Where the term or interest of any tenant holding under a lease or agreement in writing any lands, tenements or hereditaments for any term of years certain, or from year to year, has expired, or been determined either by landlord or tenant, by regular notice to quit, and such tenant, or any person holding or claiming under him, refuses to deliver up possession accordingly, after lawful demand in writing made and signed by landlord or his agent, and served personally on, or left at the usual abode of such tenant or person, and the landlord shall thereupon proceed by ejectment for recovery of possession, he may, at the foot of the declaration, address a notice to such tenant or person, requiring him to appear in the court in which such action is brought on the 1*st* day of the next term (or if brought in *Wa.*, or in any county palatine, then on the first day of the next session or assizes, or at the court day or other usual period for appearance to process then next following), there to be made defendant, and find such bail if ordered by the court, and for such purposes as are next herein specified, 1 *G.* 4. *c.* 87. *s.* 1.

63. On the party's appearance at the day prescribed, or in case of his non-appearance, then, on usual affidavit of service of declaration and notice, the landlord, on producing the lease or agreement, or some counterpart or declaration thereof, and proving its execution by affidavit, and on affidavit that the premises have been actually enjoyed under the same, and that the tenant's interest therein has expired, or been determined by regular notice to quit (as it may be), and that possession hath been lawfully demanded as above, may move the court for a rule for such tenant or person to shew cause within a time fixed by the court, on considering the situation of the premises why such tenant, &c. on being admitted defendant, besides entering into the common rule [confessing *inter alia* defendant's possession, *R.M.T.* 1820. 4*B.* & *A. Rep.* 196.] and giving the common undertaking, should not undertake, in case of verdict for plaintiff, to give him a judgment to be entered up against the real defendant of the term next preceding the time of trial (or if the action is brought in *Wa.*, or the counties palatine respectively, then of the session, assizes or court day at which the trial shall be had), and also why he should not enter into a recognizance by himself and two sufficient sureties in a reasonable sum, conditioned to pay the costs and damages recovered by the plaintiff in the action; and the court, on cause shewn, or affidavit of service of the rule if no cause is shewn, may make the same absolute in the whole or in part, and shall order such tenant, &c. within a time to be fixed on consideration of all the circumstances, to give such undertakings and find such bail as shall be specified in the rule, or in that part thereof which is so made absolute, and if the party shall not do so, laying no ground to induce the court to enlarge the time for obeying the same, then on affidavit of service of such order an absolute rule shall be made for entering up judgment for plaintiff, *id. ibid.*

64. Wherever hereafter it shall appear on trial of any ejectment at suit of landlord against tenant, that the latter or his attorney has been served with due notice of trial, the plaintiff shall not be nonsuited by default of defendant's appearance, or of confession of lease, entry and ouster; but production of consent rule [*see the matter within* brackets in last *pl.*] and undertaking of defendant, shall be sufficient evidence thereof; and the judge before whom such cause shall be tried, shall, whether defendant appear or not, permit plaintiff on the trial, after proof of his right to recover possession of the whole or any part of the premises in the declaration, to go into evidence of the mesne profits thereof which might have accrued from the determination of tenant's interest down to the time of the verdict in the cause, or to some preceding day specially mentioned therein; and the jury finding for plaintiff shall, in such case, give their verdict on the whole matter, both as to recovery of the whole or any part of the premises, and as to the amount of the damages for mesne profits; but nothing herein shall bar any such landlord from bringing trespass for the mesne profits accruing from the verdict or the day so specified therein down to the day of delivery of possession of the premises recovered in the ejectment, *id. s.* 2.

65. Where such undertaking is given and security found as above, if on the trial verdict passes for plaintiff, but it appears to the judge that the finding of the jury was contrary to evidence, or that the damages given were excessive, he may order the execution of the judgment to be stayed absolutely till the 5th day of the next term, (or till the next session, assizes, or court day, as may be,) which order he shall in all other cases make on requisition of defendant, in case he shall forthwith undertake to find, and on condition that he shall within 4 days from the day of trial actually find security by recognizance of himself and 2 sureties in a reasonable sum, directed by the judge, conditioned not to commit any waste or act in nature thereof, or other wilful damage, and not to sell or carry off any standing crops, hay, straw, or manure produced or made and still being on the premises, from the day on which the verdict is given to that on which execution is finally made on the judgment, or the same is set aside, (as may be); which recognizance shall immediately stand discharged, if a writ of error is brought on such judgment; and the plaintiff shall become bound with 2 sufficient sureties unto the defendant therein, in such sum and with such condition as may be conformable to the provisions for staying execution respectively provided by 16 & 17 *C.* 2. *c.* 8. *ss.* 3—4. in *Eng.* and 17 & 18 *C.* 2. *c.* 12. (*Ir.*) on bringing writs of error on judgments in ejectments, 1 *G.* 4. *c.* 87. *s.* 3.

66. All recognizances and securities entered into, pursuant to this act, may be taken respectively in such manner, and by and before the officer authorized to take recognizances of bail on actions in the court where such ejectment is brought; which officer on payment of 2*s.* 6*d.* only shall file the same; but no action or other proceeding shall be commenced on any such recognizance or security after expiration of 6 months from the time when possession of the premises or any part thereof shall actually have been delivered to the landlord, *id. s.* 4.

67. Defendant shall not remove any ejectment commenced by a landlord under this act from any court of great session in *Wa.* to be sued in an *English* county, unless the former court on special application is of opinion that it ought to be so removed, *id. s.* 5.

68. In all cases wherein the landlord shall proceed in ejectment under this act, and the tenant shall have found bail as in *s.* 1., then if the landlord is nonsuited on the trial, or loses a verdict on the merits, judgment shall pass against him with double costs, *id. s.* 6.

69. Saving for all former rights and remedies of landlords in any case hereinbefore provided for, *id. s.* 7.

LAND-TAX.

(STATUTES *expired.*)

1. FOR GRANTING (*an aid*) TO H. M. AS WELL BY A LAND-TAX, as by several subsidies and other duties payable for one year, 8 *W.* 3. *c.* 6. EXP. [*The words* " an aid" are omitted in the act.]

2. FOR GRANTING TO H. M. AN AID BY LAND-TAX IN *Eng.* for the several purposes therein mentioned, 11 & 12 *W.* 3. *c.* 2. [EXP.]

3. FOR GRANTING AN AID TO H. M. BY DIVERS SUBSIDIES and a land-tax, 1 *A. S.* 1. *c.* 12. [EXP. as to land-tax, *viz.* all but *ss.* 112—115.]

4. FOR GRANTING TO H. M. A LAND-TAX FOR CARRYING on the war against *France* and *Spain*, 1 *A. S.* 2. *c.* 1. [EXP.]

5. FOR GRANTING AN AID TO H. M. BY A LAND-TAX to be raised in

1704, 2 & 3 *A.* *c.* 1.	1710, 8 *A.* *c.* 1.
1705, 3 & 4 *A.* *c.* 1.	1711, 9 *A.* *c.* 1.
1706, 4 & 5 *A.* *c.* 2.	1712, 10 *A.* *c.* 1.
1707, 5 & 6 *A.* *c.* 1.	1713, 12 *A.* *c.* 1.
1708, 6 *A.* *c.* 1.	1714, 12 *A.* *S.* 2. *c.* 1.
1709, 7 *A.* *c.* 1.	[All EXP.]

6. FOR RECTIFYING MISTAKES IN THE NAMES of the commissioners of land-tax for 1714, 1 *G* 1. *S.* 2. *c.* 2. EXP.

7. FOR GRANTING AN AID TO H. M. TO BE RAISED BY A LAND-TAX in *G. B.* for the service of the years

1715, 1 *G.* 1. *S.* 2. *c.* 1.	1730, 3 *G.* 2. *c.* 1.
1716, 1 *G.* 1. *S.* 2. *c.* 31.	1731, 4 *G.* 2. *c.* 4.
1717, 3 *G.* 1. *c* 3.	1732, 5 *G.* 2. *c.* 5.
1718, 4 *G.* 1. *c.* 1.	1733, 6 *G.* 2. *c.* 10.
1719, 5 *G.* 1. *c.* 1.	1734, 7 *G.* 2. *c.* 7.
1720, 6 *G.* 1. *c.* 1.	1735, 8 *G.* 2. *c.* 23.
1721, 7 *G.* 1. *c.* 4.	1736, 9 *G.* 2. *c.* 3.
1722, 8 *G.* 1. *c.* 1.	1737, 10 *G.* 2. *c.* 3.
1723, 9 *G.* 1. *c.* 2.	1738, 11 *G.* 2. *c.* 14.
1724, 10 *G.* 1. *c.* 1.	1739, 12 *G.* 2. *c.* 3.
1725, 11 *G.* 1. *c.* 1.	1740, 13 *G.* 2. *c.* 2.
1726, 12 *G.* 1. *c.* 1.	1741, 14 *G.* 2. *c.* 1.
1727, 13 *G.* 1. *c.* 1.	1742, 15 *G.* 2. *c.* 11.
1728, 1 *G.* 2. *S.* 2. *c.* 5.	1743, 16 *G.* 2. *c.* 1.
1729, 2 *G.* 2. *c.* 4.	[All EXP.]

8. FOR RECTIFYING MISTAKES IN THE NAMES OF THE commissioners of land-tax for 1742, and for appointing other persons, together with those named for the said year to put in execution 16 *G.* 2. *c.* 1., 16 *G.* 2. *c.* 24. [EXP.]

9. FOR GRANTING AN AID TO H.M. BY A LAND-TAX to be raised in *G. B.* for the service of the years

1744, 17 *G* 2. *c.* 1.	1747, 20 *G.* 2. *c.* 2.
1745, 18 *G.* 2. *c.* 1.	1748, 21 *G.* 2. *c.* 7.
1746, 19 *G.* 2. *c.* 3.	1749, 22 *G.* 2. *c.* 2. [All EXP.]

10. FOR RECTIFYING MISTAKES IN THE NAMES OF SEVERAL of the commissioners appointed to put in execution 21 *G.* 2. *c.* 7., and for appointing other commissioners, together with those named in such act, to put in execution 22 *G.* 2. *c.* 2., and for directing the names of collectors of such tax to be certified to the receivers general, and for the relief of the borough of *Honiton* as to arrears of the land-tax, and the house and window taxes for years 1747 and 1748, 22 *G.* 2. *c.* 41.

11. For granting an aid to H. M. by a land-tax, to be raised in *G. B.* for the service of the following years, and for making provision in respect of arrears:

1750, 23 *G.* 2. *c.* 2. 1755, 28 *G.* 2. *c.* 5.
1751, 24 *G.* 2. *c.* 7. 1756, 29 *G.* 2. *c.* 2.
1752, 25 *G.* 2. *c.* 3. 1757, 30 *G.* 2. *c.* 3.
1753, 26 *G.* 2. *c.* 4. 1758, 31 *G.* 2. *c.* 4.
1754, 27 *G.* 2. *c.* 4. [All Exp.]

12. For appointing commissioners to put in execution the 31 *G.* 2. *c.* 4., and for rectifying a mistake in such act, and for allowing farther time to the receivers of certain aids for setting *insuper* for monies in arrear, 31 *G.* 2. *c.* 7. [Exp.]

13. For granting an ail to H. M. by a land in *G. B.* for service of years

1759, 32 *G.* 2. *c.* 3. 1761, 1 *G.* 3. *c.* 2.
1760, 33 *G.* 2. *c.* 1. 1762, 2 *G.* 3. *c.* 3. [All Exp.]

14. For appointing commissioners to put 2 *G.* 3. *c.* 3. in execution, 2 *G.* 3. *c.* 13. [Exp.]

15. For granting an aid to H. M. by a land-tax to be raised in *G. B.* for the service of 1763, 3 *G.* 3. *c.* 2. [Exp.]

16. For rectifying mistakes in the names of several commissioners appointed by 2 *G.* 3. *c.* 13. to put in execution 2 *G.* 3. *c.* 3., and for appointing other commissioners, together with those named in such act, to put 3 *G.* 3. *c.* 2. in execution, 3 *G.* 3. *c.* 4. [Exp.]

17. For granting an aid to H. M. by a land-tax to be raised in *G. B.* for the service of the years

1764, 4 *G.* 3. *c.* 2. 1765, 5 *G.* 3. *c.* 5. [Both Exp.]

18. For appointing commissioners to put in execution 5 *G.* 3. *c.* 5. together with those named in 2 former acts, for appointing commissioners of land-tax, and for indemnifying persons who have acted as commissioners of the land-tax by virtue of estates of, or above a certain value, though the same were not rated or assessed at the value of 100*l.* *per ann.*, and for limiting a time within which suits and prosecutions shall be commenced, with respect to the qualifications of persons who shall act as commissioners of the land-tax, 5 *G.* 3. *c.* 21. [Exp.]

19. For granting an aid to H. M. by a land-tax, to be raised in *G. B.* for the service of the years

1766, 6 *G.* 3. *c.* 9. 1768, 8 *G.* 3. *c.* 8.
1767, 7 *G.* 3. *c.* 14. 1769, 9 *G.* 3. *c.* 9. [All Exp.]

20. For appointing commissioners for putting in execution 9 *G.* 3. *c.* 5., and for securing and preserving duplicates of assessments and papers relating to the land-tax, 9 *G.* 3. *c.* 14. [Exp.]

21. For granting to H. M. an aid by a land-tax to be raised in *G. B.* for the service of the year 1770, 10 *G.* 3. *c.* 6. [Exp.]

22. For rectifying mistakes in the names of several commissioners appointed by 9 *G.* 3. *c.* 14., and for appointing other commissioners, together with those named in such act, to put 10 *G.* 3. *c.* 6. in execution, 10 *G.* 3. *c.* 33. [Exp.]

23. For granting an aid to H. M. by a land-tax to be raised in *G. B.* for the service of the years

1771, 11 *G.* 3. *c.* 5. 1773, 13 *G.* 3. *c.* 8.
1772, 12 *G.* 3. *c.* 3. 1774, 14 *G.* 3. *c.* 1. [All Exp.]

24. For appointing commissioners to put in execution 14 *G.* 3. *c.* 1., together with those mentioned in 2 former acts for appointing commissioners of land-tax, 14 *G.* 3. *c.* 17. [Exp.]

25. For granting an aid to H. M. by a land-tax to be raised in *G. B.* for the service of the year 1775, 15 *G.* 3. *c.* 3. [Exp.]

26. For appointing commissioners to put 15 *G.* 3. *c.* 3. in execution, 15 *G.* 3. *c.* 26. [Exp.]

27. For granting an aid to H. M. by a land-tax to be raised in *G. B.* for the service of the year 1776, 16 *G.* 3. *c.* 4. [Exp.]

28. For rectifying mistakes in the names of several of the commissioners appointed by 15 *G.* 3. *c.* 26. to put 15 *G.* 3. *c.* 3. in execution, and for appointing other commissioners together with those named in 15 *G.* 3. *c.* 26. to put 16 *G.* 3. *c.* 4. in execution, 16 *G.* 3. *c.* 14. [Exp.]

29. For granting an aid to H. M. by a land-tax, to be raised in *G. B.* for the service of the year 1777, 17 *G.* 3. *c.* 1., 1778, 18 *G.* 3. *c.* 2. [both Exp.]

30. For appointing commissioners to put in execution the 18 *G.* 3. *c.* 2. together with those named in 2 former acts, for appointing commissioners of land-tax, 18 *G.* 3. *c.* 23. [Exp.]

31. For granting an aid to H. M. by a land-tax to be raised in *G. B.* for the service of the year 1779, 19 *G.* 3. *c.* 2., 1780, 20 *G.* 3. *c.* 2., 1781, 21 *G.* 3. *c.* 3., [all Exp.]

32. For appointing commissioners to put 21 *G.* 3. *c.* 3. in execution, 21 *G.* 3. *c.* 23. [Exp.]

33. For granting an aid to H. M. by a land-tax, to be raised in *G. B.* for the service of the year 1782, 22 *G.* 3. *c.* 2. [Exp.]

34. For rectifying mistakes in the names of several of the commissioners appointed by 21 *G.* 3. *c.* 23. to put 21 *G.* 3. *c.* 3. in execution, and for appointing other commissioners, together with those mentioned in such act, to put 22 *G.* 3. *c.* 2. in execution, 22 *G.* 3. *c.* 9. [Exp.]

35. For enlarging the times appointed for first meeting of commissioners or other persons, for putting in execution certain acts of this session of parliament, 22 *G.* 3. *c.* 74. [Exp.]

36. For granting an aid to H. M. by a land-tax, to be raised in *G. B.* for the service of the year 1783, 23 *G.* 3. *c.* 3., 1784, 24 *G.* 3. *S.* 1. *c.* 4. [both Exp.]

37. For appointing commissioners to put 24 *G.* 3. *S.* 1. *c.* 4. in execution, together with those mentioned in 2 former acts, for appointing commissioners of land-tax, and with those in 23 *G.* 3. *c.* 3. named 24 *G.* 3. *S.* 1. *c.* 10. [Exp.]

38. For granting an aid to M. H. by a land-tax, to be raised in *G. B.* for the service of the year 1785, 25 *G.* 3. *c.* 4. [Exp.]

39. For appointing commissioners to put 25 *G.* 3. *c.* 4. in execution, together with those named in 3 former acts, for appointing commissioners of land-tax, and with those in 23 *G.* 3. *c.* 3. and 25 *G.* 3. *c.* 4. named 25 *G.* 3. *c.* 20. [Exp.]

40. For granting an aid to M. H. by a land-tax, to be raised in *G. B.* for the service of the year 1786, 26 *G.* 3. *c.* 3. [Exp.]

41. For assessing the commissioners, clerks, and other officers of the office for victualling H. M.'s navy, for their salaries, and the profits of their respective offices to the land-tax, in the manor of *East Smithfield*, in the *Tower* division, in the county of *Middlesex*, notwithstanding the removal of such office into any other division or place, 26 *G.* 3. *c.* 103. [Exp. *See* 38 *G.* 3. *c.* 5. *s.* 66. *pl.* 73.]

42. For continuing the salaries and profits of the commissioners, clerks, and other officers of the pay-office, and navy-office, respectively rateable to the land-tax in the wards of *Broad-street* and *Tower*, within city of *London*, notwithstanding the said offices shall be removed into any other division or place, 26 *G.* 3. *c.* 105. [Exp. *See* 38 *G.* 3. *c.* 5. *s.* 67. *pl.* 74.]

43. For appointing commissioners to put 26 *G.* 3. *c.* 3. in execution, 26 *G.* 3. *c.* 121. [Exp.]

44. For granting an aid to H. M. by a land-tax, to be raised in *G. B.* for the service of the year 1787, 27 *G.* 3. *c.* 5. [Exp.]

45. For rectifying mistakes in the names of several of the commissioners appointed by 26 *G.* 3. *c.* 121. to put 26 *G.* 3. *c.* 3. in execution, and for appointing other commissioners, together with those named in such act, to put 27 *G.* 3. *c.* 5. in execution, 27 *G.* 3. *c.* 47. [Exp.]

46. For granting an aid to H. M. by a land-tax, to be raised in *G. B.* for the service of the year 1788, 28 *G.* 3. *c.* 2., 1789, 29 *G.* 3. *c.* 6., 1790, 30 *G.* 3. *c.* 2. all [Exp.]

47. For appointing commissioners to put 30 *G.* 3. *c.* 2. in execution, together with those named in 2 former acts for appointing commissioners of land-tax, 30 *G.* 3. *c.* 13. [Exp.]

48. For granting an aid to H. M. by a land-tax, to be raised in *G. B.* for the service of the year 1791, 31 *G.* 3. *c.* 6. [Exp.]

49. For appointing commissioners for putting 31 *G.* 3. *c.* 6. in execution, 31 *G.* 3. *c.* 14. [Exp.]

50. For granting an aid to H. M. by a land-tax, to be raised in *G. B.* for the service of the year 1792, 32 *G.* 3. *c.* 5. [Exp.]

51. For rectifying mistakes in the names of several of the commissioners appointed by 31 *G.* 3. *c.* 14., to put 31 *G.* 3. *c.* 6. in execution, and for appointing other commissioners, together with those named in 31 *G.* 3. *c.* 14. to put 32 *G.* 3. *c.* 5. in execution, and for indemnifying persons who have acted as commissioners in putting 31 *G.* 3. *c.* 14. in execution, 32 *G.* 3. *c.* 23. [Exp.]

52. For granting an aid to H. M. by a land-tax, to be raised in *G. B.* for the service of the year 1793, 33 *G.* 3. *c.* 7., 1794, 34 *G.* 3. *c.* 8., 35 *G.* 3. *c.* 2. [All Exp.]

53. For appointing commissioners to put in execution 35 *G.* 3. *c.* 2., together with those named in 2 former acts for appointing commissioners of land-tax, 35 *G.* 3. *c.* 17. [Exp.]

54. For granting an aid to H. M. by a land-tax, to be raised in *G. B.* for the service of the year 1796, 36 *G.* 3. *c.* 2. [Exp.]

55. For assessing the commissioners, clerks, and other officers, of the duties on salt, for their salaries, and the profits of their respective offices to the land-tax in the parish of *St. Martin in the Fields* within city and liberty of *Westminster*, notwithstanding the said office has been removed into *Somerset Place*, within the duchy liberty in the *Strand*, in the county of *Middlesex*, 36 *G.* 3. *c.* 89. [Exp.]

56. For granting an aid to H. M. by a land-tax, to be raised in *G. B.* for the service of the year 1797, 37 *G.* 3. *c.* 2. [Exp.]

57. For appointing commissioners for putting 37 *G.* 3. *c.* 2. in execution, 37 *G.* 3. *c.* 35. [Exp.]

58. For assessing the commissioners of the tax-office and their officers, to the land-tax in the district called *Offices executed in Westminster Hall*, notwithstanding the removal of the said tax-office into *Somerset Place*, 37 *G.* 3. *c.* 128. [Exp.]

59. For rectifying mistakes in the names of several of the

commissioners appointed by 37 *G.3. c.35.* to put 37 *G.3. c.2.* in execution, and for appointing other commissioners, together with those named in the first-mentioned act to put 38 *G.3. c.5.* in execution, and for indemnifying such persons as have acted as commissioners for executing 37 *G.3. c.2.*, 38 *G.3. c.26.* [EXP.]

60. FOR APPOINTING COMMISSIONERS FOR CARRYING THE 38 *G.3. c.5.* into execution, 45 *G.3. c.48.*, 48 *G.3. c.102.*, 54 *G.3. c.190.*, 59 *G.3. c.138.* [all EXP. *See a similar* act, 1 & 2 *G.4. c.123. post, pl.9., &c.*]

61. FOR RECTIFYING MISTAKES IN THE NAMES of the commissioners appointed by 45 *G.3. c.48.* [*or* 48 *G.3. c.102.*] to carry 38 *G.3. c.5.* into execution, and for appointing other commissioners, together with those mentioned in 45 *G.3. c.48.* [*or* the 48 *G.3. c.102.*] to carry 38 *G.3. c.5.* into execution, and for indemnifying such persons as have acted as commisssioners for executing such act, 46 *G.3. c.107.*, 49 *G.3. c.55.* [both EXP. *These acts* appointed the same commissioners to manage the pension, &c. duty.]

62. FOR RECTIFYING MISTAKES IN THE NAMES OF the land-tax commissioners, and for appointing additional commissioners, and indemnifying such persons as have acted without due authority in the execution of the acts herein recited, 53 *G.3. c.150.* [EXP.]

(STATUTES *in force.*)

1. FOR GRANTING AN AID TO H. M. BY A LAND-TAX TO BE raised in *G. B.* for the service of the year 1798, 38 *G.3. c.5.* [MADE PERP. and subject to redemption, 38 *G.3. c.60. s.1.*, the rest of this act relating to redemption, REP. 42 *G.3. c.116. s.1.* AMD. as to the qualification of the commissioners, 38 *G.3. c.48.* PUBLIC *clause, s.4.* AMD., 53 *G.3. c.142.* new commissioners appointed, 1 & 2 *G.4. c.123.*]

2. The sum of 2,037,627*l.* 9*s.* 0½*d.* shall be raised in *G. B.* by such proportions and in such manner as herein expressed, 38 *G.3. c.5. s.1.*

3. Of which sum of 1,989,673*l.* 7*s.* 10½*d.* shall be raised in *Eng.*, and *Wa.* for one year from *25th March* 1798, and shall be assessed in the counties, cities, boroughs, towns, and places of *Eng.*, *Wa.*, and *Ber.* in the proportions following, *viz.*

	£	s.	d.
For the town of *Bedford*	692	11	1
The rest of the co. of *Bedford*	27,864	3	10½
The borough of *New Windsor*, and the Castle there	978	10	0
The rest of the co. of *Berks*	39,865	9	5
The borough of *Bucks*, with *Borton, Borton Hold, Prebend End, Gawcott* and *Leadborough*	613	0	5½
The borough of *Wicomb*	358	17	6
The rest of the county of *Bucks*	46,170	13	8½
The univ. of *Cambridge*	100	0	0
The town of *Cambridge*	2,707	18	1
The *Isle of Ely*	8,008	5	7½
The rest of the county of *Cambridge*	21,878	6	10½
The city and co. of the city of *Chester*	1,584	7	0
The co. of *Chester*	27,014	18	10½
The co. of *Cornwall*	31,943	1	0
The co. of *Cumberland*	3,713	18	2½
The co. of *Derby*	24,093	19	9½
The city and co. of the city of *Exon*,	4,708	0	5½
The co. of *Devon*	77,875	2	10½
The town and co. of the town of *Poole*	328	2	0
The county of *Dorset*	32,751	15	10½
The co. of *Durham*	10,597	14	5½
The West Riding of the co. of *York*	39,362	1	1
The North Riding of the co. of *York*	26,347	19	8
The East Riding of the co. of *York*	19,111	2	11
The city of *York* and co. of the same city	4,619	18	8
The town and co. of the town of *Kingston-upon-Hull*	2,053	2	4
The town of *Malden* in the co. of *Essex*	584	18	0
The town of *Colchester*	2,845	6	3
The town of *Harwich* and *Dover Court*	403	13	0
The rest of the county of *Essex*	85,563	9	5
The city and co. of the city of *Gloucester*	1,396	4	8
The whole county of *Gloucester*	45,916	18	4½
The city of *Hereford*	763	17	4
The borough of *Leominster*	333	15	8
The rest of the whole co. of *Hereford*	19,311	13	8
The borough of *St. Alban's* in the co. of *Hertford*	774	2	0
The rest of the whole county of *Hertford*	41,508	10	9½
The town of *Huntingdon*	432	12	8
The rest of the co. of *Huntingdon*	15,064	12	4
The city and co. of the city of *Canterbury*	1,652	0	1½
The town and liberty of *Dover*	1,923	13	9
The town of *Folkstone*	144	19	0
The town of *Fordwich*	77	8	0
The town of *Feversham*	519	10	3
The town of *Tenterden*	863	2	0
The town and liberty of *Sandwich*	991	16	6
The town and port of *New Romney*	249	17	0
The town of *Lydd*	769	19	6
The town and port of *Hithe* and *West Hithe*, within the liberty of the said town and port	236	14	0
The rest of the whole county of *Kent*	75,124	4	4
The co. of *Lancaster*	20,989	14	6½
The borough of *Leicester*	639	12	0
The rest of the county of *Leicester*	34,045	10	1½
The co. of *Lincoln*, with the city and county of the city of *Lincoln*	71,907	0	8
The city of *London*	123,399	6	7
Serjeant's Inn in *Chancery Lane*	31	4	0
The *Inner Temple* and *Inns of Chancery* thereunto belonging	400	0	0
The *Middle Temple* and *Inns of Chancery* thereunto belonging	272	16	0
The Society of *Lincoln's Inn*, and *Inns of Chancery* thereunto belonging	341	7	6
Gray's Inn and the *Inns of Chancery* thereunto belonging	252	13	4
The Palaces of *Whitehall* and *Saint James*	30,754	6	3
The city of *Westminster* and liberties thereof, and offices executed in *Westminster Hall*	63,092	1	5
The rest of the county of *Middlesex*	107,602	11	7
The co. of *Monmouth*	9,812	6	5½
The city and co. of the city of *Norwich*	8,518	11	11
The borough of *Great Yarmouth*	2,829	3	1
The borough of *King's Lynn*	1,814	14	0
So much of the borough of *Thetford* as lies in the county of *Norfolk*	239	0	0
The rest of the county of *Norfolk*	70,914	6	6½
The town of *Northampton*	830	7	10
The rest of the county of *Northampton*	46,839	3	7
The town and co. of the town of *Newcastle-upon-Tyne*	2,580	16	4
The town of *Berwick-upon-Tweed*	145	3	0
The county of *Northumberland*	11,822	18	0
The town and county of the town of *Nottingham*	1,614	10	7½
The co. of *Nottingham*	25,662	0	2
The Univ. of *Oxon*	111	17	2
The city of *Oxon*	3,444	6	3
The rest of the county of *Oxon*	30,165	12	4½
The co. of *Rutland*	5,525	3	10½
The town of *Ludlow*	226	2	0
The co. of *Salop*	28,830	17	1½
The co. of the city of *Bristol*	7,391	10	8
The city of *Bath*	443	6	0
The city of *Wells*	481	17	6
The borough of *Bridgewater* and *Haygrove Tything*	366	5	0
The rest of the co. of *Somerset*	63,790	4	4
The town and co. of the town of *Southampton*	794	10	1
The *Isle of Wight*	6,273	16	0
The rest of the county of *Southampton*	47,872	5	0½
The city and co. of the city of *Litchfield*	420	19	4
The co. of *Stafford*	26,700	3	10
The town of *Ipswich*	2,061	3	6
The borough of *Bury St. Edmund's*	2,106	3	0
The borough of *Dunwich*	40	3	6
The borough of *Eye*	502	0	0
The borough of *Sudbury*	506	8	8
So much of the borough of *Thetford* as lies in *Suffolk*	79	4	0
The rest of the county of *Suffolk*	68,211	0	4½
The county of *Surrey*	66,132	19	6½
The town and port of *Hastings*, and liberties thereof	378	6	0
The liberty of *Seaford*	141	18	0
The liberty of *Pevensey*	1,088	10	0
The town and parish of *Rye*	479	18	0
The town of *Winchelsea*	405	0	0
The rest of the county of *Sussex*	87,560	4	4
The city and county of the city of *Coventry*	2,463	14	9
The co. of *Warwick*	37,325	19	7
The city and county of the city of *Worcester*	2,228	17	8
The co. of *Worcester*	31,353	9	3
The city of *New Sarum*, the *Close* of the same, and *Clarendon Park*	1,995	16	6
The rest of the county of *Wilts*	49,721	11	5
The co. of *Westmoreland*	3,045	3	9½
The *Isle of Anglesea*	1,633	7	11
The borough of *Brecon*	177	19	8
The rest of the county of *Brecon*	2,873	18	4
The co. of *Cardigan*	1,372	16	2
The county borough of *Carmarthen*	229	18	8
The co. of *Carmarthen*	4,142	3	11½
The co. of *Carnarvon*	2,337	6	7
The co. of *Denbigh*	6,800	0	0
The co. of *Flint*	2,314	17	0
The co. of *Glamorgan*	7,906	9	10
The co. of *Merioneth*	2,432	15	10
The co. of *Montgomery*	5,852	18	4
The co. of *Pembroke*	2,997	17	8½
The co. of *Radnor*	2,692	6	0
The town and co. of the town of *Haverford West*	174	17	4

4. All acts by 38 *G.3. c.5.* required to be done by any commissioners, assessors, or collectors, (except where hereby varied or otherwise provided for) may be done by them for the year in which any assessment is made under this act, in like manner, and at like times and places as therein directed, in regard to the year 1798, and all things authorized or required by such act to be done, within any limited time after the year 1798, may be done within the like period after the year for which any assessment is made; and all dates and times in that act mentioned, within or during, or after which, or with reference to which any authorities, &c. are to be executed, which are within or computed from 1798, or from any time within such year, or any prior, or subsequent year, with reference to the execution of such act, and the 38 *G.3. c.60.* for the year 1798, shall be construed to refer to the year of assessment and be computed accordingly, 53 *G.3. c.142. s.1.*

5. All persons, bodies corporate, guilds, and fraternities, within such different counties, &c. having estates in ready money, or debts, or in goods, &c. or personal estate within *G. B.* or without, belonging to or in trust for them, except and out of the premises deducted such sums as they shall *boná fide* owe, and such debts owing to them as shall by the commissioners under this act be adjudged desperate, and except the stock upon lands and household stuff in use, and except loans and debts due from H. M., shall pay unto H. M. 4*s.* in the pound according to the true yearly value thereof for one year, *viz.* 20*s.* for every 100*l.* of such ready money, debts, and goods, &c. and so in proportion to be assessed and collected as herein mentioned; and all persons and commissioners having or exercising any public office or employment of profit in *Eng.*, *Wa.*, or *Ber.*, and all their clerks, agents, secondaries,

substitutes, and other inferior ministers, (except military officers, who shall be in muster by the army muster-master-general, or in pay in the army or navy, in respect of such offices only) shall pay 4*s.* for each 20*s.* they receive in virtue of their offices for one year, without any deduction; and all persons, bodies, guilds, and fraternities, having any annuity, pension, stipend, or other yearly payment, either out of any branch of H. M.'s revenue in *Eng.*, *Wa.*, or *Ber.*, or payable, or secured to be paid by persons in *Eng.*, *Wa.*, or *Ber.*, not issuing out of any lands, &c. or charged on the same, touching which other directions are herein given, and not being annuities, which by any act of parliament made or to be made, &c. are specially exempted from taxes, shall pay to H. M. 4*s.* for every 20*s.* for every such annuity, &c. and after that rate for one year, the same to be levied as hereinafter expressed, 38 *G.*3. *c.*5. *s.*3.

6. All manors, messuages, lands, and tenements, all quarries, mines of coal, tin, and lead, copper, mundic, iron and other mines, iron mills, furnaces, and other iron works, salt springs, and salt works, all alum mines and works, all parks, chaces, warrens, woods, underwoods, coppices, and all tithings, tithes, tolls, annuities, and other yearly profits, and all hereditaments whatever, being within the respective counties, &c. aforesaid, as well within ancient demesne and other liberties as without, within *Eng.*, *Wa.*, or *Ber.*, and all persons, bodies, guilds, mysteries, fraternities, and brotherhoods, whether corporate or not, holding any such manors, messuages, lands, &c. shall be charged by a pound rate, towards the sum hereby imposed upon all such counties, cities, &c. so that by such rates so to be assessed upon such ready money, &c. the full sum for *Eng.* *Wa.*, and *Ber.*, be completely assessed and paid into receipt of H. M.'s exchequer, *id.* *s.*4.

7. "Whereas many manors, messuages, lands, tenements, tythes, hereditaments, and premises, are subject to the payment of several rent-charges, or to the payment of divers fee farm rents, or other rents, thereupon reserved," be it ENACTED, that the landlords, owners, and proprietors of such manors, &c. in *Eng.*, *Wa.*, *or Ber.*, being charged with a pound rate, may abate out of such fee farm rent, &c. so much of such pound rate, which shall be assessed upon such manors, &c. as a like rate for such fee farm rent amounts to, so as such fee farm rent, &c. amounts to 20*s.* *per ann.* or more; and persons entitled to such rent, &c. and their auditors, reeves, receivers, and deputies, shall allow same to be made, *id.* *s.*5.

8. All persons who by 37 *G.*3. *c.*35. were named and appointed commissioners for executing that act, within the several counties, cities, boroughs, cinque ports, towns, and places of *Eng.*, *Wa.*, and *Ber.*, duly qualifying themselves according to this act, shall, together with other persons who may be appointed by any act made in this session, be commissioners to execute this act within such counties, &c., *id.* *s.*6. [*see as to* the qualification of commissioners, *ss.* 90—96. *pl.* 98—106. *and see* also *ss.* 106—7. *pl.* 115.]

9. The persons herein named [*here follow the* names for *Eng.*, and *Wa.*,] being first qualified to act as commissioners of land-tax, as herein directed, shall be commissioners to execute the powers of 59 *G.*3. *c.*3. for the duties on pensions, &c. and so much of 38 *G.*3. *c.*5. as was continued for ever by 38 *G.*3. *c.*60. within the several counties, ridings, cities, boroughs, cinque ports, towns, and places in *Eng.*, *Wa.*, and *Ber.*, 1 *&* 2 *G.*4. *c.*123. *s.*1.

10. The qualifications of such persons shall be the same as those required by 38 *G.*3. *cc.*5. 48. and they shall be subject to the same penalties mentioned in those acts, *id.* *s.*3. No person who has held the office of inspector or surveyor of assessed taxes, shall be a commissioner under this act, although named therein, *id.* *s.*4.

11. Provided that where in any city, liberty, or place, the qualification of a commissioner to act therein, consists of a personal estate, such person having a personal estate of the required value, may act as a commissioner in all cases where he has been taxed and paid for such personal estate on the last assessment made for such city, &c. by virtue of any act for continuing the duties on pensions, &c.; provided all persons who act as justices of peace for any county, riding, shire, or stewartry in *G. B.*, being so duly qualified, may act as such commissioners, although not specially named in this act, *id.* *s.*5.

12. The commissioners under this act shall meet at the most usual place within the counties, &c. within *Eng.*, *Wa.* and *Ber.*, for which they are appointed commissioners, as often as necessary to put this act in execution, and at such meetings shall ascertain and set down in writing the several proportions which ought to be charged upon each hundred, lathe, wapentake, rape, ward, or other division within *Eng.*, *Wa.* and *Ber.*, by charging in proportion to the sums assessed on the same hundreds, &c. by 4 *W.* *&* *M.* *c.*1., and shall, if they see cause, distribute themselves in smaller numbers, so as three or more may be appointed for the service of each hundred, &c., nevertheless not to restrain such commissioners from acting for a whole county, 38 *G.*3. *c.*5. *s.*7.

13. The commissioners, or major part of them, present at such general meetings, shall agree, and set down in writing, who and what number of commissioners shall act in each hundred, and shall deliver true copies of such writing to the receiver-general appointed by H. M.; and the commissioners within the several hundreds, &c. in *Eng.*, *Wa.*, and *Ber.*, or any two of them, shall cause the proportions charged in the respective hundreds, &c. towards the aid hereby granted, to be equally assessed within each hundred, &c.; and for that end shall direct their joint or several precepts to such inhabitants, high constables, petty constables, bailiffs, and other officers, and ministers, and such number of them as they deem meet to be presentors and assessors, requiring them to appear before such commissioners, at such time and place, not exceeding 8 days after the date of such precept, as they shall appoint; and at their appearance such commissioners as are then present shall openly read the several rates, duties, and charges in this act mentioned, and openly declare the effect of their charge to them, and how they should make their assessments, and proceed in execution of the act; and if such constable, inhabitant, &c. to whom such precept is directed, shall absent himself without lawful excuse, to be made out on oath of two witnesses, or if any officer or other person appearing shall refuse to serve such officer, &c., shall, for such default, forfeit to H. M. so much as such commissioners shall think fit, not exceeding 5*l.*, nor less than 40*s.*; and after such charge given, the commissioners shall issue warrants, directed to two of the most sufficient inhabitants of each parish, township, or place, residing within the parish where such township or place shall be, in their respective divisions thereby appointed, requiring them to be assessors of all such rates by this act imposed, and appointing and prefixing a certain day and place for such assessors to appear and bring in their assessments in writing; which assessors shall assess the sum given in charge, upon all ready-money debts, personal estates, offices, employments, annuities, and pensions, chargeable (as in *s.*3. *pl.* 5.) according to this act, and by an equal pound rate upon all manors, lands, tenements, rents, hereditaments, and other the premises within the limits of the respective places for which made assessors; and shall bring with them, at the time and place appointed to bring their assessments, a certificate in writing of the said assessment, and return the names of 2 persons living within the limits of the places where they are made chargeable, to be collectors of the monies to be assessed and to be paid to H. M. under this act, and the parish for which they are collectors shall be answerable for the due payment thereof to the receiver-general, or his deputy; and if any assessor shall neglect to serve, or not appear at the time appointed, without lawful excuse, to be made by the oaths of two witnesses, which oath two of such commissioners may administer, or shall not perform his duty, he shall forfeit to H. M. any sum in the discretion of the commissioners, not exceeding 40*l.*, to be levied by distress and sale of his goods, in like manner as by *s.*17. (*pl.* 24.) appointed for levying the several rates herein mentioned in case of neglect of payment, and to be charged on the receivers-general, together with such rates; and such assessors shall deliver one copy of assessments subscribed by them to the commissioners within the time so prefixed, and 3 of such commissioners shall sign and seal two duplicates thereof, and deliver one of them to 2 persons to be collectors, (which the commissioners are hereby authorized to nominate for each place,) with warrant to them to collect such assessments, so as the same may be paid to the receiver-general at the times herein limited; and such commissioners shall give such collectors notice at what time or place the appeals of any persons over-rated by the assessors may be determined, which day of appeal, so to be appointed, shall be 30 days from the time of signing, &c. such duplicates to such collectors, who, within 10 days after receipt of such duplicates, shall give notice in every parish church or chapel of ease belonging to any such parish within his district, after divine service, on Lord's day, (if any performed within that time,) of the time and place of appeal, and cause like notices to be fixed upon the doors of each such churches or chapels, on the same day; and such collectors, at all seasonable times, shall permit any person thinking himself over-rated, or his steward or bailiff, to inspect the duplicates of such rates and assessments without fee; and all such appellants shall give notice in writing to one of the assessors of the parish, of his intention to appeal, that they may attend and justify their assessment; and all appeals once determined by such commissioners, or three of them, or the major part of them present on the days appointed, shall be final; and such commissioners shall deliver a schedule in parchment under their hands and seals, containing the whole sum assessed on each parish and place, and also the christian and surname of the respective assessors and collectors, unto the receiver-general of each county, city, town, place, &c. within *Eng.*, *Wa.* and *Ber.*, or his deputy, and transmit a like schedule unto H. M.'s remembrancer's office of the exchequer, on or before 8*th Aug.* 1798, or within 20 days after, (all appeals being by them first determined) for which duplicates the remembrancer shall give a receipt *gratis*, under 10*d.* penalty, to be recovered to H. M.'s use, as other penalties by this act may, 38 *G.*3. *c.*5. *s.*8.

14. The commissioners for executing 38 *G.*3. *c.*5. shall cause 2 duplicates of every assessment to be made out on parchment by their clerk within

6 calendar months after *25th* of *March* next following, containing the whole sum assessed upon each parish, and the christian and surnames of the assessors or collectors, one of which they shall send to the receiver-general of such county, riding, city, &c. in *Eng.*, *Wa.*, and *Ber.*, or his deputy, and the other to the tax-office, where copies shall be taken, and from whence a duplicate shall be transmitted to the king's remembrancer in the exchequer, for which an acquittance shall be given *gratis*; and if any clerk to such commissioners shall neglect to make out and deliver such duplicates within the time limited, and as directed, or shall wilfully make any false entry, or omit any sum in such duplicates, he shall forfeit 100*l.*, to be recovered to H. M.'s use as other penalties may be by such act, *53 G. 3. c.* 142. *s.* 2.

15. The collectors in *Eng.*, *Wa.*, and *Ber.* shall levy the rates and taxes so assessed, and shall demand all sums of money so assessed of the parties themselves, as the same grows due, if to be found, or else at their last place of abode, or on premises charged; and such collectors shall levy the money so charged, and pay the same unto receivers-general, or their deputies, at such time and place as the commissioners, or two of them shall appoint, so as the whole sum due for each quarterly payment, shall be paid to such receivers upon the days appointed by this act, *38 G. 3. c. 5. s.* 9.

16. The money received by such collectors shall be paid to the receivers-general, or his deputy appointed under his hand and seal, whereof notice under such hand and seal shall be given to 2 commissioners within the respective divisions or hundreds, within 10 days after the next general meeting, and so from time to time within 10 days after the death or removal of any deputy; and the receipt of such receiver or his deputy (which shall be given *gratis*) shall be a sufficient discharge to such collectors, who shall pay all sums so received by them, to such receivers or their deputies; for the payment whereof such collectors shall not be obliged to travel more than 10 miles from place of their abode, *id. s.* 10.

17. No stamp-duty shall be chargeable on receipts given by receivers-general of the land-tax duties to any collectors, *53 G. 3. c.* 142. *s.* 8.

18. If any such receiver-general die, or is removed, or if such receiver for the last aid is not appointed for the present, notice thereof shall be given by the commissioners for the affairs of taxes, to two commissioners for each division in such county or place before the time appointed for the first quarterly payment; and so from time to time as occasion requires, *38 G. 3. c. 5. s.* 11.

19. The sum of 497,418*l.* 6*s.* 11*d.*, and nine-sixteenths of a penny, for the first quarterly payment of such assessments for *Eng.*, *Wa.*, and *Ber.*, shall be levied, collected, and paid to such receivers-general of the several counties, cities, and other places, on or before *24th June*, 1798, a like sum for the second quarter's payment on or before *29th Sept.* 1879, a like sum for the third quarter, on or before *25th Decem.* 1798, and a like sum for the fourth quarter, on or before *25th March*, 1799, in full of such sum of 1,989,673*l.* 7*s.* 10½*d.*, *id. s.* 12.

20. Such receiver-general in *Eng.*, *Wa.*, and *Ber.*, &c. within one month after full sum received for each hundred or division, shall give to such commissioners acting for such division, a receipt under his hand and seal for the same, which receipt shall be a full discharge to each hundred for such payment; which receivers shall, within 20 days after the receipt of the money granted by this act, transmit to the receipt of the exchequer; and the treasury shall allow them 2*d.* in the pound for so much as they shall pay in on clearing their accounts, *id. s.* 13. [NOTE, The treasury may cause such sums of money as they judge reasonable, to be paid or allowed to such receivers out of any overplus monies to arise by any land-tax, after discharging all payments charged thereupon by parliament, *see* 7 *G.* 1. *c.* 20. *s.* 36.]

21. Such collectors in *Eng.*, *Wa.*, and *Ber.*, for gathering the particular sums charged upon such parish or place for which appointed collectors, and for giving receipts to persons from whom they receive the same, shall be allowed 3*d.* in the pound, and may detain the same out of the last quarterly payment; and the receiver-general, on the receipt of the whole assessments for the county, &c. (in case he has received the duplicates of each parish and place therein, and the same be returned to the king's remembrancer, and not otherwise,) shall allow according to 2 commissioners' warrant 3 half-pence in the pound to the commissioners' clerks, which clerks shall be appointed by a majority of the acting commissioners present at each meeting within each hundred, lathe, &c. *id. s.* 14. [*See* 42 *G.* 3. *c.* 116. *s.* 177. LAND-TAX REDEMPTION, *pl.* 214.]

22. All duplicates of the books of assessments delivered by the assessors of land-tax to the commissioners or their clerks, and all minute-books, and other public books or papers relating to the land-tax, which shall be in custody of any such clerk who shall be removed from office, or of the executors, administrators, or other legal representatives of persons who shall die holding such offices, or after their removal from the same, or in custody of their agents or attornies, or other person, shall be deemed the property of the commissioners of land-tax acting in such division, as records belonging to them, and shall remain in their custody, or that of their clerks, or of such other person as shall be appointed by 3 commissioners at their meetings, *38 G. 3. c. 5. s.* 15.

23. All persons having in their custody any such books and papers, shall, within one calendar month after notice in writing, signed by 3 commissioners, or a true copy thereof given to or left at the usual place of abode of such persons, deliver the same to the person appointed by such notice, whose receipt shall be a discharge to the persons so delivering the same; and all such persons who shall neglect so to do, within the time limited by the notice, and demand made, shall forfeit 50*l.*; one moiety to the receiver-general for the county where the offence was committed, to be applied in aid of the land-tax, and the other to any person who will sue for the same, to be recovered with full costs by action of debt, &c. or information, in any court of record at *Westminster*, wherein no essoin, &c. and only one imparlance, shall be allowed, *id. s.* 16.

24. If any person shall neglect to pay any sum whereat he is assessed, in *Eng.*, *Wa.* or *Ber.* by this act, on demand by the collector of the place, according to the estreats delivered by the commissioners, such collector shall levy the same by distress and sale of the goods and chattels of such person, or distrain upon the messuages, lands, &c. charged with the sum without any authority from the commissioners for that purpose; and the goods there found and the distress so taken shall keep for 4 days at the charges of the owners; and if the owners do not pay the sums rated within 4 days, then the distress may be appraised by 2 inhabitants where taken, or other person, and sold by the collectors for payment of the money, and the overplus to be returned to the owner; and any house may be broken open in the day time, and by warrant of 2 commissioners any chest where such goods are, calling to their assistance the constables, tythingmen or headboroughs, within the county, &c. where refusal made, which officers shall be aiding in the premises, as they answer the contrary at their perils; and if question or difference shall arise touching any distress, 2 commissioners shall determine the same; and if any person assessed to this tax in *Eng.*, *Wa.* and *Ber.* shall neglect to pay the same by 10 days after demand, or convey away his goods or personal estate, whereby the sums assessed cannot be levied, then 2 commissioners for any city, county or place, may, by warrant under their hands and seals, commit such person (except a peer or peeress of *G. B.*) to prison, till the money and charges be paid; and the several tenants of all houses, lands, &c. in *Eng. Wa.* and *Ber.* which shall be rated by virtue of this act, shall pay the same, and deduct it out of the rent, and the landlords shall then allow same on receipt of the residue of such rent, *id. s.* 17.

25. Every tenant shall be discharged for what he shall so pay, and if any difference shall arise between landlord and tenant, or any other, concerning such rates, the several commissioners, or two of them, in their several divisions, shall settle the same; and in case the proportions set by this or any other act on each county, town, and place, in *Eng.*, *Wa.*, and *Ber.* shall not be fully assessed and paid according to the meaning thereof, or if any such assessments be imposed on persons not able to pay, or upon any empty house or land where the same cannot be collected, or in case by neglect or accident such assessment is not paid to the receiver-general or his deputy, then the commissioners, assessors, and collectors shall re-assess all such sums upon the respective divisions or hundreds wherein such deficiency shall happen, or parishes therein, as such commissioners, or such number of them as are authorized to act on the first assessment deem just; the new assessment to be made and collected in the same manner as the first, *id. s.* 18.

26. If any assessor, collector, or other person shall wilfully neglect to perform his duty, or is guilty of fraud or abuse in executing this act, 3 commissioners may fine him any sum not exceeding 40*l.*, which fines may be discharged by consent of the majority of the commissioners who imposed it, but shall be levied by warrant under hand and seal of 2 commissioners, by distress and sale of goods; and in default thereof, the offender (if not a peer or peeress) may by like warrant be committed to prison till payment made; and all fines imposed under this act in *Eng.*, *Wa.*, and *Ber.*, &c. shall be paid to the receivers-general, and by them into the receipt of the exchequer, and shall be inserted in new duplicates, and transmitted to the remembrancer to be charged in account, *id. s.* 19.

27. Every collector under this act who shall neglect to pay the sums by him received, or who shall detain the same in his hands and not pay the same as herein directed, may be imprisoned by two commissioners for each county, &c. in their respective divisions, and their estates real and personal, belonging to them, or coming into the hands of their heirs, executors, or administrators, whenever found, may be seized; and the seizing commissioners shall appoint a general meeting of the commissioners for the county, &c. and cause notice to be given of the place 6 days before the meeting, and the major part of those there present, in case the money so detained is not paid by such collector, may sell such estates or part thereof, and pay the sum so detained to the receiver-general for the county, &c., *id. s.* 20.

28. If any collector of duties under 38 *G.* 3. *cc.* 5. 60. being duly summoned or called before them in the manner thereby directed, shall neglect to attend the commissioners, or shall not answer all questions put to him touching his office, or shall neglect to produce to them the certificate of assessments, accounts, or vouchers of the receipts or payments of such duties by him, he shall forfeit 50*l.*, to be charged on him in any assessment under such acts, and to be recovered as such assessments may be besides any forfeiture or disability, incurred under such acts for detaining money in his hands; and whenever any such money is detained in the hands of such collector, or any penalty imposed on him is unpaid, and the same or any part cannot be recovered by warrant or authority of such commissioners, or if such commissioners shall neglect to issue their warrant, then such part as cannot be so recovered, which has arisen from such duties, shall be recovered as a debt or record due to H. M., with costs; and the part which has arisen by penalty may be recovered by action or information as other penalties may under such acts, with full costs; and the sum so recovered shall be paid to the receiver-general, in aid of the parish answerable for the same, 53 *G.* 3. *c.* 142. *s.* 7.

29. The commissioners for executing 38 *G.* 3. *cc.* 5. 60. may make conveyance of the copyhold estates of collectors seized by them under 38 *G.* 3. *c.* 5. *s.* 119. *pl.* 128. to the purchasers by deed indented between 2 of such commissioners and the purchasers, and such sale shall be effectual in like manner as sale of copyhold estates of bankrupts by deed indented and enrolled; provided such purchasers, in like manner as the venders of such bankrupts' copyhold estates before they enter into and take the profit thereof, shall agree with the lords of the manors of whom holden for the usual fines or incomes; and on such agreement or composition, the lords at the next court holden for such manors shall not only grant to such vendees, on request, the same copyhold lands, &c. by copy of the court roll for such interest as to them was sold, reserving the ancient rents, &c., but also admit them tenants and receive their fealty, *id. s.* 9.

30. All collectors shall, if required, give security to 3 commissioners under this act equal to the amount of the rate to be collected in each district for duly paying to the receiver-general such monies so assessed as shall come to their hands; and in default of such security being given, 3 commissioners may appoint 2 other persons who can give such security, residing within the limits of the parishes, &c. where charged, to be collectors of the money raised under this act; but if no persons can be found within the several parishes willing to give security, the persons first named shall be collectors, 38 *G.* 3. *c.* 5. *s.* 21.

31. At the expiration of the respective times for payment of the quarterly assessments in *Eng.*, *Wa.*, and *Ber.*, 2 commissioners within their divisions shall call before them the collectors within such divisions, &c. and examine them on oath and assure themselves of the full payment of the assessment charged thereon, and of the due return thereof to the receivers-general of the respective counties, and by such receivers into the receipt of the exchequer; and in case of failure of payment, the commissioners shall cause the same to be levied and paid forthwith, *id. s.* 22.

32. In case of controversy concerning such assessments, or the dividing, apportioning, or payment thereof, which concerns any commissioner under this act, the commissioner so concerned in his own right or that of another, as steward, agent, &c. shall have no voice, but shall withdraw till the same is determined by the rest; and in default thereof the commissioners then present may impose fines on him not exceeding 20*l.* and levy the same as other fines by this act imposed [see *s.* 19. *pl.* 26.] may be; and all questions and differences regarding assessments in *Eng.*, *Wa.*, and *Ber.* shall be finally heard by such commissioners as herein directed, upon complaint by the party grieved, without suit to any court, *id. s.* 23.

33. No privileged place, person, or body corporate within the counties, &c. of *Eng.*, *Wa.*, and *Ber.*, shall be exempted from the said assessments, but they and all fee-farm rents and other rents, payments, sums of money, and annuities payable out of any lands, shall be liable towards payment of every sum by this act to be levied; and all such tenants shall pay them proportionably, and shall be saved harmless by this act from any further payment of such proportion of such rents, &c. to any person to whom the same are payable, as if they had been fully paid, *id. s.* 24.

34. This act shall not charge any college or hall in the universities of *Oxford* or *Cambridge*, or the colleges of *Windsor*, *Eton*, *Winton*, or *Westminster*, or the corporation for the relief of the poor widows and children of clergymen, or the college of *Bromley*, or any hospital in *Eng.*, *Wa.*, and *Ber.*, in respect of the scites of the said colleges, &c. or any buildings within the walls thereof; or any master, fellow, scholar, or exhibitioner of such colleges or hall, or any reader, officer, or master of the said universities, colleges, or halls, or any master of any school in *Eng.*, *Wa.*, or *Ber.*, in respect of any stipend, wages, rent, profits, or exhibitions growing due by virtue of such places or employments in such universities, colleges or schools; or any houses or lands, which before 25*th Mar.*, 1693, did belong to scites of any college in *Eng.*, *Wa.*, or *Ber.*, or to *Christ's*, *Saint Bartholomew*, *Bridewell*, *Saint Thomas*, and *Bethlehem* hospitals in the city of *London*, and borough of *Southwark*, or to the corporation for the relief of poor widows and children of clergymen or college of *Bromley*; or shall any hospitals or alms houses in *Eng.*, *Wa.*, and *Ber.*, in respect only of the rents or revenues which before 25*th Mar.* 1693, were payable to such hospitals and alms-house for the immediate relief of the poor thereof, 38 *G.* 3. *c.* 5. *s.* 25.

35. No tenants holding any lands or houses by lease or other grant from the said corporations, hospitals or alms-houses, shall claim any exception by this act, but that such lands and houses, shall be assessed at their yearly worth, over the rents reserved to such corporation, &c. *id. s.* 26.

36. This act shall not discharge any tenant of the houses or lands of such colleges, halls, &c. who, by their leases, &c. are obliged to pay all taxes, *id. s.* 27.

37. All questions how far any lands, &c. belonging to any hospital, &c. (not exempted by name out of this act, *pl.* 34.) ought to be assessed to the land-tax, shall be determined by 3 commissioners, or the major part of them present, upon appeal before them at the day by them appointed for determining of appeals; and whose determination shall be final, *id. s.* 28.

38. All lands, revenues, or rents belonging to any hospital or alms-house, or settled to any charitable use as were assessed in the fourth year of *W. & M.* shall be liable to payments under this act; and no other lands, &c. *then* belonging to any hospital or alms-house, or settled to any charitable use, shall be assessed to the land-tax under this act, *id. s.* 29.

39. All auditors, reeves, receivers, and their deputies, who audit or receive any fee farm rents, or other chief rents (arising in *Eng.*, *Wa.*, or *Ber.*) due to H. M. or other person claiming by grant from the crown, shall allow 4*s.* in the pound in the rents, and a proportionable rate for any greater sum than 10*s.* to the party paying the same, without fee, under the penalty of 20*l.* to the party grieved, to be recovered by action of debt or on the case, with full costs; and if any auditor of H. M.'s revenues, or his deputy, shall, in the account of any reeve, &c. set *in-super*, or make any tenant or other person on his estate liable to any distress or vexation for any money by this act allowed, or shall refuse, neglect, or delay to allow and finally discharge the same in the proper account, he shall forfeit 100*l.* to the party grieved, to be recovered as aforesaid, and be incapable to enjoy any office, &c. under H. M., *id. s.* 30.

40. The fee farm rents for which a deduction of 4*s.* in the pound is allowed, are such only as are answerable to H. M., or have been purchased from the crown by virtue of 22 *C.* 2. *c.* 6. and 22 *& 23 C.* 2. *c.* 24., or one of them, and which were not before 25 *March*, 1693, payable to any college, hospital, reader in either university, or other person, as in *s.* 25. *pl.* 34. exempted; provided such deduction does not exceed the sum assessed by virtue of this act on the whole estate out of which such purchased rents do issue, and the owners and receivers of such rents shall, on payment thereof, allow 4*s.* in the pound, and so in proportion for any sum not less than 10*s.*, to the party paying the same, *id. s.* 31.

41. The officers in the receipt of the exchequer, and in other public offices shall, on request made by the assessors, deliver *gratis* lists of the pensions, annuities, stipends, or other annual payments, and of all fees, salaries, and other allowances payable at such receipt, or in such public offices, to any commissioners or officers for the execution of this act: and in all cases where any pensions, &c., or the fees, &c. charged by this act, shall be payable at the receipt of exchequer or other public office, or by any H. M.'s receivers or paymasters in *Eng.*, *Wa.*, or *Ber.*, the tax under this act charged in respect of such premises, &c. shall (in case of nonpayment thereof) be stopped out of the same, or out of any money paid on such pensions, &c., and applied in satisfaction of such tax; and the proper officer in the exchequer and such public offices shall keep the accounts of such stoppages, and on request give copies to the collectors, *id. s.* 32.

42. Where any person inhabiting within the city of *London*, or other city or town corporate of *Eng.*, *Wa.*, or *Ber.*, hath his dwelling-house in one parish or ward therein, and any goods, &c. in another, he shall be taxed for such his goods, &c. in the parish where he dwelleth, *id. s.* 33.

43. No clause or proviso of this act shall extend to lessen the full sum appointed by this act to be taxed and paid, but the same shall be fully collected, *id. s.* 34.

44. This act shall not extend to alter or make void any contracts, &c. between landlord and tenant, or other persons, touching the payment of taxes, *id. s.* 35.

45. All places, constablewicks, divisions, and allotments, which have

used to be taxed, shall pay and be assessed in such county, hundred, rape, &c., or division within *Eng.*, *Wa.*, and *Ber.*, as heretofore usual, 38 *G.*3. *c.*5. *s.*36.

46. Provided that if the commissioners think fit, the hundred of *West Barnfield* may be assessed in the lathe of *Skray* in *Kent*; the tithing of *Northmore*, in *Oxfordshire*, in the hundred of *Bampton*, in the said county; the tithings of *Charlbury*, *Fallur*, and *Finstock*, in the hundred of *Chadlington* in the same county; and the whole town and parish of *Leeds*, in *Yorkshire*, in the hundred of *Skyrack* in the same county; and the parish of *Ombersley*, in *Worcestershire*, in the lower division of *Oswaldslow* hundred in the same county; and the parish of *Aldemaston*, in the eastern division of *Oswaldslow* hundred; and the parishes of *Yardley*, *Hanbury*, and *Stoke Prior*, in *Bromsgrove* division of *Halfshire* hundred, in the same county; and the parish of *Church Leach*, and that part of the parish of *Crowle* which is now assessed in *Bromsgrove* division of *Halfshire* hundred, in the same county, in the *Pershore* division; and the forest of *Chute* shall be assessed where it was assessed under the 4 *W.* & *M.* *c.*1.; and the parish of *Upton-upon-Severn*, in *Worcestershire*, formerly assessed in the lower division of *Oswaldslow* hundred, may be assessed in the lower division of *Pershore* hundred, in the said county; and the profits of the navigation of the rivers *Calder* and *Ayre*, in the west riding of *Yorkshire*, shall be assessed, one moiety in *Wakefield*, and the other in *Leeds*, *id.* *s.*37.

47. Persons inhabiting apartments, &c. in *Somerset House* shall be liable to the payment of the assessments set on them respectively, in proportion to those set on other lands, &c. within liberty of the duchy of *Lancaster*, and the same powers and remedies shall be used to levy the same as hereby given in other cases, *id.* *s.*38.

48. If any action, &c. or information is prosecuted against persons for things done in pursuance of this act in *Eng.*, *Wa.*, and *Ber.*, such persons may plead the general issue not guilty, and give this act and the special matter in evidence; and if the plaintiff is nonsuited, forbears prosecution, discontinues, or if a verdict pass against him, the defendants shall have treble costs, *id.* *s.*39.

49. In case any lands or houses in any parish, &c. in *Eng.*, *Wa.*, or *Ber.*, are unoccupied, and no distress can be found on the same, by reason whereof the said parish, &c. is forced to make good the deficiency, the collectors, constables, or tythingmen of the said parish, &c., at any time after, may enter and distrain on the lands or houses where there shall be any distresses found, and sell the same if not redeemed within 4 days, returning the overplus to the owner; and such collector, &c. shall distribute the money so raised proportionably to the parishes who made up the deficiency, *id.* *s.*40.

50. Provided where any woodlands in *Eng.*, *Wa.*, or *Ber.* be assessed, and no distress to be found, the collector, &c., by warrant under the hands and seals of 2 commissioners of that division, at seasonable times of the year, may cut and sell to any person so much of the wood (timber trees excepted) as will pay the assessment and charges incident thereto; and the person and his assigns to whom the same is sold, may cut down and carry away the same to his own use, rendering overplus to the owner, *id.* *s.*41.

51. Where any assessment is laid on any tythes, tolls, profits of markets, fairs, or fisheries, or other annual profits in *Eng.*, *Wa.*, and *Ber.* not distrainable, in case the same be not paid within 6 days after such assessment charged, the collector, constable, &c. thereunto appointed may, by warrant under the hands and seals of 2 commissioners, seize and sell sufficient of tythes wherever found, tolls, &c. to pay the tax and charges, rendering the overplus to the owner, *id.* *s.*42.

52. If any receiver-general of money granted by this act shall return or certify unto the court of exchequer any sum to be in arrear after he has received the same, or shall cause any person to be set *insuper* for money so received, such receiver shall pay to the person so molested treble the damage thereby occasioned, to be recovered by action of debt, &c. or information, in which no essoin, &c. or more than one imparlance allowed, and shall forfeit to H. M. double the sum unjustly certified, or set *insuper*, *id.* *s.*43.

53. The commissioners within any county, city, or place, in *Eng.*, *Wa.*, or *Ber.*, or the major part of them, shall assess each assessor within their divisions for all matters by this act taxable; and the sums so assessed, and the assessments so made, shall be written, estreated, levied, and gathered according to this act, *id.* *s.*44.

54. No person inhabiting any city, borough, or town corporate in *Eng.*, *Wa.*, or *Ber.*, shall be compelled to be an assessor or collector under this act, out of such city, &c., *id.* *s.*45.

55. Every assessment made under this act on any house inhabited by foreign ministers or agents, shall be paid by the landlord, *id.* *s.*46.

56. In all privileged and other places, being extra-parochial, or not within the constablewicks or precincts of the assessors under this act, in *Eng.*, *Wa.*, or *Ber.*, (although not before rated in any monthly or other tax) and in parishes where 2 sufficient inhabitants cannot be found, 2 commissioners shall appoint 2 persons living near such places to be assessors, and make returns of assessments; and also 2 collectors, to collect and pay in the same as hereby appointed, 38 *G.*3. *c.*5. *s.*47.

57. Provided no commissioner, assessor, or collector employed in execution of this act, in *Eng.*, *Wa.*, or *Ber.*, shall be liable by reason of such execution, to any penalties other than such as by this act are inflicted, *id.* *s.*48.

58. Provided no person shall be capable, in *Eng.*, *Wa.*, or *Ber.*, to act as a commissioner under this act (except to administer oaths) until he has taken the oaths prescribed by 1 *G.*1. *S.*2. *c.*13., and 6 *G.*3. *c.*53., and likewise if required, an oath specifying in writing the parish, situation, quantity of land, whether freehold or copyhold, of the premises which entitle him to act as a commissioner, which oaths 2 commissioners may administer to the others, *id.* *s.*49. Any such commissioners acting before such oaths taken, shall forfeit 200*l.* to H. M., *id.* *s.*50.

59. Every person in *Eng.*, *Wa.*, or *Ber.* assessed for his office or employment, shall be rated and pay for the same in the county or place where the same is exercised, although the profits arising thereby are payable elsewhere, *id.* *s.*51.

60. But the master of the rolls, the masters in chancery, six clerks, clerks of the petty bag, examiners, registers, clerks of inrolment, clerks of the affidavit, and *subpœna* officers, and all other officers of the court of chancery that execute their offices within the liberty of the Rolls, shall be assessed there for the same, and not elsewhere; and the masters in chancery, and six clerks, and registers, shall (taking the oaths directed by this act) be commissioners for putting this act in execution within such liberty, and execute the powers in this and other acts contained; and all annuities, stipends, and pensions, payable to officers in respect of their offices, shall be assessed where such officers are assessed for their offices; and all other annuities, &c. in *Eng.*, *Wa.*, or *Ber.*, not charged on lands, shall be assessed in the places where payable; and every person who shall be rated in *Eng.*, *Wa.*, or *Ber.*, in respect of any personal estate to him belonging, shall be rated at his place of residence when this act is executed; and all persons not being householders, nor having any certain residence, shall be taxed at the place where resident when this act is executed; and if any person, who ought to be taxed in *Eng.*, *Wa.*, or *Ber.*, under this act, for his personal estate, is at the time of his assessment out of the realm, he shall be rated for the same in the place where last abiding within the realm, *id.* *s.*52.

61. Where any person has any goods, wares, or merchandizes, in any county, riding, city, district, town, or place, or in any counties, &c. other than the county, &c. where he is resident, then before 24th *Aug.* 1798. [*see Land tax*, MADE PERP. 38 *G.*3. *c.*60. *ante*, *pl.* 1.] such person may be rated for such goods, &c. in any county, &c. where the same are; and every person, who shall be rated for any manors, messuages, lands, or tenements, or other the premises, according to the former clauses of this act, shall be rated in the places where such manors, &c. do lie, *id.* *s.*53.

62. If any persons, by reason of having several mansions or residences, or otherwise, is doubly charged for any personal estate, offices, or otherwise, then on certificate made by 2 commissioners for the county, riding, city, or place, of his last personal residence, under their hands and seals, of the sums charged upon him (which shall be given without delay or fee;) and on oath made of such certificate before a justice of peace of the county, where the same was made, he shall be discharged from so much as is certified, in every other county, &c. *id.* *s.*54.

63. This act shall not extend to *Scot.*, *Ire.*, *Jersey*, or *Guernsey*, for assessing any personal estate therein, towards the sum charged in *Eng.*, *Wa.*, or *Ber.*; and if any person, who ought to be taxed under this act in *Eng.*, *Wa.*, or *Ber.*, in respect of his personal estate, shall, by changing his residence, or by fraud, escape from taxation, on proof thereof before 2 commissioners, or one justice of peace for the county, where the person dwells, at any time within a year after the tax made, such person shall be charged at treble value of so much as he ought to have been charged by this act; such treble value, on certificate thereof made into the exchequer by the commissioners or justices, before whom such proof is made, to be levied on the goods, lands, and hereditaments of such persons, *id.* *s.* 55.

64. Every householder in *Eng.*, *Wa.*, or *Ber.* shall, on demand of the assessors of each parish, &c. give an account of the names and qualities of such persons as lodge in their houses, under the penalty of 5*l.* to H. M., to be levied and recovered as other penalties herein mentioned, *id.* *s.*56.

65. All persons having shares in *The New River*, or *Thames*, or *Marybone*, or in the *Hampstead* water-works, or in any insurance office against fire, or in any lights, or in *The King's Printing House*, shall pay 4*s.* for each 20*s.* of the annual value thereof; and they, and all companies of merchants in *London* and the *Bank of England*, and all salaries and pensions (taxable in *London*) payable at the general post and excise offices, charged by this act, shall be assessed by 2 commissioners for such city, and the same shall be paid by the governors, treasurers, or receivers, of such works, to the person appointed by 2 commissioners to collect the same, and be deducted out of their next dividend; and persons having salaries in respect of any employment exercised in that ward of *London*

where the post-office is situated, shall be assessed for same in such ward such 4*s.* in the pound, 38 *G.*3. *c.*5. *s.*57.

66. Provided that when such governors, treasurers, or receivers shall, on demand to any of them made by the proper collector, refuse or neglect to pay the sum, whereat the holders of shares in such works shall be assessed, such collector may levy the same by distress and sale of the goods jointly belonging to such holders of shares, rendering overplus after charges of distress deducted to such governors, &c., *id. s.* 58.

67. Provided that K. B. prison, lands, garden, and common side, and all rents, offices, profits, and perquisites of marshal and other officers of the K. B. prison, and also the prison-house, lands, and garden of the marshal of the *Marshalsea*, and other offices, &c. of the *Marshalsea* court and prison, lying in the parish of *St. George the Martyr*, in the borough of *Southwark*, *Surrey*, and the judges of such court, and all counsellors and attorneys having a right to practise in such court, and all profits and fees accruing to them shall be assessed in the parish of *St. George* aforesaid, at 4*s.* in the pound, *id. s.*59.

68. Where any officer of such prison shall neglect or refuse to pay money assessed upon him under this act, 2 commissioners for *Surrey* shall certify in writing, under their hands and seals, such neglect or refusal, and sum payable, to the commissioners for executing this act in the county where such officer resides, and 2 such commissioners, on receipt of such certificate, by warrant under their hands and seals, shall authorize the collectors of the parish where such officer resided to distrain his goods, &c. and keep the same for 4 days; and if such officer does not pay such money within such 4 days, then such goods may be appraised and sold by 2 persons appointed by such 2 commissioners who signed the warrant, and the money thereby arising shall be paid to the collector of *St. George*'s parish; and the surplus, after the charge of distress deducted, shall be returned to the owner; but in case no distress can be found, then 2 commissioners, by like warrant, may authorize the collector, or any person they think fit, to apprehend such officer wherever found, and commit him to the common gaol, where he shall happen to be taken, there to remain without bail, till payment of the money assessed, and the charges of prosecution, to be allowed by such commissioners, or 2 of them, *id. s.*60.

69. Provided the *Fleet* prison, house, lands, gardens, and the common side, and all the rents, profits, and perquisites of the office of warden of the *Fleet*, lying in the parish of *St. Bridget*, *alias Bride's*, *London*, shall be assessed in such parish, *id. s.* 61.

70. The officers of H. M.'s dock yard at *Stoke Damarel*, near *Plymouth*, shall be assessed under this act for their salaries and other profits, within the town and parish of *Plymouth*, where they were assessed for the old dock yard in 1693, so as the full proportion assessed on such town, in 1693, be assessed under this act, and so as *Stoke Damarel* be not charged with any greater proportion in respect of such salaries, than in 1693, *id. s.* 62.

71. The officers of H. M.'s hospital for sick and hurt seamen, in the parish of *East Stonehouse*, near *Plymouth*, shall be assessed for their salaries, &c. where they were in 1759, so as the full proportion assessed on the town and borough of *Plymouth*, in 1759, be again assessed under this act, and so as such parish be not charged with a greater proportion than in such year, *id. s.*63.

72. Provided, that out of such assessment on such hospital 20*l.* be paid to the collector of land-tax for the parish of *East Stonehouse*, to be applied in aid of the assessment on such parish, *id. s.*64.

73. The commissioners, clerks, and officers, for stamps shall be assessed under this act for the salaries and other profits of their places in *Shire Lane* ward within the division of *St. Clement Danes* and *St. Mary le Strand*, in *Westminster*, where they were assessed in 1785, so as the full proportion assessed in such division in 1785, be again assessed therein, and so as no other division, district, parish, or place, be charged with a greater proportion for such salaries, &c. than in such year; provided, that out of such assessment there be paid to the collectors of land-tax for the division, &c. to which the stamp office is removed, one-fourth part thereof, and also the whole land-tax for all additional officers of stamps, created since 25th *Dec.* 1785, or to be so hereafter created, to be applied in aid of the assessment on such division, &c., *id. s.*65.

74. The commissioners, clerks, and other officers of H. M.'s navy victualling office, shall be assessed for their salaries, &c. in the manor of *East Smithfield*, in the parish of *St. Botolph without Aldgate*, within the *Tower* division in *Middlesex*, so as the full proportion which was assessed on such manor and parish be again assessed under this act; and so as any other division, &c. to which such office may be removed, be not charged with a greater proportion than it was on *25th Dec.* 1785; provided, that out of such assessment on such commissioners, &c. there be paid to the collectors of the land-tax for the division to which such office is removed, one-fourth of the sums assessed on all such commissioners, &c. of the said office as have been created between the *15th Feb.* 1692, and *25th Dec.* 1785; and also the whole land-tax for all additional commissioners, &c. of such office, created since *25th Dec.* 1785, or which may hereafter be created, to be applied in aid of the assessment on such division, &c. under this act, 38 *G.*3. *c.*5. *s.*66. [*See.* 23 *G.*3. *c.*103. now Exp.]

75. The commissioners, clerks, and other officers of the navy pay office and navy office shall be assessed on this act for their salaries, &c. in the wards of *Broad-street* and *Tower* respectively, so as the full proportion which was assessed on such wards be continued to be assessed thereon, under this act, and so as any other division, &c. to which either of such offices is removed, be not charged with a greater proportion for such salaries than it was on *25th Dec.* 1785; like proviso for payment of a part of such land-tax, to the collectors of the places to which removed, as in *s.*66. *pl.*74., *id. s.*67. [*see* 26 *G.*3. *c.*105. now Exp.]

76. The commissioners, clerks, and officers of the duties on salt shall be assessed on this act for their salaries, &c. in the parish of *St. Martin in the fields* within *Westminster*, where they were in 1788, so as the full proportion which was assessed on such division of *St. Martin in the Fields*, in 1788, be again assessed thereon under this act; and so as any other division, whither such office has been or may be removed, be not charged with a greater proportion for such salaries, &c. than it was in 1788; provided, that out of such assessment on such officers, there be paid to the collectors of the land-tax, for the division, &c. whither such office is or may be removed, one moiety thereof; and also the whole land-tax for all additional officers hereafter to be appointed to such office, to be applied in aid of the assessment on such division, &c., *id. s.*68.

77. The commissioners of the tax-office, and such of their officers as are taxable for their respective employments under this act, shall be assessed on this act, for the district for offices in *Westminster-Hall* within *Westminster*, where they were in 1778, so as the full proportion which was assessed on such district for offices in *Westminster-Hall*, be again assessed thereon under this act; and so as any other division, &c. whither such office is or may be removed, be not charged with a greater proportion for such salaries, &c. than it was in 1788; provided, that out of such assessment there be paid to the collectors of the land-tax for the division, &c. to which such office is or may be removed, one-third part thereof; and the whole land-tax for all additional officers hereafter to be employed, to be applied in aid of the assessment for such division, &c. *id. s.*69.

78. The water-works in *Southwark* shall be assessed therein by the commissioners and assessors for the county of *Surrey*, and not by those for *London;* and shall be assessed according to the clear yearly profits thereof, *id. s.*70.

79. The water-works in the liberty of *Westminster* shall be assessed by the commissioners and assessors for *Westminster*, and not by those of *London*, *id. s.*71.

80. Provided, all offices and places which were assessed within the palaces of *Whitehall* and *St. James*, for the years 1703 and 1704, or either of them shall, (except such as are herein excepted) still be assessed there, *id. s.*72.

81. Half the amount of the pension-list shall be assessed, and continue so to be, to the land-tax in the division of the palaces of *Whitehall* and *St. James*, in each year, and the other half with the offices executed in *Westminster Hall*, the said offices paying one moiety of the clear monies received in the said half amount to the parishes of *St. Margaret* and *St. John the Evangelist*, *Westminster*, *id. s.*73.

82. The persons who collect or receive the yearly profits on the *Colchester* water-works in *Essex*, shall be charged with the payment of the tax assessed thereon under this act, to be levied as other assessments are by this act directed; and such collectors paying the same, shall be allowed the same in their account with their employers, *id. s.*74.

83. The person who shall collect and receive the yearly profits for the water-works in *New Windsor*, in *Berks.*, shall be charged with the payment of the tax assessed on such profits, to be levied in manner as other assessments by this act are directed, *id. s.*75.

84. The patent officers of the several bishops in *Eng.* and *Wa.*, shall be assessed for their respective employments, relating to such bishopries where they were in 1793, *id. s.*76.

85. The proportion, which at the first meeting of the commissioners for *Middlesex* shall, pursuant to this act, be laid on that part of the parish of *St. Andrew*, *Holborn*, which is in such county, shall be equally raised, without making any distinction between the part above and the part below the bars; and in the subdivision of the commissioners to act for hundreds in such county, a number shall be appointed to act accordingly for such part of such parish as lies within such county, *id. s.*77.

86. The parish of *St. George*, *Hanover Square*, in the city of *Westminster*, shall, in execution of this act, be chargeable with a distinct quota, separate from the parish of *St. Martin in the Fields*; and if any controversy shall arise among the commissioners concerning such quota, and the apportioning thereof out of the joint quota of such 2 parishes, the commissioners, who are inhabitants of or have any interest in such parishes, shall have no voice, but shall withdraw from the debate of such controversy; and in default thereof, the commissioners then present,

not being such inhabitants, nor having such interest, may impose such fines as they think fit upon such commissioners as refuse to withdraw, not exceeding 20*l.*, and cause the same to be levied as other fines hereby imposed may be, 38 *G.*3. *c.*5. *s.*78.

87. The parishes of *St. John*, *St. Peter*, and *Berchinton* in the *Isle of Thanet*, within the liberty of *Dover*, shall be deemed a distinct division in such liberty, and shall be charged according to the proportion assessed on such parishes by 4 *W.& M. c.*1.; and all commissioners, collectors, and receivers, &c. shall apply themselves diligently to execute this act, *id. s.*79.

88. No person shall be charged with land-tax in respect of any lands, &c. in *Eng.*, *Wa.*, and *Ber.*, that does not produce the clear annual value of 20*s.*, *id. s.*80.

89. If any collector in *Eng.*, *Wa.* or *Ber.* shall keep in his hands any money by him collected for any longer time than by this act directed (other than the allowance made him, or shall pay any part thereof to any person other than the receiver-general of the county or place, or his deputy), he shall forfeit for each offence not exceeding 40*l.* or less than 5*l.*, to be levied by distress and sale of his goods, as in this act, *s.*17. *pl.*24. directed in like cases of distress; and in case any receiver-general in *Eng.*, *Wa.* or *Ber.*, or his deputy, shall pay any part of such money to him paid by such collectors to any person other than in the receipt of the exchequer, and at or within the times limited by this act, or in case he shall pay any of such monies by any treasury warrant, or any tally of *pro*, or of anticipation, or otherwise, he shall forfeit for each offence 500*l.* to him that will sue for the same in any court of record by bill, plaint or information, wherein no essoin, &c., *id. s.*81. [*See as to recovery* of arrears of land-tax in the hands of the collectors, *ss.*117—119. *pl.*128. Exp.]

90. The treasury shall not direct any warrant to the collectors or receivers in *Eng.*, *Wa.* or *Ber.*, for the payment of any part of the monies hereby given to any person other than into the exchequer, nor direct any warrant to the officers of the exchequer for striking any tally of *pro* or anticipation, nor do any thing to divert the monies from the exchequer, nor shall the officers of the exchequer strike, direct or record any tally of *pro*, &c. on any such monies, nor shall the teller throw down any bill whereby to charge himself with such monies until actually received, *id. s.*82.

91. No stay of prosecution on any command, warrant, motion, order or direction by *non vult ulterius prosequi* shall be had or allowed in any court in any proceeding by action of debt, &c. or otherwise for the recovery of all or any forfeitures on any person by this act inflicted, or for or in order to the conviction or disability of any person offending against this act in *Eng.*, *Wa.* or *Ber.*, *id. s.*83.

92. If any person who is assessed by this act to or with a pound rate on his manors, lands, &c. shall, on complaint to the commissioners, at such times and manner as in cases of appeal, make it appear to 3 of such commissioners present for hearing appeals by proof on oath, that such assessment exceeds the equal pound rate that ought to be charged on him, then the major part of the commissioners there present may lessen the assessment so much as it exceeds the equal rate that ought to be charged on him, and cause the money so abated to be assessed and levied in such way as they think fit, within the whole hundred, division, &c. although the rate of 4*s.* in the pound be exceeded; or if any particular part of the same, or any person therein, is under rated, then the money so abated shall be raised on such particular part or person, so that the whole land-tax for the hundred, &c. is duly paid to H. M., *id. s.*84. [*See* 42 *G.*3. *c.*116. *s.*181. Land-Tax Redemption, *pl.*219.]

93. The receiver-general for each district in *Eng. Wa.* or *Ber.* shall appoint fit persons to be his deputies, for whom he shall be answerable to receive from the sub-collectors all the rates and assessments they receive; and such receivers-general shall appoint so many deputies that such sub-collectors need not travel more than 10 miles from his abode in order to pay the monies received by him; and if any such receiver-general neglects so to do, or shall wilfully neglect to attend by himself, or deputy, at the time or place by him appointed for his receipts, he shall forfeit 100*l.*, the one moiety to H. M. and the other to him that will sue for it by action of debt, &c. or information in any court of record at *Westminster*, wherein no essoin, &c. shall be allowed, *id. s.*85.

94. Members of parliament who, at the execution of this act *during this session*, shall abide in *London* and *Westminster*, and the suburbs of the same in *Middlesex*, shall, for their ready money or debts be assessed only in the places where they have their mansion houses, or other places where they most usually reside; and in case any assessor or commissioner shall assess any such member contrary hereto, he shall forfeit to the party grieved 40*l.*, to be recovered by action of debt, or on the case, together with full costs, *id. s.*88. [*Qu.* Exp.? *but see* 53*G.*3. *c.*142. *s.*1. *pl.*4.]

95. In case there is not a sufficient number of commissioners for any city, borough, cinque port, town or place in *Eng.*, *Wa.* or *Ber.* (for which by this act commissioners are particularly appointed) qualified to act under this act, then the commissioners for the county at large within which such city, &c. stands, or next adjoining thereto, may act within such city, &c. 38 *G.*3. *c.*5. *s.*86. [*But see the* necessary qualification and oath, 38 *G.*3. *c.*48. *s.*1. *pl.*102.]

96. All mayors, bailiffs and other chief magistrates appointed commissioners for executing this act, shall have power to act as such for any city, &c. wherein they inhabit, as well where commissioners are specially appointed as where they are not, *id. s.*87.

97. The first general meeting of commissioners for the west riding of *Yorkshire* shall be held at *Pontefract*, that for the north riding at *Thirsk*, and that for the east riding of such county at *Beverley*, *id. s.*89. [*semb.* Exp.]

98. So much of 38 *G.*3. *c.*5. *s.*90. as enacts, that no person shall act as a commissioner in any county at large, unless rated at 100*l. per annum*, shall be Rep. 38 *G.*3. *c.*48. *s.*2.

99. No person shall act as a commissioner in execution of 38 *G.*3. *c.*5. for any county in *Eng.* or *Wa.* (the counties of *Merioneth*, *Cardigan*, *Carmarthen*, *Glamorgan*, *Montgomery*, *Pembroke*, *Radnor*, and *Monmouth*, excepted) or in any ridings of *Yorkshire*, unless he is possessed of lands, &c. of value of 100*l. per annum*, of his own estate, being freehold, copyhold, or leasehold, over and above all incumbrances and reservations payable out of the same, or unless he is the heir-apparent of some person seised of a like estate of 300*l.* annual value, one moiety of which shall be situate within the county or riding for which he is appointed a commissioner, *id. s.*3.

100. Any person appointed a commissioner for the county of *Anglesea*, or *Carnarvon*, shall be capable to act in execution of this act for such counties, being taxed by himself or tenants under 37 *G.*3. *c.*2., for 60*l. per annum*, 38 *G.*3. *c.*5. *s.*91.

101. No commissioner for executing this act in *Eng.*, *Wa.*, or *Ber.* shall be disabled to act as such within any city, borough, cinque port, or town corporate, for which he is particularly nominated, and whereof he is an inhabitant at the time of executing this act, nor from acting within any of the inns of court, or liberty of the Rolls; and no attorney or solicitor, or person practising as such, who shall not be seised of lands, &c. freehold, copyhold, or leasehold, over and above all incumbrances and reservations payable out of such leasehold estates, of the value of 100*l. per ann.* of his own estate, in the same county, city, &c. for which he is named a commissioner, or within the county at large, within which such city, &c. doth stand, or which is next adjoining thereto, and which were taxed under 37 *G.*3. *c.*2., or any receiver-general or collector of any aid granted to H. M. shall be capable of acting as a commissioner in *Eng.*, *Wa.*, or *Ber.* under this act, *id. s.*92.

102. No person shall act as a commissioner in execution of 38 *G.*3. *c.*5. within any city, borough, cinque-port, or town corporate, (except the cities, liberties, and places the commissioners acting within which are required to be qualified as in the said act mentioned,) unless possessed of lands, &c. of the annual value of 40*l.* or more, of his own estate, being freehold, copyhold, or leasehold, over and above all incumbrances and reservations, payable out of such leasehold estates, or unless possessed of a personal estate to the amount of 100*l.*, nor unless in either case, an inhabitant of the city, &c. for which he shall act as a commissioner, nor (except in administering the oath) until he has taken and subscribed the oath or affirmation following, *viz.*

'I *A. B.* do swear, [*or* being a quaker, solemnly affirm] that I truly and *bond fide* am possessed of in my own right, and in the actual enjoyment or receit of the rents and profits of lands, tenements, or hereditaments, of the clear yearly value of 40*l.*, or possessed of a personal estate to the amount of 1000*l.* So help me God.'

Which oath the commissioners may administer to one another; and if any person hereby required to be so qualified, and not being so, or not having taken such oath, &c. shall act as such commissioner, he shall forfeit 50*l.* to the use of the person who will sue for the same, to be recovered with full costs by action of debt in any court of record at *Westminster*, besides the legal punishment for perjury; and in such action the proof of qualification shall lie on the party complained of, and it shall be enough for plaintiff to prove that the defendant hath acted as such commissioner, 38 *G.*3. *c.*48. *s.*1.

103. No commissioner shall act in execution of this act within the city of *London*, and liberty of *St. Martin le Grand*, unless he is seised of lands, &c. being freehold, copyhold, or leasehold, over and above all incumbrances and reservations, in respect of such leasehold estate which were taxed in such city or liberty, at 20*l. per ann.* or more, of his own estate, or unless he paid in such city or liberty, for the value of 150*l.* personal estate, under 37 *G.*3. *c.*2., 38 *G.*3. *c.*5. *s.*93.

104. No commissioner shall act within the liberty of *Westminster*, unless he is seised of lands, &c. being freehold, &c. over all incumbrances and reservations in respect of such leasehold estates which were taxed, or did pay in such liberty for 50*l. per ann.* of his own estate, under 37 *G.*3. *c.*2., *id. s.*94.

105. No other qualification shall be required of the master and first clerk of H. M.'s household, the clerk of the kitchen, and others, who by virtue of their offices have heretofore acted as commissioners under the land-tax act, to act as such than the possession of their offices, *id. s.*95.

106. If any person disabled to act as a commissioner shall notwithstanding presume to act as such, he shall forfeit 50*l.* to any person who will inform, or sue for the same in any court of record, by action of debt, &c., or information, wherein no essoin, &c. and only one imparlance shall be allowed, 38 *G.3. c.5. s.*96.

107. The persons who receive or collect, the yearly profits of the new water-works, within city and county of *Exon*, shall be charged with payment of the tax assessed on such profits, to be levied in like manner as other assessments by this act directed, and the same shall be allowed them in their accounts with their employers, *id. s.*97.; like provision for the *Shrewsbury* water works, *id. s.*114.

108. This act shall not charge the queen in respect of any money or annuities granted by H. M. to her, but the same shall be free from all taxes, *id. s.*98.

109. This act shall not charge the prince of *Wales*, the dukes of *York*, *Clarence*, and *Gloucester*, or their officers or servants attending them, in respect of any annuities granted by H. present M. to them; but the same shall be free from all taxes, *id. s.*99.

110. This act shall not charge the pensions of any superannuated commission or warrant sea officers, or the pensions of widows of sea officers slain in the service of the crown, or the pensions of officers for their services or sufferings in H. M.'s navy, granted to them for the merit of their husbands or parents, or the revenue of the order of the garter, or the pensions of the poor knights of *Windsor*, payable out of the exchequer only; but the same shall not lessen the sum provided by this act, *id. s.*100.

111. And sums payable by statute without deduction, shall not be charged with the duty by this act imposed, *id. s.*101.

112. "Whereas the rents and revenues belonging to residentiaries of the cathedral churches in *Eng.* and *Wa.* are chargeable with land-tax, and in some cases the overplus thereof is divided amongst the residentiaries," it is ENACTED, that in such cases the residentiaries shall not be chargeable under the act as enjoying offices of profit out of such rent and revenues *id. s.*102.

113. This act shall not charge *Charles* II.'s pension of 100*l. per ann.* to the poor clergy of the *Isle of Man*, *id. s.* 103.; nor lay any charge or duty on the pensions or salaries of H. M.'s pages of honour, *id. s.* 104.

114. In case of any failure of raising or paying the money charged on any county, city, riding, or place, by this and former acts granted by a land-tax; the receiver-general of such county, &c. of such tax, or the receiver-general appointed under this act, shall certify under his hand to the barons of the exchequer, the particular place where such failure happens, together with the names of the assessors and collectors, and the several persons belonging to such place charged with such tax, and which place shall be liable to process for such neglect, *id. s.*105.

115. The commissioners for the county of the city of *Lincoln* may act in execution of this act within the *Bail* and *Close* of *Lincoln*, *id. s.*106.; and those for the county of *Lincoln* within the parish of *St. Martin*, *Stamford Baron* in *Northamptonshire* as usual, *id. s.* 107. [*see s.*6. *pl.*8.]

116. There shall be kept in the exchequer in the office of the auditor of the receipt, a register, in which all money paid into the exchequer for the pound rates hereby granted shall be registered apart from all other monies payable to H. M., *id. s.*108.

117. Where offices chargeable by this act are executed by deputy, such deputy shall pay such assessment as is charged thereon, and deduct the same out of the profits; and in case of refusal or non-payment, such deputy shall be liable to such distress as by this act prescribed against persons holding offices of profit, and all other remedies and penalties herein contained, *id. s.*109.

118. At every time and place appointed by the commissioners for the collectors to pay in the money under this act to be paid to the receiver-general or his deputy for any county, &c. in *Eng.*, *Wa.*, and *Ber.*, such receiver under his hand shall deliver a list or certificate to such person, as 3 commissioners authorize to attend for that purpose, containing the several sums then and there and before paid by the collectors for each place in that division; and in case of neglect in delivering such certificate, such receiver shall forfeit not exceeding 20*l.*, to be imposed by 3 commissioners, and to be levied into the exchequer in such manner as hereby directed, *s.*81. *pl.*89. touching fines set on assessors and collectors, *id. s.*110.

119. Where any person who in pursuance of this act shall distrain the goods or chattels of any collector, his heirs, executors, or administrators, on non-payment of any money which such collector, &c. ought to have paid under this act, such person may, out of the money arising from the sale of such goods, (such money for which the distress was made being first satisfied,) keep in their hands for their own use so much as 2 commissioners (who ordered the distress) deem reasonable for making the distress as also the charges thereof, rendering the overplus to the owner, *id. s.*111.

120. No receiver of monies granted by this act to be raised in *Eng.*, *Wa.*, or *Ber.*, or his heirs, executors, or administrators, in any account of such monies, shall, unless the same be passed in the exchequer within 2 years after 24 *March*, 1798, be admitted to set *insuper*, or charge any county in *Eng.*, *Wa.*, or *Ber.*, for any money hereby granted, which shall be in arrear, but the same shall remain a debt on such receiver, to be answered by him and his securities, and his and their heirs, &c. lands, goods, &c., 38 *G.3 c.5. s.*112. [*see* 42 *G.3. c.*116. *s.*178. LAND-TAX REDEMPTION. *pl.*215.]

121. Whenever it is proved to the satisfaction of the commissioners for the affairs of taxes, or any 3 of them, that the receiver of any county, division, or place in *Eng.* hath been prevented by reason of no proper duplicates of land-tax having been transmitted to him, or for other cause not arising from his own wilful default from passing his land-tax accounts in exchequer for any year within the periods fixed by law, any 3 of such commissioners, by writing under their hands, may authorize such receiver to set *insuper*, or charge such county, &c. for any arrears of land-tax by 38 *G.3. cc.5.60.* granted, 45 *G.3. c.*71. *s.*4.

122. Receivers of any money granted by 38 *G.3. cc.5.*60., or their heirs, executors, or administrators, in the account of monies chargeable on them since 25 *March* 1810, may set *insuper*, or charge any county, &c. in *Eng.*, *Wa.*, or *Ber.* for any such monies which shall be in arrear; provided the accounts of such receiver for the year, in which such money is in arrear, signed by him, together with all tallies and vouchers, be delivered by him, or his heirs, &c. into the auditor's office in the usual course, on or before first day of *Hilary* term next after the expiration of one year, from the end of the year for which assessment is payable; but in default of the delivery thereof, such money for which such *insuper* might have been set, shall be a debt upon such receiver, and be answered by him, his securities, heirs, or lands, goods, and chattels, *53 G.3. c.*142. *s.3.*

123. Every *insuper* set on any county, &c. for any such monies so in arrear, shall have effect by process from the exchequer; provided the receiver's accounts for the year wherein the duty is payable containing such *insuper*, be sworn and declared in the exchequer before the last day of *Easter* term next after the time appointed for the delivery of such accounts, *id. s.*4.

124. This act shall not repeal or alter the powers given to the tax-office by 45 *G.3. c.*71. *s.*4. *pl.*121., so far as the same relate to extending the time for settling *insupers* by receivers-general in the cases and manner therein described, *id. s.5.* [Certain *insupers* and charges set before this act passed, or to be set within 3 months after, to be in force though accounts on which they were made were not passed within the times limited, *id. s.*6. *semb.* EXP.]

125. On every writ of *distringas* issued upon any *insuper*, the officer to whom the same is directed, shall return issues after the rate of 5*l.* for each 100*l.* set *insuper*, and when returned shall be forthwith drawn down into the great roll of the pipe; and the usual exchequer process shall issue for levying the same at the first general issuing of process for H. M. out of and under the seal of the exchequer, unless treasury or chancellor, or 2 barons of the exchequer shall order the drawing down into the pipe, or the issuing of process to be restricted till a further day, 38 *G.3. c.5. s.*113., [*see s.*114., *ante*, *pl.*107.]

126. "Whereas the barons of the exchequer have in pursuance of several former land-tax acts discharged several parishes and places of certain sums wherewith they were overburdened," it is ENACTED, that the case so given shall accrue only to the respective parishes, &c. so formerly overburdened, and no other, *id. s.*115.

127. Where the lands, tenements, rents, and hereditaments, of a whole parish, &c. having a proportion to raise under this act, shall be charged with more than 4*s.* in the pound on the yearly value thereof, (reckoning by the rack rents and the highest improvements made of such lands, &c.) towards the sum herein granted, because the estates of persons formerly doubly taxed are hereby made liable only to a single assessment; 2 commissioners for the division where same lies may, and 2 commissioners for any city, &c. for which commissioners are hereby appointed to act, on complaint thereof may, examine the same, and if satisfied of the truth thereof, may before 29*th Sept.* 1798, *and not afterwards* certify the same to the barons of the exchequer, who before the 30 *Nov.* 1798, may discharge the overplus; and such certificates whereby such parishes were discharged, shall be produced by the persons claiming the benefit thereof to the commissioners at their next meeting, to ascertain the proportion on each division after such certificates have been obtained, *id. s.* 116. [*semb.* EXP.; *but see* 53 *G.3. c.*142., *s.*1., *pl.*4.]

128. Proviso for the recovery of money received by collectors under any land-tax act passed at any time within 7 years before the beginning of this session, *id. ss.*117—120. [*semb.* EXP.; *but see* 53 *G.3. c.*142, *s.*1. *pl.*4.]

129. No receiver-general of any tax hereby granted, or any agent, or servant of his employed in carrying money received on account of such taxes, shall maintain any action against any hundred in *Eng.* on account of being robbed on king's highway of such monies, unless he is at the time of the robbery in company, and be in number 3 at least to attest the truth of his robbery, *id. s.*121.

130 The tolls or duties on turnpike roads shall not be liable to the

land-tax under this or any former act, and the officers or persons employed in collecting such tolls and repairing such roads, shall not be rated in respect of such employments, 38 *G.*3. *c.*5. *s.*122.

131. The commissioners may, before 29 *Sept.* 1798, summon assessors, who have not charged their own estates since 6 *May*, 1717, and examine them on oath and award satisfaction, *id. s.*123. [*semb.* Exp., *but see pl.*4.]

132. The sum appointed by this act to be raised by the town of *Cambridge*, shall be raised by rating all manors, messuages, lands, and tenements, woods, underwoods, coppices, fishings, locks, wears, and sluices, on river *Cam*, alias *Grant*, tithes, tolls, markets, fairs, booths, stalls, and standings in such fairs and markets, and the rents and profits of the same and all other hereditaments situate within such town or the precints thereof, and also all estates in goods, &c. belonging to such town, or to the members of the same, except personal estate, excepted by this act, *id. s.*124.

133. The collectors shall demand the entire sum assessed for the whole year, on such fairs, in such town, and the booths, &c. in the same from the parties themselves who occupy them, if to be found, or else on the premises charged, at any time within 7 days after the fair proclaimed, and in default of payment shall levy the same by distress and sale of all goods, &c. found in such booths, &c., in manner herein directed in other cases, *id. s.*125.

134. The collectors shall have power to make such distress as in other cases, and the tenants of all such booths, &c. so rated, shall pay the money rated on them, and deduct it out of their rents, *id. s.*126.

135. The sum of 47,954*l.* 1*s.* 2*d.* by this act granted, shall be raised in *Scot.* by an 8 month's cess of 5,994*l.* 5*s.* 1¼*d.* of lawful money of *G. B.* for every month; such cess to be raised out of the land rent of *Scot.*, according to the monthly proportions within the respective shires, stewartries, cities, and burghs following, *viz.*

Within the sheriffdoms of	The monthly sum of	Within the sheriffdoms of	The monthly sum of
Edinburgh,	£ 264 13 3	*Couper*,	£ 9 19 6½
Haddington,	231 6 3¾	*Anstruther Easter*,	1 19 10¾
Berwick,	233 17 5½	*Dumfries*,	16 12 6¼
Roxburgh,	306 10 5¼	*Inverness*,	17 19 1¾
Selkirk,	75 3 10¼	*Brunt island*,	19 15 8¾
Peebles,	86 13 2¾	*Innerkeithing*,	3 19 9½
Lanerk,	257 0 7½	*Kinghorn*,	4 9 9½
Dumfries,	225 10 9¼	*Brechin*,	5 7 9
Wigtown,	83 10 7¾	*Irwin*,	8 19 7
Within the stewartry of		*Jedburgh*,	8 19 7
Kirkcudbright,	139 4 3½	*Kirkcudbright*,	7 19 7½
Within the sheriffdoms of		*Wigtown*,	6 19 8
Air,	321 15 4¾	*Pattenween*,	6 13 0¼
Dumbarton,	63 11 1¾	*Dumfermling*,	7 19 7½
Bute,	25 10 10¼	*Anstruther Wester*,	2 9 10
Renfrew,	112 10 2½	*Selkirk*,	6 13 0¼
Striveling,	145 16 11½	*Dumbarton*,	4 19 6½
Linlithgow,	93 5 2¾	*Renfrew*,	3 19 9½
Perth,	418 18 2½	*Dunbar*,	5 19 8¼
Kincardine,	81 16 1¾	*Lanerk*,	5 19 8¼
Aberdeen,	339 8 0	*Aberbrothock*,	4 9 9½
Inverness,	100 16 11½	*Elgin*,	9 19 6½
Ross,	114 11 1¾	*Peebles*,	5 19 8½
Nairn,	23 1 10½	*Craile*,	8 19 7
Cromarty,	5 13 5¾	*Tayne*,	3 9 9¼
Argyll,	161 18 5	*Culross*,	3 19 9½
Fife and *Kinross*,	430 0 1½	*Bamff*,	3 19 9½
Forfar,	272 3 7¾	*Withorn*,	0 19 11¼
Bamff,	95 12 7	*Forfar*,	1 19 10¾
Sutherland,	27 18 8½	*Rothesay*,	2 19 10
Caithness,	49 16 5¼	*Nairn*,	1 9 11
Elgin,	88 1 3	*Forres*,	2 9 10
Orkney and *Zetland*,	90 9 11¾	*Rutherglen*,	1 9 11
Clackmannan,	29 5 11¼	*North Berwick*,	0 9 11¾
Within the city of		*Cullen*,	0 19 11¼
Edinburgh,	332 11 3	*Lawder*,	2 19 10
Within the burghs of		*Kintore*,	0 19 11¼
Perth,	38 8 3	*Kilreny*,	0 19 11¼
Dundee,	60 17 2	*Annand*,	0 19 11¼
Aberdeen,	66 16 11	*Lochmaben*,	0 19 11¼
Striveling,	17 19 1¾	*Sanquhar*,	0 19 11¼
Linlithgow,	16 19 2¾	*New Galloway*,	0 9 11¾
Within the city of		*Dingwall*,	0 19 11¼
Saint Andrew,	14 16 0	*Dornock*,	1 9 11¾
Glasgow,	119 15 0	*Queensferry*,	4 19 9
Within the burghs of		*Fortrose*,	2 9 10½
Air,	17 5 9¾	*Inverary*,	1 9 11¼
Haddington,	17 19 1¾	*Weike*,	1 13 3
Dysart,	7 19 7½	*Innerbervy*,	0 9 11¾
Kirkaldie,	22 18 11¼	*Kirkwall*,	4 19 9
Montrose,	18 19 1¼	*Stranraver* and *Cambleton*,	2 9 10½

38 *G.*3. *c.*5. *s.*128.

136. Provided the proportion of boroughs in *Scot.*, be rated and paid as their tax-roll now is or shall be settled by themselves, 38 *G.*3. *c.*5. *s.*129.

137. The first 2 months cess of 11,988*l.* 10*s.* 3½*d.* shall be paid before *24th June*, 1798, a like sum for 2d cess before *29th Sept.* 1798, a like sum for 3d, before *25th Dec.* 1798, and a like sum for 4th, before *25th Mar.* 1799, *id. s.*130.

138. All persons appointed commissioners of land-tax in *Scot.* by 37 *G.*3. *c.*35. or such of them as shall qualify, according to the *Scotch* laws, shall, together with others to be appointed by any act to be passed in this session, be commissioners to put this act in execution in *Scot.*; and such commissioners shall choose their own clerk, and do every thing concerning such supply, as is appointed by the cess act of *6th Nov.* 1706, and other acts made in the *Scotch* parliament, to which such act doth relate, *id. s.*131.

139. All persons hereinafter named, (*viz.*) [*here follow* the names of the commissioners for *Scot.*] being duly qualified to act as commissioners of land-tax, shall be commissioners for executing the 38 *G.*3. *c.*5. as Made perp. by 38 *G.*3. *c.*60. within the several shires, stewartries, and places in *Scot.*, 1 & 2 *G.*4. *c.*123. *s.*2. [*see* further, the same act *ss.*3—5. *ante*, *pl.*9—11.]

140. Execution shall be done in *Scot.*, for bringing in such supply as is provided by such acts, and the first meeting of the commissioners of shires in *Scot.*, shall be at the respective headburghs thereof, on *30th April*, 1798; and the sheriffs and stewards, or their deputies, shall intimate the same to the commissioners for their respective shires, &c. with power to such commissioners to appoint subsequent diets of their meetings and their convenors, as also to appoint collectors, with such caution as they think fit, 38 *G.*3. *c.*5. *s.*132.

141. All former *Scotch* acts relating to the bringing in the cess, and quartering, and touching riding money, shall stand in force as to the supply now imposed on *Scot.*, *id. s.*133.

142. No person, whether heritor or collector, shall be holden to produce the receipt of payment of such supply, after 3 years, from the time of payment, unless diligence be done there by denunciation within such 3 years, in which case one year further is added, *id. s.*134.

143. Every debtor owing money in *Scot.*, at 6 *per cent.* interest, shall in payment of his annual rents have a retention of a sixth part of 6 *per cent.*, and this retention to be from 11*th Nov.* 1797, to 11*th Nov.* 1798; and it is declared usury for any creditor to refuse to grant the same, *id. s.*135. [*Qu.* Exp.? *but see* 53 *G.*3. *c.*142. *s.*1. *pl.*4.]

144. Such sum of 47,954*l.* 1*s.* 2*d.* shall be raised in *Scot.*, in the respective shires, stewartries, cities, and boroughs, free of all charges to H. M., and shall be paid at the city of *Edinburgh*, to the person appointed by the treasury to be receiver-general, or receivers thereof, which receivers shall be accountable for the same to H. M. in the exchequer, *id. s.*136.

145. No person hereby appointed a commissioner in *Scot.* shall act as such, unless he is enfeoft in superiority or property, or possessed as proprietor, or life renter of lands, valued in the tax-roll of the county or stewartry where he acts, to the extent of 100*l. Scotch per ann.* excepting the eldest sons and heirs apparent of persons enfeoft to such value; and every person not so qualified, acting in execution of this act, shall forfeit 20*l.*, to be recovered by action, complaint, or petition, in a summary way, at suit of any heritor, within such county or stewartry, before the county or stewart court, or the lords of session, and in such action the person complained of shall prove that he is so qualified, or otherwise shall forfeit 20*l.*, without any further proof, other than that the person complained did so act, *id. s.*137.

146. Persons acting as commissioners in *Scot.* shall, before they act, take and subscribe the oaths of allegiance and abjuration, and subscribe the assurance appointed by law, for persons in offices of public trust in *Scot.*, under the penalty of 20*l.*, and which oaths any 2 commissioners may and shall administer, *id. s.*138.

147. Any provost, baillie, dean of guild, treasurer, master of the merchants' company, or deacon, convenor of the trades, for the time being, of any royal borough, or borough of regality or barony, herein appointed a commissioner for any county or stewartry, or the factors for the time being of the several forfeited estates annexed to the crown, by 25 *G.*2. *c.*41. [*which act* was Rep. by 24 *G.*3. *S.*2. *c.*57. *s.*34.] may act as commissioners for such county, &c.; and neither the court of session nor any other court or magistrate in *Scot.*, may grant any stay to the bringing in of such supply, by quartering according to the proportions settled by the commissioners of the several shires and royal burghs, according to their usage, *id. s.*139.

148. Any person, natives and foreigners, bodies politic or corporate, may lend to H. M. at his exchequer any sum of money, not exceeding 2 millions, on the credit of the several rates hereby granted, and such other sums as are hereby appointed for repaying the same, with interest, and shall have for their forbearance 4*l.* 10*s. per cent. per ann.* on the amount so raised, so as such loans be allowed by the treasury, who

may issue warrants for that purpose, as fast as such loans are made for the public service; and no money so to be lent, shall be rated under this or any other act, 38 *G.3. c.5. s.*140.

149. Every person who shall lend any money on the credit of this act, and pay the same into the exchequer, shall have a tally of loan struck, and an order for his repayment, bearing even date with the tally, and in such order shall be contained a warrant for the payment of interest so as the same does not exceed 4*l.* 10*s. per cent.* and to be paid every month; and all such orders shall be registered according to their dates, and all persons paid as their orders stand registered, so as the person, his executors, administrators or assigns, who has his order first entered, shall be the first to be paid, and the second the second, and so on, and the monies paid in under this act shall in like manner be liable to the satisfaction of such persons, without any undue preference, and shall not be diverted to any other use; and no fee shall be taken of H. M.'s subjects for making such registers, or any entries, views or searches, in or for payment of money lent, or the interest thereof, by any of H. M.'s officers, their clerks or deputies, under penalty of treble damages to the party grieved, by the party offending, with full costs of suit; or if the officer himself take or demand such fee, he shall forfeit his place also; and if any undue preference is made either in point of registry or payment by any such officer, he shall be liable by action of debt, or on the case, to pay the value of the debt with costs of suit, to the party grieved, and shall be forjudged of his place, and if such undue preference is made by his deputy or clerk, without the privity of the master, then such deputy, &c. shall be liable to such action, and be for ever incapable of his office; and if the auditor of the receipt shall not direct such orders of loans or the clerk of the rolls record, or the tellers make payment according to each person's order as before directed, they shall forfeit, and the deputies and clerks therein offending be liable to such action, debt, damages and costs, as aforesaid, which penalties, &c. shall be recovered by action of debt, &c. or information in any court of record at *Westminster*, wherein no essoin, &c. *id. s.*141.

150. But if several such tallies or orders bear date, or be brought the same day to the auditor to be registered, it shall not be undue preference which he enters first if they all be entered the same day, *id. s.*142.

151. Nor shall it be undue preference if subsequent orders are paid to the holders, who come and demand the same before other persons, who did not come to take their monies, and bring their orders in course, so as money be reserved to pay such prior orders, which shall not be otherwise disposed of. Interest on the loan to cease from the time the money is reserved and kept in the bank for them, *id. s.*143.

152. The holders of such orders, their executors, administrators, and assigns, after order registered, may by proper words indorsed thereon assign and transfer their right, in such order to another, which being notified to the auditor of the receipt, and an entry made in the book of register, (which the officers shall, on request, make without fee) shall entitle such assignee, his executors, &c. to the benefit thereof; and such assignee may in like manner again assign the same, and *toties quoties;* and afterwards the assignor shall not be at liberty to release or discharge the same or any money thereby due, *id. s.*144.

153. If the treasury deem it advisable to raise such 2,000,000*l.* by exchequer bills, instead of such loans, then they may make at the exchequer new exchequer bills of one common sum, or different sums, in principal monies, so as not to exceed 2 millions if no such loans are made, but if any made so as not to exceed such sum, with such loans and exchequer bills together, *id. s.*144. [NOTE.—The *ss.*144—156. relate to these exchequer bills and loans, and seem to be EXP.; the same observation will apply to *ss.*140—143. but they have been inserted, as the point seems not altogether clear. *See* 53 *G.3. c.*142. *s.*1. *pl.*4.]

154 The money arising by this act shall be applied at the exchequer towards paying off orders of loans lent there, and satisfying the interest thereon, in manner hereinbefore directed, until all are fully paid, or towards paying off the exchequer bills under this act, or the charge of issuing the same, or the other purposes by this act directed, *id. s.*152.

155. TO MAKE FURTHER PROVISION FOR EXONERATING small livings and charitable institutions from the land-tax, 46 *G.3. c.*133. *ss.*2—6. [AMD. and time EXTD. 49 *G.3 c.*67., 50 *G.3. c.*58. *s.*1., 53 *G.3. c.*123. *ss.*33—37., 54 *G.3. c.*173. *s.*7., 57 *G.3. c.*100. *ss.*1—8. *See the rest of* these last 3 acts, LAND TAX REDEMPTION. *pl.*242, &c.]

156. The commissioners for redeeming land-tax, by letters patent under the great seal, may at any time direct the exoneration and discharge of the land-tax charged on messuages, lands, &c. belonging to any living, or other ecclesiastical benefices, or charitable institutions, in cases where the clear annual income of such livings does not exceed 150*l.*, without the giving any consideration for the same, and under the directions of this act, 53 *G.3. c.*123. *s.*33.

157. Such commissioners may exonerate the messuages, lands, &c. belonging to any living, or other ecclesiastical benefices, or charitable institutions, the annual income of which does not amount to 150*l.*, although not rated to the land-tax, from any future assessment to the land-tax, in same manner as by 53 *G.3. c.*123. *s.*33. directed, in cases where the messuages, lands, &c. of such livings were or should have been rated to the land-tax, 54 *G.3. c.*173. *s.*7.

158. Such commissioners [as in *pl.*156.] may, *within* 2 *years* [*see pl.* 156.] after passing this act, exonerate the messuages, lands, &c. belonging to any ecclesiastical benefices or livings, or charitable institutions, in cases where the annual income does not exceed 150*l.* without payment of any consideration for the same, 57 *G.3. c.*100. *s.*1.

159. Two commissioners may, within 2 years after this act, exonerate from land-tax farms with which two or more livings have been jointly augmented under Queen *Anne*'s bounty, in case it appears to them that the annual income of no one of such livings, inclusive of the augmentation, shall exceed 150*l.*, without the transfer or payment of any consideration for the same, *id. s.*5.

160. Proceedings to be laid before parliament before expiration of the session ending in 1820; or in cases where necessary in 1821, 57 *G.3. c.*100. *s.*8. [EXP.]

161. Every incumbent of any such living, or other ecclesiastical benefice, and all feoffees or trustees of any such charitable institutions, shall, within *one year* after the passing of this act, transmit a memorial to such commissioners, verified as they shall direct, and stating the nature of the property whence the income of such living is derived, and the amount derived from each; and also a certificate signed by the collector of the land-tax for the district (which he shall grant) containing a description of the messuages, or other hereditaments, belonging to such living, &c. and the name of the place where situated, and the amount of the land-tax charged thereon; and such commissioners may enlarge such time to 6 calendar months more (*s.*34.); and such commissioners may by writing certify that such lands, &c. are exonerated from land-tax (*s.*35.); and which certificate the officer appointed for the registry of contracts for redemption of land-tax shall register *gratis;* and no certificate or copy of the registry, shall be liable to stamp duty (*s.*36.); and the proceedings as to such exoneration shall be laid before parliament by the sessions for 1815, 53 *G.3. c.*123. *ss.*34—37., 57 *G.3. c.*100. *s.*2.4.6—8. [*And see as to* livings the land-tax whereon has been redeemed or discharged, although not rated to the land-tax, 53 *G.3. c.*123. *s.*32. *post,* LAND-TAX REDEMPTION, *pl.*264.]

LAND-TAX REDEMPTION.

(STATUTE *repealed.*)

1. TO ENLARGE THE TIME LIMITED FOR THE REDEMPTION of the land-tax; and to explain and amend 38 *G.3. c.*60., 39 *G.3. c.*6. [which is further AMD. and EXT. 39 *G.3. cc.*21.40.43.108., 39&40 *G.3. cc.*10. 30., 41 *G.3. G.B. c.*28., 41 *G.3. U.K. c.*72. and REP. 42 *G.3. c.*116. *s.*1.]

(STATUTES *in force.*)

1. FOR CONSOLIDATING THE PROVISIONS OF THE several acts passed for the redemption and sale of the land-tax into one act, and for making further provisions for the redemption and sale thereof, and for removing doubts respecting the rights of persons claiming to vote at elections for knights of the shire, and other members to serve in parliament, in respect of messuages, lands, or tenements, the land-tax whereon shall have been redeemed or purchased, 42 *G.3. c.*116. [AMD. 43 *G.3. c.*51., 45 *G.3. c.*77., 46 *G.3. c.*133., *ss.*1.7,8., 50 *G.3. c.*58. *ss.*2—4., 53 *G.3, c.*123. *ss.*1—32. 38—44., 54 *G.3. c.*173., 57 *G.3. c.*100.]

2. The 38 *G.3. c.*60., 39 *G.3. cc.*6.21.40.43.108., 39&40 *G.3. c.*30., 41 *G.3. G.B. c.*28., and 41 *G.3. U.K. c.*72. shall cease from *24th June* 1802, except in the cases following, and except such parts of 38 *G.3. c.*60. as make the land-tax perpetual, and except commissions already granted by H.M. by letters patent under the great seal or the sign manual, for the purpose of executing the said acts, and also all appointments under them; and every contract entered into after *24th June* 1802, for the redemption of land-tax, shall be made according to this act, 42 *G.3. c.*116. *s.*1.

3. The provisions of the recited acts relating to contracts for the redemption of land-tax, and to all sales, enfranchisements, and mortgages of any manors, lands, &c. made on or before *24th June* 1802, shall be in force, unless hereby varied, *id. s.*2.

4. The powers, &c. of 38 *G.3. s.*5. not hereby varied, shall continue in force in relation to the land-tax remaining from time to time payable to H.M., *id. s.*3.

5. All commissioners and officers already appointed may execute this act; provided every commissioner who has taken the oath prescribed

by the said former land-tax acts, may act in execution of this, without taking any oath hereby prescribed, 42 *G.*3. *c.*116. *s.*4.

6. H.M., by warrant under his sign manual, may appoint in every county, riding, shire, stewartry, city, borough, cinque port town, and place in *G.B.*, any persons named in any act now in force, [*see* 1 & 2 *G.*4. *c.*123. *see* LAND-TAX, *pl.*9—11.] or is hereafter to be passed, to execute 38 *G.*3. *c.*5. to be commissioners for selling the land-tax in the several counties, &c. for which they are appointed, and such persons shall be commissioners accordingly, *id. s.*5.

7. Every commissioner so hereafter to be appointed, and also every commissioner of appeals, before entering on his office, shall take the oath following, *viz.*:

'I, *A. B.* do swear that I will faithfully, impartially, and honestly, according to the best of my skill and judgment, execute the several powers and trusts reposed in me by the act of the 42 *G.*3. intituled, "An act [*here set forth the the title of this act*] according to the tenor and purport of the said act. So help me God.'

which oath one commissioner may administer to another, *id. s.*6.

8. Whenever H.M. in pursuance of 42 *G.*3. *c.*116. *s.*199. *pl.*237. shall revoke all or any of the several commissions granted by warrant under the royal sign-manual, which authorize the persons therein named to be commissioners for selling the land-tax remaining unredeemed in *G.B.*, or such commissioners, or any of them, shall otherwise cease then until H.M., by like warrant, shall grant other commissions to any other person for such purpose, the commissioners for taxes shall have and exercise all the like powers in relation to the redemption and sale of land-tax, as by such act, or any other land-tax redemption act, or this act are vested in the several persons appointed commissioners under the royal sign-manual, or to be so appointed for executing the said acts and this act; and any commissioners for taxes may do all acts which by this act such commissioners are authorized to do, 53 *G.*3. *c.*123. *s.*1.

9. Such commissioners acting by warrant under the sign-manual, [*see s.*5. *pl.*67.] may examine on oath or affirmation all persons desirous of redeeming or purchasing any land-tax, and all persons willing to be examined touching the title of any person in remainder, reversion, or expectancy, to any estate, or having any mortgage, lien, or incumbrance on any estate, the land-tax on which is proposed to be redeemed or purchased under this act, or touching any thing relating thereto, the commissioners think necessary for their information, for the execution of their powers; and also may require of persons claiming any benefit of preference under this act, the production on oath or affirmation of any instrument relating to such estate; and may receive any affidavit or deposition in writing, on oath or affirmation made in *G.B.* or *Ire.*, before any mayor or magistrate of any city or place therein, having authority to administer an oath in any civil or criminal matter, or before any justice of peace for any county or district where the deponent shall be, or before any commissioners authorized to take affidavits in causes depending in the courts at *Westminster*, and may receive any affidavit or deposition in writing on oath, or affirmation made in parts beyond the seas before any magistrate of the county or place, having power to administer an oath, and residing near the deponent, and certified and transmitted to the commissioners, under such magistrate's hand and seal; provided in such affidavits, &c. the addition and abode of the deponent is expressed, and the same is entitled as made in pursuance of this act; and where any affidavit is hereby directed to be made and shewn to such commissioners, the examination of the party who made such affidavit, by and before such commissioners, or 2 of them, on oath or affirmation to be administered as aforesaid, shall be as valid as if the affidavits had been made and shewn to the commissioners, 42 *G.*3. *c.*116. *s.*7.

10. The commissioners acting in execution of this act as aforesaid, in any county, &c. or 2 of them, may contract and agree with all bodies politic and corporate, and companies whether corporate or not, and feoffees or trustees for charitable or other public purposes, and other persons hereinafter described for the redemption of the land-tax, according to the assessment made under the 38 *G.*3. *c.*5. on the terms and conditions hereinafter prescribed, *id. s.*8.

11. All bodies politic and companies, notwithstanding any statutes of mortmain, or other acts of parliament, and all feoffees and trustees for charitable and other public purposes, having any estate or interest in any manors, messuages, lands, tenements, or hereditaments, subject to land-tax, may contract for the redemption of the whole or part thereof, *id. s.*9.

12. All other persons having any estate or interest in any manors, lands, &c. whereon any land-tax is charged (except tenants at rack-rent for term of years, from year to year, or at will, and tenants holding of the crown any lands and tenements within the survey and receipt of the exchequer, or duchy of *Lancaster*, or under the duke of *Cornwall*, any lands, &c. parcel of the duchy of *Cornwall*, for a term of years, from year to year, or at will,) may contract for the redemption of such land-tax, or part thereof, *id. s.*10.

13. Where two or more persons are seised or entitled in undivided shares, either as coparceners, heirs, portioners, tenants in common, or joint tenants, of or to any manors, lands, &c., any one or more of them may contract for the redemption of his or their share of the land-tax charged thereon, as if such share had been separately charged, and such person or persons solely seized, &c.; and if any one or more of such persons so seized, &c. shall neglect to redeem his share of such land-tax, then any one of the others, on giving 3 calendar months notice of his intention to the party so neglecting, may contract for the redemption of the share of the persons so neglecting to redeem in such land-tax, 42 *G.*3. *c.*116. *s.*11.

14. Any companies of proprietors of canals or other navigations, or other such works of public utility sanctioned by parliament, may contract for the redemption of the land-tax charged, as well on the tolls and other profits of such canals, &c. as on any messuages, lands, &c. belonging thereto; or each of the respective proprietors may contract for the redemption of their respective shares of such tax, and also for the shares of other proprietors neglecting to redeem their shares, in like manner as coparceners, &c. in *s.*11. *pl.*13., *id. s.*12.

15. All persons having shares in the *New River*, *Thames*, *Marylebone*, or *Hampstead* water works, or in any insurance office against fire, or in any lights, or in the *King's Printing-house*, and all companies of merchants in *London*, the Bank of *England*, and the proprietors of the water works in *Colchester*, *Exeter*, or *Shrewsbury*, may contract for the redemption of the land-tax charged on their shares, profits, &c.; and any proprietor thereof may either jointly or severally contract for the redemption of so much and such parts of the land-tax as is equivalent to the shares of any individual proprietor, or any number of proprietors in such shares, &c. on the same conditions and terms, and in the same manner as herein directed for land-tax charged on any manors, lands, &c. *id. s.*13.

16. All committees and curators of lunatics or idiots, and tutors and guardians of infants, and all persons authorized to act for infants, married women, and others incapable to act for themselves, may contract on behalf of such lunatics, &c. for the redemption of any land-tax hereby made redeemable, which such infants, &c. might have redeemed if they had not been incapacitated; and all trustees may contract on behalf of their *cestui que* trusts for the redemption of land-tax hereby made redeemable, which is charged on any manors, lands, &c. or other property of which they shall be trustees, *id. s.*14.

17. The governors of Queen *Anne's* bounty may contract for the redemption of the land-tax charged on the lands, tythes, or other profits arising from any livings within the meaning of their charter, or the acts in force directing the application of such bounty, not contracted for by the incumbents, *id. s.*15. [*See s.*44. *pl.*55., *s.*161. *pl.*198.]

18. The trustees of any trust property heretofore given by any will, for the purpose of being laid out in the purchase of lands or impropriate tythes, for the benefit of the poor clergy in *Eng.*, with such consent as is required by such will, may contract for the redemption of the land-tax charged on the lands, tythes, or other profits arising from such livings belonging to the church of *Eng.* as the trustees, with like consent, think fit, *id. s* 16.

19. Where the land-tax charged on the glebe, tythes, or other profits of any livings in the patronage of any college, cathedral church, hall, or house of learning in *Oxford* or *Cambridge*, or of the colleges of *Eton* or *Winchester*, or of any trustees of such college, &c., or of any bodies politic, &c., or companies of feoffees or trustees, for charitable or other public purposes, or other persons, is not redeemed by the incumbent, such patrons thereof may contract for the redemption of the land-tax thereon on the same terms as the incumbent might, *id. s.*17.

20. Corporations and persons hereinbefore empowered to contract for the redemption of any land-tax shall have the preference till 24 *June*, 1803, *id. s.*18. Corporations, trustees, and persons in possession, except tenants for years absolute, or determinable on lives, or any demise for which a fine was paid, and tenants for lives on any demise where any rent is reserved or a fine paid, shall be preferred to those in reversion till 25 *Dec.* 1803, and those in reversion to all having no interest in the land, till 24 *June*, 1803, *id. s.* 19. [*both* EXP.]

21. All bodies politic, &c. and companies, and feoffees or trustees for charitable and other public purpose, to whom such benefit of preference is given, until 24 *June* 1803, may, at any time after, contract for the redemption of the land-tax charged on their manors, lands, &c. wherein they have any interest, in the same manner and under the same terms (except as to the time allowed for the transfer or payment of the consideration) as they might do prior to 24 *June* 1803; provided no offer has been made to purchase such land-tax in pursuance of the provisions hereinafter contained; provided also, that when any such bodies, companies, &c. shall, after 24 *June* 1803, give notice in writing to such commissioners of their intention to redeem such land-tax, it shall not be sold to any other body, company, &c. not having any estate or interest

therein until 3 calendar months have expired from the date of such notice; provided also, that where any bodies politic, &c., companies, or other persons, being in actual possession, or entitled immediately to the rents of any manors, messuages, lands, &c. shall, after such 24 *June* 1803, give notice in writing to such commissioners of their intention to redeem such land-tax, it shall not be redeemed by any bodies, companies, or persons having any estate in remainder, reversion, or expectancy in, or or being substitute heirs of entail called to succeed thereto, until the expiration of 3 calendar months from the date of such notice; (save where such estate is expectant on the determination of any grant or demise for years absolute, or for years determinable on lives, for which fine or premium hath been paid, or for lives where a rent is reserved or a fine or premium paid; in which case such notice shall not entitle such bodies, &c. being in actual possession or entitled, as aforesaid, to such preference of redemption), 42 *G.*3. *c.*116. *s.*20.

22. And where any such manors, lands, &c. shall be leased at a rack rent, for a term of years or at will, the bodies politic or companies, or other persons beneficially entitled to the rent, shall (notwithstanding any covenant, &c. for payment of the land-tax charged on such manors, lands, &c. by the tenant or lessee thereof,) be considered as being in the actual possession of such manors, lands, &c. sufficient to claim such preference, *id. s.*20.

23. Where any bodies politic, &c. or companies, or feoffees, or trustees for charitable or other public purposes, shall in pursuance of the recited acts hereafter enter into any treaty for the sale of any of their manors, lands, &c. holden under any demise made by them by copy of court roll, or otherwise, for lives, or any term of years determinable on lives, or for years absolute, or shall hereafter apply to the commissioners acting under this act, by virtue of H. M.'s letters patent under the great seal, for their sanction of any such sale, and obtain a certificate from 2 of them, that such bodies, feoffees, &c. are in their opinion proceeding with reasonable diligence in such sale, (which certificate shall specify for how long the same shall operate,) such bodies, feoffees, &c. during such period, notwithstanding any thing in this act to the contrary, may contract for the redemption of the land-tax charged on their manors, lands, &c. in preference to any body or person holding the same under any such demise; provided such bodies, feoffees, &c. hereby enabled to contract with such preference, shall produce such certificate to the commissioners acting under this act, by virtue of a sign-manual warrant, for the county or place where the manors, lands, &c. the land-tax whereof is to be redeemed do lie, *id. s.*21. [*see s.*61. *pl.*75.]

24. The powers, &c. contained in 42 *G.*3. *c.*116. *ss.*21. 61. *pl.*23. 75. and so far as bodies politic and corporate, and companies, and feoffees, or trustees for charitable or other public purposes, and other persons therein mentioned, who are in actual possession of or immediately entitled to the rents and profits of any manors, lands, &c. charged with land-tax, and the committees, curators, tutors, guardians, or trustees of any such person as aforesaid, are by such powers enabled to contract for the redemption of such land-tax, in preference to any other bodies, companies, or persons having the remainder, or reversion, or expectancy, or being substitute heirs of entail in the same manors, lands, &c. shall cease; and such bodies, companies, and persons may henceforth contract for, or may redeem such land-tax, without preference other than by priority of contract, and the powers of such act shall apply as if no preference had been given, 53 *G.*3. *c.*123. *s.*2.

25. The consideration for such redemption shall be so much in the 3 *per cent* consols, or 3 *per cent* reduced, as will yield a dividend exceeding the amount of the land-tax redeemed by one tenth, to be transferred to the commissioners for the reduction of the national debt, 42 *G.*3. *c.*116. *s.*22.

26. Where the land-tax so to redeemed in any county, riding, &c. for which separate commissioners under the sign-manual are appointed to act, shall not exceed 25*l. per ann.* the consideration for the same may be paid in lawful *British* money in lieu of stock, and shall be paid into the hands of the receiver-general of the land-tax for the county, &c. in *Eng.*, or his deputy, or to the collector for the shire, &c. in *Scot.*, where the manors, lands, &c. the land-tax whereof is to be redeemed are situate, and the amount of such consideration shall be calculated according to the price of stocks, to be from time to time transmitted to such receiver or collector in the manner directed by the schedule to this act annexed marked L., &c., *id. s.*23.

27. When the books of the bank of *Eng.* are opened for the transfer of the 3 *per cent.* consols, after *5th Jan.* in each year, and until opened for the transfer of 3 *per cent.* reduced, after *5th April* in each year, and so from time to time when such books are opened for the transfer of 3 *per cent.* consols after *5th July* in each year, until opened for the transfer of 3 *per cent.* reduced, after 10*th Oct.* in such year, the cashier of the bank on *Tuesday*, weekly, (the same not being a holiday,) shall cause an account to be made out of the average price at which the 3 *per cent.* consols have been bought on such day, (or otherwise on the following open day on which stock is bought, if any is bought at the bank of *Eng.*) and transmitted to the commissioners for taxes; and so from time to time when such books shall be opened at the bank for the transfers of 3 *per cents.* reduced, after 1*st April*, in every year, until opened at such bank for the transfer of 3 *per cent.* consols, after *5th July*, in such year; and so from time to time when such books are so opened for the transfers of 3 *per cent.* reduced, after 10*th Oct.* in each year, and until opened for the transfer of 3 *per cent.* consols, after *5th Jan.* then next ensuing, such cashier shall transmit to the commissioners for taxes such and the like account of the average price of the 3 *per cent.* reduced, as before required of the 3 *per cent.* consols; and such commissioners shall publish in the *London Gazette*, and transmit to the respective receivers-general in the several counties, &c. in *Eng.*, or their deputies, and to the receiver-general in *Scot.*, to be by him transmitted to the respective collectors in the shires, &c. in *Scot.*, an account of the price, which according to the heads in such schedule ought to be the consideration for the redemption of such land-tax; which account, so published, shall be sufficient authority to such officers to settle and adjust the sums, which by such schedule ought to be paid for the redemption of such land-tax on all payments made pursuant to such account, 42 *G.*3. *c.*116. *s.*24.

28. Whenever the price of 3 *per cent.* bank annuities to be transmitted in pursuance of 42 *G.*3. *c.*116. *s.*24., shall be at any price between 50 and 60, the amount of money to be paid as the whole, or as any instalment of the consideration for the redemption or purchase of the land-tax, shall be settled and paid according to the table to this act annexed, and all the rules, &c. in the said act, and in the schedule thereto contained, in relation to settling of such amount in cases where the price of such 3 *per cents.* is above 60, shall be observed in settling such amount, in cases where the price of such stock is between 50 and 60, 43 *G.*3. *c.*51. *s.*1.

29. Whenever by reason of any variation in the prices of such 3 *per cents.* which are not provided for in the said tables to 42 *G.*3. *c.*116. and this act annexed, it is necessary to transmit other tables to the respective receivers in *Eng.* and collectors in *Scot.* to enable them to ascertain the amount of money to be paid as the consideration for such redemption of purchase; the treasury may order proper tables, adapted to meet such variations, to be formed upon the same principles as those to this act, and the 42 *G.*3. *c.*116. annexed; and such tables shall be transmitted by the tax office to the respective receivers-general in *Eng.* or collectors in *Scot.*, and be as valid to enable such receivers or collectors to settle the amount to be paid as the whole or as any instalment of the consideration for such redemption or purchase, as if such tables were hereto annexed, *id. s.*2.

30. Where the consideration for the redemption of land-tax is in stock, and the same is contracted for by any bodies politic, &c. or companies, or other persons entitled to preference under *s.*18. *pl.*20., the whole amount shall be transferred, within 2 years from the date of the contract, to the commissioners for the reduction of the national debt by 4 instalments in each year, *viz.* either on or before 1*st May*, 1*st Aug.*, 1*st Nov.*, and 1*st Feb.*, the first instalment to be made on or before such of those days as next ensue the entering into the contract; provided such bodies, persons, &c. may stipulate with the commissioners with whom the contract is made for the transfer of the whole stock at once, or by instalments at stated periods, so that it be by even instalments at equal intervals, and on or before the days before mentioned in each year, or on such of those days as fall within the period stipulated for such transfer, and provided, notwithstanding such stipulation, the whole or any part of the consideration may be transferred to the commissioners for the reduction of the national debt in advance; but if the whole stock is not transferred at one time, and the division thereof shall occasion a fraction less than 1*d.*, the fractional part shall be taken from the prior instalment, and added to the last, so as to avoid any fraction less than a 1*d.*, 42 *G.*3. *c.*116. *s.*25.

31. Where the first instalment shall not have been transferable till after 1*st Feb.* 1801, application may be made to the commissioners for executing this act, within 3 months from 24*th June*, 1802, who may alter the contract, and agree that the remaining instalments may be transferred within any period not exceeding 5 years, *id. s.*26. [*Qu.* Exp.?]

32. Where the consideration for the redemption of any land-tax is in money, the same may be paid either by one payment or equal instalments as the party chooses, so as such instalments do not exceed 8 in number, and that the whole consideration is paid within 2 years from the date of the contract, according to the price of stock to be transmitted as before directed, to the receivers-general in *Eng.*, and collectors in *Scot.*, in the second week subsequent to the day of entering into the contract; but where the whole consideration is not paid at once, but by instalments, then for the second and subsequent instalments according

to the prices of stock transmitted in the week preceding the days stipulated, and conformable to the schedule L; and in such case the sum stipulated to be paid, shall be paid to such receivers or collectors on the days so stipulated; with like provision in respect of fractions of a farthing as in *s.*25. *pl.*30. directed in respect to fractions of a penny, 42 *G.*3. *c.*116. *s.*27.

33. The whole or part of such consideration may be paid to the receivers-general in *Eng.* and collectors in *Scot.* in advance, notwithstanding any stipulation to the contrary; provided that bodies politic, &c. companies, and persons desirous of so paying in advance, shall give 21 day's notice in writing to such receiver or collector of such intention, and such receiver, &c. shall on receipt of such notice, transmit to the commissioners for taxes for the information of the treasury, an account of payment intended to be made in advance, and of the days when; and such payments shall be made according to the price of stock transmitted in the week preceding the day of payment, and the table, rules, &c. of schedule L, *id. s.*28.

34. On making the second and subsequent instalments, a sum by way of interest shall be paid (in cases where the consideration is in stock) to the cashier of the bank, (and when in money) to the receivers-general in *Eng.*, and collectors in *Scot.*, to the use of H. M., equal to the amount of land-tax redeemed, deducting therefrom a sum bearing the same proportion to such land-tax, as the amount of stock then before transferred bears to the whole amount of stock agreed to be transferred, or (in cases of consideration in money) the number of instalments then before paid, bears to the number agreed to be paid, having regard in stock cases, to the time when the first dividend after the transfer of such stock will become payable; of which sums for interest a separate account shall be kept in the bank of *Eng.*, and by such receivers and collectors, and the same shall be paid separately into the receipt of the exchequer, to be applied to any purposes to be voted by the commons, and the receipt of such cashier, and of such receiver or collector, as the case is, shall be a good discharge to the party paying such interest; and after the whole stock is transferred, or the money paid in advance, no more interest shall be payable, *id. s.*29.

35. Where the consideration for the redemption of any land-tax should be in stock, and such land-tax shall be contracted for by any bodies, companies, or persons entitled to any benefit of preference under 42 *G.*3. *c.*116. *s.*18. *pl.*20. the whole amount of such consideration may be contracted to be transferred within 16 years from the date of such contract; and in such cases it shall be transferred to the commissioners for the reduction of the national debt, by equal instalments yearly, the first to be made on or before one of the quarterly days in 42 *G.*3. *c.*116. *s.*25. *pl.*35, specified as shall next ensue the entering into such contract; provided that the whole stock so agreed on may be so transferred in advance, notwithstanding any stipulations to the contrary; provided also, that if division of the entire quantity of stock would occasion a fraction less than a 1*d.* such fraction shall be added to the last instalment, so as to avoid fractions of a penny, and that on transfer of the second and every subsequent instalment upon such contract, interest shall be paid into the bank of *Eng.* for the use of H. M., in like manner as in 42 *G.*3. *c.*116. *s.*29. *pl.*38., directed in cases of transfer of stock by instalments, 46 *G.*3. *c.*133. *s.*1.

36. All the provisions of 42 *G.*3. *c.*116. so far as the same are applicable, and where not expressly varied hereby, shall be applied in like manner and exercised in execution of this act, *id. s.*8.

37. On all contracts for redemption of any land-tax in *G. B.* the consideration whether in stock or money may be stipulated to be transferred or paid in equal sums by half-yearly instalments, during the period stipulated for transfer, &c. *viz.* on the *29th Sept.* and *25th Mar.* in each year, of assessment of land-tax; and on all such contracts the consideration may be stipulated to be wholly in money (whatever the amount may be) and calculated and settled either according to the land-tax acts in force at the time of passing this act, or according to this act; and every such contract where the consideration shall be in stock, to be ascertained according to such former land-tax acts, shall be in form contained in this act, in the schedule marked (A. No. 1.) and when in money to be likewise so ascertained in form in this act, in the schedule marked (A. No. 2.) and when in money to be ascertained under this act in form, in the schedule of this act marked (B.) except in cases hereinafter excepted, 53 *G.*3. *c.*123. *s.*3.

38. In contracts hereafter to be entered into, it shall be lawful to stipulate for the transfer or payment of the consideration within any period not exceeding 16 years as the parties shall choose, to be computed from the *25th Mar.* next preceding the date of the contract, by even sums in each year as near as may be computed; provided that the stock to be transferred within any year shall not be under 100*l.* nor the money to be paid under 60*l.*, the duration of the contract to be regulated by the amount of the consideration thereon; and where the consideration is under 100*l.* stock, or 60*l.* money, the same shall be transferred or paid within one year in one sum, or by two equal sums as specified in the contract, except in the cases hereinafter authorized, 53 *G.*3. *c.*123. *s.*4.

39. Whenever any contract is made for the payment of the consideration for the redemption of any land-tax in money to the receiver-general in *Eng.*, or collector of cess in *Scot.* by two instalments yearly, on or before days herein mentioned, and such receiver or collector is not on his receipt of land-tax within the county, shire, &c. no forfeiture or charge of interest shall accrue under 42 *G.*3. *c.*116. or this act, if the party contracting shall pay what is then due on the day appointed for the next receipt of land-tax for that county, &c. where such receiver or collector shall attend, *id. s.*8.

40. All bodies politic, &c. companies, and persons claiming any preference hereby given on their own or any other's behalf, shall produce to any two commissioners of land-tax, acting for the hundred, &c. of the county, &c. in *Eng.*, or in *Scot.*, to 2 commissioners of supply of the county, or stewartry, or chief magistrate of a city, &c. within which any manor, lands, &c. or other property whereof the land-tax is proposed to be redeemed shall be situate, a schedule of such manors, lands, &c.; which shall contain the nature of the premises, the names of the occupiers thereof, and the parish or place where situate; and such commissioners or chief magistrate shall settle and adjust the amount of land-tax charged thereon, distinguishing according to the form and method in the schedule marked (A.) hereto annexed, the district and parish within which and manors, lands, &c. upon which each separate assessment shall be charged, and grant a certificate thereof to the applicants, who shall thereupon produce such certificate to the commissioners acting under this act, by H. M.'s sign-manual warrant, or transmit it to their clerk; and if the land-tax to be redeemed does not exceed 25*l.* and the consideration is to be in money, shall specify the same in writing, and whether it is to be paid at once or by instalments, and also the day or days when; and such last mentioned commissioners shall examine, and if necessary amend such certificate, and contract with the applicants for the redemption, and insert a description of such lands, &c. in the certificate of contract, 42 *G.*3. *c.*116. *s.*30.

41. Where such consideration is in stock, the certificate of the contract shall be according to the schedule hereto annexed, marked (B), and when in money according to that marked (C), *id. s.*31. [*See as to these forms, 53 G.3. c.123. s.3., antc, pl.* 37.]

42. Where the commissioners acting under this act as aforesaid, are in possession of true copies of assessments of land-tax, charged on the parishes or places in their respective counties, cities, &c. transmitted to them by the clerk of the commissioners of land-tax acting for any hundred, &c. in *Eng.* and of supply in *Scot.* of the county, &c. where such parishes, &c. are situate, according to 39 *G.*3. *c.*6. [*which was* Rep. by *s.*1. of this act], they may contract for the redemption of land-tax, although no certificate of account shall be produced by the parties applying to redeem; provided such parties shall transmit to the clerk of the commissioners under this act such schedule in writing as is hereby required to be produced to the commissioners of land-tax or supply, who shall insert in every certificate of such contract a description of the manors, lands, &c. contained in such schedule, and a true copy of the assessment, so far as it relates to such manors, lands, &c. together with the amount of land-tax charged thereon, according to the assessment so in their possession, *id. s.*32.

43. Where the commissioners acting under this act as aforesaid, have not in possession any such copies of the assessments charged on any parish or place, and have demanded the same from the clerks to the commissioners of land-tax and supply acting in their respective divisions, (which they shall do,) and also in every case where any alteration is made in the assessments by such commissioners, such clerk having such assessments in his custody, shall within 6 days after demand made, or after any such alteration make out a true copy of such assessments or alterations, which two commissioners of land-tax or supply shall subscribe; and such clerk shall deliver such copies to the commissioners acting under this act, or their clerk, within the time limited, or permit him to take copies thereof, and in case he shall neglect so to do, within such 6 days, he shall forfeit 50*l.* to be recovered as any penalty under this act may be, *id. s.*33.

44. Every clerk to the land-tax or supply commissioners shall for each such copy, on application to the receiver-general in *Eng.* or collector in *Scot.* of the county, &c. on production of a certificate of 2 commissioners acting under this act that such copy has been duly delivered receive after the rate of 4*d.* for every chancery sheet contained in such copy, reckoning every separate amount of land-tax set down in figures as 3 words, *id s.*34.

45. In case any difficulty arises in the redemption of land-tax charged on any tithes, or any fee-farm rents, feu-duties, or other rents, or any lands, &c because such tithes, &c. have not been assessed, or distinctly assessed to the land-tax, or because the land-tax has been

deducted out of any such rents by the owners or occupiers of the lands charged therewith, any body politic, &c. or company, or other person entitled to such tithes, &c. may apply to the commissioners of land-tax or supply, to settle the proportion of land-tax which ought to be paid by such bodies, companies, &c. on account of such tithes, &c. who shall thereupon ascertain and settle the same, and grant a certificate thereof; and on the production of such certificate, the commissioners under this act may contract for the redemption of the land-tax, and such bodies, companies, &c. may do all acts to execute such contracts, as if such tithes, &c. had been distinctly assessed, 42 *G.3. c.*116. *s.*35.

46. Where any such rents or feu-duties and the manors, messuages, lands, &c. out of which the same issue are not distinctly assessed to the land-tax, the commissioners under this act on application of the bodies, companies, &c. entitled to such rents, &c. and who are desirous of redeeming their proportions of land-tax, may settle such proportions in like manner as the commissioners of land-tax or supply may, [*see s.*35. *pl.* 45.] and thereupon contract with the bodies, companies, &c. who shall apply for such redemption, *id. s.*36.

47. Where any such certificate as in *s.*30. *pl.* 40. or schedule, as in *s.*32. *pl.* 42. shall be produced or transmitted by any body, company, or person for the purpose of entering into any contract for the redemption of land-tax by payment of the consideration in money, the clerk to the commissioners under this act shall transmit an account to the commissioners of taxes for the information of the treasury, and also to the county receiver-general, if in *Eng.* or to the receiver-general if in *Scot.* specifying the amount of land-tax to be redeemed, and day or days of payment on which the whole or the different instalments of the consideration, as the case is, are to be paid; and the treasury may from time to time direct any money to be advanced to the commissioners for the reduction of the national debt, for the purchase of so much capital stock as is necessary to complete such contracts, or any instalment thereof, as well before or on the days appointed for payment of the money payable on such contracts as before or on the days whereon payments in advance shall be made as herein before provided, or as soon after as is convenient, out of any monies in the hands of such receivers-general, or in the exchequer, applicable to the service of the year, as the treasury deem fit, which sums shall be replaced by the money paid on such contracts to such receivers, and the stock so purchased shall be placed in the names of the commissioners for the reduction of the national debt, for the uses of this act, as if purchased with the money paid on such contract; and as soon as such contract is completed the commissioners who entered into the same shall give notice thereof to the commissioners of taxes, as also to such receiver-general as aforesaid, *id. s.* 37.

48. On production of a certificate of any such contract at the bank of *Eng.* in cases where the consideration is in stock, and on the transfer to the commissioners for the reduction of the national debt, of the *3 per cent.* to be tranferred as the consideration for the redemption of the land-tax thereby contracted for, or of any instalment thereof, the cashier of the bank shall acknowledge such transfer by granting a receipt indorsed on the certificate of contract, according to the form in the schedule hereto annexed, marked (E); and in case the consideration is in money, then on production of the certificate of such contract to the receiver-general for the county, &c. in *Eng.* or his deputy, or to the collector for the shire, &c. in *Scot.* where the manors, lands, &c. of which the land-tax is to be redeemed are situate; and on payment of the money agreed on, or any instalment thereof, such officers shall acknowledge such payment by indorsing a receipt in the form prescribed in the schedule to this act annexed marked (F.); and every such certificate or receipt of such cashier, or such receiver-general in *Eng.* or collector in *Scot.* shall be an acquittance to the body, company, or persons transferring such stock, or paying such money; and on the transfer or payment of such consideration, or any instalment thereof, the manors, lands, &c. comprised in such contract shall be wholly freed from the land-tax, from such of the quarterly days of payment of land-tax, as shall next precede the day of transfer and payment, provided the certificate of contract is duly registered according to this act; provided that where any contract for redemption of land-tax is not registered within the time hereinafter limited, the lands, &c. comprised therein shall only be discharged from the quarterly day next preceding the day whereon the contract is left for registering, *id. s.*38.

49. When any one or more coparceners, heirs, portioners, tenants in common, or joint-tenants of any manors, lands, &c. shall redeem his, her, or their proportions of the land-tax charged thereon, [*see s.*11. *pl.* 13.] and partition shall at any time afterwards be made of such manors, lands, &c. between them, the manors, lands, &c. allotted to those who have redeemed their proportions of the land-tax, shall immediately on such partition being completed be discharged from the land-tax, *id. s.*39.

50. Where in any contract *already* made under the recited acts for the redemption of land-tax, an option is declared to consider bodies politic, &c. or companies or other persons so contracting on the same footing as persons not interested in the manors, lands, &c. comprized in such contracts, whereby such manors, lands, &c. remain chargeable with the land-tax, and such bodies, companies, &c. or their successors, heirs, executors, &c. shall be desirous of exonerating such manors, lands, &c. from the land-tax, they may at any time *hereafter* apply for that purpose to the commissioners acting under this act as aforesaid for the county, city, &c. where such manors, lands, &c. do lie; and on such application, and on the production of a certificate under the hands and seals of any 2 commissioners of land-tax acting for the division where the same is situate of the amount of land-tax, and of the certificate of contract to the commissioners acting under this act, two of them may contract with such bodies, companies, &c. their successors, heirs, executors, &c. for exonerating such manors, lands, &c.; and in such case, where it appears by certificate and contract that no variation has taken place in the mean time in the amount of such land-tax, may amend the certificate of contract by striking out all such parts thereof as relate to the declaration of option, and certify their having so done under their hands and seals on the back; and after the registry of such certificate and indorsement thereon (whether the same has been previously registered or not), the manor, lands, &c. comprized therein shall be exonerated from the quarterly day of payment next preceding the leaving such certificate for registry at the proper office, 42 *G.3. c.*116. *s.*40.

51. And when it appears in any such case as in *pl.* 50. by the certificate of amount of land-tax and the certificate of the contract for its redemption, that the amount then charged on the manors, lands, &c. comprized therein, is either more or less than the amount redeemed, 2 of such commissioners may rescind such contract and enter into a new one for the redemption of the land-tax then charged on the said manors, lands, &c. without any declaration of option, and indorse on the certificate of such new contract a true copy of any receipt indorsed on the original, purporting to be given by any cashier of the bank of *Eng.*, or any receiver general of land-tax in *Eng.* or collector in *Scot.* for the consideration, or any part thereof, to be transferred or paid, and actually transferred, &c. on such original contract; provided no such manors, lands, &c. shall be exonerated in any case where the land-tax has been encreased, unless the applicant shall contract to transfer or pay, and shall at the time in the contract mentioned actually transfer at the bank of *Eng.*, or pay to the receiver-general in *Eng.* or collector in *Scot.* of the county, &c. or place where the same is situate, so much *3 per cents.* in addition to stock already transferred, or so much money in addition to the sum already paid as shall be equal to redeem the difference between the land-tax contracted for in the new contract, and that contracted for by the contract rescinded: provided where the land-tax shall decrease in amount, and which amount has been duly charged on other manors, lands, &c. in the same parish, and a new contract is made for the redemption of the land-tax then charged, the commissioners who shall enter into such last-mentioned contract shall certify in writing signed by two of them to the commissioners for taxes, the several amounts of the stock or money to be tranferred or paid, and actually transferred or paid in pursuance of the original and new contracts respectively; and thereupon the commissioners for taxes may order the bank of *Eng.*, or the receiver general in *Eng.* or collector in *Scot.* for the county, &c. where such manors, lands, &c. are situate in cases where more consideration has been transferred or paid on the original than the consideration inserted in the new contract, to repay to the party entitled the difference, if such monies have not been invested in stock; and in cases where stock has been purchased, then, on certificate signed by any 3 commissioners of taxes of the amount transferred on the old, and the amount to be transferred on the new contract, one commissioner for the reduction of the national debt shall tranfer such difference to the party entitled, and after the registry of such certificate of contract as before directed, the manors, lands, &c. shall be discharged as in *s.*38. *pl.*48. directed, *id. s.*40.

52. Where any manors, messuages, lands, &c. shall belong to or stand limited to the use and benefit of any body politic, &c. or public company, or any feoffees or trustees for charitable or other public purposes, and any personal property invested in the public funds or placed out on mortgage or other security, either in the names of such bodies, companies, &c. or in the names of any trustees or of the officers of any court, is subject to any trust to be laid out in the purchase of other lands, &c. to be limited to the use and benefit of such bodies, companies, &c. then such bodies, companies, &c. or such trustees and officers may, with the consent of two commissioners under this act, acting under H.M.'s letters patent under the great seal (to be certified under their hands), apply such personal property towards the redemption of the land tax, or part thereof, charged on such manors, lands, &c. belonging to such bodies, companies, &c.; and where such personal property is under the controul of any court, the same shall be so applied by order of such court to be made on the production of such certificate from such commissioners as aforesaid, *id. s.*41.

53. Where any manors, lands, &c. are settled or limited to any us

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or trusts, and any other property is subject to any trust to be applied in the purchase of other manors, lands, &c. to be settled to the same uses or trusts, or to be applied in payment of debts or charges affecting the same, then such other property may be applied in the redemption of the land-tax charged on such settled manors, lands, &c. with such consent as is necessary for applying it in purchase of any manors, lands, &c. according to the terms of the trust affecting the same, whether such trust has been created by statute, will or otherwise; and when such trust property is under the controul of any court, the same shall be so applied under the order of such court, 42 *G.*3. *c.*116. *s.*42.

54. Where any land-tax charged on any manors, lands, &c. belonging to any bodies, companies, &c. as in *s.*41. *pl.* 52. is redeemed by the application of such personal trust property in pursuance of this act, such land-tax shall sink and become merged in the same manors, lands, &c. for the benefit of the bodies, companies, &c. entitled thereto; provided that if such personal trust property which is so applied is insufficient for the redemption of the whole land-tax charged on such manors, lands, &c. such bodies, companies, &c. may exercise the powers by this act given them, in order to raise money for the redemption of so much land-tax charged on such manors, lands, &c. as such personal trust property is insufficient to redeem, *id. s.*43.

55. The governors of queen *Anne's* bounty may apply any sums which under their charter or any acts now in force, shall be applicable to the augmentation of livings, in the redemption of the land-tax charged on the lands, tythes or other profits arising from any such livings which may be contracted for by such governors in pursuance of this act, and the transfer or payment of the consideration for such redemption shall, from the quarter-day next preceding the making thereof, wholly exonerate such lands, &c. from land-tax, and which shall then sink for the benefit of such livings; and such governors may apply any such sums towards purchasing any rent charge granted under the authority of the recited acts, or this act, by any incumbent of any living which such governors shall agree to augment, and such rent charge, when purchased, shall be surrendered to the incumbent to be extinguished for the benefit of such living, *id. s.*44. [*See s.*15. *pl.* 17., *s.*161. *pl.* 98.]

56. Whenever the governors of queen *Anne's* bounty have appropriated any sum of money for the benefit of any living or the incumbent of any living which such governors shall agree to augment, the incumbent of such living, by direction of such governors, may contract for the purchase of the land-tax on the same terms and in the manner directed by 42*G.*3. *c.*116. [*see s.*15. *pl.*17., *s.*44. *pl.* 55., *s.*161. *pl.*198.] and may apply such sum so appropriated, or partt hereof, in satisfaction of the consideration stipulated in such contracts; and such incumbent of such livings so to be augmented from period of exoneration of such land-tax, and his successors, shall have and be in actual seizin and possession of a fee farm rent equal in amount to land-tax so purchased, issuing out of such manors, lands, &c. on the days on which such land-tax was payable, and shall enjoy all such remedies for recovery of such fee farm rents as are by 42 *G.*3. c.116. given to purchasers of land tax, 53 *G.*3.123. *s.*32.

57. The trustees of property heretofore given by will to be laid out in the purchase of lands or impropriate tythes, for the benefit of the poor clergy in *Eng.*, (with such consent as by the will is required) may apply any money or funds, which by such will are applicable to such purposes, towards the redemption of any land-tax charged on the lands, tythes, or profits, arising from any livings belonging to the church of *Eng.*, which shall be contracted for by the incumbents with the consent of such trustees, or of such other person whose consent is required by such will, or which may be contracted for by such trustees in pursuance of this act; and the transfer or payment of the consideration for such redemption shall, from the quarter day next preceding the making thereof, wholly exonerate the land, &c. of such livings from such land-tax, and which shall be extinguished for the benefit of such livings; and such redemption shall be deemed valid in law, and equivalent to a purchase of lands or tythes for such purpose, under the trusts of such will, any statute of mortmain or other statute notwithstanding, 42 *G.*3. *c.*116. *s.*45.

58. Where any lands, &c. are settled to charitable uses, for the benefit of any parish or place, the land-tax thereon may be redeemed out of any poor-rate made on such parish, in case the rents and profits of such lands shall be applicable to the benefit of the poor; and out of any church-rate when applicable to the repairing of any church or chapel, or otherwise out of such parish-rate as the circumstances of the case shall require; provided, no rate shall be so applied without the approbation of 2 justices of peace for the county, &c. certified in writing to the commissioners under this act, under H. M.'s sign-manual warrant, upon proof before them, by oath or affirmation, of notice having been given, during divine service on 2 *Sundays*, in the parish church or chapel, or where there is none, then in the church of the parish next adjoining, of an intention to apply, and of the time and place of application for such approbation, *id. s.*46.

59. Where under any act of parliament, deed, will, or decree of any court, any trust-property is applicable to charitable purposes, for the benefit of any parish or place, it may be applied in redemption of the land-tax charged on any manors, lands, &c. settled to charitable uses, for the benefit of such parish, &c. and by deed under the hands and seals of the parson, vicar, or curate, and of the churchwardens and overseers of such parish, or the major part of them, inrolled in manner hereinafter directed, for deeds executed by trustees and others, for the sale of lands to redeem land-tax, such manors, lands, &c. may be charged with the payment of an annuity equal to the amount of the income of the trust-property applied in such redemption; provided, the same be done with like approbation of 2 justices on like proof of notice, as by *s.*46. *pl.* 58. directed, where the poor or church rates are applied in such redemption, 42 *G.*3. *c.*116. *s.*47.

60. The governors and directors of hospitals and other charitable institutions, may apply any legacies or voluntary donations given them for the benefit of such hospitals, &c. in redemption of land-tax, charged on any manors, lands, &c. belonging to them, where the same are not directed by the donor to be applied in any particular manner, *id. s.*48.

61. Any company of proprietors of canals, or other navigations, or works of public utility, may, in order for the redemption of land-tax charged on the profits, &c. arising therefrom, as well as on their messuages, lands, &c. raise money necessary for such purpose, either by calls on the proprietors, or by mortgage, or such other ways as are allowed by any act in force, or hereafter to be made for the purposes in such acts mentioned, *id. s.*49.

62. Any person by will or otherwise, or any body politic, &c. or company, may give money for the purpose of applying the same in the redemption of the land-tax, charged on any manors, lands, &c. settled to any charitable purposes; and the same shall be so applied accordingly, *id. s.*50.

63. For the purpose of redeeming the land-tax, charged on any manors, lands, &c. belonging to any person or persons, (not being bodies politic, &c. or companies, or feoffees, or trustees, for charitable or other public purposes) whether such manors, lands, &c. are situate in the same or in any other division in the same county &c. or in any other county, &c.; and whether such land-tax has been or shall be contracted for either before *24th June* 1802, or thereafter under this act, such person as is seised or entitled beneficially in possession to the rents and profits of, but who have not an absolute estate or interest in any manors, lands, &c., or any heriots, services, emoluments, or advantages arising from any freehold, copyhold, or customary messuages, lands, &c. or incident thereto, or accruing therefrom, (other than tenants at rack-rent, for any term of years, or from year to year, or at will; and tenants holding under the crown, any lands or tenements within the survey or receipt of the exchequer or duchy of *Lancaster*, or under the duke of *Cornwall* any lands or tenements parcel of such duchy); but under the restrictions and regulations hereinafter mentioned, may absolutely sell by public sale or private contract, and by deed indented and enrolled, or registered as hereby prescribed, convey (either at once for making good the whole consideration for redeeming such land-tax, or at various times for making good the different instalments thereof, as they become due, or any number of instalments at once, as is most expedient) any such manors, lands, &c., or any such heriots, &c. whereof such person is in actual possession, or entitled beneficially to the rents and profits, as are eligible, whether of freehold or copyhold, or customary tenure, or holden for any term of years (other than any term of years at a rack-rent), and whether the manors, lands, &c., heriots, &c. so sold, shall or shall not be charged with land-tax, and if charged, then freed from the same, *id. s.*51.

64. And all such persons who shall be in the actual receipt of, and beneficially entitled to the rents and services reserved out of any manors, lands, &c. which have been or shall be granted by them, or any former owners thereof, for any beneficial leases, or by any copy of court roll, or demised according to the custom of any manor for life or lives, or years absolute, or years determinable on any lives, may in like manner sell and convey (either at once or at various times) the fee-simple, and inheritance of such manors, lands, &c. which have been so granted or demised for any beneficial lease, or by copy of court roll, or any other grant according to the custom of any manor for life, &c.; and also the rents, services, &c. reserved and payable in respect of such leasehold or copyhold tenements, subject to the subsisting interests of the lessees, copyholders, or other customary tenants, whether such last mentioned manors, lands, &c. shall or shall not be charged with land-tax, or whether such land-tax shall have been redeemed by the lessees, &c. thereof, or not; and if the same shall be charged with land-tax, then freed from the same, *id. s.*51.

65. And all such persons, by deed indented and enrolled, or registered, and under the restrictions herein directed, may convey or demise any such freehold, copyhold, or leasehold manors, lands, &c. whereof they shall be in the actual possession, or beneficially entitled to the rents and profits as aforesaid, freed from land-tax, in case any is

charged thereon, to any person by way of mortgage, either in fee-simple or for term of years (where the same shall not be of copyhold or customary tenure) for securing such sums as shall be sufficient to redeem the land-tax so contracted for by such person, or grant any rent-charge, to be issuing out of such manors, lands, &c., not exceeding the amount of land-tax so contracted for; provided, no sale, mortgage, or grant out of any manors, lands, &c., shall be made under this act, but only to redeem the land-tax charged thereon, (in cases where it is so charged); and also on other manors, lands, &c. which stand limited or settled and subject to the same trusts, &c., or in the same order of limitation as the manors, lands, &c. which shall be so sold, mortgaged, or charged, except as to such variations as may be occasioned by the difference in tenure of freehold and copyhold estates, 42 *G.* 3. *c.* 116. *s.* 51.

66. Any person who is seised in fee-tail of any manors, lands, &c. in *Eng.*, may convey such part thereof as is deemed eligible to be sold for the purpose of redeeming the land-tax charged thereon, by deed indented and enrolled, or registered, as hereby prescribed; and such deed, so enrolled, &c., shall bar all estates-tail, and other estates in possession, reversion, remainder, or expectancy, in the hereditaments so conveyed, as if such tenant in tail had levied a fine, or suffered a common recovery thereof, *id. s.* 52.

67. For the purposes aforesaid, all committees and curators of lunatics, or idiots' guardians, or tutors of infants, and executors and administrators, curators, and trustees, seised of any manors, lands, &c. in trust, and authorized to act for infants, minors, issue unborn, *femes covert*, or other persons incapable by law or deed to act for themselves, may, on behalf of such persons, and under the restrictions herein contained, sell, or mortgage and convey, or grant any rent charge out of any manors, lands, &c. belonging to, or settled to the use and for the benefit of such incapacitated persons, which they (but in case of issue unborn, if *in esse*) might have sold, &c. in order to redeem any land-tax in respect of their estate or interest therein, either under this act or otherwise, if they had not been so incapacitated, *id. s.* 53.

68. All sales, mortgages, or grants, in relation to estates in *Eng.* made under this act, by any person (other than bodies politic, &c., or companies, or feoffees, or trustees for charitable or public purposes, and other than such persons holding under any grant from the crown, or act of parliament, as hereinafter mentioned), shall be made, with the consent of the commissioners acting under this act, by warrant under the royal sign manual, for the county, &c. in which such manors, lands, &c. so sold, &c. shall be situate; and no such sale, mortgage, or grant, shall be valid, unless 2 of such commissioners shall certify their consent thereto, by signing or sealing the deed of sale, &c., *id. s.* 54.

69. No manors, lands, &c. in *Eng.* shall be sold or mortgaged, nor any rent-charge granted thereout under this act by any persons under the authority of the last mentioned commissioners, without one calendar month's previous notice in writing given to such commissioners by the party so selling, &c. nor unless he shall before such sale, &c. produce to such commissioners a schedule in writing, declaring the quantity or duration of his estate or interest in the manors, lands, &c. whereon the land-tax to be redeemed is charged, and (if the same is not an estate of inheritance) then the parties next entitled to any beneficial interest in such manors, lands, &c. expectant on the determination of the immediate estate or interest therein; and if such manors, lands, &c. are subject to any mortgage, charge, lien, or incumbrance, then the name of the party having such mortgage, &c. and the amount thereof, and if more than one, the priorities of the respective incumbrances, *id. s.* 55.

70. If any manors, lands, &c. which shall be sold at various times, are situate in different counties, then the party making such sale shall in case any manors, lands, &c. situate in any other county have been sold for making good any prior instalments, produce to such last mentioned commissioners a certificate under the hands and seals of the commissioners of such other counties of the former sales, which certificate shall contain a statement of the manors, lands, &c. which have been so sold, and of the amount of the purchase money thereof, and which they shall give to the parties applying for the same; and such commissioners, under whose authority such subsequent sale is to be made, may examine on oath or affirmation, as hereby directed, *s.* 7. *pl.* 9., persons desirous to make such sales, touching such former sales, and receive any affidavit or deposition in writing in the manner herein prescribed, *id. s.* 56.

71. This act shall not enable any tenant for lives or years determinable on lives, or for years absolute, though not at rack rent to sell any part of the tenement demised, in case of a demise for which a fine was paid without the consent of the body politic, &c. company, or person entitled to the immediate estate in reversion on such demise, *id. s.* 57.

72. Where any trusts, mortgages, charges, liens, or incumbrances, shall equally affect divers manors, lands, &c. part whereof is to be sold to redeem the land-tax charged on such manors, lands, &c. so equally subject to such trusts, &c. then the court of chancery in *Eng.* and of session in *Scot.*, if satisfied that such of the said manors, lands, &c. as shall not be sold, are sufficient to secure such trusts, mortgages, &c. may direct that such of the said manors, lands, &c. as are so sold shall be conveyed to the purchaser discharged from such trusts, mortgages, &c. who after registry or inrolment of the conveyance as herein directed, may hold the same discharged therefrom; provided neither this act nor any such order shall discharge the manors, lands, &c. so sold from any trusts, mortgages, &c. which shall not equally affect the whole thereof, the land-tax of which shall be redeemed by a sale of part thereof; but all such trusts, &c. shall remain a charge on such manors, lands, &c. as if this act had not been passed, and the money arising from such sales, and the surplus thereof (if any) shall be applied under the direction of such courts in the manner as herein directed in other cases of sales of estates to redeem land-tax, 42 *G* 3. *c.* 116. *s.* 58.

73. Where any such sale is by auction, the commissioners authorizing the same, shall give 10 days' notice thereof in the newspaper of the county, &c. where the manors, lands, &c. are situate; and where such sale is by private contract, they shall not certify their consent thereof, without having estimates in writing, verified by oath or affirmation (which any one of them may administer,) of the value of the part to be sold, nor without being satisfied that sale thereof will not materially injure the residue of the estate, and that the part proposed to be sold is proper for the purposes of this act, *id. s.* 59.

74. Any person (not being bodies politic, &c. companies, or feoffees, or trustees for charitable or other public purposes, and not holding by grant from the crown, or by statute as hereinafter mentioned,) who is seized, or beneficially entitled to any manors, lands, &c. in *Eng.* of which any copyhold or customary estates are holden, may, by leave of the court of chancery signified by order on petition in a summary way, enfranchise such copyhold or customary estates, *id. s.* 60.

75. Where any heir of entail in possession in *Scot.* or his tutor, or where he is a lunatic or idiot, his curator, mean to sell part of such estate to purchase the land-tax thereon, he may apply by petition to the court of session, stating amount of land-tax payable out of the same, what part is proposed to be sold, and the annual value of that part, and praying the court on proof thereof, and that the sale of such part will not materially hurt the estate remaining unsold, and that such part is proper to be sold, to authorize such sale to proceed as hereinafter enacted, and such court shall intimate such petitions on the walls of the outer and inner house of such court in common form, for 10 *sederunt* days, and also cause it to be advertized weekly for 2 weeks successively in the *Edinburgh Gazette*, which intimation and advertizement shall be valid against all persons whatever, as if such petition had been personally intimated to, or served on all persons having any interest in such estate as substitute heirs of entail, creditors or otherwise; and such intimation being duly made, the court shall proceed summarily in the matter, and authorize the sale of such part which the court thinks proper, and against which no reason is shewn by any interested person; and the extract of the decree of such court shall be authority to the commissioners under this act to carry on the sale as herein directed, *id. s.* 61. [*see pl.* 23.]

76. Where any heir, tutor, or curator, as in *s.* 61. *pl.* 75. in *Scot.* means to burden such estate with money borrowed to enable him to purchase the land-tax, he may apply by petition to the court of session, stating the amount of land-tax payable, the sum to be borrowed, and whether it is intended to grant the heritable security over the whole or part of the estate, and if over part, what part, and praying the court to authorize him to borrow such sum, as the court deems fit for the purpose of this act, and to grant heritable security in common form for that sum over the whole or part of the estate, as the court deems proper; and such court shall intimate and advertise such petitions as in *s.* 61. *pl.* 75. directed, and the effect shall be the same in both cases, and such intimation and advertisement being duly made, the court shall proceed summarily, and authorize the petitioner accordingly, provided no reason is stated to the contrary by any interested party, *id. s.* 62.

77. Where any farms, lands, or tenements, originally possessed together, are proposed to be sold under this act, which are more than sufficient for that purpose, and it appears to the court of session, either from the detached situation of such farms, &c. or otherwise, that the same cannot be divided without a loss, or that the sale of the whole would be more advantageous to the entailed estate, and the successive substitute heirs of entail, such court may proceed as it is in other cases authorized by this act to order the sale of the whole of such lands, due notice having been given to the next substitute heir of entail resident in *G. B.*, and of lawful age, of such proposed sale; and the surplus money after the land-tax has been redeemed, and costs of sale paid, shall with the annual proceeds thereof, be disposed of under the direction of such court in the same manner as in *s.* 100. *pl.* 128. directed, with respect to the eventual surplus money arising from sales of only so much as was deemed adequate for the redemption of land-tax, *id. s.* 63. All expences incurred by heirs of entail, or others entitled as aforesaid to purchase the land-tax affecting the entailed estate in *Scot.* either in selling part of such estate, or borrowing money on heritable security, or purchasing out of their

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own proper means the land-tax affecting the entailed estate, shall be defrayed out of the price of land so sold or included in the heritable or other proper security, and be made part of the charge on the entailed estate; provided the amount be previously ascertained by decree of the court of session on a summary application for that purpose, 42 *G.*3. *c.* 116. *s.* 64. [*see pl.* 118.]

78. Where any such sale is made by order of the court of session, the same shall be done by public auction, at such time and on such notice as the court shall direct; and before such sale, such court shall draw up articles of sale in the usual forms according to the *Scotch* laws, to make such sale effectual, and whereby the purchaser shall be bound to pay the price to a trustee named by the vendor, to be approved of by such court, and who shall find a security duly to apply the sum so paid to him for the purposes herein enjoined and directed; and further such trustee shall forthwith be bound, on receipt of such price, to pay the same into bank of *Eng.*, to be placed to the account of the commissioners for the reduction of the national debt for the purposes of this act, and the cashier's receipt shall discharge such trustee and such purchaser for the money agreed to be paid by him, and which purchaser on such payment into the bank, shall be entitled to demand from the heir of entail or vendor such disposition, conveyance, or other title to the subjects sold, containing all usual clauses for rendering his right complete under the direction of such court, *id. s.* 65.

79. Where any part of an entailed estate in *Scot.* is sold for the purposes of this act, and where any heritable security is granted on any entailed estate under this act, such sale and grant shall be as valid as if the estate, part of which is sold, or on which any heritable security is granted, had been held by such seller and granter in fee-simple unfettered by any entail; and such grantee, his heirs, executors, and assignees shall have all legal powers and remedies to recover either the interest or the principal; provided it shall not be competent to adjudge any part of the entailed estate either for principal or interest, *id. s.* 66.

80. For the purpose of raising money to redeem the land-tax charged on any manors, lands, &c. subject to any restriction in the power of the persons beneficially entitled to the rents and profits thereof, to cut down timber standing thereon, such persons with the consent of the court of chancery in relation to estates in *Eng.*, and of session in relation to estates in *Scot.*, may cut down such quantity of timber as such courts by petition in a summary way shall direct, and apply the proceeds under the order of such courts in the manner herein directed for money obtained on the sale of estates to redeem the land-tax; and the land-tax, which is redeemed by money arising from such timber, when all instalments to be transferred or paid on the contract for redemption are completed, shall become merged in such manors, lands, &c. whereon charged for the benefit of the persons beneficially entitled thereto, unless such courts shall make any order respecting the manner in which the income to be derived from the redemption of such land-tax ought to be applied, during so long as the manors, lands, &c. on which such timber has been growing, are in the posession of any person having a limited interest therein; which order such courts may make, having regard to the state of the timber and to the rights of all persons interested in such manors, lands, &c; provided that such courts may order that the expences incurred in surveying, valuing, and felling such timber or otherwise, on account of the sale thereof, shall be paid out of the purchase-money for the same, *id. s.* 67.

81. Where the money to be paid as the consideration for any sale, mortgage, or grant, to be made under this act by any person (other than bodies politic, &c. companies, feoffees, or trustees, for charitable or other public purposes), does not exceed 1000*l.*, the deed of sale, &c. or the enrolment thereof, and in cases of copyhold or customary estates the deed of sale, or grant, or the admittance to such copyhold or customary estates, or any copy of the entry on the court rolls of such deed, &c. shall not be liable to stamp-duty; and every deed of sale or mortgage, and every surrender, grant, and admittance of, or to any messuages, lands, &c. sold under the recited acts for not exceeding 1000*l.*, and all copies of entries on the rolls, &c. of any such surrenders, &c. shall be valid though not stamped, and all persons indemnified from penalties on account thereof, *id. s.* 68.

82. For the purpose of redeeming any land-tax charged on any manors, lands, &c. belonging to any bodies politic, &c. or companies, or any feoffees, or trustees, for charitable or other public purposes, (whether such manors, lands, &c. are situate in the same or any other division of same county, &c. or in any other county, &c. and whether such land-tax was contracted for either before or on the *24th June*, 1802, under the recited acts or any time after under this act,) such bodies, companies, &c. (notwithstanding their own bye-laws to the contrary,) but under the restrictions hereinafter mentioned, may absolutely dispose of by public sale or private contract, and by deed indented and enrolled, or registered as herein prescribed, (either at once or various times for the purposes in *s.* 51. *pl.* 63. mentioned,) any such manors, lands, &c. whereof they are in actual possession, or beneficially entitled to the rents and profits, as are eligible, whether of freehold, copyhold, or customary tenure, or holden for a term of years (other than at rack rent), and whether the manors, lands, &c. so sold, are or are not charged with land-tax, or are exempted from it, and if charged, then freed therefrom, or absolutely may so sell and convey, either at once or at various times the fee-simple of any manors, lands, &c. belonging to such bodies, companies, &c. which have been or shall be granted or demised for beneficial leases, or by copy of court roll, or any other grant according to the custom of any manor for life or lives, or years absolute, or years determinable on any life or lives, and also the rents, services, and other profits reserved in respect of such leasehold or copyhold tenements, (subject to the subsisting interests of the lessees, copyholders, and customary tenants,) whether such manors, lands, &c. are, or are not charged with, or exempt from land-tax, and although it has been redeemed by such lessees, &c. but if charged, then freed from such land-tax, 42 *G.*3 *s.* 116. *s.* 69.

83. And such bodies, companies, &c. for such purposes, may by like deed enrolled or registered as herein prescribed, convey or demise any parts of such freehold, copyhold, customary or leasehold manors, lands, &c. before mentioned, whereof they shall be so in the actual possession, or entitled to the rents and profits freed from land-tax (in case any is charged thereon) to any person by way of mortgage, either in fee-simple or for term of years, (where not being of copyhold or customary tenure) for securing such sum as is sufficient to redeem the land-tax contracted for by such bodies, companies, &c., or may grant any rent charge chargeable on such manors, lands, &c. not exceeding the amount of land-tax so contracted for; provided no sale, mortgage, or grant of, or out of such manors, lands, &c. shall be made under this act by any bodies, companies, &c. but only for redeeming land-tax charged thereon, (in cases where it is charged,) and also on any other manors, lands, &c. which shall stand limited, or subject to the same uses, trusts, &c. or in the same course of limitation as the manors, lands, &c. so sold, &c. except as to such variations as the nature of the tenure of freehold or copyhold estates may occasion, *id. s.* 69.

84. For the purpose of redeeming land-tax, such bodies, companies, &c. by like deed so enrolled or registered, may enfranchize any messuages, lands, &c. holden by copy of court roll, or other customary tenure of any manor belonging to them, whether such manor is subject to lease or not, and also dispose of any heriots, fee farm, chief or quit rents, or other emoluments payable in respect of any freehold, copyhold, or customary manors, messuages, lands, &c. or incident thereto and accruing therefrom, *id. s.* 70.

85. Where any person holding under grant from the crown or any statute, any manors, lands, &c. wherein H. M. hath any interest in remainder, reversion, or expectancy (other than persons holding under the crown any manors, lands, &c. within the survey and receipt of the exchequer, or the duchy of *Lancaster*, or holding under the duke of *Cornwall*, any manors, lands, &c. parcel of such duchy by virtue of any demise, or grant by copy of court roll or otherwise, for life or lives, or years determinable on any life or lives, or for years absolute, or from year to year, or at pleasure,) have contracted, or shall contract for the redemption of any land-tax charged on any such manors, lands, &c. such person (being in actual possession, or entitled beneficially to the rents and profits of such manors, lands, &c.) for the purpose of raising money to complete such redemption, (but under the regulations hereinafter mentioned,) may sell and dispose of by public sale or private contract, and by deed indented and enrolled, or registered, as herein prescribed, may convey either at once, or at various times, as in *s.* 51. *pl.* 65. mentioned, any such manors, lands, &c. whether charged or not with land-tax, and if charged, then freed from the same; and such person for such purpose and under such restrictions, may enfranchize any messuages, lands, &c. holden by copy of court roll, or other customary tenure of any such manors so holden, and may also sell and dispose of any heriots, fee farm, chief or quit rents, or other emoluments payable in respect of any manors, lands, &c. or incident thereto, or arising therefrom; provided that the manors, lands, &c. of which the land-tax is redeemed, stand limited to the same uses, trusts, &c. as the manors, lands, &c. heriots, &c. so sold, or the manors of which any copyhold or customary estate so enfranchized stood limited, *id. s.* 71.

86. H. M., by letters patent under the great seal of *G. B.*, may appoint any members of the privy council to be commissioners for regulating sales, &c. made by such bodies politic, companies, or such feoffees or trustees for charitable or other public purposes, of any manors, lands, &c. belonging to them by virtue of this act, and also for regulating, &c. all such sales, &c. of any manors, lands, &c. wherein H. M. shall have any interest in remainder, reversion, or expectancy, by any such person holding under any grant from the crown, or any act of parliament; and any two of them, already or hereafter to be appointed, may do any act which all such commissioners are by this act required to do, *id. s.* 72.

87. Every such commissioner as last aforesaid, before he shall enter

on the execution of his office, shall take an oath to the effect following, *viz.* [*See the* form, *ante, s.6. pl.7.*] which oath may be administered by any one of the persons already or hereafter to be appointed to any other commissioner, *42 G.3. c.116. s.73.*

88. The powers by *42 G.3. c.116.*, or any other act relative to the redemption and sale of the land-tax, vested in commissioners appointed by letters patent under the great seal shall cease and determine, *54 G.3. c.173. s.1.*

89. H.M. by letters patent under the great seal, may appoint any peers of the realm, or any members of the privy council to be commissioners, for confirming, regulating, &c. all sales and contracts for sale, enfranchisements, mortgages, and grants of rent-charge, which shall be made by any corporations, companies, feoffees or trustees for charitable or other public purposes, of or out of any manors, lands, &c. belonging to them by virtue of *42 G.3. c.116.*, or of any subsequent land-tax redemption acts or this act, and also for confirming, regulating, &c. all sales and enfranchisements, which by virtue of such acts shall be made of any manors, lands, &c. wherein H.M. has any estate or interest in possession, remainder, reversion, or expectancy, by any person holding by grant from crown, or by act of parliament, *id. s.2.*

90. Such commissioners before entering on their offices shall take the oath herein set down, which oath may be administered by any one of the persons to be appointed commissioner to the others, *id. s.3.* [*See the form 42 G.3. c.116. s.6. pl.7.*]

91. The commissioners to be appointed under this act, shall have the like powers, &c. as by such acts for redemption of land-tax were vested in any persons acting as a commissioner by letters patent under the great seal, and 2 of them may do any thing hereby required of them, *id. s.4.*

92. If the statements made to commissioners under this act by virtue of H.M.'s letters patent under the great seal, by any body, company, &c. or other person selling under their authority, respecting any such sales, mortgages, or grants, or the value of the estate to be sold are not satisfactory, they may require further information thereon, and may receive any affidavits, depositions in writing, on oath or affirmation, made before any commissioner for taking affidavits in the courts at *Westminster*, or before a justice of peace, respecting such matters, *42 G.3. c.116. s.74.*

93. Such commissioners as last mentioned may appoint a secretary and other officers, dismiss them, and appoint others in their stead, *id. s.75.*

94. Every sale, enfranchisement, mortgage, or grant of rent-charge, made of or out of any manors, lands, &c. under this act, by any bodies politic, &c. companies, feoffees, &c. or by any such person holding under grant from the crown, or by act of parliament, shall be so made with the sanction and consent of the said last mentioned commissioners, and no other consent, &c. shall be required to enable such sales, &c.; provided no such sales, &c. shall be valid, unless 2 of such commissioners certify their consent by signing and sealing the deed of sale, &c. as parties thereto, *id. s.76.*

95. The governors of the charity for the relief of the poor widows and children of clergymen, with the consent and under the direction of such last mentioned commissioners, may sell any manors, lands, &c. given to them by will, either generally for the relief of such widows or children, or subject to any qualifications or restrictions as to the mode of applying such relief, in extent of the allowance to be made to individuals, and apply the proceeds to redeem the land-tax charged on any other manors, lands, &c. vested in them for the purposes of such charity, *id. s.77.*

96. Where the land-tax charged on the glebe lands, tythes, or other profits of any living in the patronage of any college, cathedral church, hall, or house of learning in *Oxford*, or *Cambridge*, or of either of the colleges of *Eton* or *Winchester*, or of any trustee for any such college, &c. or in the patronage of any corporation aggregate, has been or shall be redeemed by or on the behalf of any such college, &c., or corporation aggregate, under the recited acts, or this act, any such college, &c. or any trustees thereof, or any such corporation aggregate, may provide for such redemption, by sale of any lands, &c. belonging to such corporations, or by grant of any rent-charge which they might lawfully make for the redemption of any land-tax charged on their lands, and the land-tax so redeemed shall be forthwith extinguished; but every such college, &c., or such corporation aggregate, shall be entitled to an annual rent-charge issuing out of such living, equal to the amount of land-tax redeemed, unless it is declared in writing, under the common seal of the body, having such right of patronage at the time of any presentation to the living, that it shall be suspended during such incumbency, which declaration they may make; provided such suspension shall be without prejudice to the right of such body to recover such rent-charge after the next or any future avoidance; provided also that any such declaration, made at the time of redeeming the land-tax, shall be as available during the then incumbency, as if made at the time of presentation, *id. s.78.* [*See as to* redeeming land-tax of livings under sequestration, or where the incumbent is outlawed, *53 G.3. c.123. ss.27, 28. pl.264, 265.*]

97. Where the land-tax charged on any glebe lands, tythes, or other profits of any living has been or shall be redeemed or purchased by the patron or any former incumbent thereof, or other person, the incumbent for the time being may treat and agree for the purchase of an assignment of such land-tax, for the benefit of such living; and in order to raise money for the purchase of such assignment from the patron or former incumbent, or person redeeming the same, their heirs, executors, administrators, and assigns, may execute the powers by *42 G.3. c.116.* given to raise money by sale, mortgage, or grant, for the redemption of any land-tax, in the same manner, and under same rules, &c. as such incumbent for the time being might have done in the the first instance, and the land-tax so assigned shall become merged for the benefit of such living; provided that the monies so arising shall not be paid into the Bank of *Eng.* or to any receiver-general or collector, but the same, or so much thereof as is requisite shall, under the order of any 2 commissioners under great seal appointed for the purposes of such act, be paid to the assignor of such land-tax, whose receipt, in pursuance of such order, shall effectually discharge the purchasers or mortgagees; and the remainder, after payment of the expences incurred by such sale, &c. shall be paid into the Bank of *Eng.*, or to such receiver or collector, and applied as in such act is directed in cases of monies arising from sales, &c. made for the purpose of purchasing assignments of land-tax under such act; provided no such assignment or deed of sale, &c. shall be liable to stamp duty, *45 G.3. c.77. s.1.*

98. In all cases wherein any incumbent for time being shall purchase an assignment of the land-tax charged on the lands, tythes, or other profits thereof, from the patron or former incumbent, or from any person who has redeemed or purchased the same, or their heirs, executors, administrators, and assigns, such incumbent for the time being, in order to reimburse himself the sum paid from his own money for such assignment, may put in execution all the powers given by *45 G.3. c.77.*, in order to raise such money by sale, mortgage, or grant, to purchase an assignment of such land-tax; provided that the money arising thereby, or so much thereof as may be requisite, shall, under the order of 2 commissioners under the great seal, be paid to such incumbent for the time being, whose receipt in pursuance of such order shall be a full discharge to the purchasers or mortgagees, and the remainder (if any) shall be paid and applied as by *45 G.3. c.77. s.1. pl.97.* directed, concerning the remainder of money arising by sales, &c. thereby authorized, *53 G.3. c.123. s.29.*

99. Where the land-tax charged on the glebe lands, tythes, &c. of any living has been or shall be redeemed by the patron, or any former incumbent, or any other person, and the incumbent for the time being has purchased or shall purchase under *45 G.3. c.77.*, an assignment of such land-tax for the benefit of such living, such assignment shall be transmitted within 6 calendar months after the date thereof, (or, in cases where already purchased, after passing of this act,) to the officer appointed to register contracts for redemption of land-tax, who shall register the same *gratis;* and a copy of such registry, signed by such officer, shall be allowed in all courts to be evidence, and no copy of such registry shall be liable to stamp duty, *id. s.30.*

100. Where the land-tax charged on the glebe lands, tythes, or other profits of any living in patronage of any archbishop, bishop, or other corporation sole, or any companies, shall be redeemed by or on behalf of such corporations, &c. under the land-tax acts, such archbishop, &c. or such corporations, whether sole or aggregate, or companies, may provide for such redemption by sale of any lands, &c. belonging to them, or by grant of any rent charge which they might make for the redemption of any land-tax charged on their lands, &c., and the land-tax so redeemed shall be forthwith extinguished; but every such archbishop, corporation, &c. shall be entitled to an annual rent-charge issuing out of such living, equivalent to the amount of land-tax redeemed, unless it shall be declared under the seal or common seal of the archbishop, corporation, &c. having the patronage of such livings at the time when any clerk is presented, that such rent charge shall be suspended during his incumbency; which declaration they may make; but such suspension shall be without prejudice to their right to recover such rent on the next or any future avoidance; and any such declaration made at the time of redeeming the land-tax, shall be as available during the incumbency of the then incumbent as if made at time of his being preferred to such living, *50 G.3. c.58. s.2.*

101. For the purpose of redeeming any land-tax by any rector or vicar, or for the purpose of raising money to reimburse the stock or money previously transferred, or paid for the redemption of such land-tax, or for the purpose of purchasing an assignment thereof, under powers of any land-tax redemption act, the land sold shall not be necessarily confined to such quantity of any lands belonging to such rector, &c. as shall appear to the commissioners authorising the same neces-

sary to be sold for such purpose, but that any sale of lands, for any such purposes, shall be deemed good, notwithstanding the restrictions contained in any such acts, although the lands so sold shall appear to such commissioners more than necessary for such purposes; provided such commissioners are satisfied that such sale will be beneficial to such rectors, &c. and the ordinary's consent, in writing under his hand, is produced to them, 54 *G.*3. *c.* 173. *s.*6.

102. Any ecclesiastical or lay corporations, and feoffees, trustees for charitable or other public purposes, and all other persons entitled to the patronage of any living, may contract for the redemption of the land-tax charged on the glebe lands, tythes, or other hereditaments belonging to such living, in consideration only of so much capital stock in the 3 *per cents*, as will yield an annuity equal in amount to land-tax to be redeemed, 57 *G.*3. *c.*100. *s.*12.

103. And, in order to provide for any such redemption, any ecclesiastical or lay corporations, or trustees, under the authority of the commissioners under the great seal, may sell any hereditaments belonging to such corporations or trustees, in the same manner as by the land-tax acts directed, or may apply for the like purpose any personal property invested in the public stocks, or any legacies or voluntary donations, or other trust money, which they are authorized by land-tax acts to lay out in the redemption of land-tax, or any surplus stock or money arisen or to arise by sale, mortgage, or grant, under the powers in such acts, *id. s.*13.

104. Such corporations, &c. who shall be desirous of redeeming any land-tax charged on any living in their patronage, may declare in the redemption contracts that they are desirous that the lands shall not be subject to any annual rent, or other charge, in favour of such corporations or trustees in respect of such redemption; but if no such declaration shall be contained in such redemption contracts, such corporations or trustees redeeming such land-tax shall be entitled to an annual rent-charge issuing out of such living, equivalent to the amount of the land-tax redeemed, and to like power on presenting any clerk to such living of suspending payment of such rent charge [*see pl.*100.], during incumbency of such clerk as are given by such acts, *id. s.*14.

105. And when any lands or other hereditaments are proposed to be sold by any ecclesiastical or lay corporation, or feoffees, or trustees for charitable or other public purposes, for the purpose of redeeming any land-tax under the power, in *s.*14. *pl.* 104. contained, such corporation, &c. shall present a memorial to the commissioners under the great seal, stating their intention of making such sale, and the object thereof, for their approbation, 2 of whom, if they so approve, shall certify accordingly, *id. s.*15.

106. Where any ecclesiastical rector has in right of his rectory, the patronage or donation of or to any vicarage or perpetual curacy, and has no glebe lands belonging to such vicarage, &c. which are eligible to be sold to redeem the land-tax charged on the glebe tythes, or other profits thereof, and such land-tax shall be redeemed by such rector, then such rector, whether he is incumbent of such vicarage, &c. or not, may provide for the redemption of such land-tax, by sale of part of the glebe lands of such rectory, in the same manner as he might provide for the redemption of such land-tax charged on the glebe, &c. thereof, and the tax so redeemed shall be forthwith extinguished; but when such rectory and vicarage, &c. are held by different incumbents, the incumbent of such rectory shall have an annual rent-charge out of such vicarage, &c. equal to the amount of land-tax so redeemed, 42 *G.*3. *c.*116. *s.*79. [*see as to* united livings, 53 *G.*3. *c.*123. *s.*26. *pl.*263.]

107. No mines, minerals, or seams or veins of coal, metals or other profits of the like nature, belonging to any manors, lands, &c. sold by any bishop or other ecclesiastical corporation aforesaid, for the purpose of redeeming any land-tax, whether opened or not, nor any right, title, or claim to open the same, nor any advowson or right of patronage, or presentation to any living or benefice, or right of nomination to any perpetual curacy, shall pass by any conveyance of such manors, &c. either by express or general words, although such advowson, right, patronage, or presentation, or nomination, may be appendant to such manors, lands, &c.; and such mines, &c. with all proper powers for opening and working the same, and such advowsons, &c. shall be always absolutely excepted and reserved to such bishops, &c. as if the conveyance expressly excepted them, *id. s.*80.

108. No instrument whatever, whereby any sale, mortgage, enfranchisement, or grant shall be made of or out of any manors, lands, &c. under the authority of the said last mentioned commissioners, shall be liable to stamp duty, *id. s.*81.

109. Where any manors, lands, &c. belonging to any body politic, &c. companies, feoffees, or trustees for charitable or other public purposes, which shall be sold under this act, shall be either exclusively or in common with other manors, lands, &c. subject to or charged with any yearly sum, to or for the use of any rector, vicar, curate, or other person, such last-mentioned commissioners may direct how and in what manner and proportions, and out of what part of the manors, lands, &c. originally liable thereto, such sum, or any part of it, shall be paid in future; and thenceforth the manors, lands, &c. or such parts thereof, by or out of which the same is directed to be paid, shall be exclusively subject thereto, and to the powers for the recovery thereof, as provided by law for the recovery of rent reserved on leases, 42 *G.*3. *c.*116. *s.*82.

110. Where part only of divers manors, lands, &c. which have been usually demised together by such bodies, companies, &c. as in *s.*82. *pl.* 109. by one lease on which an entire ancient and accustomed rent is reserved, shall be sold under this act, such last mentioned commissioners may apportion such rents, and adjust the proportion thereof which shall thenceforth be paid in respect to such manors, lands, &c. comprised in such lease or settle out of what part thereof the whole shall be paid, if it will not admit of apportionment; and in all leases thereafter to be granted of such last-mentioned manors and other hereditaments, the sum or thing so settled and apportioned shall be the rent to be reserved thereon, *id. s.*83.

111. Where any bodies, companies, &c. shall enfranchise any copyhold or customary messuages, lands, &c. holden of any manors belonging to them which is under lease, such last-mentioned commissioners may settle any disputes that may arise between such bodies, companies, &c. and their lessees, or any *cestuique trust* of such lessee concerning such enfranchisement, and may direct a recompence to be reserved out of the purchase money to such lessees, and the person entitled as *cestuique trusts*, or otherwise under such lessees for any loss occasioned by any such enfranchisement, *id. s.*84.

112. Where the reversion of any manors, lands, &c. holden of any bodies, companies, &c. under any lease for life or lives, or years absolute, or years determinable on any life or lives, or by copyhold or customary tenure for life or lives, is purchased under this act with the proper money of the persons beneficially entitled to the rents and profits thereof, and where such lease is subject to any will or settlement, so that such person is not at the time of purchasing such reversion entitled to the absolute interest under such lease, and is bound by covenants to renew the lease at the accustomed periods, with his own money, or out of the rents and profits of the estate, then the immediate interests under such subsisting lease, as well as the reversion expectant thereon, shall, under the direction of such last mentioned commissioners, be charged with the repayment of the money advanced to purchase such reversion with lawful interest, for the benefit of the person advancing the same, his executors, administrators, or assigns; but if there is no covenant so to renew the lease at the accustomed periods, then the reversion only expectant on the subsisting lease shall, under such direction, be charged for the benefit of such person, with the payment of the principal money advanced for the purchase thereof, together with lawful interest to accumulate from the time of purchase, till the expiration of the subsisting lease, after deducting out of such interest the annual rent payable during the lease, and which was purchased with the reversion, unless the party advancing the money is desirous that the same, together with the interest, be made a charge on the subsisting lease, in which case the immediate estates under the same, as well as the reversion expectant thereon, shall be made subject to the payment of principal and interest, as if such person had been bound to renew the lease, *id. s.*85.

113. And subject to such charges so to be made, the fee simple of such manors, lands, &c. shall be settled under such direction, for the benefit of the purchaser and of the persons entitled under such will or settlement, to the benefit of any renewed lease, so as to be enjoyed by them for such estates, as considering the alteration of the tenure shall appear to such commissioners most correspondent with the intention of such will or settlement; provided that where the immediate interests under any such lease are charged with the payment of the principal money advanced to purchase the reversion, the persons successively entitled to the rents and profits of the manors, lands, &c. comprised in such subsisting lease, shall be chargeable with the interest accruing during their estate therein; and no greater arrears than one year's interest shall be recoverable against any person entitled in remainder for interest accrued during the term of any of his predecessors therein; provided such commissioners may direct an application to the court of chancery, in a summary way, to obtain direction as to the mode of settling any such reversion, or the equity of redemption thereof, where the case is attended with difficulty, *id. s.*85.

114. Any body politic, &c. companies, feoffees, or trustees for charitable or other public purposes, by and under the authority of the last mentioned commissioners, may contract with their respective lessees and tenants, holding under any demise by copy of court roll, or otherwise, who under the recited acts or this act have redeemed the land-tax charged on the manors or other hereditaments comprised in such demises for an assignment to such bodies, companies, &c. of the land-tax so redeemed; and in order to complete the assignment, the powers hereby given for raising money by sale of any manors, lands, or other

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hereditaments, to redeem any land-tax in the first instance, may be put in execution; provided that if any money shall be then in the bank of *Eng.*, or any stock is then invested in the names of the commissioners for the reduction of the national debt, which has arisen from sales, before made by any such bodies, companies, &c. so contracting for such assignment, and which has not been applied to redeem land-tax, 2 commissioners under the great seal may direct the consideration for such assignment to be paid or transferred out of such money or stock; and the bank of *Eng.*, and such commissioners for the reduction of the national debt, shall, on certificate of such order signed by 2 such commissioners under the great seal, pay or transfer to the assignor of such land-tax the money or stock in such certificate specified; and the receipt of such assignor shall be a good discharge for such money or stock, 42 *G.* 3. *c.* 116. *s.* 86.

115. Where any manors, lands, &c. belonging to any such bodies, companies, &c., are sold to raise money for the redemption of land-tax, and it afterwards appears that the money thereby arising is not sufficient to redeem the whole land-tax charged on such manors, lands, &c., and such bodies, companies, &c. are willing to pay into the bank such further sum as is necessary to redeem the whole, then the cashier shall give a receipt for such sum, and apply the monies in completing such redemption, *id. s.* 87.

116. Where the land-tax charged on any manors, lands, &c. belonging to any bishop or other ecclesiastical corporation, have been redeemed by such bishop or ecclesiastical corporation with any monies raised under the powers of the recited acts, or this act, such land-tax shall be considered as a yearly rent, payable to such bishop, &c. and his successors, over the reserved rent during the demise existing at the time of such sale, and shall be recovered as such; and the land-tax so redeemed shall, in all future demises of such manors, lands, &c. be added to the accustomed yearly rent, during the terms to be granted as aforesaid, and be recoverable as such yearly rent by like remedies as such bishop, &c. may use for the recovery of such accustomed rent on such demises; and where such manors, lands, &c. are demised to any under lessee, who is bound by any covenant or agreement to pay the land-tax thereon, then the amount of such land-tax shall be deemed rent reserved on such last-mentioned demise, and be recovered as rent in arrear, *id. s.* 88.

117. Where any land-tax charged on any manors, lands, &c., which are holden by copy of court roll, or other customary tenure of any manor belonging to any body, company, &c., by virtue of any lease, have been or shall be redeemed by such body, company, &c. under the powers of the recited acts, or this act, the amount of land-tax redeemed shall be considered as rent reserved to such body, company, &c. out of such copyhold or customary manors, &c., and be payable on the same days as such land-tax was before its redemption, and shall be recovered as rent in arrear, *id. s.* 89.

118. If any farm and lands usually occupied together, shall be proposed to be sold under this act, which is more than sufficient to redeem the tax; and in case it appears to the commissioners authorizing the sale, that such farm and lands cannot be divided, in order that an adequate part may be sold, without loss to the parties interested; and (in cases of sales by persons, other than bodies, companies, &c., as in *s.* 86., *pl.* 114.) if the person who is entitled to the first or next beneficial estate, in remainder, reversion, or expectancy, being of full age, shall consent to the sale of the whole, on the terms and under the restrictions herein mentioned, such commissioners may then authorize the sale of the whole of such farm and lands as hereby directed, *id. s.* 90. [*see pl.* 77.]

119. Where any bodies, companies, &c., or other persons, shall redeem their, his, or her land-tax, out of their, &c. personal estate, or by, or out of any trust-property, applicable to such redemption by the recited acts, or this act, or otherwise than by sale, mortgage, or grant, made under the recited acts, or this act; and also where any such bodies, companies, &c., or other persons are entitled under the recited acts, to demand an assignment of land-tax on the determination of any precedent estate (in cases of contract already entered into under such acts, wherein an option has been declared), or shall agree under this act with the executors or administrators of any person dying before the transfer or payment of all instalments, to be transferred or paid on any contract entered into by him, to take an assignment of such contract for the purpose of completing the same, every such body, company, &c., and other person, either for reimbursing all stock (in cases where the original consideration for any redemption of land-tax was in stock), and for reimbursing all sums (in cases where the money) which shall respectively have been transferred or applied in the redemption of such land-tax, or for the purpose of raising money to purchase such assignment of land-tax, or for the purpose of raising money, as well as to purchase the assignment of any contract not completed, as to complete the instalments remaining due thereon, may carry into execution all the powers of raising money by sale, mortgage, or grant, for the redemption of land-tax, in such manner as such bodies, companies, &c., or persons might have done, to redeem such land-tax in the first instance; and where any such bodies, companies, &c. or other person, have redeemed or shall redeem such land-tax, by and out of monies which have arisen or shall arise by any mortgage or grant, which was or shall be made under the recited acts, or this act, it shall also be lawful for the purpose of paying off any sums borrowed on that account, to exercise the powers by this act given, to raise money for the redemption of land-tax, in such manner as such bodies, companies, &c. or other persons might have done to redeem such land-tax in the first instance, 42 *G.* 3. *c.* 116. *s.* 91.

120. Where any deduction or allowance is made out of any fee-farm or other rents, or annuities payable out of any manors, lands, &c. for the benefit of any body, company, &c. as in *s.* 86. *pl.* 114. or other person in respect of any land-tax charged on such manors, lands, &c. such bodies, companies, &c. or other persons, may sell such rents, &c. for the purposes, and under the provisions of this act, subject to such deduction, &c. and whether the land-tax charged on the manors, lands, &c. out of which the same are payable, has been redeemed at the time of such sale or not, and although the purchase money of the same is in the judgment of the commissioners authorizing such sale, sufficient to redeem so much land-tax only as is equal to the clear rent, &c. after such deduction, &c. made; and such rent, &c. shall thenceforth be freed from such land-tax in all future assessments, and all deductions in respect of such land-tax, other than the deduction, &c. made at the time of such sale, *id. s.* 92.

121. Where fee-simple and inheritance of any manors, lands, &c. holden under any beneficial lease, or by copy of court roll, as before mentioned is to be sold under this act, 2 calendar months' notice shall be given thereof by the vendors to the party beneficially interested therein under such lease, &c. or to their committees in cases of lunacy, or guardian in cases of infancy, or in other cases of incapacity to the trustees or persons having authority to act, during which period the person so beneficially interested, or his committee, guardian, trustee, &c. in his behalf, shall be entitled to contract for the purchase thereof, in preference to all others; and any one coparcener, joint-tenant, or tenant in common so beneficially interested, shall have like privilege of pre-emption in respect of the whole estate comprised in such lease or grant, by copy of court roll, on refusal of any other coparcener, &c. to purchase their respective shares, and such manors, lands, &c. shall not be sold to other persons, till after the expiration of such notice, unless the party having privilege of pre-emption shall, by writing, waive the same; in which case such fee-simple, &c. may be sold to any other person before the expiration of such notice; provided that when any price has been offered for the purchase of any such manors, lands, &c. by any person having such privilege of pre-emption, which is not accepted by the body, company, &c. proposing to sell the same, such manors, lands, &c. shall not afterwards be sold for a less price than that offered, till the expiration of 2 calendar months' further notice given to such person so offering such price, of the sale to be made at such reduced price, who shall, during that period, have the like privilege of pre-emption at such reduced price; but if such privileged person shall waive the same as aforesaid, such manors, lands, &c. may be sold to any other person at such reduced price before the expiration of such period; provided that every such notice to such committees, guardians, trustees, &c. shall be valid to enable the sale of such manors, lands, &c. to any person having no such interest as aforesaid after the expiration of such notice, (or sooner, in case of waver as aforesaid,) as if given to or made by any having capacity to act for himself, *id. s.* 93.

122. No sale or mortgage of any copyhold or customary messuages, lands, &c. under this act, shall affect the right of any lord or lady of any manor of which the same were holden to the accustomed fine paid on any alienation of or admittance to such messuages, &c. or authorize any purchaser or mortgagee to enter and take any rents or profits thereof, under this act, till such fine is paid; but on the production of the deed of sale, or mortgage and tender of the fine, such lords, &c. shall at the next court holden for such manor, at the request of the purchaser or mortgagee of such copyhold, &c. messuages, lands, &c. not only grant the same to him by copy of court roll for the estate sold, reserving the accustomed rents and services, but shall also admit him tenant thereof, and receive his fealty accordingly, *id. s.* 94.

123. No other or greater quantity of any estate (except as in *s.* 63. *pl.* 77. *and see also pl.* 118. aforesaid) shall be sold under this act, than what appears to the commissioners authorizing the sale necessary for the purposes thereof, and no more money raised by any such sale, or by any mortgage or grant of any rent charge under this act than what appears to such commissioners sufficient for the purpose of redeeming the land-tax proposed to be redeemed, and also for satisfying the expences which any body, company, &c. as in *s.* 86. *pl.* 114. or other person making any such sale, &c. shall incur on account thereof; and such commissioners and also any courts where their authority is requisite to such sale, &c. may direct such expences to be paid in the first instance out of the money arising

thereby, and such order shall be a sufficient discharge for so much of such money as is so paid by any purchaser, &c. 42 *G.*3. *c.*116. *s.*95.

124. No manors, lands, &c. shall be sold, mortgaged, or charged under this act, if the bodies politic, &c. companies, or other persons beneficially entitled to the first or next beneficial estate in remainder, reversion or expectancy therein, or the guardian of any such person in cases of infancy, or committees of his estates in cases of lunacy, shall within one calendar month after notice in writing given them by the bodies, &c. desirous of making such sale, &c. agree to redeem the land-tax for the redemption of which such sale, &c. was to be made; and which land-tax any such guardians or committees may redeem out of any money or personal property belonging to any infant, or lunatics for whom they are guardians, &c.; and in such case the contract for the redemption shall be made in the name of, or assigned to the body, company, or person beneficially entitled in remainder, &c. who shall be bound to complete the same, and enjoy all the benefits arising thereby, as other persons in remainder or reversion redeeming any land-tax may do; but no such notice as last mentioned, shall be required to enable any sale, &c. under this act, where the person desirous to make such sale, &c. is the guardian, &c. or husband of the persons so beneficially entitled to the first or next beneficial estate in remainder, *id. s.*96.

125. Any person, body politic, &c. or company interested in remainder, reversion, or expectancy in any estate in *Eng.* of which any part is to be sold or mortgaged under this act, or the guardians, committees, or trustees of such persons who are aggrieved by such sale or mortgage, may, before such estate has been actually conveyed away, petition the court of chancery, which court shall in a summary way make such order respecting the suspending or proceeding in such sale or mortgage, or for the sale or mortgage of another part of such estate, as well as for payment of costs on such petition as such court shall deem fit, *id. s.*97.

126. All money arising by any sale, mortgage, or grant made in pursuance of this act, (except such part as is reversed under the order of the commissioners authorizing the sale, &c. for payment of expences incurred therein, and except in cases where the payment thereof is otherwise authorized by this act,) shall be paid by the vendees, mortgagees, or granters, into bank of *Eng.*, and placed to the account of the commissioners for the reduction of the national debt, under the title of "*An Account of the Sale of the Land-Tax*;" and such bank shall keep distinct accounts thereof, and cause the same to be invested in the 3 *per cents.* in their names according to this act, whether the contract for such redemption, or the deed of sale, &c. is or is not completed; and the cashiers of the bank shall receive such money, and their receipts shall be good, and the bodies, companies, and other persons whose land-tax is redeemed therewith, shall, on the production of the certificate of contract of such redemption, be entitled to receive the same certificates and discharges, and their estates shall be exonerated from land-tax in the same manner as if the 3 *per cents.* to be purchased with such money had been actually transferred by them as the consideration for such redemption, *id. s.*98.

127. Where any manors, lands, &c. shall be sold under this act, the bodies, companies, or persons making such sale, with the consent of the commissioners authorizing such sale, may agree with the purchaser that the consideration for the purchase shall be in the 3 *per cent. consols.*, or 3 *per cent.* reduced, to be transferred by such purchasers to the commissioners for the reduction of the national debt in lieu of money to be paid into the bank of *Eng.* as in *s.*98. *pl.* 126. directed; and such last-mentioned commissioners shall receive such transfer; and the certificate of any cashier of the bank acknowledging such transfer shall be as effectual a discharge to the purchasers transferring stock, as if the consideration had been money paid into the bank, as by *s.*98. *pl.*126. directed, and the bodies, companies, &c. or other persons whose land-tax is redeemed therewith, shall be entitled to the same certificates and discharges, and their, his, or her estate shall be exonerated from land-tax, in like manner as if such stock had been transferred by them as the consideration for such redemption, *id. s.*99.

128. Whenever, by reason of any fluctuation in such bank annuities, or that the precise quantity of estate necessary to be sold cannot be set apart to be sold, or by reason of the whole of any farm and lands, &c. being sold under this act, there is any surplus of stock transferred, as the consideration for, or purchased with the money arising by any sale, mortgage, or grant to be made by virtue thereof, after reserving so much of such stock as was agreed to be transferred as the consideration for the land-tax redeemed, such surplus stock shall, where such manors, lands, &c. so sold, &c. are situated in *Eng.*, be placed in the books of the bank, in the name and with the privity of the accountant-general of the court of chancery, and applied as herein mentioned; *viz.* such stock may be sold, and the produce, under the direction of such court, (to be signified by an order made on petition in a summary way,) applied in discharge of any debts, or parts thereof, affecting the manors, lands, &c. the land-tax whereon was so redeemed, or where it is not so applied, then under such direction such surplus shall be invested in the purchase of other manors, lands, &c. to be conveyed to the like uses, trusts, &c. and in the same manner as the manors, lands, &c. so sold, mortgaged, or charged, stood limited, or such of them as are capable of taking effect; and in the interim, the dividends and annual produce of such stock shall go to the person who would have been entitled to the rents of such manors, lands, &c. in case such last-mentioned purchase was made, 42 *G.*3. *c.*116. *s.*100. [*See post*, *pl.* 131. and *s.*160. *pl.*197.]

129. No surplus stock to be transferred as the consideration for, or purchased with money arising by any sale, mortgage, or grant made under 42 *G.*3. *c.*116. or any subsequent land-tax redemption act, or this act, by any bodies, companies, feoffees, or trustees for charitable or public purposes, shall be placed in the books of the bank, in name of and with privity of accountant general of the court of chancery, pursuant to such act, until such bodies, companies, &c. have got a certificate under the hands of 2 commissioners under the great seal, that the whole land-tax charged, as well on the lands, &c. by sale of which such surplus arose, as on the messuages, lands, &c. limited to like uses, or subject to the same trusts as the messuages, lands, &c. so sold, &c. stood settled at the time of such sale, &c., has been wholly redeemed, or so much thereof as such commissioners think reasonable, 53 *G.*3. *c.*123. *s.*39.

130. In all cases where any surplus of stock transferred as consideration for, or purchased with money arising by any sale, mortgage or grant made under any land-tax redemption act, or this act, by any archbishop, bishop, rector, or vicar, or other corporation sole, for the purpose of redeeming or purchasing land-tax, (after reserving so much of such stock as is agreed to be transferred as the consideration for the land-tax redeemed or purchased,) such surplus of it does not exceed 1000*l.* 3 *per cent.* capital stock, shall be transferred into the joint names of such archbishop, &c. and their successors, having an interest therein, and of some person named by them, in order that the same may be applied for the benefit of such archbishop, &c. as directed by 42 *G.*3. *c.*116. *s.*102. *pl.*136. in regard to surplus stock not exceeding 200*l.*; and if the consideration for such redemption or purchase by the archbishop, &c. shall by contract be agreed to be paid in money, the surplus, if any, after such consideration reserved, shall, if it does not exceed 100*l.* be paid to a trustee to be named by such archbishop, &c. having an interest in such surplus, and be by him laid out in the joint names of himself, and such archbishop, &c. in the purchase of stock, to be applied for the benefit of such archbishop, &c. and their successors, *id. s.*40.

131. In all cases where there is any surplus stock transferred as the consideration for or purchased with money arising by any sale, mortgage, or grant, made under any land-tax redemption acts by any bodies, companies, feoffees, or trustees for charitable or other public purposes, for the purpose of redeeming any land-tax, (after reserving the consideration for such land-tax,) it shall, if it does not exceed 1000*l.* 3 *per cent. consols*, or reduced, be transferred into the joint names of 2 trustees, to be appointed by such corporation, &c. in order to be applied for the benefit of them and their heirs and successors, according as by 42 *G.*3. *c.*116. *s.*102. *pl.* 136. directed, with respect to stock not exceeding 200*l.*, 54 *G.*3. *c.*173. *s.*8.

132. No surplus stock transferred as the consideration for or purchased with money arising by any sale, mortgage, or grant made under any such redemption acts, or by this act by any such bodies, companies, &c. or by any archbishop, bishop, rector, vicar, or other corporation sole, shall be transferred into the names of the accountant-general, or into the joint names of such trustees as in *s.*8. *pl.*131. or of such archbishop, &c. and a trustee until certificate obtained under the hands of 2 of such commissioners appointed under the great seal, that the whole land-tax charged, as well as the land, &c. by sale, &c. of which such surplus arose, as on the messuages, lands, &c. limited to the like uses, or subject to the same trusts as those so sold were limited, &c. has been wholly redeemed or purchased, or so much thereof as such commissioners think reasonable, *id. s.*9.

133. Where there is standing in the names of the commissioners for the reduction of the national debt any surplus stock to the account of any bodies, companies, or feoffees, or trustees for charitable or other public purposes, arising from any sale, mortgage, or grant made by any such bodies, companies, &c. under the powers of the land-tax redemption acts, or this act, after satisfying the purposes for which such sale, &c. was made; the commissioners under the great seal, by any writing under their hands, may direct the commissioners for the reduction, &c. to sell and transfer so much of such stock as at the time of sale will produce enough to answer the sum allowed by the commissioners under the great seal, as costs to such bodies, companies, &c. which sum so raised shall be paid to such bodies, companies, &c. or their agent, in discharge of such costs, 57 *G.*3. *c.*100. *s.*18.

134. In all cases of contracts already or to be entered into by any bodies politic, &c. companies, feoffees, or trustees for charitable and

other public purposes either under the powers of any land-tax redemption act, or this act, such commissioners under the great seal by writing under their hand may give such order to the commissioners for the reduction, &c. with regard to the transfer of any such surplus stock, or the sale thereof, and with regard to the application of the money arising thereby as they think proper, for the purpose of making good the transfer or payment of the consideration for such redemption according to the terms of the contract, and for payment of any costs allowed therein; and such commissioners for the reduction, &c. shall do so accordingly, 57 *G.* 3. *c.* 100. *s.* 19.

135. Where such manors, lands, &c. so sold, mortgaged or charged, are in *Scot.*, such surplus stock may be sold, and the money arising therefrom be paid into one or other of the public banks in *Scot.*, with the authority of the court of session; which court shall, on summary petition, to be presented to them by or on the behalf of the proprietor, or heir in possession, order that such overplus be laid out under their direction, in the payment of debts affecting the said intended entailed estates, or in the purchase of other lands, as in *s.* 100. *pl.* 128.; and, in the interim, may order such surplus to be laid out on such security as the court deems fit, on interest; and direct such clauses to be inserted therein as to secure to the persons who would have been entitled to the profits of such manors, lands, &c., in case such sale, &c. had not been made, and the succeeding heirs of entail who came to the possession, the enjoyment of the interest, and preserve the capital until such money is so employed, 42 *G.* 3. *c.* 116. *s.* 101.

136. Provided that if such surplus does not exceed 200*l.* stock, it shall be transferred to a trustee, to be named by the party redeeming the land-tax, to be applied as hereinbefore directed, but without such direction of the courts of chancery or session, *id. s.* 102.

137. Where any manors, lands, &c. shall be sold or charged to redeem any land-tax, and the consideration for such redemption is stipulated to be paid in money, and the money produced by such sale, mortgage, or grant, shall not exceed 500*l.*, then the purchasers, or mortgagees of such manors, lands, &c. or the grantees of any rent-charge thereout, may pay the purchase or mortgage money to the receiver-general for the county, or collector for the shire where such manors, lands, &c. are situate, whose receipts shall be as effectual a discharge to such purchasers, mortgagees, or grantees, as the receipt of the cashier of the bank of *Eng.*, in case the money was paid into the bank; and the bodies politic, &c. companies, or other persons, whose land-tax is redeemed therewith, shall be entitled to have the same discharges, and their estates shall be exonerated from such land-tax, in the same manner as if the money had been paid by them; and in case there shall be any surplus of such monies, after redeeming the land-tax, it shall be paid to a trustee, named by the bodies, companies, &c. redeeming the land-tax, in order to be applied as herein (*pl.* 136.) directed, respecting surplus stock, which does not exceed 200*l.* stock, *id. s.* 103.

138. Where any money is raised under this act, for the purpose of reimbursing stock or money laid out in the redemption of land-tax, or of paying off any sums borrowed for that purpose, or of purchasing the assignment of any land-tax under this act, or the assignment of any contracts not completed, in order to complete the same; such monies shall not be paid into the bank of *Eng.*, or to the receiver-general, or collector; but the same, or (in cases of purchasing an assignment of any contract, in order to complete the same, or in cases of sale) so much thereof as is requisite, shall, under the order of the commissioners, authorizing the sale, &c., be paid to the party entitled thereto, whose receipt shall be as good as that from the bank, or any receiver-general, or collector, in case the same had been paid to one or other of them; and the remainder of such money, under such order, shall be paid into the bank, or to the receiver-general, or collector, to the same account, and be applied in the same manner; and the cashier, &c. shall give a receipt for the same, as if the whole purchase or mortgage money had been paid into the bank, or to such receiver, &c., *id. s.* 104.

139. Where any manors, lands, &c. shall be sold under this act, the vendors may agree with the vendees, that the purchase money be paid by instalments, provided they be paid into the bank as hereby directed, within the same period, and on the same days and times as is specified in the contract for the redemption of land-tax, together with interest, at the time of payment of each instalment, as herein directed to be paid, on the transfer of stock by instalments; provided such agreement and the days and times stipulated for the payment, and the amount of each instalment is inserted in the indenture of conveyance of such manors, lands, &c.; provided also, that after such conveyance is executed, no such body, company, or other person, or their successors, executors, &c. shall be subject to any penalty by this act imposed, in case of default in transfer of any instalments, according to the contract of redemption entered into by such body, company, &c.; nor shall such land-tax be revived, but all such penalties shall be borne by such vendors, their heirs, executors, administrators, or assigns, and all the subsequent instalments shall be recovered as a debt to H. M., on record against them or their estates, goods, and effects, 42 *G.* 3. *c.* 116. *s.* 105.

140. Where any manors, lands, &c. shall be sold by any bodies politic, &c. companies, or other persons, for the redemption of the land-tax, under a contract with the purchaser that the money be paid into bank of *Eng.*, in not more than six equal instalments, at equal periods, and be completed within one year; then the treasury, after the first instalment is paid, may agree with the purchaser to advance to him so much money as is sufficient to complete such contract immediately, on such terms for securing the repayment of the money advanced, with lawful interest, as the treasury shall think reasonable, and as shall be agreed to by such purchaser; or otherwise the treasury may agree with any other bodies, companies, or other persons, for the advance unto the bank of *Eng.* by them on the behalf of such purchaser of such sum as they desire to be advanced for the purposes before mentioned, on such terms as such bodies, companies, &c. and such purchaser shall agree, *id. s.* 106.

141. Every person for whom any such sum is advanced, for the purposes aforesaid, shall enter into security for the repayment of the same, with interest, by writing obligatory to H. M., in such sum as is directed by the treasury, or the party advancing the same, to be paid to H. M., by such form of words as obligations to H. M. usually are, and with such condition to be there under-written as between the treasury, or the parties advancing such money and the purchasers, shall be agreed on; and all obligations so to be made shall be good in law, and of the same quality as any obligations made to H. M. have heretofore been; but obligations to H. M. under this act shall not be liable to stamp duty, *id. s.* 107.

142. If default is made by such purchaser, or his heirs or assigns, in repayment of the money so advanced, or the interest thereon, or any part thereof, at the times limited by the obligations for the payment thereof, the treasury, or the party advancing the same, shall, from time to time, issue a certificate to the proper officer of the crown having the management of proceedings on obligations to H. M., requiring him to proceed against the party making such default, or his heir, executors, and administrators, for the recovery of the sum then due, with interest and costs, the amount of which principal sums so to be levied the treasury or party advancing shall cause to be testified by note, under the hands of two of them, to such officer, and which sums shall be inserted in the process; and the like process shall from time to time issue as occasion requires, and the amount recovered (except costs) shall be paid into the bank, *id. s.* 108.

143. In any proceeding under this act, no writs of *scire facias* shall be required to issue, but on production of such certificates as in *s.* 108. before any baron of exchequer in *Eng.* or *Scot.* an extent may go in the first process on the fiat of such baron, without any affidavit or other verification of the cause except such certificates, *id. s.* 109.

144. After the due payment of the sums advanced, with interest, every obligation entered into in pursuance of this act, shall be delivered up to be cancelled, and in case any obligation has been prosecuted, the treasury shall, by warrant, direct the proper officer of the respective courts of exchequer to enter up satisfaction on such obligation being so satisfied, on the record, or otherwise to deliver up the same to be cancelled, *id. s.* 110.

145. Such process may issue on such obligations, against the manors, lands, &c. so purchased, and all others, and also the goods of such purchaser, his heirs, executors, &c., for the benefit of such parties, their heirs, successors, executors, administrators, or assigns, who, in pursuance of any agreement with the treasury, lend money to such purchasers, *id. s.* 111.

146. All bodies, companies, and other persons making such sales or contracts for such sales, for the purpose of redeeming their land-tax, to whom such advance is made, shall, from the time of registry of contract for redemption, enjoy the land-tax contracted for in like manner as if they had themselves completed the contract by transfer of the whole consideration, *id. s.* 112.

147. No auction duty shall be payable for any sales by auction of any manors, lands, &c. under this act, *id. s.* 113.

148. All bodies, companies, and persons, having any mortgage, charge, lien, or incumbrance on any manors, lands, &c. which are mortgaged, or out of which any rent-charge is granted under this act, shall be entitled to all remedies, privileges, and advantages, as if this act was not passed; and the persons who have lent or shall lend money for the purposes of the recited acts, or this act, shall not have priority of security on such manors, lands, &c., by virtue of such acts, or this act, over any such prior mortgage, &c. in respect of the money so lent, but for interest only; provided all bodies, companies, or persons, having any prior mortgage, &c. on such manors, lands, &c. shall be entitled according to their respective priorities, to advance the money required for the redemption of such land-tax, in preference to all others, *id. s.* 114.

149. No bodies, companies, or persons entitled in remainder, reversion, or expectancy to, or having any future interest in, any manors, lands, &c. so conveyed by way of mortgage, or whereout any rent-charge has been or shall be granted under this act, shall be liable, on coming into possession, or being beneficially entitled to the same, to the payment for more than one year's arrear of the interest on the sum secured by mortgage, or of such rent-charge, 42 *G.*3. *c.*116. *s.*115.

150. Every person to whom any rent-charge is granted under this act, shall have the same powers for the recovery thereof as landlords have for the recovery of rents reserved on common demises or leases, *id. s.* 116.

151. Where any money arising by sale of manors, lands, &c. is not paid into bank, under this act, but invested in the 3 *per cents.* to be transferred to the commissioners for the reduction of the national debt, as the consideration for the redemption of the land-tax charged on any manors, lands, &c. belonging to any bodies, companies, or other persons by whom such first-mentioned manors, lands, &c. shall be sold, then one commissioner for the reduction of the national debt shall accept such transfer, and grant to any purchaser or his agent a certificate of the amount so transferred; and on the production of such certificate to any cashier of the bank of *Eng.* he shall give such receipt as hereby directed, as well for money so invested, as for money paid by him into the bank, in the manner required by this act, *id. s.* 117.

152. In all cases where the land-tax charged on any manors, lands, &c. belonging to any body politic or corporate, (other than bishops, or other ecclesiastical corporations,) or to any companies or other persons, and granted out on any beneficial leases, or by copy of court-roll, or other grant, according to the custom of any manor, for lives, years absolute or years determinable on lives, shall be redeemed by monies arising from the sale of the fee simple and inheritance of any part of such manors, lands, &c., then the part remaining unsold shall become chargeable for the benefit of such bodies, companies, &c. with such yearly sum as is equal in amount to the land-tax redeemed, to be applied in the same way as the yearly rents and profits of such manors, lands, &c. *id. s.* 118.

153. Every deed whereby any sale, mortgage, or grant, of any rent-charge so made under this act, in relation to estates in *Eng.*, shall be enrolled, within 6 calendar months after its execution, in one of the courts of record at *Westminster*, or in the courts of the counties palatine of *Chester*, *Lancaster*, or *Durham*, or courts of great sessions in *Wa.*, as the case shall require, or be registered in the counties of *Middlesex*, or *York*, in the manner required by law for conveyances of real estates in those counties; and all deeds and conveyances in relation to estates in *Scot.* shall be executed and registered in the manner required by the *Scotch* law in respect of sales or charges of real estates; but where the consideration expressed in any such deed shall not exceed 200*l.*, the registry thereof with the officer appointed for the registry of contracts for the redemption of land-tax, shall be as valid as if registered as before directed, and such officer shall register the same *gratis*; and after payment of the purchase or mortgage money into the bank of *Eng.* or to the receiver-general, or his deputy in *Eng.*, or to the collector in *Scot.* (in cases where the same may be paid to such parties,) in the manner before directed, and after such registry or enrolment, every such deed of sale, mortgage, or grant, made under this act shall be valid, *id. s.* 119.

154. All deeds required by 42 *G.* 3. *c.* 116., or any land-tax act, to be enrolled or registered, shall be valid, although not enrolled within the time therein limited, if done within [6 calendar months after the passing hereof, 43 *G.*3. *c.* 51. *s.*3., 45 *G.*3. *c.* 77. *s.* 4., 46 *G.*3. *c.*133. *s.*7., 49 *G.*3. *c.*67. *s.* 5., all Exp.] [twelve calendar months from the passing hereof, 50 *G.*3. *c.*58. *s.*3., 50 *G.* 3. *c.* 80., 53 *G.*3. *c.* 123. *s.*43., 54 *G.*3. *c.* 173. *s.* 11., 57 *G.*3. *c.* 100. *s.*24., all Exp.]

155. All conveyances made subsequent to any deeds already enrolled or registered, or to be so inrolled, under this act, or any former land-tax redemption act, and depending, in point of title, on such deeds, shall be of the same effect as if such deeds had been inrolled, &c. on the day of the date, nevertheless without prejudice to the validity of any assurance heretofore made to correct or supply defects arising from the want of such inrolment, 53 *G.*3. *c.* 123. *s.* 44., 57 *G.*3. *c.*100. *s.*24.

156. In case any such deeds be not so enrolled, or deeds hereafter to be executed be not enrolled within 6 calendar months after execution thereof, two commissioners for redemption and sale of land-tax may, on production of such deeds, order them to be enrolled; and such deeds shall be as valid as if enrolled within the time limited, 57 *G.*3. *c.*100. *s.*24.

157. The proof of the due execution of any deed of sale, enfranchisement, mortgage, or grant, made under the recited acts, or this act, by the commissioners parties thereto, shall be allowed in all courts, and before all persons, to be good and sufficient evidence, that the several notices and other matters required by the recited acts or this act to be given and done by such vendors, mortgagors, or grantors, previously to such sale, &c. were given and done, *id. s.*120.

158. Where any money is paid into the bank of *Eng.* to the account of the commissioners for the reduction of the national debt, as the purchase-money for any manors, lands, &c. sold by any bodies, companies, as in *s.* 86. *pl.* 114., and other persons, and it shall appear to the commissioners appointed under the great seal, in cases where such sales were made under their authority, and to the commissioners for taxes, in all other cases, that such money ought not to have been so paid, then 2 commissioners under the great seal, by writing, under their hands, or 3 commissioners for taxes, may order the bank to repay all such money to the party by whom or on whose account it was paid in; and in all cases where such money has been invested in the 3 *per cents.* in the names of the commissioners for the reduction of the national debt, then on certificate signed by 2 commissioners under the great seal, or 3 commissioners for taxes, that the money ought not to have been so invested, the commissioners for the reduction of the national debt shall transfer such stock to the party by whom or on whose account such money was paid into the bank, whose receipt for the same shall be good, 42 *G.*3. *c.*116. *s.*121.

159. Contracts entered into before the passing of this act, for the sale, mortgage of, or charges out of manors, lands, &c. shall be valid to complete such sales under this act, *id. s.*122.

160. Where any person having any estate or interest (other than an estate of inheritance) in any manors, lands, &c. shall redeem the land-tax charged thereon, out of his own absolute property, such manors, lands, &c. shall be charged for the benefit of such person, his executors, administrators, or assigns, with the amount of 3 *per cent.* transferred or money paid as the consideration for such redemption, as the case may be, and with the payment of a yearly sum equal to the land-tax redeemed; but no person, in remainder, reversion, or expectancy, having any future interest in such manors, lands, &c. who shall afterwards come into the actual possession, or be beneficially entitled to the rents and profits of any such manors, lands, &c., shall be liable to pay any such annual sum, save only from the time of their coming into possession, or being so beneficially entitled; but where the land-tax charged on any manors, lands, &c. is redeemed by any bodies politic, &c., companies, feoffees or trustees for charitable or other public purposes, or other persons having any estate or interest in remainder, &c. therein, or being substitute heirs of entail intitled to succeed in their order, they shall, until their interests vest by the determination of the preceding estate, be entitled to have a yearly sum out of such manors, lands, &c. equal in amount to the land-tax so redeemed, *id. s.*125.

161. Where any one or more persons seised in undivided shares of, or to any manors, lands, &c. as co-parceners, heirs, portioners, tenants in common, or joint tenants, shall not only redeem his or their own proportion of the land-tax charged thereon, but also the proportions of any others of such co-parceners, &c., whereby the whole of such manors, lands, &c. are exonerated from such land-tax, the shares of such co-parceners, &c. whose proportion of land-tax has been redeemed by the others of them, in such manors, lands, &c. shall become chargeable for the benefit of the person or persons redeeming the same, his or their executors, administrators, and assigns, with so much of the stock transferred, or money paid as the consideration for such redemption, as would have been enough to redeem their proportions, and also with the payment of an annual sum equal to such proportions, *id. s.*124. [*See s.* 11. *pl.* 13.]

162. In all cases where any body politic, &c. company, or other person shall under this act be intitled to receive out of any manors, lands, &c. any yearly sum by way of interest, rent, or rent-charge, equal in amount to the land-tax redeemed, such yearly sum shall be payable on the same days as such land-tax was (unless where other days are appointed hereby) and shall be recoverable by action, suit, distress, or other means whereby rent reserved on leases may be recovered, *id. s.*125.

163. Where any tenant or lessee at a rack rent for any term of years, or at will, of any manors, lands, &c. is bound by agreement to pay the land-tax charged thereon during any demise, and such land-tax is redeemed in behalf of the body, company, &c. beneficially entitled to the rent reserved on such demise, the amount of the land-tax so redeemed shall, during such demise, be considered as rent reserved or made payable thereon, and shall be payable on the same days, and recovered by the same means as such rent when in arrear, *id. s.*126.

164. Where any bodies politic, companies, or other persons shall under the recited acts, have redeemed, or shall under this act redeem, any land-tax charged on any manors, lands, &c. which at the time of redemption is charged with or subject to the payment of any fee-farm, fee-duty, or other annual rent, for which such bodies, companies, &c. would, on payment of the land-tax, be entitled to deduct a just proportion of rate under 38 *G.*3. *c.*5., such bodies, companies, &c. may continue to abate a just proportion from time to time, on payment of such fee-farm, &c. rent, as if the land-tax had not been redeemed, *id. s.* 127.

165. All guardians, tutors, and curators of infants, or trustees for married women, contracting for the redemption of land-tax, charged on any

manors, lands, &c. wherein such infants and feme coverts are interested, may transfer to the commissioners for the reduction of the national debt, so much of 3 *per cent.* stock which is standing in the names of such infants or feme coverts, either solely or jointly, with such guardians, &c. as will redeem such land-tax; and the bank of *Eng.* shall permit such transfer to be made; and the cashier shall give a certificate and receipt for the same, which shall be a discharge to such guardians, &c. and the bank is hereby indemnified against all persons for any transfer under this act, 42 *G.* 3. *c.* 116. *s.* 128.

166. No contract entered into, after the passing of this act, for the redemption of any land-tax, nor the amount of land-tax redeemed thereby, shall be affected by the judgment of the commissioners, on any appeal from the assessment by which the tax was charged, whether such appeal was made before or after any proceedings to enter into such contract; but such appeal shall be decided wholly between such other parties charged by such assessment, as have not entered into any such contract, and in the same manner as if the contract so entered into had been completed before the making or determining such appeals; and every such contract shall be good, and the land-tax redeemed thereby shall be considered as if no such appeal had been made, *id. s.* 129.

167. If the land-tax so contracted for shall have been reduced in its amount by any assessment made within 3 years preceding the completion of such contract, and any such appeal is made against the contractor for redemption, his heirs, or assigns, and it shall appear to the commissioners hearing such appeal, and be so adjudged by them, that the reduction in amount was fraudulently obtained by some undue practice, so as to prove that such reduction was wrongfully made, then, but not otherwise, the land-tax so contracted for may be revised and altered (in the same manner as if the contract were not completed) by any determination on any appeal, which shall be determined within one year after the completion of such contract, *id. s.* 130.

168. The surveyor-general of the land revenues of the crown in respect to the land-tax charged on the manors, lands, &c. rents, or other revenues of the crown within the survey and receipt of the exchequer, with consent of the treasury, the receiver-general of the revenues of the duchy of *Lancaster*, with the consent of the chancellor of such duchy, in respect to the land-tax charged on the manors, lands, rents, or other revenues of the crown within the survey and receipt of the chancellor, and council, and officers of such duchy, and the surveyor-general of the duchy of *Cornwall*, in respect to the land-tax charged on the manors, lands, rents, and other revenues of such duchy, may contract with the commissioners under this act, acting by warrant under the royal sign manual, for the redemption of such land-tax, and proceed therein as hereinbefore directed, in cases of redemption of any land-tax, subject to such benefit of preference hereby given to any bodies corporate, except where otherwise herein provided, *id. s.* 131.

169. H. M. may, by warrant under his sign manual, appoint such and so many persons as he thinks fit, to ascertain the proportion of the land-tax charged on all the manors, lands, &c., rents, or other revenues belonging to the crown, within survey and receipt of the exchequer in *Eng.*; and such commissioners shall certify in writing under their hands and seals to the treasury, such proportions, and the several parishes and places within which such manors, lands, &c., rents, or other revenues upon which the same is charged, and transmit a copy of such certificate to the surveyor-general of H. M.'s land revenue, *id. s.* 132.

170. The surveyor-general of the land revenues of the crown for the time being, may contract with any person, or body politic or corporate, for the sale, from time to time, of so much of the manors, lands, tenements, rents, tithes, mines, minerals, collieries, woods, wood-grounds, fens, marshes, waste lands, or other hereditaments belonging to the crown, and within the survey and receipt of the exchequer in *Eng.* for the best prices in money which such surveyor-general, under the approbation of the treasury, can procure, as will raise money enough to redeem the land-tax charged on the manors, lands, &c. rents, and other revenues of the crown; and the purchase-money shall be paid into the bank of *Eng.* to the account of the treasury, and the bank shall open an account under that title; and shall be laid out by order of such surveyor in the purchase of 3 *per cent.* consols, in the name of the treasury, in like manner as directed by 34 *G.* 3. *c.* 75.; but in such manner that the accounts may be kept separate, *id. s.* 133.

171. No such contract shall be made unless by special warrant of the treasury, *id. s.* 134.

172. The chancellor and council of the duchy of *Lancaster*, under the duchy seal, may appoint such and so many persons as they deem fit, to ascertain the proportion of the land-tax charged on all manors, lands, &c., rents, and other revenues belonging to the crown, within the survey and receipt of such duchy and its officers; and such last-mentioned commissioners shall certify and report in writing, under their hands and seals, unto such chancellor and council, the proportion of such land-tax, and the several parishes and places within which, and the manors, lands, &c., rents, &c. on which the same is charged, and transmit a copy of such certificate to such officer of such duchy, as such chancellor, &c. shall appoint, 42 *G.* 3. *c.* 116. *s.* 135.

173. Whenever such surveyor-general shall contract with any party for the sale of any manors, lands, &c. belonging to the crown, he shall grant to the purchasers a certificate, under his hand, specifying the premises so contracted for, and the amount of money to be paid for the same; and the cashier of the bank, on the production of such certificate, shall accept the purchase-money therein specified, and acknowledge the receipt of the same on the back of such certificate, without fee; and such certificate and receipt shall afterwards be enrolled in the office of auditor of the land revenue, or of the clerk of the pipe, if the premises are in charge before him; and such officers shall attest such enrolment under their hands, and return such certificate and receipt to the purchaser; and from and after such enrolment, the purchasers, their heirs or assigns, shall be deemed to be in actual possession of the premises so bought, and shall hold the same freed from all claims by H. M. or any person claiming under him, and from all incumbrances thereon, as fully as H. M. might have held the same, *id. s.* 136.

174. The treasury may order any expences necessarily incurred for making surveys of any manors, lands, &c. hereby authorized to be sold, or otherwise, in relation to the sale thereof, to be defrayed out of the purchase-money arising from such sales, *id. s.* 137.

175. Every contract made under this act for the sale of any part of the land revenues of the crown, within the survey and receipt of the exchequer shall be in the form hereto annexed, marked H., and when within the survey, &c. of the chancellor and council of the duchy of *Lancaster*, in the form marked G., and every certificate of sale of any the revenues of the duchy of *Cornwall* in the form marked I., and the receipt for the consideration in the form marked K., *id. s.* 138.

176. The chancellor and council of the duchy of *Lancaster* may sell to any person or body politic, &c. from time to time, and thereupon grant and assure in the name of H. M. under the duchy seal, such and so much of the manors, lands, tenements, tythes, &c. as in *s.* 133. *pl.* 170. belonging to the crown, and within the survey and receipt of such duchy, and the officers of the same, at the best prices in money which such chancellor, &c. can get for the same, as will raise money sufficient to redeem the land-tax charged on the manors, lands, &c., rents, or other revenues belonging to the crown, within the survey and receipt of such duchy, and its officers; and the purchase-money for the same shall be paid to the receiver-general of the revenues of such duchy, and acquittances and receipts given by him for the same, and the same shall be laid out and invested in like manner as by 19 *G.* 3. *c.* 45., or any other acts now in force, for the sale of any manors, lands, &c. within the survey, &c. of such duchy, *id. s.* 139.

177. The treasury, in respect of crown lands within the survey and receipt of the exchequer, and the chancellor and council of the duchy of *Lancaster*, by order in council, in respect of crown lands within their survey and receipt, may transfer to the commissioners for the reduction of the national debt, so much of the stock vested in their names, arising from sales made under 19 *G.* 3. *c.* 45., and 34 *G.* 3. *c.* 75., and this act, and other acts in force for the sale of any manors, lands, &c. within such surveys, &c., as may be necessary to redeem the land-tax, charged on any of the said manors, lands, &c., rents and other revenues of the crown; and in the interim, until such transfer is made, the proceeds of such part as is not applied to such redemption, shall be accounted for and applied in the same way as by such act directed, in respect of stock purchased under such acts, *id. s.* 140.

178. On the redemption by the transfer of stock as before-mentioned of any land-tax, charged on any manors, lands, &c., rents, &c. belonging to the crown, and the registry thereof, as herein directed, the manors, lands, &c., rents, &c. of the crown on which such tax has been charged, shall be wholly freed therefrom; and the amount thereof, during the continuance of any lease now in being, shall be considered as rent due to H. M., and be recovered as such, *id. s.* 141.

179. The Prince of *Wales*, as Duke of *Cornwall*, by warrant under his sign manual, may appoint persons to ascertain his proportion of land-tax in the duchy of *Cornwall*, to be reported to his council, and a copy sent to the surveyor general, *id. s.* 142. [*Qu.* Exp.?]

180. The surveyor general of the duchy of *Cornwall* may contract with any persons or bodies politic, &c. for the sale, from time to time, of such and so much of the manors, lands, tenements, tythes, &c. as in *s.* 133. *pl.* 170. belonging to and parcel of such duchy, for the best consideration that he can get for the same, as will raise a sum sufficient for the redemption of such land-tax charged on the manors, lands, &c., rents and other revenues belonging to such duchy; and the purchase money for the same shall be paid into the bank of *Eng.* by the purchasers, to be there received by the cashiers, and accounted for and invested as after directed, *id. s.* 143.

181. No such contract shall be made, unless by special warrant from the council or commissioners of the revenues of H. R. H. or 3 of them, *id. s.* 144.

182. The bank of *Eng.* shall open an account in their books, under the title of "The Account of the Duchy of *Cornwall*," and carry to the credit of such account the several monies directed to be paid into the bank, on account of the purchase of any such manors, lands, &c. of such duchy; and whenever the surveyor general of such duchy shall contract with any person or body, for the sale of any manors, lands, &c., rents, &c. of such duchy, he shall grant unto the purchaser a certificate under his hand, specifying the premises so contracted for, and the amount of purchase money to be paid for the same; and the cashier of the bank shall, on production of such certificate, accept the purchase money therein specified, and acknowledge the receipt thereof on the back of the certificate, without fee; and such certificate and receipt shall afterwards be brought to the office of the auditor of such duchy, and be forthwith there enrolled in proper books, kept apart from other business; and such auditor having enrolled such certificate and receipt, shall attest the same under his hand, and return it to the purchaser; and from and after such enrolment, the purchasers of any such manors, lands, tenements, rents, tythes, &c. as in *s.* 133. *pl.* 170., parcel of such duchy, and their heirs and assigns, shall be deemed to be in actual possession of the same, and enjoy the same peaceably and quietly, as amply as the duke might have enjoyed the same, 42 *G.* 3. *c.* 116. *s.* 145.

183. If any person, with whom such surveyor-general of the land revenue of the crown or of the duchy of *Cornwall* shall contract for the sale of any manors, lands, &c., rents or other revenues, hereby authorized to be sold, shall neglect to sue forth the certificate of such surveyor of his contract, or to pay into the bank the consideration therein specified, or to enrol such certificate and the cashier's receipt according to this act, for 40 days, to be computed from the day on which such contract was made, such contract shall be void, and the consideration money, if paid into the bank, shall be forfeited, unless such surveyor shall, on reasonable cause shewn him, order such certificate to be enrolled *nunc pro tunc*, which he may do, *id. s.* 146.

184. All money paid into the bank of *Eng.* under this act, on account of the duchy of *Cornwall*, shall be laid out by order of the council, or commissioners of ther evenues of H. R. H. the prince of *Wales*, in the purchase of 3 *per cents.*, in the name of the duke of *Cornwall*; in which name the bank shall permit transfers to be made of such stock, and such transfers to be accepted by the receiver-general of such duchy, for and in the name of duke of *Cornwall*, and such receiver-general shall accept the same accordingly; and all stock so purchased shall remain in the name of the duke of *Cornwall*, and not be transferable to any person except as herein-after described; and all dividends shall be paid to such receiver-general, and shall by force of this act be deemed part of the revenues of such duchy, and be answered, accounted for, and applied as such revenues now are, or would have been applied, in case the 38 *G.* 3. *c.* 60. and this act had not been made, *id. s.* 147.

185. The council and commissioners of the revenues of H. R. H., or 3 of them, shall, by warrant or power of attorney under their hands and seals of office, from time to time, transfer to the commissioners for the reduction of the national debt so much capital stock vested in the name of the duke of *Cornwall*, arising from any sales made under this act, as may be necessary to redeem the land-tax charged on any of the manors, lands, &c. belonging to such duchy, *id. s.* 148.

186. On any such redemption as in *s.* 148., and on the registry thereof, as before directed, the manors, lands, &c. of such duchy, on which such land-tax has been charged, shall thenceforth, during any demise, be wholly freed of land-tax; and the amount of such land-tax shall, during such demise, be considered as rent, and be recoverable as such by H. R. H. the prince of *Wales* and duke of *Cornwall*, against any lessee or tenant, and by them against their under-lessees, &c., *id. s.* 149.

187. "Whereas lessees and tenants, holding lands, &c. within the survey and receipt of the exchequer, under demise from the crown, have redeemed land-tax charged thereon, and have transferred the consideration in like manner as if they had been entitled so to do:" now be it ENACTED, that the treasury, in all such cases, may cause to be transferred to such lessees, &c.; their executors, &c., so much capital stock, which may be vested in the names of the treasury, arising by sales under this act, as is equivalent in amount to the stock which was so transferred by such lessees, &c.; and from and after such transfer, the contracts so entered into by such lessees, &c. shall be valid to entitle H. M. to the benefit of the land-tax, from the quarter day next preceding the day of transfer of such stock in like manner, as if such contract had been entered into by the surveyor-general of the land revenues of the crown according to this act; and the person to whom such stock is transferred shall, by writing under his hand, either indorsed on the original contract, or in such other manner as such surveyor-general requires, acknowledge such transfer, and such acknowledgement shall be registered with the officer appointed for the registry of contracts for the redemption of land-tax, but the same shall not be liable to stamp duty; and such lessees, &c., or their executors, &c., to whom such stock is so transferred, shall receive the amount of such land-tax from the quarter day next preceding the transfer of the consideration by them up to the quarter day next preceding the transfer of the amount of such consideration made to such lessees, &c. or their executors, &c. under this act, 42 *G.* 3. *c.* 116. *s.* 150.

188. Where the whole of the land-tax charged on any county, stewartry, city, &c. or place, in respect of any manors, lands, &c. therein, shall not have been redeemed on or before the 24th *June* 1803, by the bodies, companies, or persons, having the benefit of preference under the recited acts or this act, but any part of it shall remain chargeable to H. M., the commissioners acting under this act under H. M.'s sign-manual for such county, &c. may contract with any other bodies, companies, or persons, for the sale of any land-tax so remaining unredeemed, or any part thereof, on the terms hereinafter contained; and all such rules, directions, &c. as are herein prescribed, with respect to the redemption of land-tax by any bodies, companies, &c. having such preference, shall be observed with respect to sales of land-tax, by virtue hereof, *id. s.* 151.

189. If the persons entitled to preference in redemption of land-tax shall have, prior to 24th *June* 1803, given notice that they do not intend to redeem it, the commissioners may contract with any other persons for the sale thereof, *id. s.* 152. [EXP.]

190. The consideration for the purchase of any such land-tax shall be so much capital stock in either of the 3 *per cents.* (as in *s.* 22. *pl.* 25. directed,) to be transferred as the consideration for the redemption of any land-tax, by persons having benefit of preference; or where the land-tax sold shall not exceed the annual sum of 25*l.*, then, either so much of such stock, or so much money (as in *s.* 22. *pl.* 25. directed) to be paid as the consideration for the redemption of any land-tax (in cases where the same is in money) according to the rules, tables, &c. contained in the schedule (L.) hereto annexed, and the price of stock to be ascertained, and transmitted to the receiver-general or collector (as in *s.* 24. *pl.* 27. directed,) in cases of redemption of land-tax; and the whole of such consideration shall be transferred or paid, either at once (and in such case within 3 months from the date of such contract) or by 4 instalments, at equal intervals within one year, and on such days as the party shall elect and stipulate in the contract, with power to the contractors to transfer, or pay the whole or part of the consideration in advance, in the manner by *s.* 25. *pl.* 30. directed, *id. s.* 153.

191. Every person desirous of purchasing the land-tax charged on any manors, lands, &c. shall make and produce to 2 commissioners of land-tax, acting for the hundred, division, &c. of the county, &c. if in *Eng.*, or if in *Scot.* to the commissioners of supply of the county or stewartry, or chief magistrate of the city or burgh, within which the same is situated, a schedule in writing of the land-tax proposed to be purchased, and of the manors, lands, &c. whereon the same is charged; and such commissioners of land-tax and supply, or such chief magistrate, shall respectively ascertain the amount of land-tax to be redeemed, and the manors, lands, &c. whereon charged, and grant a certificate thereof, in the form hereto annexed, marked A., to the bodies, companies, or persons applying for the same, which certificate shall contain the description of such manors, lands, &c. distinguishing the parishes or places wherein the same are situate, and also the names of the proprietors and occupiers thereof; and where such manors, lands, &c. are separately assessed, shall distinguish the amount of each separate assessment of land-tax; and such bodies, companies, and persons shall produce such certificate to the commissioners under this act, acting under H. M.'s sign-manual; and where the land-tax proposed to be purchased shall not exceed 25*l.*, shall also give notice in writing to such commissioners, whether the consideration is to be in money or stock, and if in money whether the same is to be paid at once or by instalments, and also the day on which the same is to be paid; and such last-mentioned commissioners shall examine and amend, if necessary, such certificate, and cause notice to be fixed on the church doors of the parish or place where the manors, lands, &c. (the land-tax whereon is to be redeemed) are situated, of the offer made to purchase the same 16 days before the contract of sale is entered into, and if within that period no other offer to purchase such land-tax is made, exceeding the former one by 1*l. per cent.* on the amount of stock or money so offered, then such last-mentioned commissioners may contract with the bodies, companies, &c. making the first offer for the sale thereof; but if any such higher price is offered, then they must contract for the sale of such land-tax with the body, company, &c. making the higher offer, and such commissioners shall insert in the contract a description of the manors, lands, &c. and other particulars relative thereto, as hereinbefore required; and on the production of such contract at the bank, where the consideration is in stock, and on transfer to the commissioners for the reduction of the national debt of the 3 *per cents.* to be transferred as the consideration for such purchase, or of such proportion thereof as has been agreed on, as the first instalment thereof not being less than 1-4th of the whole; and in cases where the consideration is in money, then, on production of such contract to the receiver-general of the county, &c. in *Eng.*, or to the collector of the stewartry, &c. in *Scot.*, where the manors, lands, &c. of which the land-tax is so

purchased are situate, and on payment to them of the money agreed on, such bodies, companies, &c. shall be entitled to the like certificates and receipts from the cashier of the bank, and from the receiver-general or collector, as in *s.*38. *pl.*48. directed in like cases; and on the registry of such contract and also of the certificate of such commissioners of supply or chief magistrate, as by the act directed, the manors, lands, &c. the land-tax whereof is so purchased, shall be exonerated from such land-tax from the like periods, as in *s.*38. directed in like cases; but the respective purchasers of such land-tax, and their heirs and assigns, shall be entitled, from the like period, to demand for their own use for ever, and shall be deemed, by virtue hereof, to be in the actual possession of an annual fee-farm rent, equal to the land-tax so purchased, free of all charges issuing out of such manors, lands, &c. on the same days as such land-tax was payable at the time of purchase, and such respective purchasers, their heirs, &c. shall have priority of security on such manors, lands, &c. in respect of such fee-farm rent, and shall have all benefits and remedies to recover the same, whether by action, suit, distress, or otherwise, as landlords have for their rent reserved on leases; but the sale of any such land-tax, and such exoneration of any manors, lands, &c. shall not affect H. M.'s right to any arrears thereof unpaid up to the time of such exoneration, or his right to recover the same, 42 *G.*3. *c.*116. *s.*154.

192. If any proprietor or person, beneficially interested in any manors, lands, &c. which stand limited to the same uses, trusts, &c. and in the same order of limitation, and subject to the same charges, liens and incumbrances, the land-tax whereof has been purchased, is desirous that such land-tax, after the purchase thereof as fee-farm rent, shall be paid out of one particular part of such manors, lands, &c., and shall give notice in writing of such his desire to such commissioners acting under this act as last aforesaid, then such commissioners may order the whole of such fee-farm rent, whether consisting of one or several assessments of land-tax, be paid out of any one part, and what part of such manors, lands, &c.; and in such case from thenceforth such part only as is so appointed shall be exclusively subject thereto, and to the remedies for the recovery thereof, and the rest entirely discharged; provided that the annual value of such part as is so made exclusively liable shall be 3 times the amount of such fee-farm rent, and such part as is discharged therefrom shall be distinguished in the contract; and when the contract has been previously entered into, then in an indorsement thereon, or in a schedule annexed thereto, under the hands and seals of 2 of such commissioners, *id. s.*155.

193. The certificate of the contract, for the purchase of any such land-tax, shall be in the form hereto annexed marked (D.), *id. s.*156.

194. Every person, who shall become entitled to any fee-farm rent, by the purchase of any land-tax sold under this act, may bar any entail thereof which might have been barred by fine or recovery, by deed acknowledged by such person, and enrolled in any court of record at *Westminster*, or in the counties palatine of *Chester*, *Lancaster*, or *Durham*, or in the courts of great sessions in *Wa.*, or registered in the office for registering deeds in the counties of *York* or *Middlesex*, as the case requires, *id. s.*157.

195. Where the land-tax charged on any manors, lands, &c. which are or shall be leased or demised at rack rent, for any term of years, or from year to year, or at will, is purchased by any tenant or lessee thereof, who is not bound by any covenant or agreement to pay the land-tax during the demise, such tenant, &c. during such demise may retain, out of the rent reserved thereon, the amount of land-tax purchased; and the payment or tender of the residue of such rent shall be as valid to discharge him, as the payment, &c. of the whole would have been, if the land-tax had not been purchased, *id. s.*158.

196. All bodies politic, &c. companies, and feoffees, or trustees for charitable or other public purposes, notwithstanding the statutes of mortmain, and all persons hereby authorized to lay out personal trust property, in redemption of land-tax, may lay out the same under the same regulations, in the purchase of any land-tax sold under this act; and the amount as a fee-farm rent shall be settled and limited to the same uses and trusts, as the manors, lands, &c. of such bodies, companies, &c. or other person, the land-tax whereof might have been redeemed by such trust property under this act, shall stand limited; and where any personal trust-property is subject to any trust, to apply the same in the purchase of real-estate, to be settled to or for any particular uses, for the benefit of any bodies, companies, &c. or other persons, the same may be applied in the purchase of any land-tax to be sold under this act; which land-tax, when purchased, shall as a fee-farm rent, stand limited to such uses, and subject to such trusts, to and for which such real estate ought to have been according to the terms of such trust, *id. s.*159.

197. Where any surplus stock, or money arising by any sale, mortgage, or grant made under this act, to redeem any land-tax, shall remain, after transferring or paying the consideration for such redemption, such surplus may be applied under the direction in *s.*100. *pl.*128. required in the purchase of any land-tax, as fee-farm rents under this act, and which shall be limited to the same trusts as the hereditaments so sold, mortgaged, or charged, stood limited, 42 *G.*3. *c.*116. *s.*160. [*see ante*, *s.*100. *pl.*128—134.]

198. The governors of Queen *Anne's* bounty, and the trustees of any trust-property heretofore given by will, to be laid out in the purchase of lands, or impropriate tithes for the benefit of the poor clergy in *Eng.*, may apply any money, or other funds, which they are by *s.*44. *pl.*55. allowed to apply in the redemption of any land-tax charged on any lands, tithes, &c. of any livings herein mentioned, in the purchase of any land to be sold under this act, for the purpose of augmenting any living they think proper, and such land-tax shall for ever, after the purchase thereof, be annexed to such living, and be issuing as a fee-farm rent out of the manors, lands, &c. whereon the same is charged at the time of purchase, or such of them as remains chargeable therewith under this act [*see s.*155. *pl.* 192.] for the benefit of such livings, and be payable on the same days as such land-tax was; and the incumbents for the time being on such livings, shall enjoy the same powers, remedies, &c. for the recovery thereof, whether by action, suit, distress, or otherwise, as landlords have for rents reserved on leases; and every such purchase of land-tax for the benefit of such livings shall be deemed valid and equivalent to a purchase of lands or tythes for that purpose, notwithstanding the statutes of mortmain; and such governors may take any land-tax which has been so purchased as a fee-farm rent, and which shall be given or bequeathed to them by deed, will, or otherwise, for the purpose of augmenting any such livings, and apply the same accordingly; and the incumbents of such livings shall hold such land-tax, and all remedies for its recovery, as if it had been purchased by such governors, and annexed to such livings under this act, *id. s.*161. [*see s.*15. *pl.*17., *s.*44. *pl.*55.]

199. Every gift or disposition of any land-tax, which has been or shall be redeemed under the recited acts or this act, made by any person entitled thereto by deed, will, or otherwise, for the augmentation of any living, shall be valid, and such land-tax shall be enjoyed by the incumbent of the livings augmented thereby, according to the tenor of such deed, &c. any statute of mortmain, or other law to the contrary notwithstanding, *id. s.*162.

200. No greater fee shall be taken by any clerk to the commissioners of land-tax or supply, or chief magistrate of any city or borough, for any certificate of the amount of any land-tax granted under this act, than 1*s.* for each sum so certified, *id. s.*163.

201. Every contract entered into under this act for the redemption or purchase of any land-tax charged as aforesaid, shall, before the transfer or payment of the second instalment of stock, or money thereon, or within 3 calendar months from the time of making the transfer or payment of stock or money thereon, if the whole consideration is transferred or paid at once, be registered with the proper officer; which registers shall be made in books kept for that purpose, and such officer shall make out 3 duplicates on parchment under his hand and seal, of the amount of land-tax so redeemed or purchased and exonerated, distinguishing the places where assessed, and deliver one to the receiver-general for the county, &c. another to the commissioners of land-tax, acting for the division where the parish or place in which such land-tax was charged is situated, and the third to the king's remembrancer in the exchequer, when required, *id. s.*164.

202. Every copy of the register of any contract made under this act, and registered according to the directions of *s.*119. *pl.*153. with the proper officer, which is signed by him, shall be allowed in all courts a sufficient evidence of such contract, *id. s.*165.

203. If any person who shall contract for the redemption of any land-tax under this act, shall die before the transfer or payment of all instalments of the consideration contracted for, without having made any provision by will or otherwise, how the future instalments shall be paid, then such instalments shall be paid out of the assets of the person so dying as a debt to H.M. on record, and his executors or administrators, and the trustees, guardians, tutors, and curators, of any infant, minor, or other person entitled to the estate of the person so dying, shall be indemnified against such infant, &c. and all other persons for making good the instalments necessary to complete such contract; and if such executors, &c. shall not have assets for that purpose, they shall sell, assign, or dispose of such contract; provided that when the person so dying contracted for such land-tax under a benefit of preference by this act given, without having the absolute estate in the manors, lands, &c. whereon the same was charged, and the person next beneficially entitled in succession, reversion, remainder, or expectancy, and which shall become vested in possession by the determination of the preceding estate of the person so dying, or his guardian or tutor, in cases of infancy, or curator in cases of lunacy, shall be desirous to take an assignment of such contract, in order to complete it, the executors or administrator of the person dying may assign the same to them, whether they have assets or not; provided also, that such assignee shall be

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bound to complete such contract on the same terms, and by the same instalments, and at the same periods, and in the same manner, and have the same benefits as the contractor so dying had; and the respective courts of exchequer, or the commissioners of taxes, may in all such cases give the like relief, by enlarging the time for making good any future instalment, as they are authorized by *s.*169. *pl.* 206. to do in cases of forfeiture through the default of the party, 42*G.*3. *c.*116. *s.*166.

204. If any person, after entering into any contract for the redemption of the land-tax, shall afterwards neglect to complete the same by the due transfer or payment of the consideration (whether by instalments or otherwise) agreed to be made thereon, then and immediately after such default so made, such contract shall become null and void, and the whole land-tax so contracted for shall revive, and become again chargeable on the manors, lands, &c. wherein it was charged prior to such contract, and be again assessed and collected, or again sold in the same manner as if such contract had not been entered into; and such defaulter shall be subject to a penalty not exceeding one-sixteenth part of the consideration agreed on; and where the consideration to be transferred shall be in the 3 *per cents*, and no part thereof has been transferred, such penalty shall be the value of such sixteenth part according to the average price of the 3 *per cent.* consols, on the day when the transfer of the consideration, or if the first instalment ought to have been made, or if the transfer book is shut, then according to the price of the 3 *per cent.* reduced on such day, *id. s.*167.

205. Where any land-tax shall revive and become again chargeable on any manors, lands, &c. the commissioners of land-tax or supply acting in and for the division or place, county or stewartry, or chief magistrate of the city or borough within which such manors, lands, &c. are situate, or 3 of them, shall within 6 calendar months after the land-tax is so revived, deliver a duplicate in parchment under their hands and seals to the receiver-general for the county, &c. if in *Eng.*, or to the receiver-general if in *Scot.*, and transmit a like duplicate to the king's remembrancer's office if in *Eng.*, and to the barons of exchequer if in *Scot.*; which duplicate shall specify the amount of the land-tax so revived, and the year in which and period from whence; and if it is revived from any period preceding the commencement of the year for which such duplicate is so made out, it shall specify the amount of the arrears up to the commencement of such year, distinguishing the amount of land-tax so revived from the amount of such arrears, *id. s.*168.

206. Where any contract shall become forfeited, the courts of exchequer in *Eng.* and *Scot.*, on application of the party who has incurred such penalty, or any other person prejudiced by such default, may by summary petition, stating the grounds of such application, enlarge the time for making good any subsequent instalments, and grant such relief to the parties on payment of such costs, and on such reasonable conditions as they think fit; provided, where the value of the penalty shall not exceed 50*l.*, the commissioners for taxes (with the approbation of the treasury) may enlarge the time for making good any such subsequent instalments, or grant such relief to the parties as they with such consent deem fit, *id. s.*169.

207. Where any contract made under this act shall become void, and no prosecution for the penalty is brought, the commissioners for the reduction of the national debt, and the receivers-general in *Eng.*, and collectors in *Scot.* may, where any instalment or instalments have been transferred or paid on such contract, reserve to the use of the public such part of the consideration under such contract, as equals the penalty incurred, and on demand made thereof, shall transfer or pay the rest to the bodies, companies, or persons interested in such stock or money, their successors, executors, administrators, or assigns, *id. s.*170.

208. Where any bodies, companies, or other persons have transferred, or shall hereafter transfer to the commissioners for the reduction of the national debt, on account of the redemption of the land-tax, any 3 *per cents.* which ought not to be transferred for that purpose, or have paid or shall pay into the bank of *Eng.* any money by way of interest, which ought not to have been paid them on certificate signed by 3 commissioners for taxes, that such 3 *per cents.* ought not to have been so transferred, or that such money ought not to have been so paid, one of the commissioners for the reduction of the national debt, or the bank, as the case requires, shall retransfer such 3 *per cents.* or repay out of any money in the hands of the bank on account of interest under this act, the said money to such bodies, companies, or other persons, on whose account the same were transferred and paid; and when it satisfactorily appears to the commissioners for taxes, that any money has been paid to any receiver-general, on account of the redemption of land-tax, or of interest, which ought not to have been so paid, then 3 of such last-mentioned commissioners may order such receiver-general to repay all such monies to the bodies, companies, or other persons entitled thereto, and their receipt shall be a good discharge for such 3 *per cents.* so retransferred, or monies so repaid, *id. s.*171.

209. Where any 3 *per cents.* shall be transferable to any bodies, companies, or other persons under the direction of the commissioners acting under this act, by virtue of H. M.'s letters patent under the great seal, or the commissioners for taxes, or without such direction, in case where any contract is void, all such dividends, or arrears of dividends, shall be issued from the receipt of the exchequer, and be payable at the bank in respect of such 3 *per cents.*, which shall be so retransferred as in *s.*171. *pl.* 208., would have been payable thereon, in case the same 3 *per cents.* had not been transferred to the commissioners for the reduction of the national debt, 42 *G.*3. *c.*116. *s.*172.

210. No contract for the redemption of any land-tax, nor any assignment thereof, nor any copy of the register thereof, nor any certificate or receipt given under the recited acts or this act, to the commissioners for the reduction of the national debt, nor any letter of attorney, authorizing any person to transfer any stock to such commissioners, or to accept any stock previously to and for the purpose of transferring the same to them, nor any affidavit made in pursuance of the recited acts or this act, shall be liable to any stamp duty, *id. s.*173.

211. Where any respective collectors of cess or land-tax, appointed in the several shires, &c. in *Scot.*, shall act under 39 *G.*3. *c.*40. have not entered into the bond by such act required, they shall, within 40 days after the passing hereof, or after their appointment, as the case may be, and before they shall receive any money to be paid as the consideration for the redemption of any land-tax under this act, enter into bond to 3 of the commissioners for the purposes of this act in such shires, &c., with such sufficient caution as the barons of the *Scotch* exchequer require, binding them and their sureties conjunctly and severally for their duly paying to the receiver general for *Scot.* at *Edinburgh*, at such times after the receipt thereof as such barons shall direct, to be inserted in such bonds, all such money as is paid to them in pursuance of this act for the redemption of land-tax, under a penalty of 200*l.* sterling over the performance, and which bonds 3 of such commissioners shall take; and such commissioners shall forthwith cause such bonds to be delivered to the receiver-general at *Edinburgh*, or not being so delivered, shall cause them to be registered in the books of council and session, and extracts thereof delivered to such receiver at *Edinburgh*; and such bonds already entered into to be in force, *id. s.*174.

212. In case the collector in any shire, &c. shall fail to enter into such bond within the period limited, such commissioner shall certify such failure to the barons of the *Scotch* court of exchequer, who shall, on receipt of such certificate, order that the consideration for the redemption of any land-tax in such shire, &c. where the same is in money, shall be paid to such receiver-general or his deputy at *Edinburgh*, or to some person in such shire, &c. appointed by him to receive the same; and after such order, all persons, bodies, and companies, who shall redeem any land-tax, the consideration whereof is in money, shall pay the same to such receiver, or such person as he shall appoint; and the certificate or receipt of such receiver or person (which they shall give) shall be as valid as the receipt of such collector is by the said act directed to be, in case such consideration was paid to him, *id. s.*175.

213. Where any such collector does not duly pay over to such receiver-general, or his deputy, any such money within the time limited by his bond, after he has received it, such receiver shall present such bond, or an extract thereof, to one of the barons of the *Scotch* exchequer, with a petition stating the sum due, and praying a horning or other legal process of court, on such bond, &c. on oath, that the sum stated in the petition is due and not accounted for; and the baron to whom such petition is presented may order a horning or other legal process of court to issue, and which may be proceeded in by arrest, pounding denunciation, caption, imprisonment, and otherwise, for recovering from such collector and his sureties the sum due, and the penalty of 200*l.*; or the receiver-general or his deputy, on making oath to the sums due and unaccounted for, may recover the payment thereof, and of the penalty in the bond, by any process for recovering H. M.'s debts according to the course of the *Scotch* court of exchequer, *id. s.*176.

214. So long as a duplicate of the land-tax charged on any parish or place, in respect of any manors, lands, &c. therein, shall, under 38 *G.*3. *c.* 5. *s.*14. [*see* LAND-TAX, *pl.*21.] and this act be required to be delivered to any receiver-general in *Eng.*, *Wa.*, and *Ber.*, such receiver shall, on receipt of the whole assessments of the county, &c. for which he is receiver, in case he has received such duplicates, and the same are returned into the king's remembrancer's office in the exchequer, pursuant to 38 *G.*3. *c.*5., allow and pay to the clerks of the commissioners of land-tax who delivered such duplicates, 1½*d.* in the pound, as well on account of the land-tax redeemed in such parishes, &c., as on that which remains chargeable; provided the treasury may order such allowance to cease in any land-tax redeemed, when they think it necessary, *id. s.*177.

215. No receiver-general of land-tax, his heirs, executors, or administrators, shall, in his account of the money to be raised under 38 *G.*3. *c.*5., in any year subsequent to 1801, be allowed to set *insuper* [*see* 38 *G.*3. *c.*5. *s.*112. LAND-TAX, *pl.*120.] any county, &c. in *Eng.*, *Wa.*, or *Ber.*, for any of such monies which shall be in arrear, unless such account be passed in the exchequer within 2 years after the expiration of the year (each year be-

ginning with 25th *March*) for which such monies shall be raised; but all such arrears shall be a debt on such receiver, and be answered by him and his securities, their executors and administrators, lands and goods, 42 *G.*3. *c.*116. *s.*178.

216. The conditions of all bonds to H. M., which have been entered into by such receivers-general and their sureties, and now in force in regard to the receiving, accounting for, and paying the land-tax within the period in 41 *G.*3. *U. K. c.*72. specified, shall relate to the period specified in this act, *id. s.*179.

217. The whole land-tax charged on any parish or place, shall (notwithstanding the discharge of any part thereof) continue to be inserted in the certificates of assessments to be signed by the commissioners of land-tax, so long as any part of land-tax payable in such parish, &c. shall remain payable in such parish, &c. either to H. M. or to the persons purchasing the land-tax under the recited acts, and who have declared an option in their contracts to be considered on the same footing as persons not interested; and all manors, lands, &c. not exonerated by the recited acts or this act, from land-tax, shall continue subject to a new assessment yearly by an equal rate, according to the annual value of such manors, lands, &c. not exceeding 4*s.* in the pound, which shall be raised, &c. as by 38 *G.*3. *c.*5. directed, as if the manors, lands, &c. so remaining payable formed an entire parish; provided that on the delivery of the certificates and precepts to the several collectors for the raising, levying, &c. the land-tax so remaining payable in such parish, such collectors shall be directed to return in their schedule to the receiver-general of the county, &c. the amount of land-tax so redeemed in such parish, and from the payment of which such parish is exonerated; provided that if any of such lands, &c. are in *Scot.*, the same shall continue subject to a new yearly assessment, according to the rates and as by law established in that country, *id. s.*180.

218. If any assessment of land-tax which shall continue to be charged under this act, shall be found to exceed 4*s.* in the pound on the annual value of the manors, lands, &c. wherein the same is charged, it shall be subject to abatement, as directed by 38 *G.*3. *c.*5. *s.*84. *pl.*92. *id. s.*181.

219. After such abatement made, an assessment specifying the same shall be made, and the commissioners making it shall cause duplicates thereof to be returned to the receivers-general, the commissioners for taxes and offices of the king's remembrancers at *Westminster* and *Edinburgh*, as in other cases of assessments, *id. s.*181.

220. Whenever any parish or place separately assessed to the land-tax, the whole of which has been redeemed or purchased, and all manors, lands, &c. therein exonerated under the recited acts or this act, from payment of land-tax, all assessments in such parish under this act shall cease, *id. s.*182.

221. The treasury may direct any sums to be issued out of any of the public monies, for the payment of the allowances hereinafter directed, to the commissioners acting in execution of this act by warrant under the royal sign manual, and also for payment of any salaries to any secretaries, clerks, or others, acting in execution thereof, and for discharging such incidental expences as shall attend the execution of this act in such manner as the treasury shall deem fit; provided such commissioners shall not have more than 3*d.* in the pound on land-tax sold, to be divided equally among them; and that an account of such expences shall be laid before parliament; and that such expences shall not be liable to account otherwise than before the treasury, *id. s.*183.

222. Whenever any notice required to be given by this act cannot be delivered to the persons to whom such notice is directed, the party giving such notice may leave the same at the most usual abode of the person to whom the same is to be given in *G. B.*; or if beyond seas, then to be published in the *London Gazette*, *id. s.*184.

223. The acceptance of any commission from H. M. under this act shall not vacate the seat of any member of parliament accepting the same; nor shall such acceptance impeach the election of any person returned to serve in parliament; provided the office of a commissioner for redemption or sale of land-tax shall not, by reason of any allowance, be deemed a place or employment of profit under H. M. notwithstanding the appointment shall be by warrant under the sign manual; but it shall be deemed a place under this act, and shall not impeach the claims of such commissioners to any other allowance under H. M., *id. s.*185.

224. When any 3 *per cents.* shall be under this act transferred to the commissioners for the reduction of the national debt, the dividend payable thereon shall cease to be issued from the exchequer; and the money shall be deemed part of the growing produce of the consolidated fund of *G. B.*, and applied under the direction of parliament, *id. s.*186.

225. The duty by 38 *G.*3. *c.*60. made perpetual, shall be paid into receipt of the exchequer, and carried to the consolidated fund of *G. B.*, *id. s.*187.

226. Two commissioners for the reduction of the national debt may execute the matters and things herein required of them, *id. s.*188.

227. All penalties and forfeitures to be sued for by the party grieved under this act, may be sued for by action of debt or on the case, in the courts of law of *Eng.* or *Scot.*, holding plea of 40*s.*; wherein the plaintiff shall have full costs, as in other cases; and one moiety of all other forfeitures hereby imposed, when they exceed 50*l.*, shall, if sued for within 6 calendar months from the time incurred go to H. M., and the other, with full costs of suit, to the person suing, and which shall be sued for in the courts of exchequer in *Eng.* for offences committed there, and in the like court in *Scot.* for offences committed there, by action of debt, &c. or information, wherein no essoin, &c., and only one imparlance shall be allowed; but the attorney-general in *Eng.* or H. M.'s advocate in *Scot.* in cases where it appears that such last-mentioned penalties were incurred without intention of fraud, may stay all further proceedings by entering a *noli prosequi*, or otherwise, as well with respect to the informer's share of the penalty, as that of H. M., 42 *G.*3. *c.*116. *s.*189.

228. In all cases where the amount or value of any penalties (other than to the parties grieved) incurred under this act shall not exceed 50*l.*, 2 justices of the peace for the county or place wherein the party incurring such penalty shall reside, may hear and determine any matter subjecting such party to any such penalty; which justices shall, on information exhibited, summon the party and also the witnesses on either side, and examine into the fact, and on due proof thereof, made either by confession or by oath of one witness, give judgment for the penalty according to this act, and award their warrant under their hands and seals for levying the same on the goods of the offender, and cause them to be sold within 6 days if not redeemed, rendering overplus to the party; but when no goods can be found, they shall commit the offender to prison for 6 months, unless the penalty is sooner paid; and all persons aggrieved by the judgment of any such justices may (on giving security to the value of the penalty, together with such costs as shall be awarded in case the judgment is affirmed) appeal to the next quarter-sessions for the county or place, and the justices there shall summon and examine witnesses on oath, and finally determine the same; and in case such judgment is affirmed, the quarter-sessions may award the persons to pay the costs of such appeal as to them seems meet; provided, that if such quarter-sessions fall within 6 days after such conviction, the party may appeal to the next subsequent ones, *id. s.*190.

229. All persons summoned as witnesses to give evidence before such justices touching any matters relative to this act, either on one side or the other, who shall neglect to appear at the time and place appointed, without some excuse, to be allowed by such justices, or appearing, shall refuse to be examined on oath and give evidence before such justices, shall forfeit 40*s.*, to be levied and paid as by *s.*190. directed, *id. s.*191.

230. In default of prosecution within the time hereby limited [*see s.*189. *pl.*227.] no such penalty other than to the party grieved, shall be recoverable afterwards, except in the name of the attorney-general in *Eng.* and of H. M.'s advocate in *Scot.*, in which case the whole penalty shall go to H. M.; and all penalties and forfeitures, and shares thereof, incurred as aforesaid belonging to H. M., shall be paid to such person as the commissioners of taxes shall appoint; and where the whole penalty, &c. belongs to H. M., such commissioners may cause such reward as they think fit, not exceeding one-half of the penalty so recovered, after deducting all charges and expences of the recovery, to be paid thereout to any person who is entitled thereto as informer, *id. s.*192.

231. If any person on examination on oath, or affirmation before any of the commissioners acting under this act by virtue of a warrant under the royal sign-manual, or in any affidavit, deposition, or affirmation before any mayor, magistrate, or justice in *G. B.*, or before any commissioners for taking affidavits from the courts at *Westminster*, relating to this act, shall wilfully and corruptly give false evidence, or shall in such affidavit, &c. wilfully or corruptly swear or affirm any matter which is false or untrue, he shall on conviction undergo the pains by law inflicted on persons convicted of wilful or corrupt perjury, *id. s.*193.

232. If any person shall forge, counterfeit, or alter, or cause, or procure to be forged, &c. or knowingly or wilfully act or assist in the forging, &c. any contract for the redemption or sale of any land-tax, or any assignment of such land tax, or of any such contract, or of any portion of land-tax therein comprised, or any certificate of the commissioners of land-tax or supply, or of any chief magistrate thereby authorized to make out such certificate, or of the surveyor-general of the land revenue of the crown or of the duchy of *Cornwall*, or any certificate or receipt of the cashier or cashiers of the bank of *Eng.*, or any certificate or attested copy of any certificate hereby directed to be made out by the proper officer, or shall wilfully deliver or produce to persons acting under this act, or shall utter such forged, &c. contract, assignment, certificate, or receipt, knowing the same to be forged, &c. with intent to defraud H. M., or any body, company, or other person, and being thereof convicted, shall be guilty of felony, without benefit of clergy, and suffer death, *id. s.*194.

233. Actions against any persons for any thing done under this act,

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shall be commenced within 6 months next after fact committed, and shall be laid in the county where the complaint arose, and not elsewhere, and the defendants therein may plead the general issue, and give this act and the special matter in evidence, and if the jury shall find for the defendant, or if the plaintiff is nonsuited or discontinues after the defendant has appeared, or if on demurrer judgment is given against the plaintiff, the defendant shall have treble costs, 42 *G.*3. *c.*116. *s.*195.

234. The several persons who are named commissioners of the land-tax, to execute 38 *G.*3. *c.*5. or this act in any county, riding, or place, and being also justices of peace for such county, &c. and not being commissioners under this act, appointed under the royal sign-manual, shall be commissioners for hearing appeals to be made under this act, for the division of the county, &c. within which they usually act as commissioners of land-tax, and justices of peace, *id. s.*196.

235. Any persons aggrieved by the determination of the commissioners acting under this act by virtue of H. M.'s warrant under the royal sign manual in relation to any right or benefit of preference, or of redemption of any land-tax to be sold under this act, or in relation to the sale or mortgage of any messuages, lands, &c., or the grant of any rent-charge thereout for the purposes of this act with relation to the redemption or purchase of any land-tax for which no more than 500*l.* 3 *per cent.* stock would be transferred in the whole, if such land-tax was redeemed, may appeal to the commissioners of appeal appointed under this act at the next petty sessions held by them for the district wherein such land-tax or any part thereof is charged; and 2 of such commissioners shall determine such appeals at any petty sessions to be appointed by them, and on due consideration of the case, and on examination on oath or affirmation of the parties interested in such appeal, and all other persons willing to be examined touching the matters in dispute, which oath or affirmation 2 of such commissioners may administer, and on production on oath or affirmation of any deeds, conveyances, or instruments, or on the production of any affidavits, or depositions on oath or affirmation, to be made as in *s.*7. *pl.*9. directed as to such affidavits, &c. as may be produced to the said commissioners acting under this act, as last aforesaid, such commissioners of appeal may determine such appeal, and give such order therein as they deem expedient, which shall be final; and if such commissioners have any doubt touching the determination of such appeal, they may require the advice of a barrister of 5 years standing, and may award costs incurred in such appeal, together with the expence of obtaining of such advice, to be paid either to the party against whom such appeal is determined, or by both, in such proportions as they deem just; and in case of nonpayment of such sums so ordered for 21 days after such determination, such commissioners of appeal, or 2 of them, may issue their warrant to levy the same by distress and sale of the goods of the party ordered to pay, rendering the overplus to the owner after the charges of such distress and sale are deducted; provided that the stock which would be requisite to be transferred for the redemption or purchase of any land-tax about which such dispute may arise, would in the whole exceed 500*l.*, any person so aggrieved may apply to the court of chancery or exchequer in *Eng.*, or to the courts of session or exchequer in *Scot.*, by petition in a summary way, which courts may grant such relief, and make out such order therein, as to them seems meet, *id. s.*197.

236. All sums which under the 39 *G.*3. *c.*lxxxiii. for incorporating "The Globe Insurance Co.," and the charter to be granted in pursuance thereof, shall be laid out and invested in the purchase of land-tax, as by the said act provided shall be so laid out, &c.; and all contracts thereby directed to be entered into for the purchase of such land-tax, shall be so entered into according to this act, *id. s.*198.

237. H. M., at his pleasure, may revoke the several commissions already granted, or to be granted under this act, to the several persons therein described, for the purpose of selling the land-tax in the several counties, shires, &c. of *G. B.*, or any of such commissioners, and grant other commissions to any other persons for the purpose of selling the land-tax under this act; and the persons named in such new commissions (taking the oath hereby prescribed) shall have all the same powers in relation to the sale and redemption of the land-tax in *G. B.*, or such parts of *G. B.* to which the new commission shall extend, as are given to the several persons already appointed, or to be appointed under the recited acts or this act, in relation to the redemption and sale of land-tax in the several counties, shires, &c. in and for which they may be appointed commissioners; and all such rules, &c. as herein prescribed in relation to the redemption and sale of land-tax, and the powers of raising money, or other powers requisite to complete the same, under the commissions already granted or to be granted to H. M. by warrant under the royal sign manual according to this act, shall be observed, &c. in relation to any redemption or sale of land-tax, and to any of the aforesaid powers which shall be exercised under such new commissionin so far as they are applicable, *id. s.* 199.

238. Every person who shall tender his vote at the election of any knight of the shire or other member to serve in parliament within *Eng* or *Wa.*, in respect of any messuages, lands, &c., of the quality and value which would entitle him to vote at such election, the land-tax charged whereon has been redeemed or purchased, shall be entitled to vote at such election without being obliged to shew that such messuages, lands, &c. have been assessed to the land-tax, on proving to the returning officer on oath or otherwise that such land-tax hath at any time previous to such election been redeemed or purchased, and such messuages, lands, &c. exonerated therefrom under the recited acts for the redemption of the land-tax, or this act, the 19 *G.*2. *c.*28. and 20 *G.*2. *c.*17. [*see* PARLIAMENT, *pl.* 248. and *pl.* 157.] notwithstanding, 42 *G.*3. *c.*116. *s.* 200.

239. No dividends shall be issued at the bank of *Eng.* to any bodies politic or corporate, or companies, feoffees, or trustees for charitable or other public purposes, for any bank annuities purchased with any money arising from sale, mortgage or grant of any manors, lands, &c. belonging to them for the redemption of land-tax, unless, and until they shall have obtained and produced to the cashier a certificate under the hands of 2 of such commissioners under the great seal, certifying that it appears by the production of the contract, or by the affidavit of their agent, that such bodies, companies, &c. have redeemed or intended *boná fide* to redeem the land-tax charged on their manors, lands, &c. or such part of such land-tax as it had been proposed to redeem by any monies arising from the sale, &c. which by such commissioners or two of them had been authorized for that purpose, 43 *G.*3. *c.*77. *s.*2.

240. The clerks to the commissioners of land-tax acting for the several hundreds, divisions, &c. in *Eng.*, and the clerks to the commissioners of supply of the several counties, stewartries, cities, &c. in *Scot.*, shall in all cases where no alteration has been made in the assessment of land-tax for the preceding year, within six days after the appeal against any such assessment has been determined, and where no appeal within six days after the expiration of the time limited for hearing appeals, transmit to the commissioners appointed by H. M.'s sign manual, to act in execution of 42 *G.*3. *c.*116. for the county, &c. a certificate signed by two of such commissioners of land-tax or supply, that no alteration has been made in the assessment of the land-tax of the preceding year, and such commissioners acting in execution of such act, shall not after 25*th Mar.* in each year, or before the receipt of such certificate, or of any copy of any altered assessment by such act required to be transmitted to them, contract to redeem any land-tax comprised in any such assessment, unless a certificate of the amount thereof, signed by 2 commissioners of land-tax or supply is produced on behalf of the party applying to redeem; and in case any such clerk shall neglect to transmit such certificates within the time limited, he shall forfeit 50*l.*, to be recovered as any other penalty under 42 *G.*3. *c.*116., may be, *id. s.*3.

241. Where the whole of the land-tax shall be redeemed, the collectors of the assessed taxes shall, on any order to pay the rewards for apprehending deserters, pay the same out of any monies in their hands arising from the assessed taxes, in the same manner, and under the same regulation as when paid out of the land-tax; provided that the receiver-general of such taxes shall replace the money so paid out of the land-tax duties, in manner directed by the tax-office, and money so paid shall be allowed him in his accounts of such land-tax, 50 *G.*3. *c.*58. *s.*4.

242. In every contract entered into after the passing of this act, and before 24*th June* 1818, according to the assessment of land-tax for 1817, for the redemption of any land-tax charged in any messuages or other buildings without any land held therewith, or with land consisting only of yards, not exceeding one-fourth of a statute acre, the consideration shall be calculated at 18 times the amount of land-tax redeemed, to be paid in one entire sum, and the contract shall be in the form marked C., 53 *G.*3. *c.*123. *s.*5., 54 *G.*3. *c.*173. *s.*5., 57 *G.*3. *c.*100. *s.*10. [*Qu.* Exp.?]

243. But no contract shall be made for the redemption of the land-tax, on the terms of 18 years' purchase, unless affidavit be exhibited shewing the particulars of the premises, 57 *G.*3. *c.*100. *s.*11.

244. Persons in actual possession or receiving rents immediately from tenants in actual possession of any tenements or hereditaments, the land-tax whereon does not exceed the annual sum of 10*l.*, may contract for the redemption of such land-tax at any time before 25*th Mar.* 1818, by payment of an annual sum in addition to amount of land-tax to be redeemed for 18 years, or until such sum will purchase 3 *per cent.* stock equal to land-tax and no more, and such contracts shall be a form in the schedule annexed, marked D. No. 1. and D. No. 2., 53 *G.*3. *c.*123. *s.*6. [EXP.]

245. No contracts shall be made for redemption of land-tax on terms in *ss.* 5, 6, contained, unless an affidavit in writing is exhibited to the commissioners for executing the contract, shewing in cases of contracts under *s.*5., that the premises in question do not exceed the admeasurement required in such cases, and in cases under *s.*6., that the party contracting is authorized so to do, *id. s.*7. [EXP.]

246. The commissioners of taxes at the times when the assessed tax

notices are circulated shall prepare, and the commissioners for land-tax or their clerks shall in every year deliver to every body, company, or person charged with land-tax, or on the premises so charged in *G. B.* proper notices specifying the modes and terms by which contracts for the redemption of land-tax may by this or any other land-tax act be entered into, together with a form to be filled up by the party desirous of redeeming, declaratory of his intention so to do, and the mode and terms he wishes to adopt, 33 *G.* 3. *c.* 123. *s.* 9.

247. The commissioners of land-tax for the division, &c. when in *Eng.*, or their clerk and the surveyor of the district when in *Scot.*, shall on request of any body, company, &c. entitled to redeem land-tax, or their agents, deliver to them certificates signed by such commissioners, or their clerk, or surveyor of the amount of land-tax proposed to be redeemed, containing the names of the owners and occupiers, description of the premises, and parish where situate, as it appears from the last assessment; and such party may declare his intention of redeeming, and the modes and terms thereof, by filling up and signing by themselves or agents, in the presence of such commissioners, their clerks, or surveyors, the forms annexed to the notices in *s.* 9. *pl.* 246. required to be circulated, *id. s.* 10.

248. Such commissioners, or their clerk, or surveyor, shall attest such signature, and forthwith transmit such declaration with a duplicate of the certificate of the amount of land-tax (to be signed by them, and annexed to such declaration) to the commissioners for executing 42 *G.* 3. *c.* 116. and this act, *id. s.* 11.

249. The commissioners under 42 *G.* 3. *c.* 116. on receipt of such declaration, and copy of such certificate, shall sign a certificate of contract with such party for the redemption of the land-tax therein mentioned, according to such form as is applicable to the mode and terms of redemption to which such declaration shall refer, which contract shall be binding on the body, company, &c. signing such declaration, their successors, heirs, or assigns, and all owners of lands, the land-tax whereon was intended to be redeemed, shall be charged to complete the same; and such last-mentioned commissioners shall, in all cases where an assessment is hereby required to be made for payment of the consideration, transmit an abstract of so much thereof, as is necessary to form such assessment according to the directions of this act to the commissioners of land-tax or supply, in whose division the land-tax contracted for is charged, which assessment shall be made according to the rules contained in the schedule to this act annexed, marked E, applicable to such contract; and where no such assessment is required, such commissioners under such acts and this act shall notify their consent to such contract to the contracting parties as soon as convenient, and transmit such abstract thereof, as may be necessary to ascertain the amount of stock to be transferred, or money paid previous to registry of such contract, *id. s.* 12.

250. All land-tax collectors in *Eng.* to whom any money shall be paid pursuant to this act, on account of the redemption of the land-tax by any additional assessment, shall pay over the same to the receivers-general for the county where such lands are situate, at the times when land-tax is paid; and such receivers shall keep distinct accounts of all money paid to them on account of land-tax, and of all other money received on account of the redemption or sale of land-tax, distinguishing the several schedules under which received and the date of entering into contract, and the collectors in *Scot.* shall do likewise, and pay the same to the receiver-general distinctly under such accounts; and such receivers general shall pay such money by them received for the redemption of land-tax, or the full amount to be paid on such contracts out of any public money in their hands for the completion of such contracts, or any instalments thereon, and as the commissioners of taxes direct, into the bank of *Eng.*, where it shall be placed to the account of the commissioners for the reduction of the national debt under distinct heads, as well with relation to the date of contract, as to the schedule of this act, according to which the contract was made, and the county wherein the tax was charged, entering the contracts made in each year, ending on 25*th March* yearly in separate books; and such last-mentioned commissioners shall invest such money in 3 *per cent.* bank annuities in their names, and cause it to be placed to the like accounts; provided that money so advanced by such receivers for the completion of such contract, or any instalment thereon shall be replaced out of the money paid for the redemption or sale of such land-tax, *id. s.* 13.

251. The dividends arising from stock transferred to, or purchased by the commissioners for the reduction of the national debt, in pursuance of contracts entered into in the forms contained in the schedules marked (A.) and (B.), shall cease to be issued at the receipt of exchequer, or charged on the consolidated fund of *G. B.*; and those arising from such contracts, made in the forms marked (C.) and (D.), hereto annexed, or from dividends of stock before purchased on the same account, shall be paid into the bank to their account, under the same heads as the stock from whence they arose, *id. s.* 14.

252. Such last-mentioned commissioners shall invest all such dividends, so placed to their account, in the purchase of like bank annuities, to accumulate in the nature of compound interest, in aid of stock purchased by additional assessments, and for the benefit of the parties so contracting, until such annuities shall together yield a dividend exceeding the amount of land-tax redeemed by one-tenth; and dividends thereafter arising shall not be issued from the exchequer, or charged on the consolidated fund, 53 *G.* 3. *c.* 123. *s.* 15.

253. The cashiers of the bank, shall receive all money hereby directed to be paid into the bank; and their receipts shall be a full discharge to the person paying the same, *id. s.* 16.

254. The inspectors and surveyors of assessed taxes, may under the direction of the commissioners of taxes, inspect the several land-tax assessments, and those made under this act, and all contracts, books, and papers, relating to the redemption thereof, and may make copies of, or extracts from them; and the clerks of the commissioners of land-tax and supply, and the collectors in *G. B.* shall produce the same, and suffer such copies, &c. to be made; and every person obstructing such inspector or surveyor, or withholding such assessments, &c. shall forfeit 100*l.*, to be recovered and levied as any other penalty under the land-tax redemption acts now in force may be, *id. s.* 17.

255. The collectors collecting such additional assessments, and paying over same to receiver-general, at times, in the schedule of this act specified, marked D. No. 2., shall be allowed out of any money in the hands of such receiver, (excepting money paid on such additional assessments), 3*d.* in the pound on the amount received by them, of monies arising from such additional assessment, to be paid on receiving the full sum contained in such additional assessments of each year, and which shall be allowed in the receivers account, *id. s.* 18.

256. The several receivers-general, and the clerks to the commissioners of land-tax, shall, on application by them to the commissioners of taxes, be severally allowed such sum annually, or otherwise as the commissioners of taxes with the concurrence of treasury deem reasonable; and the treasury may direct such sums so allowed to be paid out of money in the receiver general's hands, who shall be allowed the same in his account, *id. s.* 19.

257. The commissioners executing this act may contract for the redemption of land-tax, with any bodies, companies, &c. at any time after 25*th March*, until the assessment of the subsequent and then current year shall be signed, according to the assessment for the preceding year; provided that if it afterwards appears to such commissioners by the assessment for the current year that the land-tax charged upon the said manors, lands, &c, comprized in the certificate of any such contract for redemption is altered, such commissioners may amend or rescind such contract, and make a new one according to the modes or terms specified in the original contract, *id. s.* 20.

258. If the commissioners for executing such acts, or this act, or if at any time after such commissioners have contracted for redemption of any land-tax, and whether the whole consideration for such redemption is satisfied or not, there appears to them any error in the certificate of such contract, in the description of the premises or in the names of the parties contracting, either in the contract, or in any deed of sale, mortgage, or grant of tenements, or hereditaments, sold, &c. in pursuance of such acts, or this act, or in any entry, account, or memorial of the same, they may amend or rescind the same, and enter into a new one, for the redemption of the land-tax intended by the old one to be redeemed; and such commissioners may amend any indorsement on the certificate of contract, or where a new contract is made indorse on the certificate of it, a true copy of any receipt or certificate indorsed on the old one, by whomsoever given, for the consideration actually transferred or paid on the original contract; and may make such orders as they think proper for the transfer of stock, or payment of money, in addition to any stock or money that has been previously transferred or paid, or for the retransfer of stock, or repayment of any money in diminution of stock transferred or money paid, as is neccessary to complete any instalment on such amended or new contract, as also for the amendment of any entry, account, or memorial as may be necessary in pursuance thereof; and the bank of *Eng.*, or the commissioners for the reduction of the national debt, and the several receivers and collectors to whom the same appertains shall, on certificate of such error, and of the corrections thereof, signed by 3 commissioners of taxes, amend the same accordingly, *id. s.* 21.

259. Every clerk to the commissioners of land-tax for *Eng.*, or of supply for *Scot.*, who shall neglect to deliver copies of assessment of land-tax to the parties hereby authorized to demand the same, or shall not permit the same to be taken by them, within 6 days after demand, or who shall neglect to enter the annual assessments of land-tax, on account of sums payable as the consideration for such redemption, or neglect to do any other thing required to be done by them, or such commissioners shall forfeit 100*l.*, to be recovered as other penalties under 42 *G.* 3. *c.* 116. *s.* 189. *pl.* 227. may be, and two commissioners of taxes may either suspend or wholly withhold from such clerks so offending the whole or part of his allowance, *id. s.* 22.

LAND-TAX REDEMPTION.

260. All sales and conveyances made by bodies politic or corporate, or feoffees, or trustees, for charitable or other public purposes, of any manors, lands, &c. to other bodies, &c. for the purpose of redeeming any land-tax shall be valid, and the manors or other hereditaments so sold, shall be held by the vendors, their successors, heirs, and assigns, in such manner as if such vendors were under no legal disability to purchase and hold the same, 53 *G.* 3. *c.* 123. *s.* 23.

261. Such bodies, companies, &c. as in *s.* 23. *pl.* 260. may for the purpose of raising money for the redemption of land-tax, but with the consent of the commissioners for executing 42 *G.* 3. *c.* 116., and this act, by virtue of H. M.'s letters patent, sell and convey to any other such bodies, companies, &c. (in the same manner and under the same regulations, as near as may be, as by 42 *G.* 3. *c.* 116. *s.* 24. *pl.* 27. directed,) and any such manors, lands, &c. as they are authorized to sell under such act, *id. s.* 24.

262. Any such bodies, companies, &c. as in *s.* 23. *pl.* 260. who shall purchase any manors, lands, &c. under power in *s.* 24. contained, may apply any personal property which is, or hereafter may be, invested in the public funds, or any legacies, or voluntary donations, or any other trust-money, which by 42 *G.* 3. *c.* 116. *s.* 159. *pl.* 196. they are authorized to lay out in redemption of land-tax, or any surplus stock, or money arising by any sale, mortgage, or grant by any such bodies, companies, &c. for redeeming their land-tax under such act, or any other subsequent land-tax redemption act, or this act, towards the purchase of any manors or other hereditaments that may be sold by any other bodies, companies, &c. under such power; but where such property is under the direction of any court, it shall be so applied by order of such court, signified on petition preferred in a summary way, *id. s.* 25.

263. In cases in which one living has been united to another, and the lands of one such living sold to redeem the land-tax on both, such sales shall be confirmed; and all such sales hereafter to be made for such purpose, shall be as valid as if made merely for redeeming the land-tax charged on the land of the living, the land belonging to which has been so sold, and as if such living had not been united to any other living; but in case any consolidated livings, the land-tax charged on which hath been or shall be so redeemed, shall at any time become disunited, and held by different incumbents, the incumbent of the living, the land whereof was sold to redeem the land-tax on both, shall be entitled to an annual rent-charge, issuing out of the other, equivalent to the land-tax charged on it, *id. s.* 26. [*see* 42 *G.* 3. *c.* 116. *s.* 79. *pl.* 106.]

264. When the profits of any livings are under sequestration (whether there is any incumbent or not), or when any incumbent of any living is outlawed, the sequestrator, with consent of the college, cathedral church, bodies, companies or feoffees, or trustees for charitable or other public purposes, or other person having the patronage of such living, and if the ordinary, or such person with the consent of the ordinary, at any time during the continuance of such sequestration, or until outlawry is reversed, may contract for benefit of such living for the redemption of the land-tax charged on the lands, tithes and other profit thereof, by sale or mortgage of any glebe lands, tithes, &c. belonging thereto, or by grant of any rent-charge thereout, in the same manner as any incumbent of such living could under 42 *G.* 3. *c.* 116. in case there had been no such sequestration or outlawry, *id. s.* 27. [*see pl.* 96.]

265. Where any bodies politic, corporate or collegiate, or feoffees or trustees for charitable or other public purposes, or any other person who by 42 *G.* 3. *c.* 116. are authorized to redeem the land-tax charged on any living in their patronage, are entitled to an alternate right of patronage to any livings the land-tax on which is not redeemed by the incumbent, such body, company, &c. so entitled to alternate patronage, who shall first apply to the commissioners for executing this act, may contract for such redemption in the same manner as if entitled to the exclusive patronage, and may provide for such redemption by the sale of any lands, or by grant of any rent-charge thereout, as they could do under 42 *G.* 3. *c.* 116. for redemption of land-tax charged on the lands belonging to them, and the land-tax so redeemed shall be forthwith extinguished; but every such body, company, &c. by whom or on whose behalf such land-tax is so redeemed, their heirs and successors, shall be entitled to an annual rent-charge out of such living equal to the land-tax redeemed, unless it is declared in writing under the common seal, or seal of such bodies, companies, &c. or under the hands of such other persons, or their heirs, at the time of presenting any clerk to such living, that such rent-charge shall be suspended during his incumbency, which declaration such bodies, companies, &c. may make; provided that such suspension shall not prejudice the right of such bodies, companies, &c. or their heirs and successors to recover such rent charge at the next avoidance, and any such declaration made at time of redeeming such land-tax shall be as valid during the then incumbency as if made at time of presentation, *id. s.* 28.

266. In order to provide for the purchase of land-tax under the powers of 42 *G.* 3. *c.* 116. by any bodies politic, &c. or companies, or any feoffees or trustees for charitable or other public purposes, such bodies, &c. may sell any lands, &c. belonging to them, or mortgage the same, or grant a rent-charge out of the same, or enfranchise any messuages, lands, &c. holden by copy of court roll, or otherwise, of any manor belonging to them, and may dispose of any heriots or fee-farm, chief or quit-rents, or other advantages issuing out of any freehold, copyhold or customary manors, or other hereditaments in the same manner and under the same regulations as such bodies, &c. may do under 42 *G.* 3. *c.* 116. for the like purpose, 53 *G.* 3. *c.* 123. *s.* 31.

267. In all cases where any tithes or other hereditaments have been sold by any body politic or corporate, or company, or any feoffees or trustees for charitable or other public purposes, the sales and conveyances thereof shall be valid, and the tithes, &c. therein comprised discharged of land-tax, notwithstanding that the tithes, &c. so sold were not rated to land-tax, or the land-tax thereon has not been previously redeemed or purchased; and all such tithes, &c. belonging to any livings comprised in any contract for redemption of the land-tax charged on the messuages, lands, &c. belonging to any such living, as at the time of the contract for redemption were not so rated, shall nevertheless be discharged from land-tax; and further all such messuages, lands, &c. belonging to the several livings or other such benefices or institutions which have been intended to be exonerated from land-tax under 46 *G.* 3. *c.* 133., 49 *G.* 3. *c.* 67. and 50 *G.* 3. *c.* 58., shall be exonerated, notwithstanding certain parts of the tithes, &c. belonging to such livings, benefices or institutions were not included in the assessment to the land-tax, *id. s.* 38.

268. All lay corporations aggregate, and all companies, feoffees or trustees for charitable or other public purposes shall, within three calendar months after passing hereof, transmit to the commissioners acting under 42 *G.* 3. *c.* 116. by letters patent under the great seal an account of the amount of land-tax not redeemed by or on their behalf, *id. s.* 41. [Exp.]

269. The schedules hereto annexed and rules therein contained shall be deemed part of this act, and applied and construed in execution of any land-tax redemption act as if enacted in such acts; and all the powers contained in 42 *G.* 3. *c.* 116., or in any land-tax redemption act, except where hereby repealed or altered, shall be applied to this act, *id. s.* 44.

270. [When the powers which by 42 *G.* 3. *c.* 116., or by any subsequent land-tax redemption act, or by this act, are vested in the commissioners to be appointed by letters patent under the great seal shall have ceased, or shall by any future act of parliament be determined, 53 *G.* 3. *c.* 123. *s.* 42.] the treasury, by direction of H. M. under the royal sign-manual, may allow the commissioners who acted, or shall act in execution of such powers by virtue of such letters patent, or to the executors, &c. of any who die, out of any public money applicable to the services of the year, such sum as H. M. thinks proper, 53 *G.* 3. *c.* 123. *s.* 42., 54 *G.* 3. *c.* 173. *s.* 10.

271. "Whereas for certain purposes for which lands and hereditaments are authorized to be sold under some land-tax redemption act, some sales have been made by persons seised or entitled beneficially in possession to the rents and profits of, but not having the absolute estate or interest in such lands, &c. or not strictly authorized by such acts," it is ENACTED, that all sales so made and conveyances executed of such lands, &c. provided the same have been done *boná fide* and for valuable consideration, and with the consent of the commissioners required by such acts, shall be and are hereby ratified and confirmed from the periods when made, and be as valid as if made in strict conformity with such acts, 54 *G.* 3. *c.* 173. *s.* 12.

272. Every person prejudiced by such confirmation shall have relief, either by a decree of a court of equity or a bill filed, or by summary application to such court by petition, and by the usual proceeding before the master, or other proper officer on such petition, and an order thereon; and shall, under such decree or order, have an annual rent-charge to such amount, and for such term, and charged on such lands, &c. as the court shall direct; and such court shall adjudge the proportion and terms of such rent-charge between different claimants, and direct the settlement thereof in such manner and make such order as to costs as such court thinks proper, *id. s.* 13.

273. Any receiver-general in *G. B.*, may from time to time advance out of any public money in his hands, into the bank of *Eng.*, to the joint account of the commissioners for the reduction of the national debt and such receivers, such money as the commissioners of taxes think necessary for the purchase of 3 *per cent.* bank annuities, as the consideration for any land-tax contracted, and as such commissioners shall direct; and the cashier of the bank shall receive such sums, and place them to the proper account; out of such money so much as is necessary shall be applied towards the completion of such contracts, or any instalment thereon, according to the certificate of two commissioners of taxes; and so from time to time, when any such contract is entered into, or any contract heretofore entered into shall remain to be completed; and the commissioners for the reduction of the national debt shall, accord-

ing to such certificate of the commissioners of taxes, cause such money to be invested in the purchase of such stock in the names of the commissioners for the reduction of the national debt, (except as hereinafter is excepted,) and placed under distinct heads as directed by 53 *G.*3. *c.*123. [*see s.*14. *pl.*251.] and this act; entering the contracts made in each year, ending on *25th Mar.* yearly, under schedule marked (C.) contained in this act [*no such schedule exists*]; and the schedules marked (C.), (D.1.), and (D.2.), in the 53 *G.*3. *c.*123. in separate accounts, and distinct from other accounts authorized by the acts now in force: provided that sums so advanced shall be replaced by monies so contracted to be paid on account of the redemption or purchase of such land-tax, 54 *G.*3. *c.*173. *s.*14.

274. All money paid in pursuance of any act now in force into the bank, for or on account of the redemption or purchase of the land-tax, and remaining there unapplied at the end of any year ending *25th Mar.*, shall be applied towards completion of any contract entered into in pursuance of such acts, according to the certificate of the commissioners of taxes, transmitted to the cashiers of the bank as agents for the commissioners for reducing the national debt, as if paid in expressly for those purposes; and the balance of each account shall be carried to the account of the subsequent year in the books of the bank, *id. s.*15.

275. Whenever it is certified to the commissioners for the reduction of the national debt, by two commissioners of taxes, that any money so paid into the bank will not be wanted for the purposes of this act, and ought to be repaid to any receivers-general, their executors, administrators or assigns, such commissioner for the reduction of the national debt, shall direct their agent to repay the same accordingly, *id. s.*16.

276. Any affidavit authorized by any land-tax redemption act to be made, may henceforth be made before any commissioner for executing such acts, or before 2 commissioners of land-tax acting for the place where the land-tax to be redeemed or purchased is charged, *id. s.*17.

277. Where any tenant or lessee at a rack rent for any term of years, or at will, of any lands, tythes or hereditaments, belonging to any ecclesiastical benefices or charitable institutions, exonerated from land-tax, shall be bound by agreement to pay the land-tax, the amount shall be considered as rent reserved, and be payable on the same days, and the same powers used for the recovery thereof, as rent in arrear, 57 *G.*3. *c.*100. *s.*9.

278. Where any lands, the whole or part whereof shall be exclusively subject to any trusts, mortgages, liens or incumbrances, shall be proposed to be sold under the powers of the acts for redeeming land-tax, for the purpose of redeeming land-tax charged on hereditaments, which shall, with the exception of such trusts or incumbrances, stand settled to the same uses as the lands proposed to be sold, or for reimbursing any stock previously transferred for redeeming land-tax, the commissioners for redemption, if, in their judgment, the lands proposed to be sold shall in other respects be eligible, may direct the parties applying for the sale to make application to the court of chancery, if in *Eng.*, or court of session, if in *Scot.*; and in such cases, such courts, upon application by petition in a summary way, may order that the lands proposed to be sold, shall be sold and conveyed, subject to such trusts or incumbrances; and the commissioners for redemption of land-tax shall carry such order into effect, *id. s.*16.

279. Where the land-tax charged upon hereditaments, tythes, &c. belonging to any archi-episcopal or episcopal see, or to any rectory or vicarage, shall have been redeemed by any archbishop, bishop, rector or vicar, out of his private monies, and it shall happen that any stock is standing in name of the commissioners for the reduction of the national debt, &c on account of any such see, or rectory or vicarage, which shall have arisen from any sale, mortgage or grant, and not applied for the purposes for which such sale, &c. was made, the archbishop or bishop, or rector or vicar, under the authority of the commissioners appointed under the great seal, may treat with the archbishop, &c. who shall have so redeemed such land-tax, or with his executors, administrators or assigns, for the purchase of an assignment from them of the land-tax redeemed; and for the purpose of completing the purchase of such assignment, such last-mentioned commissioners or 2 of them, may order the consideration for such purchase to be paid or transferred by sale or transfer of a sufficient part of such stock; and the bank and such commissioner for the reduction of the national debt, &c., shall, on production of such order, signed by 2 of them, pay or transfer to such assignors such money or stock, and the receipts of such persons shall be sufficient discharges; and upon any such payment or transfer being made, as hereby directed, and on an assignment being made of such land-tax to such archbishop, &c. for the time being, (and which shall not be liable to stamp duty,) such land-tax shall become merged for the benefit of such see or living, the hereditaments of which were charged with such land-tax, *id. s.*17.

280. In all cases wherein, by reason of any purchase of land-tax, the lands or hereditaments, the land-tax on which has been purchased, shall become charged with a yearly fee-farm rent, equal in amount to land-tax purchased, and any common, waste or other lands within the same parish or district shall hereafter be divided or inclosed under any act, the commissioners authorized to carry such acts into execution shall allot unto corporations, companies, or persons entitled to such fee-farm rents, and in lieu thereof, and to the like uses, such parts of the lands so to be divided or inclosed as commissioners shall deem an equivalent for such fee-farm rents, taking care that such allotments shall adjoin or be as contiguous as may be to any other allotments, if any, to the proprietors of such fee-farm rents, 57 *G.*3. *c.*100. *s.*20.

281. All the powers contained in 41 *G.*3. *c.*109. (*the inclosure act*), shall, so far as applicable to the case, be exercised with respect to any allotment to be made in lieu of fee-farm rents under this act, *id. s.*21.

282. On production to the commissioners for taxes, or two of them of any deeds of sale, mortgage, or grant that have been executed by any tenant for life, or other person having power under the land-tax redemption acts to make any such sale, &c. with the consent of 2 commissioners under the sign manual, but which deeds have not been executed by the commissioners whose consent was necessary to their validity, the commissioners of taxes, on being satisfied that such deeds would have been available if so executed, may sign and seal such deeds, and indorse thereon any thing that may be necessary to show their consent; and such deeds so signed, sealed, and indorsed, shall be valid from their dates, and as effectual as if signed and sealed by 2 commissioners under the sign-manual; and shall not require any stamp by reason of such confirmation, *id. s.*22.

283. Where any contract has been entered into for the redemption of any land-tax, and for the sale of any lands, &c. for raising money to complete such redemption, and such contract for sale cannot under any land-tax act be completed by reason of defective titles, 2 commissioners for taxes may rescind and declare such contract for such redemption void, and make order for the re-transfer of any stock, or re-payment of any money previously advanced in pursuance of such rescinded contract; and the bank, the commissioners for the reduction of the national debt, and the receivers-general in *Eng.* and collectors in *Scot.* shall on certificate of such contract being rescinded, make such re-transfer or re-payment accordingly, *id. s.*23.

284. All sales made, and all conveyances executed of lands or hereditaments sold for the purpose of redeeming or purchasing any land-tax, or for raising money for reimbursing the stock or money previously transferred or paid, as the consideration for redeeming land-tax, or purchasing assignments thereof, or for some other purpose for which lands, &c. were to be sold under the land-tax redemption acts, (provided such conveyances appear to have been executed under the authority of the commissioners authorized to consent to such sales made under such acts), shall be and are hereby confirmed from their dates, and be considered as conferring a good title on the purchasers, and all persons claiming through them, *id. s.*25.

285. Every person who deems himself prejudiced by such sales hereby confirmed shall within 5 years after the passing of this act, or within 5 years after removal of any legal disability, if under any such disability, be entitled to relief by a decree in equity, on a bill filed, or by a summary application to a court of equity, by petition, and by the usual proceedings before the master on such petition and order thereon; and shall under such order or decree have an annual rent-charge to such amount, and for such term or estate, and charged on such lands, &c. as such court shall direct; and such court shall adjust the proportions and terms of such rent-charge between different claimants, and direct the settlement thereof, and make such order respecting costs as such court shall think fit, *id. s.*26.

286. All the powers of any acts respecting redemption of land-tax shall be applied to this act, *id. s.*27.

LEASES.

1. LESSEES SHALL ENJOY THEIR FARMS AGAINST TENANTS IN tail, 32 *H.*8. *c.*28. [*See as to* leases by ecclesiastics, 5 *G.*3. *c.*17. *pl.*29. and 39 & 40 *G.*3. *c.*41. *pl.*33. LEASES ECCLESIASTICAL.]

2. All leases of any manors, lands, tenements, or other hereditaments by writing indented under seal for a term of years, or for life, by any person of 21 years old, having any estate of inheritance either in fee-simple or fee-tail in their own right, or in right of their churches or wives, or jointly with their wives, of any estate of inheritance made before or after coverture, shall be good in law against the lessors, their wives, heirs, and successors, according to such estate as is specified in such indenture of lease, in like manner as if the lessor had been tenant in fee-simple, *id. s.*1.

3. This act shall not extend to leases of manors, lands, &c. in the hands of any farmer under an old lease, unless the same expires or is surrendered within one year next after making of the new lease, nor to any grants made of any reversion of any manors, lands, &c.; nor to any lease of any manors, lands, &c. which have not most commonly been letten to farm, or occupied by the farmers thereof for 20 years next before such lease thereof made; nor to any lease made without impeachment fr-

waste, or for above 21 years, or 3 lives from the date thereof; and on every such lease there shall be reserved yearly during the lease due to the lessors, their heirs and successors to whom such lands should come on the death of the lessors, (if such lease had not been made,) and to whom the reversion thereof appertains, according to their estates, the rent must usually be yielded for the manors, lands, &c. so letten for 20 years next before such lease; and every person to whom the reversion of such manors, lands, &c. so letten appertains after the death of the lessors or their heirs, shall have like remedy against the lessee thereof, their executors and assigns, as the lessors might. So that if the lessor were seised of any special estate tail of the same hereditaments at the time of such lease, that the issue or heir thereof shall have the reversion, rents, and services reserved in such lease as the lessor might have had, 32 *H.* 8. *c.* 28. *s.* 2.

4. Provided the wife shall be party to leases made by her husband of any manors, lands, &c. of her inheritance; and every such lease shall be made by indenture, in the name of the husband and wife, and sealed by her, and the rent shall be reserved to the husband and wife, and the heirs of the wife, according to her estate in the same; and the husband shall in no wise aliene, discharge, grant, or give away the rent reserved longer than during the coverture, without it be by fine levied by husband and wife; but such rent shall, on the death of the husband, revert to the same heirs as if no lease had been made, *id. s.* 3.

5. This act shall not empower any person to take any mo farms, leases, or takings, of any manors, lands, &c. than he might have done before this act; nor give liberty to any parson or vicar to make any lease or grant of any of their messuages, lands, &c. belonging to their churches or vicarages, otherwise than as before this act, *id. s.* 4. [*But see as to* leases by ecclesiastics, 5 *G.* 3. *c.* 17. *ante pl.* 1.]

6. No fine, feoffment, or other act done by the husband only, of any manors, lands, &c. being the inheritance or freehold of the wife during the coverture between them, shall make discontinuance thereof, or be prejudicial to such wife, or her heirs, or to such as have lawful right, title or interest to the same by the death of such wife; but such wife and her heirs, and such other to whom such right appertains on her death, may lawfully enter into such manors, lands, &c. according to their rights notwithstanding such fine, feoffment, or other act; fines levied by the husband and wife, whereunto the wife is party and privy only excepted, *id. s.* 6. [*See* 33 & 34 *H.* 8. *c.* 22., as to recoveries by women covert, LONDON (*Recoveries*).]

7. This act shall not give power to any wife, or her heirs, to avoid any lease made by herself and her husband of her inheritance for 21 years or under, whereupon as much yearly rent or more is reserved as hath been yielded for 20 years next before making of any such lease, *id. s.* 7.

8. TO ENABLE INFANTS, LUNATICS, AND FEMES COVERT to surrender leases in order to renew the same, 29 *G.* 2. *c.* 31. [*See as to such* parties accepting surrenders of old leases and granting new ones, 11 *G.* 3. *c.* 30. *pl.* 13.; *and as to granting* leases in chief without surrender of the under leases, 4 *G.* 2. *c.* 28. *s.* 6. LANDLORD AND TENANT, *pl.* 32.]

9. Where any person under the age of 21, or any lunatic, or feme-covert, is interested in, or intitled to, any lease for lives or years, either absolute or determinable upon death, or otherwise, such person under age, or his guardian, or other person on his behalf, and such lunatic, or his guardian, or committee, or other person on his behalf, and such feme covert or any person on her behalf, may apply to the court of chancery of *G. B.*, the court of exchequer, the courts of equity of *Chester*, *Lancaster*, and *Durham*, or the courts of great session of *Wales*, by petition or motion in a summary way; and by the order of such courts made upon hearing all parties, such person so under age, and such lunatic or person appointed by such courts, and such feme covert, by deed only, without levying any fine, shall be enabled to surrender such lease, and accept in the name and for the benefit of such person under age, lunatic, or feme covert, new leases of the premises surrendered for such lives, or term determinable upon lives, or term absolute, as was mentioned in such lease so surrendered, at the making thereof or otherwise, as such courts shall direct, *id. s.* 1.

10. All money and other consideration paid or advanced by such guardian or person, as a fine for renewal of such lease, and all reasonable charges, shall be paid out of the effects of the infant or lunatic for whose benefit the lease is renewed, or shall be a charge upon the leasehold premises, with interest as such courts direct; and concerning leases to be made upon surrenders by femes covert, unless the fine and charges be otherwise paid or secured, the same with interest shall be a charge upon such leasehold premises, for the use of such person who advances the same, *id. s.* 2.

11. The leases so renewed shall be to the same uses, and liable to the same trusts, charges, incumbrances, dispositions, devises, and conditions, as the leases so surrendered were, *id. s.* 3.

12. Every such surrender, and lease granted thereupon, shall be as valid as if made by a person of full age, sane mind, or not married, *id. s* 4.

13. TO ENABLE LUNATICS ENTITLED TO RENEW LEASES, their guardians and committees, to accept of surrenders of old leases, and grant new ones, 11 *G.* 3. *c.* 20.

14. Where any lunatic is entitled to or has a right to renew any leases to be made or granted for the life or lives of one or more persons, or for any term of years absolute or determinable on the death of one or more persons, or otherwise, such lunatic, or his guardian or committee of his estates in his or her name, may by the direction of the chancellor of *G. B.*, signified by an order made on hearing all parties concerned, upon petition in a summary way, accept of a surrender of such lease; and make to any person or body politic, corporate, or collegiate, aggregate, or sole, a new lease of the premises comprised in the lease so surrendered under this act, for such number of lives or years, either determinable on lives, or absolute, as were mentioned in the lease so surrendered or otherwise, as such chancellor by any such order so obtained shall direct, *id. s.* 1.

15. All leases so to to be made shall be deemed as good and valid in law, as if such lunatic at the time of making them, was of sane mind and had executed the same in his proper person, *id. s.* 2.

16. All fines, premiums, foregifts, and sums which may be had, received, or paid, for or on account of renewing any such lease, shall (after a deduction of the necessary incident expences,) be paid to the guardian or committee of such lunatic for his benefit, in such manner as such chancellor shall direct; but on the death of such lunatic all such sums as shall arise by such fines, &c. or so much as remains unapplied for the benefit of such lunatic at his death shall, as between the representatives of the real and personal estates of all such lunatics, be considered as real estate, unless such lunatic shall be tenant for life only; and then it shall be considered as personal estate, *id. s.* 3.

LEASES (*ECCLESIASTICAL*).

(STATUTES *repealed and expired.*)

17. TOUCHING LEASES OF BENEFICES, AND OTHER ecclesiastical livings, with cure 13 *El. c.* 20. [CON. and AMD. 14 *El. c.* 11. *s.* 14., 8 *El. c.* 11. *s.* 7., 29 *El. c.* 5. *s.* 19., 39 *El. c.* 18. *s.* 6., 43 *El. c.* 9. *s.* 8. MADE PERP. 3 *C.* 1. *c.* 4. *s.* 2. all these acts are REP. by 43 *G.* 3. *c.* 84. *s.* 10., 57 *G.* 3. *c.* 99. *s.* 1. *which see*, SPIRITUAL PERSONS.]

18. FOR CONFIRMATION OF LEASES AND GRANTS from colleges and hospitals, 12 *C.* 2. *c.* 31. [EXP.]

19. TO STAY PROCEEDINGS IN ACTIONS UNDER 13 *El. c.* 90., 42 *G.* 3. *c.* 86. [CON. 43 *G.* 3. *c.* 34. both EXP.]

(STATUTES *in force.*)

20. TOUCHING LEASES HEREAFTER TO BE MADE BY CERTAIN spiritual persons, 1 & 2 *P. & M. c.* 17.

21. The 28 *H.* 8. *c.* 11. *ss.* 7, 8., for allowing leases made by spiritual persons for 6 years, to be good, or resignation of their benefices, and for allowing lessees to hold for a year, paying rent to the successor, REP. *id. ibid.*

22. TO ENABLE SPIRITUAL PERSONS TO MAKE LEASES of their corporeal and incorporeal hereditaments for certain terms, 13 *El. c.* 10. *ss.* 3—5. [*see the rest* of this act, FRAUDULENT CONVEYANCE. AMD. 14 *El. c.* 11. *ss.* 17—19. EXPLD. as to hospitals, 14 *El. c.* 14. *s.* 2. CON. and MADE PERP. as in FRAUDULENT CONVEYANCE, *pl.* 18. *This title* is framed from the purport of these sections. *See as to* leases of incorporeal hereditaments, 5 *G.* 3. *c.* 17. *pl.* 29., and 32 *H.* 8. *c.* 28. *s.* 1. LEASES, *pl.* 2.]

23. All leases, gifts, grants, feoffments, conveyances, or estates, to be made, had, done, or suffered, by any masters and fellows of any college, dean and chapter of any cathedral or collegiate church, master or guardian of any hospital, parson, vicar, or other, having any spiritual or ecclesiastical living, of any house, lands, tithes, tenements, or other hereditaments, being parcel of the possessions of any such college, cathedral, &c., or other spiritual promotion, or any ways belonging to the same, or to any person, bodies politic or corporate (other than for 21 years, or 3 lives from the time the term was granted, whereupon the accustomed yearly rent or more shall be reserved during the said term) shall be utterly void, 13 *El. c.* 10. *s.* 3. [*See as to* conveyances by bishops, &c., 1 *El. c.* 19. *s.* 5. BISHOPS, *pl.* 59.]

24. By the words "master or guardian" of any hospital in 13 *El. c.* 10. *s.* 3. mentioned, were intended, all hospitals, *maison Dieus*, head houses, and other houses ordered for the sustentation or relief of the poor, and so shall be expounded, 14 *El. c.* 14. *s.* 2.

25. The 13 *El. c.* 10. *s.* 3. shall not extend to any grant, assurance, or lease, of any houses belonging to any trustees and fellows of colleges, deans and chapters of cathedral or collegiate churches, masters or guardians of any hospitals, or parson, or vicar, or other, having any spiritual or ecclesiastical living, nor to any grounds appertaining to such houses, which houses be situate in any city, borough, town corporate,

or market town, or the suburbs of the same; but all such houses may be demised, granted, and assured, as by law, and the statutes of such colleges, &c. they might have been before such act; so that such house be not the capital or dwelling-houses used for the habitation of such persons, nor have ground appertaining above 10 acres, 14 *El. c.* 11. *s.* 17.

26. But no lease shall be made by force of this act, in reversion, nor without reserving the accustomed yearly rent, nor without charging the lessee with repairs, or for more than 40 years at most; nor shall any houses be aliened, unless in recompence thereof there shall be good and lawful assurance in fee-simple absolutely, to such colleges, &c. and their successors, of lands of as good and of as great yearly value as those aliened, *id. s.* 19.

27. This act [*see pl.* 23.] shall not extend to make good any lease or other grant to be made by any such college or collegiate church within the universities of *Oxford* or *Cambridge*, or elsewhere in *Eng.* for more years than are limited by their private statutes, 13 *El. c.* 10. *s.* 4.

28. This act shall not extend to any lease hereafter to be made on surrender of any lease heretofore made, or by reason of any covenant, &c. contained in such lease heretofore made, and now continuing, so that the lease to be made does not contain more than the residue of the years of the former lease, nor any less rent than reserved in the former lease, *id. s.* 5.

29. TO CONFIRM ALL LEASES ALREADY MADE BY ARCHBISHOPS and bishops, and other ecclesiastical persons, of tythes and other incorporeal hereditaments, for one, 2, or 3 lives, or 21 years, and to enable them to grant such leases, and to bring actions of debt for recovery of rents reserved, and in arrear on leases for life or lives, 5 *G.* 3. *c.* 17. [PUBLIC *clause*, *s.* 4.]

30. All leases for one, 2, or 3 lives, or any term not exceeding 21 years, which shall be hereafter made of any tythes, tolls, or other incorporeal hereditaments, solely and without any corporeal hereditaments, by any archbishop, bishop, master and fellows, or other head and members of colleges or halls, deans and chapters, precentors, prebendaries, masters and guardians of hospitals, and every other person who is enabled by the several statutes now in being, or any of them, to make any new lease for one, 2, or 3 lives or any term not exceeding 21 years, of any lands, tenements, or other corporeal hereditaments, shall be good in law against such archbishops, &c. so granting the same, and their successors or any of them, as any lease already made or to be made by any such archbishop, &c. and other persons having spiritual promotion of any lands, or other corporeal hereditaments, now are under 32 *H.* 8. *c.* 28. *s.* 1. (LEASES, *pl.* 2.) or any other statute now in force, *id. s.* 1.

31. But nothing herein shall enable any master and fellows, or other head and members of colleges, &c. or other ecclesiastical persons as aforesaid, to grant leases for any longer terms than by the local statutes of their several foundations they are now enabled to do, *id. s.* 2.

32. In case the rents or yearly sums reserved by any lease to be made by any archbishop, &c. and other person so enabled to make leases, as in *s.* 1. *pl.* 30. in pursuance of the several statutes already made, and this act, is behind for 28 days over the day wherein the same by the lease was payable, then such archbishop, &c. so making or granting such leases, or their executors, administrators, and successors, may bring an action of debt against the lessee to whom any such lease for life, lives, or years, is granted, his heirs, executors, administrators, or assigns, for recovering the rent so in arrear, in such manner, and as fully as any landlord, or lessor, or other person could do, for recovering of arrears of rent due on any lease for life, lives, or years, by the laws now in force, *id. s.* 3.

33. TO EXPLAIN AND AMEND 32 *H.* 8. *c.* 28., 1 *El. c.* 19. *s.* 5., 13 *El. c.* 10., 14 *El. c.* 11. so far as respects leases granted by archbishops, bishops, masters, and fellows of colleges, deans, and chapters of cathedral or collegiate churches, masters and guardians of hospitals, and others having any spiritual or ecclesiastical living or promotion, 39 & 40 *G.* 3. *c.* 41. [*NOTE. See* 32 *H.* 8. *c.* 28. *s.* 1. LEASES, *pl.* 1., 1 *El. c.* 19. *s.* 5. BISHOP, *pl.* 39. The 13 *El. c.* 10 *ante*, *pl.* 23, 27, 28., and 14 *El. c.* 11. is REP., 57 *G.* 3. *c.* 99. *s.* 1. (*See* SPIRITUAL PERSONS).]

34. Where any honours, castles, manors, messuages, lands, tythes, tenements, or other hereditaments, being parcel of the possessions of any archbishop, bishop, master and fellows, dean and chapter, master or guardians of any hospital, or other person, or body politic, &c. having any spiritual or ecclesiastical living or promotion, and having been anciently demised by one lease under one rent, or divers rents issuing out of the whole, shall be demised by several leases to one or several persons, under an apportioned or several rents, or where only part of such honours, &c. shall be demised by a separate lease or leases, under a less rent than was accustomably reserved for the whole, and the residue still remains in possession of the lessor, the several and distinct rents so reserved on the separate demises of the several specific parts shall be deemed ancient rents within the meaning of 32 *H.* 8. *c.* 28., 1 *El. c.* 19., 13 *El. c.* 10., 14 *El. c.* 11., *id. s.* 1.

35. Proviso for demises made before this act (*s.* 2.) But where the manors, lands, &c. accustomably demised by one lease, shall be demised in parts by several leases after the passing of this act, the aggregate amount of the several rents, which are reserved by such separate leases, shall not be less than the old accustomed rent theretofore reserved by such entire leases; and where a part only shall be demised by any such separate lease, and the residue remain in the possession of the lessor, the rent reserved by such separate lease, shall not be less in proportion to the fine received on granting such lease, than the rent accustomed to be reserved for the whole of such premises was in proportion to the fine received on granting the last entire lease, 39 & 40 *G.* 3. *c.* 41. *s.* 3.

36. Provided no greater proportion of the accustomed rent be reserved by any separate lease hereby confirmed and allowed to be granted, than the part of the premises severally demised thereby will bear, and afford competent security for, *id. s.* 4.

37. Where any specific thing, incapable of division, shall have been reserved to the lessor, his heirs or successors, either by way of rent, or covenant or agreement, contained in any such entire lease, the same may be wholly reserved out of a competent part of such lands demised by any such several lease; and in case in any lease already granted, and hereby intended to be confirmed, any such provision appears to have been made for the delivery of any money, stipends, augmentations, or other things as aforesaid, the same shall be deemed lawful, if the lands and tenements charged therewith shall be of a greater annual value than the payment or other things so charged, exclusive of the rent or annual payment reserved to the lessor, *id. s.* 5.

38. Nothing herein shall confirm leases wherein no annual rent is reserved to the lessors, their successors or assigns, *id. s.* 6.

39. This act shall not authorize the reservation or payment of any rent or rents, on any such several lease made or to be made under this act, by any master, provost, president, warden, dean, governor, rector, or chief ruler of any college, cathedral, church, hall, or house of learning in *Oxford* or *Cambridge*, or by the warden, or other head officer of the colleges of *Winchester* and *Eton*, in any other manner or proportion than in 18 *El. c.* 6. (an act for the maintenance of *Winchester* and *Eton* colleges) required, *id. s.* 7.

40. Where any such accustomable entire leases have usually contained covenants on the part of the lessees, for payment or delivery, or have in any way subjected such lessees to the payment, &c. of any money, stipend, augmentation, or other thing, to or for the use of any vicar, curate, schoolmaster, or other person, other than and besides the lessor and his heirs and successors; all or any such leases as shall hereafter be granted of the same lands or tenements in severalty as aforesaid, shall provide for the future payment, &c. of such money, &c. by and out of any part of the lands, &c. accustomably charged therewith, not being of less annual value than 3 times the amount of the payment so charged thereon, exclusive of the proportion of rent, or other annual payment reserved to the lessor, *id. s.* 8.

41. Nothing herein shall establish or confirm the claim of any vicar, &c. to any such sum, salary, stipend, or other thing as aforesaid, the payment or continuance whereof depends only on the will of the person or body politic or corporate, granting or renewing such leases, *id. s.* 9.

42. Where any person shall hold any such leases, as in this act mentioned, or shall hold the same, or any specific part of the lands thereby demised, in trust for any persons, bodies politic, or corporate, or shall have granted any under lease of any specific parts of their holdings, and be under covenant or engagement for renewal thereof; when, and as often as their own leases are renewed, such first mentioned persons may surrender their leases, in order that separate leases may be granted by the original lessors of such specific parts of the same premises as have been held in trust, or subject to such covenants, &c. for renewal to the respective under-lessees and *cestuique* trusts, on reasonable terms, subject to an apportionment of the accustomed rents and other payments, according to this act; and every such surrender so made, and the new leases to be granted thereon, shall be good in law and equity, although such under-lessees, and *cestuique* trusts, may be infants, issue unborn, *femes covert*, persons absent from the realm, or otherwise incapacitated to act for themselves; provided such new leases be for the benefit of those entitled to the benefit of the surrendered leases, and be so expressly declared in the body of such new leases, *id. s.* 10.

LEATHER MANUFACTURE.

(STATUTES *repealed and expired.*)

1. NO SHOEMAKER SHALL BE A TANNER, NOR TANNER A SHOEMAKER, 13 *R.* 2. *S.* 1. *c.* 12. [CONF. 21 *R.* 2. *c.* 12., but that act REP. 1 *H.* 4. *c.* 3. AMD. 4 *H.* 4. *c.* 35., and both acts REP. by 5 *El. c.* 8. 1 *J.* 1. *c.* 22.]

2. FOR REGULATING cordwainers and tanners, 2 *H.* 6. *c.* 7. [REP. 5 *El. c.* 8., 1 *J.* 1. *c.* 22.]

3. CONCERNING curriers, tanners, and cordwainers, 1 *H.* 7. *c.* 52., 19 *H.* 7. *c.* 19. [REP. 5 *El. c.* 8. and 1 *J.* 1. *c.* 22.]

LEATHER MANUFACTURE.

4. AGAINST aliens buying of leather out of the open market not being well tanned or unsealed, 3 *H.* 8. *c.* 10. [REP. 5 *El. c.* 8. and 1 *J.* 1. *c.* 22.]

5. THAT STRANGERS shall buy no leather but in open market, 5 *H.* 8. *c.* 7. [REP. 5 *El. c.* 8., 1 *J.* 1. *c.* 22.]

6. CONCERNING the true tanning and currying of leather, 24 *H.* 8. *c.* 1. [REP. 5 *El. c.* 8.]

7. FOR TRUE CURRYING of leather, 2 & 3 *Ed.* 6. *c.* 9. [REP. 5 *El. c.* 8.]

8. FOR TRUE TANNING of leather, 2 & 3 *Ed.* 6. *c.* 11. [REV. 1 *El. c.* 9., but REP. 5 *El. c.* 8.]

9. CONCERNING THE repeal of a branch in the statute, for the buying of tanned leather, 3 & 4 *Ed.* 6. *c.* 6. [EXP.]

10. TOUCHING THE buying and currying of leather, 1 *M. S.* 3. *c.* 8. [REP. 5 *El. c.* 8.]

11. TOUCHING SHOEMAKERS and curriers, 1 *El. c.* 8. [REP. 5 *El. c.* 8.]

12. TOUCHING TANNERS, and the selling of tanned leather, 1 *El. c.* 9. [REP. 5 *El. c.* 8. and 1 *J.* 1. *c.* 22.]

13. TOUCHING tanners, curriers, shoemakers, and other artificers, occupying the cutting of leather, 5 *El. c.* 8. [REV. 18 *El. c.* 9. and REP. 1 *J.* 1. *c.* 22. and 1 *J.* 1. *c.* 25. *s.* 47.]

14. TOUCHING ARTIFICERS using the cutting of leather, 27 *El. c.* 16. [EXP.]

15. FOR GIVING LIBERTY to buy and export leather, and skins tanned and dressed, 20 *C.* 2. *c* 5. [EXP. *See* HIDES AND SKINS.]

16. CONCERNING tanners, curriers, and shoemakers, and other artificers using the cutting of leather, 1 *J.* 1. *c.* 22. [REP. as to selling sheep skins, 4 *J.* 1. *c.* 6. *s.* 2. EXPLD. 1 *W. & M. S.* 1. *c.* 33. ENF. and AMD. 9. *A. c.* 11. *s.* 10., (*which is* REP. as to so much which prohibits the use of horse-hides in making boots and shoes, 39 & 40 *G.* 3. *c.* 66. *s.* 1.; *proceedings* under that act stayed, 46 *G.* 3. *c.* 152. now EXP., but which was SUSP. for 2 years, 47 *G.* 3. *S.* 1. *c.* 53. which is also EXP., and 9 *A. c.* 11. *s.* 10. REP. *in toto*, 48 *G.* 3. *c.* 60. *s.* 5.); *further* AMD. and REP. in part, 12 *G.* 2. *c.* 25. *s.* 7. EXT. to all parts of *G. B.*, 24 *G.* 3. *S.* 2. *c.* 19. *s.* 6.; *and persons* who have incurred penalties under 1 *J.* 1. *c.* 22. indemnified, *and that act, as* far as it relates to the buying of hides, REP. 39 *G.* 3. *c.* 54., and REP. *in toto*, 48 *G.* 3. *c.* 60. *s.* 1.]

(STATUTES *in force.*)

1. AGAINST REGRATORS OF TANNED LEATHER, 5 & 6 *E.* 6. *c.* 15. [*This act was* REP. by 1 *M. S.* 3. *c.* 8. *s.* 2. which was also repealed by 5 *El. c.* 8. *QU.* is this act in force?]

2. No person shall buy or engross any kind of tanned leather to the intent to sell the same again, upon pain to forfeit the same, or the price thereof, to go in moieties to H. M. and the party seizing or suing for the same in any court of record by action of debt, &c. or information, in which no essoin, &c. shall be allowed, *id. s.* 1.

3. Provided that all sadlers, girdlers, cordwainers, and all other artificers, such as make males, bougets, leather pots, tankards, barhides, or other wares of leather, may buy all such kind of tanned leather as they need, *id. s.* 2.

4. Provided that every girdler and other artificer before mentioned, may sell his necks, wombs, and shreds of tanned leather, such as they cannot use about their wares, to any person, without incurring any penalty, *id. s.* 3.

5. Every person having H. M.'s special licence to transport over sea any kind of tanned leather, may buy for the furniture of their said licence in open fair or market, so much tanned leather as they are licensed to transport, so as such licence is shewn to the chief officer of the city, town, fair, or market, where such leather, or any part thereof is bought, who shall indorse on it the quantity bought, and the day, time, and place of buying the same, *id. s.* 4.

6. The transportation of boots, shoes, buskins, stirrups, or slippers, prohibited on pain to forfeit the same, *id. s.* 5. [*virtually* REP. by 13 & 14 *C.* 2. *c.* 7. *s.* 6.] proviso in favour of H. M.'s subjects, carrying boots, buskins, or slippers to *Calais*, or the Isle of *Man*, *id. s.* 6. [REP. 5 *El. c.* 8. *as to Calais*, and virtually by 13 & 14 *C.* 2. *c.* 7. *s.* 6.]

7. No saddler, girdler, cordwainer, nor other artificer, dwelling within the city of *London*, and the suburbs thereof, who shall cut such tanned leather to make it into wares, shall curry or dress the same in his own house, or by his servants, on pain to forfeit the same, to be recovered and applied as in *s.* 1., *id. s.* 7.

8. TO REPEAL PART OF 1 *J.* 1. *c.* 22. AND TO AVOID the selling of tanned leather by weight, 4 *J.* 1. *c.* 6. and recital in *s.* 1. [EXPLD. and AMD. by 1 *W. & M. S.* 1. *c.* 33. (and recital in *ss.* 1—2.): 12 *G.* 2. *c.* 25. (which has a PUBLIC clause, *s.* 9.): but *QU.* if not virtually REP. by the last act, which repeals 1 *J.* 1. *c.* 22. *in toto*?]

9. No person shall at any time incur any penalty for housing, selling, or buyng of any tanned sheep skins, unsearched or unsealed, so as they be wrought in *Eng.*, 4 *J.* 1. *c.* 6. *s.* 2.

10. No person shall utter or sell, or cause to be uttered or sold by weight, any kind of tanned leather soever, on pain to forfeit the leather so uttered and sold: the said leather, or the value thereof, to be recovered in any court of record by action of debt, &c. or information, wherein no essoin, &c. shall be allowed, to go one moicty to H. M., and the other to the party so suing, 4 *J.* 1. *c.* 6. *s.* 3.

11. Any person may sell or buy leather, hides, and skins by weight, 1 *W. & M. S.* 1. *c.* 33. *s.* 6.

12. Every hide, skin, or piece of tanned leather, shaved or liquored, of what colour soever, with any lawful liquoring or dressing, and being well and truly curried according to the direction of 1 *J.* 1. *c.* 22. shall be adjudged to be the made ware and manufacture of the currier, and subject to the view, search, and seizure of the master and warden of the mysteries of the cordwainers, curriers, girdlers, and saddlers of the city of *London*, as by that statute provided, and shall be liable to be seized, and to the same penalties as other wares insufficiently made of tanned leather, are by that act liable, *id. s.* 3.

13. This act shall not give power to the said master and wardens to visit, search, or seize any leather hide or skin, but such only as shall be curried or dressed within *London*, or 3 miles thereof, by one of their own company, nor in any other place but in open market: or in the shops, houses, or warehouses of such curriers, *id. s.* 4. [*QU. are not ss.* 3—4. in last and this *pl.* REP. by the repeal of 1 *J.* 1. *c.* 22. by 48 *G.* 3. *c.* 60.?]

14. All leather sellers, curriers, shoemakers, and other persons that deal or work in leather, may freely buy all [sorts of red, 1 *W. & M. S.* 1. *c.* 33. *s.* 6. EXTD. by 12 *G.* 2. *c.* 25. *s.* 1. to] sorts of tanned leather in any open fair or market, whether curried or uncurried, the same being first searched and sealed according to the statutes made on that behalf, and may sell it again, [in the same pieces to the artificers who work up and convert the same into wares, 12 *G.* 2. *c.* 25. *s.* 1. or] to any other person, [to cut and convert into wares, 1 *W. & M. S.* 1. *c.* 33. *s.* 6.] 1 *W. & M. S.* 1. *c.* 33. *s.* 6. 12 *G.* 2. *c.* 25. *s.* 1.

15. This statute shall not give liberty to any persons to make or cause to be made any boots, shoes, clogs, or slippers, or to sew close, or fit to the last, pieces of leather for making boots, &c. for sale, other than such as are legally entitled to exercise the trade of cordwainers, or such as be coblers or translators, *s.* 2. Nor shall give right to any leather-seller, currier, shoemaker, or other person, to exercise their trades in any town corporate, or place, where by law they cannot now exercise the same, 12 *G.* 2. *c.* 25. *s.* 3.

16. If any currier refuses to curry any leather brought or sent to him for that purpose by any leather-sellers, shoemakers, or other persons whatsoever, who deal or work in leather, or shall neglect to curry the same within 16 days between 28*th Sept.* and 25*th March* following, and within 8 days in the remaining part of the year, after such leather is brought or sent and delivered to him or them; such currier, on conviction of either of such offences before one justice within the county, city, or place wherein the offence was committed, by oath of one or more witnesses, forfeit 5*l.*, to be recovered by distress and sale of the offender's goods, rendering overplus after deducting the expences of distress and sale to the owner, to go in moieties to the informer, and the poor of the parish where the offence was committed, *id. s.* 4.

17. But such justice may mitigate such penalty according to his discretion, *id. s.* 5.

18. Every person aggrieved by the determination of such justice, may appeal to the next general quarter sessions for the county, city, town corporate, liberty, or place, whose determination shall be final, and no *certiorari* shall be allowed to remove any such proceedings as above directed, *id. s.* 6.

19. Nothing herein shall lessen, or take away any powers or privilege given to the said company of curriers by charter or grant, so far as the mayor can use them in the city of *London*, or liberties thereof, *id. s.* 8.

20. FOR PREVENTING FRAUDS AND ABUSES FROM BEING committed by persons employed in the leather manufacture, 13 *G.* 2. *c.* 8. *ss.* 4—11. [see rest of this statute, MANUFACTURES.]

21. If any person hired or employed in any cutting, paring, or other manufacturing soever, of gloves, breeches, leather skins, boots, shoes, slippers, wares, or other materials used in any of those trades, or any branch thereof, shall fraudulently purloin, embezzle, secrete, sell, pawn, or exchange any gloves, breeches, boots, shoes, slippers, or wares, when manufactured, or do, or permit any other act, whereby to lessen the value of such gloves, &c. either before or after making them into wares, and is thereof lawfully convicted on the oath or affirmation of the master or owner of such goods, or wares, or any other credible witness or witnesses, or by confession of the parties charged before one or more justices of the county, division, &c. or place, where such offence shall be committed, or where the parties so charged shall reside, such justice shall award the offender to make a suitable recompence for every offence to the parties injured for the damage by them sustained, so as the same do not exceed double the value of the gloves, or materials by such offender so purloined, &c. one half thereof to go to the party griered,

and the other half to the use of the poor of the parish or place where such offence was committed, with full costs of conviction, to be levied under such justice's warrant by distress and sale of the offender's goods, rendering the overplus to the owner; but if the offender have not goods sufficient to answer for levying the penalties and costs, and neglects immediately to pay the same, the offender shall, by like warrant of such justice be committed to the house of correction, or other public prison of such county or place, to be kept to hard labour for 14 days, and be there likewise whipped as the justice shall direct, and in case of a second or subsequent offence, the offender being convicted as above, shall forfeit 4 times the value of the damages which the owner of such materials either before or after making the same up into wares, shall sustain thereby, together with the costs of prosecution adjudged reasonable by the justice before whom such offender shall be convicted; and in case immediate payment of the respective forfeitures, with costs of prosecution, is refused to be made, such justice may commit the offender to the house of correction, or other public prison, to be kept to hard labour for not more than 3 nor less than one month, and during the time of his commitment shall cause him to be whipped at the market-place of the market town, where such offender shall be committed once or oftener, as seems reasonable to the justice, 13 *G.* 2. *c.* 8. *s.* 4.

22. Every person who shall knowingly buy, or receive, accept, or take by way of pawn, pledge, or sale, or in any other manner, from any offender as in *s.* 4., or from any other person soever, except from the person in whom the property of such gloves, &c. or materials shall be at the time of such sale, pawn, or exchange, or who shall offer so to do, shall for every offence, being convicted thereof as above, make such suitable satisfaction within 2 days after the fact determined by any one or more justices as above on hearing the same, or else be liable to such distress, and for want of sufficient distress, to the like punishment as hereby directed to be inflicted on such person as shall purloin, &c. gloves, &c. as in *s.* 4., and so for every subsequent offence, *id. s.* 5.

23. All payments hereafter to be made to any such workman, &c. for any work in the above leather manufactures, shall be in *lawful coin of the realm*, [or note or notes of the bank of *Eng.*, or of any duly licensed banker, where the workman consents to take the same, but not otherwise, 58 *G.* 3. *c.* 51. *s.* 1. MANUFACTURES,] and not by any victuals or goods, &c. soever in lieu; except at his request only; and all goods and materials delivered out to be wrought up in such manufacture shall be delivered with a declaration, at the same time, of the true weight, quantity, or sale thereof, on penalty [to the workman, REP. 58 *G.* 3. *c.* 51. *s.* 2. *tit.* MANUFACTURES] of double the value of what shall be due for such work to such workman; and if the latter is guilty of any fraud or default in the work by him undertaken, he shall answer to the owner thereof double the damages thereby sustained, *id. s.* 6. [*See form of conviction* for payment of wages otherwise than above, 58 *G.* 3. *c.* 51. *Sched.* A. *tit.* MANUFACTURES.]

24. All wages, demands, frauds, neglects, &c. of workmen in the leather manufacture as above, may be heard by any justices of the county, &c. division, or place, where the controversy shall arise, who shall summon and examine witnesses on oath or affirmation concerning the same, *id. s.* 7.

25. Every person who shall be first employed in making up any gloves, breeches, boots, shoes, slippers, or other wares as aforesaid, for any one master, and shall neglect the performance thereof, either by procuring or permitting himself to be subsequently employed by any other master, before completing the work in which he was originally employed, and which was first delivered to him or them, shall on conviction, on oath of one or more credible witnesses before one or more justices of peace, be sent to the house of correction for not exceeding one month's hard labour, *id. s.* 8.

26. Every person aggrieved by any judgment or order of such 2 justices, may appeal from it to the next quarter sessions for the same county, &c. or place, giving 8 days' notice of appeal to the respondent, and the next quarter sessions shall summon and examine witnesses on oath or affirmation, and finally determine the matter of such appeal, and shall award the costs of the appeal to be paid by either party, as to them seems meet, [or treble costs in cases of appeals against convictions relating to wages decided against appellant, *see* 1 *G.* 4. *c.* 93. *s.* 3. *tit.* MANUFACTURES.] No such order shall be quashed for want of form only, *id. s.* 9.

27. No person shall by virtue of this act suffer the punishments herein directed twice for the same offence, *id. s.* 10.

28. The provisions of 1 *A. S.* 2. *c.* 18. and this act, are extended to *Scot.*, and no warrant of distress issued by any justice under either act shall be sisted or suspended except by appeal to the quarter sessions, as in *s.* 9. *pl.* 27., *id. s.* 11.

29. EVERY TANNER, TAWER, OR DRESSER OF HIDES OR SKINS before bringing any raw hide or skin of any bull, ox, cow, calf, steer, or heifer into his tan-yard, warehouse, or place for dressing skins, shall give notice to the excise officer of the district, and shall produce him a certificate under the hand and seal of one or more justices of peace, or commissioners of land-tax, specifying the colour of the hide or skin, the name and abode of the owner, and that it appeared to him on examination on oath of one or more credible persons, that the beast from which the hide was taken was free from any infection, which certificate shall by the said officer be entered in a book kept there for the purpose: and any tanner, &c. who shall bring such raw hide or skin into his tan-yard, or pits, &c. or other place used for dressing skins, or who shall tan, &c. such skin without such notice and certificate, shall forfeit 10*l.*, to be applied and recoverable as in 19 *G.* 2. *c.* 5., 22 *G.* 2. *c.* 46. *s.* 24.

30. Any excise officer acting for the district in which such tan-yard, &c. is situate, by day or night, (and if at night, in presence of a constable, or other lawful officer of the peace,) may on his request enter such tan-yards, &c. and search any part thereof for such concealed skins, and any tanner obstructing him therein shall forfeit 10*l.*, to be recovered and as above, *id. s.* 25.

31. NO CURRIER OR OTHER PERSON, NOT BEING AN ENTERED tanner, shall use sumack in or about the currying of any hide or skin, or in the preparation or dressing of any leather, except only for closing the same, on pain to forfeit 100*l.* for every such offence, 56 *G.* 3. *c.* 110. *s.* 5.

32. NO PERSON USING THE TRADE OF BUSINESS OF TANNING leather by himself or other persons, shall during the time he shall use such trade, use or occupy, or carry on the trade or business of a shoemaker, currier, leather-cutter, or other artificer, exercising the cutting or working of leather, on pain of forfeiting every such hide or skin so by him wrought or tanned during such time, or the value thereof, to any person suing for the same by action of debt, or on the case, or information, &c. in any court of record at *Westminster*, wherein no essoin, &c., to go in moieties to H. M. and the party so suing, 48 *G.* 3. *c.* 60. *s.* 7. PUBLIC *clause*, *id. s.* 8. [NOTE.—By 48 *G.* 3. *c.* 60. *ss.* 1—6. the 1 *J.* 1. *c.* 22., 13 & 14 *C.* 2. *c.* 7. *s.* 4. *ss.* 13—14., 9 *A. c.* 11. *s.* 10., 24 *G.* 3. *S.* 2. *c.* 19. *s.* 2. are repealed.]

LIBEL.

1. TO REMOVE DOUBTS RESPECTING THE FUNCTIONS OF JURIES in cases of libel, 32 *G.* 3. *c.* 60. [*commonly called Mr. Fox's* Libel Act.]

2. On every trial of an indictment or information for making or publishing a libel, where an issue or issues are joined between H. M. and the defendant, on plea of *not guilty*, the jury sworn to try the issue may give a general verdict of "guilty," or "not guilty," on the whole matter put in issue on such indictment, &c. and shall not be directed by the court or judge to find defendant guilty, merely on proof of publication by him of the paper charged to be a libel, and of the sense ascribed thereto in such indictment, &c. *id. s.* 1.

3. On every such trial, the court or judge before whom such indictment, &c. shall be tried, shall, at their discretion, give their or his opinion and directions to the jury on the matter in issue between H. M. and the defendant, in like manner as in other criminal cases, *id. s.* 2.

4. But nothing herein shall prevent the jury from finding a special verdict in their discretion, as in other criminal cases, *id. s.* 3.

5. In case the jury find the defendant guilty, the latter may move in arrest of judgment on such ground, and in such manner as he might by law have done before passing this act, *id. s.* 4.

6. FOR MORE EFFECTUAL PREVENTION AND PUNISHMENT OF blasphemous and seditious libels, 60 *G.* 3. & 1 *G.* 4. *c.* 8.

7. In every case in which any verdict or judgment by default shall be had against any person tending to bring into hatred and contempt the person of H. M., his heirs, or successors, or the regent, or the government and constitution of the U. K. as by law established, or either house of parliament, or to excite H. M.'s subjects to attempt the alteration of any matter in church or state as by law established, otherwise than by lawful means, the judge or court before whom, or in which such verdicts shall have been given, or the court in which such judgment by default, shall be had, may make order for seizure, and carrying away, and detaining in safe custody as directed in such order, all copies of the libel being in possession of the defendant or other person named in the order for his use, evidence on oath having been previously given to satisfaction of such court or judge that such copy or copies are in possession of such other person to the use of defendant, in either of which cases, any justice, constable, or peace officer acting under such order, or person acting in aid of such justice, &c. may search for any such copies in any house, building, or other place soever belonging to the defendant, or other person so named, in whose possession any such copies belonging to defendant are, and in case admission is refused or not obtained within a reasonable time after first demanded, may enter such house by force by day, &c. and carry away the copies there found, and detain same in safe custody till restored under this act, or disposed of according to further order made therein, *id. s.* 1.

8. If judgment is arrested or reversed after entry on writ of error, a copies so seized shall be forthwith returned free of expence, and withou payment of fees, and where final judgment is entered on the verdict so found against the defendant, all copies so seized shall be disposed of as the court directs, 60 *G.*3. & 1 *G.*. *c.*8. *s.*2..

9. In *Scot.* in every case where any person is found guilty before the court of justiciary, of composing, printing, or publishing any blasphemous or seditious libel, or where sentence of fugitation has been pronounced against any person in consequence of non-appearance to answer to any indictment charging them with having composed, &c. the same, the court may make order for seizing and detaining in safe custody all copies thereof in possession of defendant, or of any other person named in such order for his use, evidence on oath being previously given to satisfaction of such court or judge, that a copy or copies of such libel are in possession of such other person for use of defendant; and every order so made shall be carried into effect in such and the same manner, as any order made by the court, or circuit court of justiciary, according to the law and practice of *Scot.*; provided that in event of any person being reponed against such sentence of fugitation, and thereafter acquitted, all copies so seized shall be forthwith returned to the persons from whom they have been so taken, and in all other cases shall be disposed of as the court directs, *id. s.*3.

10. Every person legally convicted of having after *30th Dec.* 1819, composed, printed, or published any blasphemous or seditious libel as aforesaid, and shall after such conviction offend a second time, and is thereof legally convicted before any commission of *oyer* and *terminer*, or gaol delivery, or in K.B. such person may, on such second conviction, be adjudged at discretion of the court, either to suffer such punishment as may now by law be inflicted in cases of high misdemeanor, or to be banished from the U.K. and all other parts of H. M.'s dominions, for term of years as the court shall order, *id. s.*4.

11. In case any person so sentenced and ordered to be banished as above shall not depart from U.K. within 30 days after pronouncing such sentence and order as aforesaid for the purpose of going into such banishment as above, H. M. may convey such person to such parts out of H. M.'s dominions as H. M. by and with advice of his privy council shall direct, *id. s.*5.

12. If any offender so ordered by such court to be banished as above shall, after 40 days from the time such sentence and order have been pronounced, be at large within any part of the U.K., or any other part of H. M.'s dominions, without some lawful cause before expiration of the term for which he has been so ordered to be banished, he being thereof lawfully convicted, shall be transported to such place as is appointed by H. M. for not exceeding 14 years; and such offender may be tried either before any justices of assize, *oyer and terminer*, great sessions or gaol delivery for the county, &c. or place where he is taken, or where sentenced to banishment; and the clerks of assize and peace, or other officer of the court having custody of the records where such order of banishment is made, shall, when thereunto required on H. M.'s behalf, give a certificate in writing signed by him containing the effect and substance only (omitting the formal part) of every indictment and conviction of such offender, and of the order for his banishment to the justices of assize, &c. where such offender is indicted, for which 6*s.*8*d.*, and no more, shall be paid, which certificate shall be sufficient proof of the conviction and order for banishment of such offender, *id. s.*6.

13. The clerks of assize and of peace, or other officer of the court having custody of the records where any offenders have been convicted of having composed, printed or published any blasphemous or seditious libel, shall, on request of the prosecutor on H. M.'s behalf, make out and give a certificate in writing signed by him containing the substance only (omitting the formal part) of every indictment and conviction of such offender to the justices of assize, &c. as in *pl.* 12., where such offender is indicted for any second offence of composing, &c. any such libel; for which certificate 6*s.*8*d.*, and no more, shall be paid, and which shall be sufficient proof of the conviction of such offender, *id. s.*7.

14. Any action brought against any justice of the peace, constable, peace officer or other person within *Eng.* or *Ire.* for any thing done in pursuance hereof, shall be commenced within 6 calendar months after the fact, and not after, and the venue shall be laid in the proper county only; the defendant may plead the general issue, and give this act and special matter in evidence at any trial thereon, and if such action is brought after the time limited, or the venue laid in any other place than above, the jury shall find a verdict for defendant on the merits, or if plaintiff becomes nonsuit or discontinues after appearance, or if on demurrer judgment is given against plaintiff, defendant shall have double costs, *id. s.*8.

15. Every action brought against any person in *Scot.* for any thing done in pursuance hereof, shall be commenced within 6 calendar months in the court of session, and defender may plead that the matter complained of was done in pursuance of this act, giving it and the special matter in evidence; and if such action is brought after the time limited for bringing it, it shall be dismissed, and in such case, or if defender is assoilzied, or the pursuer shall suffer the action to fall asleep, or a decision is pronounced against the pursuer on the relevancy, defender shall have double costs, 60 *G.*3. & 1 *G.*4. *c.*8. *s.*9.

16. Nothing herein shall, in any respect, alter the law or practice of *Scot.* regarding the punishment of persons convicted of composing, printing, publishing or circulating any blasphemous and seditious libel, *id. s.*10.

LIBERTIES AND RIGHTS.

(STATUTES *repealed and expired.*)

1. TO EMPOWER H. M. TO SECURE AND DETAIN such persons as he shall suspect of conspiring against his person and government, 1 *W.*& *M. S.*1. *cc.*1. 7. 19., 7 & 8 *W.*3. *c.*11., 6 *A. c.*15., 1 *G.*1. *S.*2. *c.*8. (which is CON. 1 *G.*1. *S.*2. *c.*30.), 9 *G.*1. *c.*1., 17 *G.*2. *c.*6., 19 *G.*2. *c.*1. (which is CON. 19 *G.*2. *c.*17., 20 *G.*2. *c.*1.), 34 *G.*3. *c.*54. (which is CON. 35 *G.*3. *c.*3.), 38 *G.*3. *c.*36. (which is CON. 39 *G.*3. *cc.*15. 44., 39 & 40 *G.*3. *c.*20., 41 *G.*3. *G. B. c.*32., *U. K. c.*26.) 57 *G.*3. *c.*3. (which is CON. *id. c.*55. REP. 58 *G.*3. *c.*1.) [All EXP.].

(STATUTES *in force.*)

1. A CONFIRMATION OF LIBERTIES, 9 *H.*3. *M. C. c.*1., 14 *E.*3. *S.*1. *c.*1., 2 *H.*4. *c.*1.

2. First we have granted to GOD, and by this our present charter have confirmed for us and our heirs for ever, that the church of *Eng.* shall be free, and shall have all her whole rights and liberties inviolable; we have granted also, and given to all the freemen of our realm for us and our heirs for ever, all the liberties underwritten [*viz.* contained in *Magna Charta* and *Carta de Foresta*], to have and to hold to them and their heirs of us and our heirs for ever, 9 *H.*3. *M. C. c.*1.

3. Holy church shall have her liberties in quietness without interruption or disturbance, and *magna charta* and the charter of the forest be holden in all points; and the city of *London*, and all other cities and boroughs of *Eng.* shall have all their ancient reasonable franchises and customs, 14 *E.*3. *S.*1. *c.*1.

4. Holy church shall have her rights and liberties, and all the lords spiritual and temporal, and all cities, boroughs and towns enfranchised, shall enjoy all the liberties which they have duly used, and all the liege may, in safe protection of H. M., go and come to his courts, and full right and justice shall be done as well to poor as rich in those courts, 2 *H.*4. *c.*1.

5. The above liberties of the church and people; and the laws and franchises of the realm were further CONFIRMED by STATUTES

52 *H.*3. *c.*5.	50 *E.*3 *c.*2.
25 *E.*1. *S.*1. *cc.*1,2,3,4.	1 *R.*2. *c.*1.
28 *E.*1. *S.*3. *c.*1.	2 *R.*2. (*S.*2.) *c.*1.
34 *E.*1. *c.*4.	3 *R.*2. *c.*1.
1 *E.*3. *S.*2. *c.*1.	5 *R.*2. *S.*1. *c.*1.
2 *E.*3. *c.*1.	6 *R.*2. *S.*1. *c.*1.
4 *E.*3. *c.*1.	7 *R.*2. *c.*2.
5 *E.*3. *cc.*1. 9.	8 *R.*2. *c.*1
10 *E.*3. *S.*1. *c.*1.	12 *R.*2. *c.*1.
14 *E.*3. *S.*1. *c.*1.	1 *H.*4. *c.*1.
15 *E.*3. *S.*1. *c.*1.	2 *H.*4. *c.*1.
28 *E.*3. *c.*1.	4 *H.*4. *c.*1.
31 *E.*3. *S.*1. *c.*1.	7 *H.*4. *c.*1.
36 *E.*3. *S.*1. *c.*1.	9 *H.*4. *c.*1.
37 *E.*3. *c.*1.	13 *H.*4. *c.*1.
38 *E.*3. *S.*1. *c.*1.	3 *H.*5. *S.*2. *c.*1.
42 *E.*3. *c.*1.	4 *H.*5. *c.*1.
45 *E.*3. *c.*1.	2 *H.*6. *c.*1.

And by CHARTERS

21 *H.*3. 49 *H.*3. 25 *E.*1. 34 *E.*1.

6. NO FREEMAN SHALL BE TAKEN OR IMPRISONED, or disseised of his freehold, or his liberties or free customs, or be outlawed or exiled, or in any otherwise destroyed, nor will *we pass upon nor condemn him* [so, *see* 2 *Inst.*46. and 16 *C.*1. *c.*10. *s.*1.], unless by lawful judgment of his peers or by the law of the land; to no one will we sell or deny or delay right or justice, 9 *H.*3. *M. C. c.*29. [AMD. and ENFORCED 5 *E.*3. *c.*9., 25 *E.*3. *St.*5. *c.*4., 28 *E.*3. *c.*3., 42 *E.*3. *c.*3.]

7. NO MAN SHALL, FROM HENCEFORTH, BE ATTACHED by any accusation, nor forejudged of life or limb, nor his lands, tenements, goods or chattels seized into H. M.'s hands, but according to *magna carta* and the law of the land, 5 *E.*3. *c.*9.

8. NONE SHALL BE TAKEN BY PETITION OR SUGGESTION made to H. M. or his council, unless by indictment of lawful people of the neighbourhood, or by process by original writ at common law; and none shall be put out of his franchises or freehold, unless he be duly

brought to answer and forejudged thereof by course of law, 25 *E.* 3. *St.* 5. *c.* 4.

9. No man shall be put out of land or tenement, nor taken, imprisoned, disinherited, nor put to death, without being brought in answer by due process of law, 28 *E.* 3. *c.* 3.

10. NO MAN SHALL BE PUT TO ANSWER without presentment before justices, or matter of record of due process or writ original, according to the ancient law of the land, and any thing done to the contrary shall be void in law and held for error, 42 *E.* 3. *c.* 3.

11. H. M. OR HIS HEIRS SHALL HAVE NO tallage or aid without consent of parliament, 34 *E.* 1. (*St.* 4.) *c.* 1. *De tallagio non concedendo.*

12. All archbishops and bishops of *Eng.* having read this charter in their cathedral churches shall publicly excommunicate, and in every parish church of their dioceses cause to be excommunicated, twice a-year, the breakers of this charter, *id. c.* 6.

13. CONCERNING TRESPASSERS IN PARKS AND PONDS, it is not yet discussed; for the lords demanded the proper imprisonment of such as they should take therein, which H. M. denied, and therefore it was deferred, 21 *H.* 3. *c.* 11.

14. *Magna Carta* AND THE *Carta de Foresta*, shall be sent under H. M.'s seal to all his justices, sheriffs, officers and cities through the realm, to be published there, 25 *E.* 1. *c.* 1.

15. JUDGMENTS GIVEN CONTRARY TO SUCH CHARTERS are void, *id. c.* 2.

16. THESE CHARTERS SHALL BE SENT UNDER H. M.'s SEAL to cathedral churches, and there read before the people twice a year, *id. c.* 3.

17. THE ARCHBISHOP AND BISHOPS SHALL PRONOUNCE SENTENCE of the great excommunication against all those who by word, deed, aid, or council, break 25 *E.* 1. *c.* 4. or do contrary to the above charters, and such sentences shall by them be twice a year denounced and published; and if the bishops are negligent in making the above denunciation, they shall be so distrained and compelled by the archbishops of *Canterbury* and *York*, to make it in form aforesaid, *id. c.* 4. [*Excommunication* now abolished, see page 168. *pl.* 33.]

18. COMMISSIONERS SHALL BE CHOSEN BY THE COMMONALTY of the counties to inquire of offences done contrary to these charters, 28 *E.* 1. *St.* 3. *c.* 1. *Art. sup. Cart.*

19. HOW AIDS GRANTED TO H. M. SHALL BE TAXED, 1 *E.* 3. *St.* 2. *c.* 6.

20. "Because the people have felt great grievance that when they granted an aid to H. M. of their goods, and certain were assigned to tax them who levied and accounted for and paid the money in exchequer, yet certain justices have been afterwards assigned to inquire of their doings, who have taken ransoms and fines of the taxers and others under their commissions," H. M. wills, that henceforth they be taxed after the old manner, and not otherwise, *id. ibid.*

21. CITIES, BOROUGHS, AND FRANCHISED TOWNS shall enjoy their franchises, usages, and free customs, 1 *E.* 3. *St.* 2. *c.* 9.

22. IT SHALL NOT BE COMMANDED BY THE GREAT OR LITTLE SEAL to disturb or delay common right, and though such commands come, the justices shall not cease to do right, 2 *E.* 3. *c.* 8.

23. "Whereas, before this time, if a man demanded by petition in parliament certain lands and tenements being in H. M.'s hands, to which petition it was answered in parliament, chancery, or K. B. that H. M. will, that a writ be sued to the treasurer and chamberlains of exchequer, to search charters, muniments, and other remembrances, whereby he might be advised to make answer: to which writs the latter have commonly answered, that they have searched; and would not answer that they have fully searched and nothing found, nor that they could no more find but what they have sent, whereby the demandant hath not had cause to put those who were for H. M. to answer to his great delay;" it is assented, that after the four writs of search are returned, whether the muniment or remembrance be found for H. M. or not, then in parliament, chancery, K. B. or C. P., they who are for H. M. shall answer and defend the lands so demanded against H. M., so always that the 4 writs be delivered to the treasurer and the chamberlains 40 days before the day of the return, and no point of this statute shall be delayed by commandment under the great or privy seal, nor shall justice be delayed thereby, 14 *E.* 3. *St.* 1. *c.* 14. [and see last *pl.*]

24. THE SUBSIDY [on wool and leather, 14 *E.* 3. *St.* 1. *c.* 21., and of the 9th sheaf, fleece, and lamb for 2 years, and of the 9th of all the goods of the citizens and burgesses, and the 15th of those of foreign merchants, and other which live not of gain or of store of sheep, 14 *E.* 3. *S.* 2.] granted to H. M. shall not be drawn into example, nor shall the prelates, earls, barons and commons, citizens, burgesses, and merchants, be charged to make any aid except by common assent of the great men and commons in parliament, 14 *E.* 3. *St.* 2. *c.* 1.

25. THE REALM OF *Eng.* shall not be put in subjection of H. M., his heirs, or successors, as kings of *France*, *id. s.* 5.

26. THE FRANCHISES GRANTED BY H. M. to holy church, the peers of the land, to *London*, and other cities and boroughs, to the cinque ports, and commons of the land, and all their franchises and free customs shall be maintained; and writs demanded to have allowance of charters, and franchises, and charters of pardons of debts, and other things granted by H. M. and his progenitors, shall be freely granted, without disturbance, before all justices, or other ministers where allowance is needed, and they shall be made quiet at exchequer and elsewhere, 15 *E.* 3. *St.* 1. *c.* 1.

27. NONE SHALL HEREAFTER BE COMPELLED TO MAKE loans to H. M. because they are against reason and the franchise of the land, 2 *Printed Rot. Parl. p.* 239. *No.* 16. [EXT. 1 *R.* 3. *c.* 2. REC. 3 *C.* 1. *c.* 1. *s.* 1.]

28. NO SUBJECT SHALL HENCEFORTH be charged by any exaction called a *benevolence*, or by any like charge, 1 *R.* 3. *c.* 2. [REC. in the PETITION OF RIGHT, 3 *C.* 1. *c.* 1. Voluntary gifts permitted, 12 *C.* 2. *St.* 1. *c.* 4.]

29. PEACE SHALL BE FIRMLY KEPT IN THIS REALM, so that loyal subjects may safely go, come, and abide, according to its laws and usages, and good justice and equal right shall be done to every one, 1 *R.* 2. *c.* 2.

30. None shall be arrested contrary to the great charter and other statutes, which, and the privileges of holy church, the chancellor, treasurer, barons, and chancellor of exchequer, the justices of both benches, and other officers, shall be sworn to maintain, 15 *E.* 3. *c.* 3.

31. Such officers shall be punished by the peers in parliament for any default, *id. c.* 4.

32. H. M.'s SIGNET OR PRIVY SEAL shall not be sent to the damage of the realm, or disturbance of the law, 11 *R.* 2. *c.* 10., [and see 2 *E.* 3. *c.* 8. *pl.* 22.]

33. NONE OF H. M.'s SUBJECTS SHALL BE CONSTRAINED TO appear before the council of any lord, to answer for his freehold, nor any other real or personal thing belonging to the law of the land; and any person grieved may sue to the chancellor, who shall give remedy, 15 *R.* 2. *c.* 12.

34. EVERY LORD OR OTHER SUBJECT DOING CONTRARY TO 15 *R.* 2. *c.* 12. shall forfeit 20*l.* to H. M., 16 *R.* 2. *c.* 2.

35. THE PETITION OF RIGHT, [RECITING, in *s.* 1., 34 *E.* 1. *S.* 4. *c.* 1. *pl.* 11., 25 *E.* 3. *&c. pl.* 8., 1 *E.* 3. *St.* 2. *c.* 6. *pl.* 19., 1 *R.* 3. *c.* 2. *pl.* 28., and other recitals in *ss.* 2—9.]

36. No man shall be compelled to yield any gift, loan, benevolence, tax, or such like charge, without common consent by act of parliament; and none shall be called to make answer, or take oath, or to give attendance, or be confined, or otherwise disquieted concerning the same, or for refusal thereof; and no freeman shall be imprisoned or detained without cause shewn, to which he may make answer according to law; and the people shall not be burthened, to suffer soldiers and mariners to sojourn in their houses against their wills; and no commissions shall issue, to proceed within the land according to martial law, 3 *C.* 1. *c.* 1. *s.* 10.

37. The late proceedings in the premises shall not be drawn into consequence; and all H. M.'s officers shall serve him according to the laws of the realm, as they tender the honour of H. M. and the prosperity of the kingdom. *id. s.* 11.

38. FOR DECLARING UNLAWFUL AND VOID the late proceedings touching ship-money, and for vacating all records and process concerning the same, 16 *C.* 1. *c.* 10. (and recital in *ss.* 1—2.)

39. The court called the star-chamber shall be dissolved, and neither the lord chancellor, lord treasurer, keeper of the privy seal, or president of the council, nor any bishop, temporal lord, privy counsellor, or judge, shall have power to hear or determine any matter in the star-chamber, or to do any judicial or ministerial act in the said court; and all acts of parliament, by which any jurisdiction is given to the star-chamber, shall, for so much, be repealed, *id. s.* 3.

40. The like jurisdiction used in the court before the president and council in the marches of *Wa.*, [*dissolved*, 1 *W. & M. S.* 1. *c.* 27. *s.* 2.] and in the court before the president and council in the northern parts, and also in the court of the duchy of *Lancaster*, and in the court of exchequer of the county palatine of *Chester* held before the chamberlain and council of that court, shall be also REP.; and no court or place of judicature shall be erected within *Eng.* or *Wa.*, which shall have the like jurisdiction as hath been used in the star-chamber, *id. s.* 4.

41. Neither H. M., nor his privy council, have any jurisdiction, power, or authority, by *English* bill, petition, articles, libel, or any other arbitrary way whatsoever, to examine, or draw into question, determine or dispose of the lands or goods of any subjects of this kingdom; but the same ought to be tried and determined in the ordinary courts of justice, and by course of law, *id. s.* 5.

42. If any lord chancellor, lord treasurer, keeper of the privy seal, president of the council, bishop, temporal lord, privy counsellor, judge, or justice, shall offend contrary to this law, they shall forfeit 500*l.* to any party grieved, his executors or administrators, who shall prosecute for the same, and first obtain judgment, to be recovered in any court of record at *Westminster*; and if any person, against whom any such

recovery shall be had, shall offend again in the same, he shall forfeit 100*l.* to any party grieved, who shall prosecute, &c.; and if any person, against whom such second recovery shall be had, shall offend again in the same kind, and shall be convicted by indictment, information, or any other lawful way, he shall be incapable to bear his office, and to make any gift or disposition of his lands or goods, or to take any gift or legacy to his own use, 16 *C.* 1. *c.* 10. *s.* 6.

43. Every person so offending shall likewise forfeit to the party grieved his treble damages, to be recovered in any of H. M.'s courts at *Westminster*, *id. s.* 7.

44. If any person shall be restrained of his liberty by order or decree of any such court, as before, or by command of H. M. in person, or by warrant of the council-board, or of any of H. M.'s privy council, every person so restrained, on demand or motion made unto the judges of K. B. or C. P. in open court, shall without delay for the ordinary fees have a *habeas corpus* directed generally to all and every sheriffs, gaoler, minister, officer, or other persons, in whose custody the party shall be, who shall at the return of the writ, and according to its command (on due notice given him, at the charge of the party who requireth such writ, and on security by his own bond, to pay the charge of carrying back the prisoner, if he shall be remanded, such charges to be ordered by the court, if any difference shall arise, as in like cases has been used) bring the body of the party before the judges in open court, and shall certify the cause of his detainer, and thereupon the court, within 3 court-days after such return made, shall proceed to determine whether the cause of commitment be just, and shall thereupon do what to justice shall appertain. And if any thing shall be wilfully done or omitted by any judge, officer, &c. contrary to the direction hereof, such person offending shall forfeit to the party grieved his treble damages, to be recovered as aforesaid, *id. s.* 8.

45. This act shall extend only to the court of star-chamber, and to the said courts holden before the president and council in the marches of *Wa.*, [*dissolved*, 1 *W. & M. S.* 1. *c.* 27. *s.* 2.] and before the president and council in the northern parts, and to the court of the duchy of *Lancaster*, and the court of exchequer of the county palatine of *Chester*, and all courts of like jurisdiction to be hereafter erected, and to the warrants and directions of the council board, and to the commitments of any persons made by H. M. in person, or by the privy council, *id. s.* 9.

46. No person shall be molested for any offence against this act, unless he be impleaded within two years after the offence committed, *id. s.* 10.

47. DECLARING THE RIGHTS AND LIBERTIES OF THE SUBJECT, and settling the succession of the crown, 1 *W. & M. St.* 2. *c.* 2. [called the BILL OF RIGHTS, and solemnly assented to by their majesties, *id. s.* 11.] [*see the* recitals of the illegal acts of king *J.* 2. in *s.* 1.]

48. "Whereas the lords spiritual and temporal and commons assembled at *Westminster*, representing all the estates of the people of this realm, did, upon the 13*th Feb.* 1688, present unto their majesties, then prince and princess of *Orange*, a declaration, by which, after reciting the attempt of king *James* II., to subvert the protestant religion, and the laws and liberties of the kingdom;"

The said lords spiritual and temporal, and commons, being assembled in a full and free representative of this nation, for the vindicating their ancient rights and liberties, declare;

"That the pretended power of suspending of laws, or the execution of laws, by regal authority, without consent of parliament, is illegal."

"That the pretended power of dispensing with laws, or the execution of laws, by regal authority, as it hath been assumed and exercised of late, is illegal."

"That the commission for erecting the late court of commissioners for ecclesiastical causes, and all other commissions and courts of like nature, are illegal and pernicious."

"The levying money for or to the use of the crown, by pretence of prerogative, without grant of parliament, for longer time, or in other manner than the same is or shall be granted, is illegal."

"That it is the right of the subjects to petition H. M., and all commitments and prosecutions for such petitioning are illegal."

"That the raising or keeping a standing army within the kingdom in time of peace, unless it be with consent of parliament, is against law."

"That the subjects which are protestants may have arms for their defence, suitable to their conditions, as allowed by law."

"That election of members of parliament ought to be free."

"That the freedom of speech, and debates or proceedings in parliament, ought not to be impeached or questioned in any court or place out of parliament."

"That excessive bail ought not to be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted."

"That jurors ought to be duly impanelled and returned, and jurors which pass upon men in trials for high treason ought to be freeholders."

"That all grants and promises of fines, and forfeitures of particular persons before conviction, are illegal and void."

"And that for redress of all grievances, and for the amending, strengthening, and preserving of the laws, parliaments ought to be held frequently."

"And they do claim, demand, and insist upon all and singular the premises, as their undoubted rights and liberties; and that no declarations, judgments, doings, or proceedings, to the prejudice of the people in any of the said premises, ought in any wise to be drawn hereafter into consequence or example," AND THEREUPON THEY TENDERED THE CROWN to, which was accepted by, their majesties, who were pleased that the two houses should continue to sit, to make provision for SETTLEMENT of the religion, laws, and liberties of the kingdom, to which the latter agreed, 1 *W. & M. S.* 2. *c.* 2. *ss.* 1—5.

49. All and singular the rights and liberties asserted and claimed in the said declaration are the true, ancient, and indubitable rights and liberties of the people of this kingdom, and so shall be esteemed, allowed, adjudged, and taken to be; and all the particulars aforesaid shall be firmly holden as expressed in the said declaration; and all officers shall serve their majesties according to the same in all times to come, *id. s.* 6.

50. The lords and commons declare that king *James* the second having abdicated the government, and their majesties having accepted the crown and royal dignity as above, they did become and are king and queen of *Eng. France*, *Ire.* and the dominions thereof, *id. s.* 7.

51. The crown limited to their majesties and to the survivor for life, with the sole exercise of regal power by king *William*, in name of both during their joint lives; after their deceases the crown limited to the heirs of the body of H. M.; and in default, to the princess *Anne* and the heirs of her body; and in default of such issue, to the heirs of the body of king *William*, *id. s.* 8. [*Further limitation*, 12 & 13 *W.* 3. *c.* 2. *pl.* 57.]

52. Every person reconciled to or holding communion with the see or church of *Rome*, or professing the popish religion, or marrying a papist, shall be excluded and for ever disabled to inherit possess, or enjoy the crown and government of this realm and *Ire.*, and the dominions thereunto belonging, or any part thereof, or to exercise regal authority therein; and in every such case, the people of these realms are absolved of their allegiance, and the crown and government shall from time to time descend to and be enjoyed by such protestant as would have inherited the same in case the person so deprived as above were naturally dead, *id. s.* 9.

53. Every king and queen of this realm who at any time hereafter shall succeed to the imperial crown, shall on the first day of the meeting of the first parliament next after his or her coming to the crown, sitting on the throne in the house of peers, in presence of the lords and commons therein assembled, or at his coronation before such person who shall administer the coronation-oath, at the time of taking the said oath (which shall first happen), make, subscribe, and audibly repeat the declaration against popery, in 30 *C. St.* 2. (PARLIAMENT, *pl.* 67.); but if such king or queen on succession is under 12 years of age, he or she shall make, &c. such declaration at the coronation or on the first day of the meeting of the first parliament, which shall first happen after his or her attaining that age, *id. s.* 10.

54. No dispensation by *non obstante* of any statute shall be allowed, but shall be void, except a dispensation be allowed of in such statute; and except in such cases as shall be specially provided for during this session of parliament, *id. s.* 12.

55. No charter granted before 23*d Oct.* 1689, shall be invalidated by this act, but shall remain of the same force as if this act had never been made, *id. s.* 13.

56. FOR FURTHER LIMITATION OF THE CROWN and better securing the rights and liberties of the subject, 12 & 13 *W.* 3. *c.* 2. [REF. as to *Articles* 3, 4. *which see:* ENFORCED as to *Art.* 5. 1 *G.* 1. *St.* 2. *c.* 4. *s.* 2.]

57. "Whereas it is necessary that further provision be made for securing our religion, laws, and liberties after the death of H. M., and the princess *Anne* of *Denmark*, and in default of issue of either respectively [*This is the preamble* to *s.* 3., which seems to comprehend that of *s.* 1.], it is enacted that in case of such respective default, the princess *Sophia*, electress of *Hanover*, daughter of *Elizabeth*, queen of *Bohemia*, daughter of *James* the First, is next in succession in the protestant line, and the succession shall remain to her *and the heirs of her body, being protestants:* and thereunto the lords and commons of the realm promise humbly and faithfully to submit themselves and their heirs, 12 & 13 *W.* 3. *c.* 2. *s.* 1.

58. Every person who shall inherit the said crown under the above limitation, and shall be reconciled to, or hold communion with the see or church of *Rome*, or profess the popish religion, or marry a papist, shall be subject to the incapacities established by 1 *W. & M. S.* 2. *c.* 2. *s.* 9. *pl.* 52.: and every king and queen of this realm, who shall succeed to the imperial crown thereof by virtue of this act, shall have the coronation oath administered to them at their respective coronations, according to 1 *W. & M. S.* 1. *c.* 6. *s.* 4. (KING, &c. *pl.* 62.) and shall make,

subscribe, and repeat the declaration in 1 *W. & M. S.* 2. *c.* 2. *s.* 10. *viz. pl.* 55. in manner and form thereby prescribed, *id. s.* 2.

59. FURTHER PROVISIONS TO SECURE LIBERTIES, 12 & 13 *W.* 3. *c.* 2. *s.* 3. Whosoever shall come to possession of the crown, shall join in communion with the church of *Eng.* as by law established.

In case the crown and imperial dignity of this realm shall hereafter come to any person not a native of *Eng.*, this nation shall not be obliged to engage in any war for defence of any dominions or territories which do not belong to the crown of *Eng.* without consent of parliament.

No person who shall hereafter come to possession of this crown shall go out of the dominions of *Eng.*, *Scot.*, or *Ire.*, without consent of parliament. [REP. 1 *G.* 1. *S.* 2. *c.* 51.]

After the time that the further limitation by this act shall take effect, all things relating to well governing this kingdom which are properly cognizable in privy council by the laws and customs of the realm, shall be transacted there, and all resolutions thereon shall be signed by such as advise and consent thereto, [REP. 4 *A. c.* 8. *s.* 24. after the above limitation has taken effect.]

No person born out of *Eng.*, *Scot.*, or *Ire.*, or the dominions thereto belonging (though naturalized or made a denizen, except such as are born of *English* parents) shall be capable to be * of the privy council, or a member of either house of parliament, or to enjoy any office or place of trust, civil or military, or to have any grant of lands, tenements, or hereditaments from the crown, to himself or to any other in trust for him.

[*Note.* No person shall hereafter be naturalized, or bill for naturalization received, unless there be a clause inserted therein to declare that such person shall not thereby be enabled to be [*as above*, from the asterisk to end] 1 *G.* 1. *S.* 2. *c.* 4. *s.* 2.]

No person having an office or place of profit under H. M., or receiving a pension from the crown, shall be capable of serving as a member of the house of commons. [REP. 4 *A. c.* 8. *s.* 25. *See present* incapacities in respect of certain offices, 6 *A. c.* 7. *ss.* 25—28. PARLIAMENT, *pl.* 185. *as to* pensions for years, 1 *G.* 1. *S.* 2. *c.* 56. OFFICES, &c. *and as to* places, 41 *G.* 3. *U. K. c.* 52. *s.* 9.]

After such further limitation shall take effect, judges' commissions shall be made "*Quamdiu se bene gesserint*," and their salaries ascertained and established; but they may be removed on address of both houses. [EXT. and AMD. 1 *G.* 3. *c.* 23. JUSTICES OF ASSIZE, &c., *pl.* 52.]

No pardon under the great seal of *Eng.* shall be pleadable to an impeachment by the commons in parliament.

60. The laws and statutes now in force for securing the established religion, rights and liberties of the people of this realm, which are their birth-right, and according to which all the sovereigns thereof ought to administer government, and their ministers to serve them, are confirmed, 12 & 13 *W.* 3. *c.* 2. *s.* 4.

LIBRARIES (*PARISH*).

1. FOR BETTER PRESERVATION OF PAROCHIAL LIBRARIES in *Eng.*, 7 *A. c.* 14.

2. In every parish or place where a library is erected, the same shall be preserved to the uses to which it is given, and the orders and rules of the founders shall be observed and kept, *id. s.* 1.

3. Every incumbent, rector, vicar, minister, or curate of a parish, before he is permitted to use such library, shall enter into such security by bond or otherwise, for its preservation and due observance of the rules thereof, as the proper ordinaries within their jurisdictions shall think fit; and in case any book of such library is taken away or detained, such incumbent, &c. may bring an action of trover in the name of the ordinary, whereupon treble damages shall be given with costs, as if the same were their proper books; which damages shall be applied to the use of such library, *id. s.* 2.

4. The ordinary or his commissary, or the archdeacon, or by his direction his official (if the archdeacon be not the incumbent of the place), in their visitation, may inquire into the condition of such libraries, and amend defects of the same; and the ordinary may appoint persons to view the condition of such libraries, and such ordinaries, archdeacons, or officials, may have free access when they appoint, *id. s.* 3.

5. Where any library is appropriated to the use of the minister, of any parish, every minister or curate of the same, within 6 months after his induction or admission, shall make a new catalogue of the books in such library, and shall sign the same; which catalogue shall be delivered to the ordinary within the time aforesaid, to be registered in his court, without fee, *id. s.* 4.

6. Where any library shall hereafter be given to the use of any parish or place, where there is a minister or curate, such minister shall make a catalogue, and deliver the same as aforesaid, within six months after receiving such library, *id. s.* 5.

7. Immediately after the death or removal of any minister or curate, the library belonging to such place shall be shut up and entered by the churchwardens, or by such persons as shall be appointed by the ordinary or archdeacon, so that the same shall not be opened till a new minister be inducted into the church of such place, 7 *A. c.* 14. *s.* 6.

8. In case the place where such library is kept is used for any public occasion, the place shall be used as formerly, and after such business dispatched, shall be locked up as before, *id. s.* 7.

9. A book shall be kept within the library for the registering of all benefactions, and the minister or curate shall enter such benefactions, and an account of all books that shall be given, and by whom, *id. s.* 8.

10. The ordinary with the donor of such benefaction, if living, and the ordinary alone after the donor's death, may make rules concerning the same besides those made by the donor, but not contrary to them which shall be entered in a book kept for the purpose, *id. s.* 9.

11. No such books shall be alienable, nor shall any book given by any benefactor be alienated, without consent of the ordinary, and then only when there is a duplicate: and in case any books be taken or lost out of the library, any justice may grant his warrant to search for the same; and if found, such books shall immediately, by his order, be restored to the library, *id. s.* 10.

12. Nothing herein extends to a public library lately erected in the parish of *Ryegate* in *Surrey*, for the use of the freeholders, vicar, and inhabitants, and of the gentlemen and clergymen inhabiting in parts adjacent, *id. s.* 11.

LIMITATION.

[See ACTION PENAL, *pl.* 16. FINES, *pl.* 12. and 15.; QUIETING POSSESSIONS; SEAMEN, *passim.*]

(STATUTES *repealed and expired.*)

1. ACTIONS AND INFORMATIONS POPULAR shall be sued for H. M. within 4 years; for H. M. and an informer within 2 years; for informers within one year, 7 *H.* 8. *c.* 3. [REP. 3 *El. c.* 5. *s.* 7.]

2. SEVERAL LIMITATIONS OF DESCENTS in several writs in real actions, 21 *H.* 3. *c.* 8. 3 *E.* 1. *c.* 39. [EXP.]

(STATUTES *in force.*)

1. FOR THE LIMITATION OF PRESCRIPTION in certain cases, 32 *H.* 8. *c.* 2. 1 *M. S.* 2. *c.* 5. (and recital in *ss.* 1—3.)

2. No person shall have any writ of right or make any prescription, title or claim to any lands, or hereditaments of the possession of his ancestor or predecessor, and allege any further seisin of his ancestor, &c. except that within 60 years next before the *teste* of the writ, or before such prescription, title, or claim wrought, 32 *H.* 8. *c.* 2. *s.* 1.

3. No person shall maintain any assize of *mort ancestor*, *cosinage*, *ayel* writ of entry on *disseisin* done to any of his ancestors, &c. or any other action possessory upon the possession of his ancestors, &c. of any further seisin, but only of the seisin of his ancestor, &c. within 50 years before the *teste* of the original writ, *id. s.* 2.

4. No person shall have any action for lands, &c. upon his own seisin or possession therein, above 30 years next before the teste of the original writ, *id. s.* 3.

5. No person shall make avowry or cognizance for any rent, suit or service, and allege any seisin of his ancestor, &c. or in his own possession or in that of another whose estate he claims to have, above 50 years next before making such avowry, &c., *id. s.* 4.

6. All *formedons in remainder*, or *reverter*, and *scire facias* upon fines of any lands, &c. shall be sued within 50 years next after the title fallen, *id. s.* 5. [but *formedons* are now limited to 20 years, 21 *J.* 1. *c.* 16. *s.* 1. *pl.*]

7. If any person do sue any of the said writs, for any lands, &c., or make any avowry or recognizance, title or claim of or for any rent service, or other hereditament, and cannot prove that he or his ancestors or predecessors were in actual possession or seisin of the same, within the years above limited, if the same is traversed by either party; then, after trial therein had, such persons and their heirs shall be barred for ever, *id. s.* 6.

8. If any false verdict is given in any such actions or claims, the party grieved shall have his attaint thereon, and the plaintiff therein, on judgment for him given, shall have his recovery as heretofore used, *id. s.* 11.

9. The 32 *H.* 8. *c.* 2. shall not extend to any writ of right of advowson, *quare impedit*, nor assize of *darrein presentment*, nor *jure patronatûs*, nor to any writ of ravishment of ward, 1 *M. St.* 2. *c.* 5. *s.* 4. [*rest of this* section relates to wardship and knight's service, which are REP. 12 *C.* 2. *c.* 24. *ss*—2.]

10. FOR LIMITATION OF ACTIONS AND AVOIDING SUITS AT LAW, 21 *J.* 1. *c.* 16. *ss.* 1—5. and *s.* 7. [See *s.* 6. COSTS AND DAMAGES, *pl.* 16.]

11. All writs of *formedon in descender*, *remainder*, and *reverter*, brought for any lands or hereditaments, shall be sued within 20 years

next after the title accrues; and no person shall make entry into such lands but within like time, 21 *J.*1. *c.*16. *s.* 1. [*See* FINES, *pl.*12. and 15.]

12. If any person entitled to such writs, or having such right or title of entry, is at the time of its first accruing within the age of 21 years, *feme covert*, *non compos mentis*, imprisoned, or beyond seas, he may bring action, or make entry within 10 years after full age, discoverture, coming of sound mind, enlargement out of prison, coming into this realm, or death, *id. s.*2.

13. All actions of trespass *quare clausum fregit*, of trespass, detinue, trover, replevin, account, and on the case, (other than such accounts as concern the trade of merchandize between merchant and merchant, their factors or servants,) all actions of debt grounded on any lending or contract, without specialty, or for arrears of rent; all actions of assault, menace, battery, wounding, and imprisonment shall be sued within the time hereafter expressed, [*viz. actions* on the case,] (except for slander,) and of account, trespass, and trespass *quare clausum fregit*, debt, detinue, and replevin, within 6 years after the cause of action; and actions on the case for words, within 2 years after they are spoken, *id. s.*3.

14. If in any such actions judgment is given for plaintiff, and reversed on error, or verdict passes for plaintiff, and on matter alleged in arrest of judgment, judgment is given against him, that he take nothing by his writ or bill; or if any such actions be brought by original, and defendant therein be outlawed, without afterwards reversing the outlawry, plaintiff may commence a new action within a year after such judgment reversed or given against plaintiff, or outlawry reversed, *id. s.* 4.

15. In all actions of trespass *quare clausum fregit* wherein *defendant pleads disclaimer* of title to the land, and that the trespass has by negligence or involuntary, and a tender of sufficient amends before action brought, and if the issue be found for defendant, or if plaintiff is nonsuit, he shall be barred from his action, and all other suit concerning the same, *id. s.*5. [see *s.* 6. COSTS, &c. *pl.*16.]

16. If any person entitled to any of the actions in *s.*3. [being *personal*,] shall be, at the time of such cause thereof accrued within the age of 21 years, *feme covert*, *non compos mentis*, imprisoned, or beyond seas, he shall be at liberty to bring the same actions within the times before limited, after being of full age, discovert, of sane memory, at large, and returned from beyond the seas, *id. s.*7.

17. FOR LIMITING CERTAIN TIMES within which writs of error shall be brought for reversing fines, common recoveries, and ancient judgments, 10 & 11 *W.*3. *c.*14.

18. No fine or common recovery, nor any judgment in any real or personal action, shall be reversed, or avoided for error, unless the writ of error or suit for reversing the same, be brought and prosecuted with effect, within 20 years after such fine levied, recovery suffered, or judgment signed, or entered of record, *id. s.*1.

19. If any person entitled to such writ of error shall, at the time of such title accrued, be within the age of 21 years, or *feme covert*, or *non compos mentis*, imprisoned, or beyond the seas, he, or his heirs, executors or administrators, may bring their writ of error within 5 years after full age, discoverture, coming of sound mind, enlargement out of prison, or returning from beyond the seas, or death, *id. s.*2.

LINEN MANUFACTURES.

(STATUTE *repealed.*)

FOR THE LINEN DRAPERS IN *London*, 21 *H.*8. *c.*14. [REP. 28 *H.*8. *c.*4. *s.*1.]

(STATUTES *in force.*)

1. NO PERSON, ENGLISH DENIZEN NOR ALIEN, SHALL put to sale any whole or half piece of dowlas or lockrams, unless the number of yards or ells contained therein is expressed on every piece so put to sale, as above, on pain to forfeit every piece not containing the number of yards or ells contained therein, the one half to go to H. M., and the other to the person who shall seize, and will sue for the same by action of debt, &c. information or otherwise, wherein no essoin, &c. allowed, 28 *H.*8. *c.*4. *s.*2.

2. AGAINST THE DECEITFUL USING OF LINEN CLOTH, 1 *El. c.*12.

3. If any person shall use any deceit, [*viz.* racking, to increase length and breadth, and beating and washing same with deceitful liquors that it may appear finer, *see preamble*,] or any other act with any linen cloth, whereby it becomes deceitful, or worse for the good use thereof, the same shall be forfeited, and the offender committed to prison for one month, and shall pay the fine assessed for his offence by the justices before whom he is condemned, 1 *El. c.*12. *s.*1.

4. All justices of *oyer* and *terminer*, and of assize, and all justices of peace, or 3 of them, whereof one is of the quorum in their sessions respectively, shall hear and determine all such offences by information or indictment found before them, 1 *El. c.*12. *s.*2.

5. Any person at the next sessions after such seizure, kept within the shire or place where the seizure was made, or before 2 justices of the peace, one being of the quorum, who shall make information or indictment of such offence, shall be bound before them by recognizance, or obligation to the use of H. M., his heirs, and successors, to pursue the matter with effect, and to pay the moiety that he shall recover, to the sheriff or other accountant, for the use of H. M.: which penalties shall go in moieties to H. M. and the informer, *id. s.*3.

6. The justices before whom such offences are tried, shall certify the same by estreat into the exchequer, at least yearly, at *Michaelmas*, and on that certificate the barons shall make process for H. M.'s share, as they may do for any other fines and amerciaments so certified before them, *id. s.*4.

7. FOR ENCOURAGING THE MANUFACTURES OF MAKING linen cloth and tapestry, 15 *C.*2. *c.*15. (and recital in *s.*1.)

8. Any person, whether native or foreigner, freely and without fee, may set up in any place of *Eng.* or *W'a.* privileged or not, corporate or not, the occupation, &c. of breaking, hickling, or dressing of hemp or flax, as also of making and whitening of thread, as also of spinning, weaving, making, whitening, or bleaching any sort of cloth made of hemp or flax only, as also the trade of making twine or nets for fishery, or of stoving of cordage, as also the trade of making tapestry, hangings, *id. s.*2.

9. All foreigners who shall *bonâ fide* set up such manufactures, for 3 years, shall, on taking the oaths of allegiance and supremacy, before 2 justices of peace, enjoy the privileges of natural born subjects, *id. s.*3.

10. In what cases they shall be liable to the alien duties, *id. s.*4. [*Aliens' duty* taken away, 24 *G.*3. *S.*2. *c.*16. *s.*1.]

11. FOR PUNISHING PERSONS WILFULLY AND MALICIOUSLY destroying any linen [yarn, 4 *G.*3. *c.*37. *s.*16. only] or linen or cotton goods, or any implements prepared or used in the manufacture thereof, 4 *G.*3. *c.*37. *s.*16. 22 *G.*3. *c.*40. *s.*3. [*see* rest of this title and statutes, SILK Manufactures, WOOL, &c. *passim*, 22 *G.*3. *c.*40. *s.*3. is EXT. to *Scot.* by 29 *G.*3. *c.*46. *s.*4., but 4 *G.*3. *c.*37. *s.*16. is not: and *Scot.* and *Ire.* are expressly excepted from its operation, *id. s.*32.]

12. Any person who shall by day or night break into, or by force enter into any house, shop, cellar, vault, or other building, with intent to steal, cut, or destroy any linen yarn, cloth, or any manufacture of linen yarn, belonging to any manufactory, or the looms, tools, and implements used therein, or shall wilfully cut in pieces or destroy such goods, when exposed to bleach or dry, shall, on conviction, suffer as a felon, without benefit of clergy, 4 *G.*3. *c.*37. *s.*16. [*see* note to last *pl.*]

13. If any person shall by day or night, break into, or enter by force, into any house or shop, with intent to cut or destroy any linen, or cotton, or linen and cotton mixed with any other materials, or other linen and cotton manufacture in the loom, or any warp, or shute, tools, tackle, and utensils prepared for or employed in the making thereof, or shall wilfully and maliciously break and destroy any tools, &c. used in carding, spinning, weaving, preparing, or making in any way whatever any such linen, or cotton, or linen or cotton mixed with any other materials, or other linen and cotton manufactures soever, not having consent of owner so to do, every such offender being lawfully convicted thereof, shall be guilty of felony, without clergy; [*in Scot.*, being convicted before justiciary or circuit court, shall suffer death as in other capital crimes, 29 *G.*3. *c.*46. *s.*4.] 22 *G.*3. *c.*40. *s.*3. and 29 *G.*3. *c.*46. *s.*4. for *Scot.*

[NOTE.—*The several* bounties given by 7 *G.*3. *c.*45. *ss.*17—21. to encourage the *linen manufacture* of the *Isle of Man* are taken away by 11 *G.*3. *c.*52. *s.*4.: those relating to the fishery remain. *See* FISHERIES (*Isle of Man*), *pl.*1.]

14. FOR ENCOURAGEMENT OF THE ARTS OF DESIGNING and printing linens, cottons, calicoes, and muslins, by vesting the properties thereof in the designers, printers, and proprietors, 27 *G.*3. *c.*38. PUBLIC *clause*, *s.*3. [CON. 29 *G.*3. *c.*19. AMD. and MADE PERP. 34 *G.*3. *c.*23.]

15. The inventors or proprietors of any new and original pattern for printed linens, cottons, calicoes, or muslins, shall have the sole right of printing and reprinting them, for [2 months, 27 *G.*3. *c.*38. *s.*1. EXT. by 34 *G.*3. *c.*23. *s.*1. to] 3 months to commence from the day of first publishing thereof, which shall be truly printed with the name of the printer or proprietors at the end of every such piece of linen, &c. and if any calico printer, linen draper, or other person soever shall print, work, or copy, or cause to be printed, &c. such original pattern, or shall print, or reprint, or cause to be printed, &c. any such pattern, and shall publish, sell, or expose to sale, or in any other manner dispose of, or cause to be published, &c. any linen, cotton, calico, or muslin so printed, without consent of the proprietor first obtained in writing, signed by him in presence of 2 or more credible witnesses, knowing the same to be so printed, or reprinted without consent of the proprietor of such

pattern, then every such proprietor shall, if the offence is committed in *Eng.*, by special action on the case brought against the person so offending, recover such damages as a jury on the trial of, or execution of writ of enquiry on such action shall assess, together with costs of suit, in which no wager of law, essoin, &c. or more than one imparlance shall be allowed, 54 *G.*3. *c.*23. and 27 *G.*3. *c.*38. *s.*1.

17. If the offence be committed in *Scot.*, every such proprietor may by an action before the court of session, or any judge competent to try civil causes in his bounds, recover the damages by them assessed with costs, for payment whereof decree shall be issued, and any execution allowed by the laws of *Scot.*, in like cases shall pass thereon: any person who shall hereafter purchase any plate or block for printing from the original proprietors, may print, reprint, and expose for sale, or cause to be printed, &c. from the same, without being liable to any action on that account, 27 *G.*3. *c.*38, *s.*1.

18. Action for offences against this act, shall be brought in 6 months after so doing, and if in *Eng.*, defendant may plead the general issue, and give special matter in evidence, with full costs, if verdict is for defendant, or if plaintiff discontinues or is nonsuited: if brought in *Scot.*, and not insisted in, or if defender is assoilzied, he shall have full costs, with pursuer's remedy for same, *id. s.*2.

LITERARY PROPERTY (*BOOKS*).

(STATUTE *expired.*)

1. FOR PROHIBITING THE IMPORTATION OF BOOKS reprinted abroad, and first composed or written and printed in *G. B.*; and for repealing (by *s.*4.) 8 *A. c.*19. *s.*4., which authorized the limiting the prices of books, 12 *G.*2. *c.*36. [CON. 20 *G.*2. *c.*47. *s.*1., 27 *G.*2. *c.*18. *s.*1., 29 *G.*3. *c.*55. *s.*5., now EXP., except as to the above repeal.]

(STATUTES *in force.*)

1. FOR THE ENCOURAGEMENT OF LEARNING, BY VESTING THE copies of printed books in the authors or purchasers of such copies during the times therein mentioned, *viz.* for 14 years (*s.*1.), and for 14 years more, if the authors are living at the end of first term (*s.*11.), 8 *A. c.*19. [Virtually superseded as to *s.*1. by 54 *G.*3. *c.*156. *ss.* 4, 5.; and expressly as to *s* 5., *id. s.*1., AMD. 15 *G.*3. *c.*53. *s.*6., which seems EXP., *see* note to *pl.*27.]

2. FOR FURTHER ENCOURAGEMENT OF LEARNING IN THE U. K., BY securing the copies and copyright of printed books to the authors of such books, or their assigns for the time herein mentioned; [*viz.* for the 14 years given by 8 *A. c.*19., and for 14 years more, if the authors are living at the end of the first term (*s.*1.)], 41 *G.*3. *U. K. c.*107. [Virtually superseded as to *s.*1., by 54 *G.*3. *c.*156. *ss.*4—5., and *s.*8.]

3. TO AMEND 8 *A. c.*19. AND 41 *G.*3. *U. K. c.*107., BY SECURING THE COPIES and copy right of printed books to the authors of such books or their assigns, 54 *G.*3. *c.*156.

4. The author of any book, composed, and not printed and published, or which shall hereafter [*viz. comm. semb.* after 29*th July*, 1814., when this act passed], be composed, and printed and published; and his assignee, [*by instrument* in writing, *Power* v. *Moore*, 3 *M. & S.*7.], shall have the sole liberty of printing and reprinting it for 28 years, to commence from the day of first publishing the same; and also if the author is living at the end of that period, for the residue of his natural life; and if any person soever in the U. K., in the *Isles of Man, Jersey*, or *Guernsey*, or in any other part of H. M.'s dominions, shall, within the above terms and times, print, reprint, or import, or cause to be printed, &c., any such books, without consent of the authors or other proprietors of the copyright of, and in such book first obtained in writing; or knowing the same to be so printed, &c., without such consent, shall sell, publish, or expose to sale, or cause to be sold, &c., or shall have in his possession for sale any such book or books, without such consent first had and obtained as aforesaid; then such offenders shall be liable to a special action on the case, at suit of the author or authors or other proprietors of the copyright of such book or books, so unlawfully printed, reprinted, or imported, or published, or exposed to sale, or in possession of such offenders, for sale as aforesaid, contrary to this act, 54 *G.*3. *c.*156. *s.*4.

5. And every such author or authors, or other proprietor or proprietors, shall, in any such action to be brought against such offenders in any court of record in that part of U. K., or of the *British* dominions, in which the offence has been committed, recover such damages as a jury may assess at the trial of such action, or on the execution of a writ of inquiry thereon shall give or assess with double costs of suit, in which action, no wager of law or essoin, and only one imparlance shall be allowed; every such offender shall also forfeit such book, and every sheet, being part thereof, and deliver the same to the author, or other proprietor of the copyright, upon order of the court in which any action or suit in law or equity shall be commenced, to be made on motion or petition to the court; and such author or other proprietor shall forthwith damask, or make waste paper of such books and sheets, and every such offender shall also forfeit 3*d. per* sheet, either printed or printing, or published, or exposed to sale, contrary to this act; the one moiety to H. M., his heirs and successors, and the other to any person who shall sue for the same in any such court of record, by action of debt, &c., or information, in which no wager of law, essoin, &c., or more than one imparlance shall be allowed; provided, that such offenders in *Scot.* shall be liable to an action of damages in the court of session, to be brought and prosecuted in the same manner in which any other action of damages to the like amount may be brought there; and in any such action where damages are awarded, double costs of suit or expences of process shall be allowed, 54 *G.*3. *c.*156. *s.*4.

6. But *this act* [*viz. s.*1. REP. see *pl.*2.] shall not extend to books already composed or published, [a *more liberal* course adopted 54 *G.*3. *c.*156. *s.*8., *pl.*19.], or to exempt or indemnify any persons against any penalties or actions to which they may be liable, on account of unlawful printing, importing, selling, or exposing to sale, any such books, contrary to the laws in force at time of union, by 39 & 40 *G.*3. *c.*67., 41 *G.*3. *c.*107. *U. K. s.*2. [*Qu.* EXP.? See *pl.*2.]

7. *Trinity College, Dublin*, shall, at their own printing press, within that college, have for ever, the sole liberty of printing and reprinting, all such books, as shall at any time, heretofore have been, or (not having been heretofore published or assigned) shall at any time hereafter be bequeathed, or otherwise given or assigned by the authors or their representatives, to or in trust for that college for the above purposes, [*viz. that the profits* arising from printing or reprinting, or such books shall be applied as a fund for the advancement of learning, or other beneficial purposes of education within the above college, *see preamble to this section*], unless the same have been bequeathed, given, or assigned, or shall hereafter be bequeathed, &c. for any term of years, or other limited term; and every person who shall, after the passing this act, [*viz. 2d July*, 1801.], unlawfully print, reprint, or import, or cause to be printed, &c., or knowing the same to be so unlawfully printed, &c., shall sell, publish, or expose to sale, or cause to be sold, &c., or have in his possession for sale, any such last mentioned books, shall be subject to the penalties in *s.*1., *pl.*2., [*Qu.* how far in force? *See note to pl.*2.] with respect to offenders against the copyrights of authors and their assigns; but nothing herein shall extend to grant any exclusive right to the said college, otherwise, than so long as the books or copies belonging to such college, are printed only at its printing press within the same, and for its own sole benefit; and if the said college, shall delegate, grant lease, or sell the copyrights, or exclusive rights of printing the books hereby granted, or any part thereof, or shall permit or authorize any person or body corporate to print or reprint the same, then their privilege hereby granted shall be void; but they shall have a right to sell such copies, so bequeathed or given as above, in like manner as any author may lawfully do, under this or any other act now in force, 41 *G.*3. *U. K. c.*107. *s.*3.

8. No bookseller, printer, or other person, shall be liable to the said penalty of 3*d. per* sheet, for the printing, reprinting, importing, or selling any such book or books, or having the same in custody for sale without consent of the proprietor of the copyright thereof, unless before the time of publication by the proprietors [being other than *Trinity College, Dublin, see s.*3. last *pl.*], the right and title of such proprietor shall be duly entered in the register book of the stationers' company in *London*, as hath been usually heretofore done by the proprietors of copies and copyrights in *G. B.*; nor if the consent of such proprietor for printing, &c. [*as above*] is in like manner entered; nor, unless the title of the said college to the copyright of such book as has been already bequeathed, given, or assigned to the said college, be entered in the said register book before 29*th Sept.* 1801; and every such book hereafter bequeathed &c. as aforesaid, shall be so entered within 2 months after such bequest, &c. has come to the knowledge of the provost; for every of which entries 6*d.* shall be paid, *and no more*, [*but see pl.*13.]; which said register book, shall at all times be kept at the hall of the said company, and may, at all seasonable times, be inspected by any person for the above purposes, *without* fee, [*but see pl.*13.]; and the clerk of the company shall, when required, give a certificate under his hand of such entry, taking 6*d.* for the same, [*but see pl.*13.]; and shall also, without fee, within 15 days' next after 31*st Dec.* and 30*th June*, annually make for the use of *Trinity College, Dublin*, a list of the titles of all such books, the copyright to which has been so entered in the course of the preceding half-year; and shall, on demand, deliver such lists to any person duly authorized to receive the same for that college, 41 *G.*3. *U. K. c.*107. *s.*4.

9. If the clerk of the stationers' company shall refuse or neglect to register, or make such entries, or to give such certificates, being thereunto respectively required by the authors or proprietors of such copyrights, or by the person to whom such consent is given, or by some one on his behalf in presence of 2 or more credible witnesses, then such

parties so refused, (notice being first duly given, by advertisement in the *London Gazette*,) shall have the like benefit, as if such entries or certificates had been duly made and given; and the clerk so refusing shall, for any such offence, forfeit 20*l.* to the author or proprietor, or to the person to whom such consent is given; or if he refuse or neglect to make the above list, or to deliver it to any person duly authorized to demand it, on behalf of *Trinity College, Dublin*, he shall also forfeit 20*l.* to that college, which penalties may be recovered in any of H. M.'s courts of record in the U. K., by action of debt, &c., or information, in which no wager of law, essoin, &c., or more than one imparlance shall be allowed, 41 *G.* 3. *U. K. c.* 107. *s.* 5., 8 *A. c.* 19. *s.* 2.

10. So much of 8 *A. c.* 19. (*viz. s.* 5.), and of 41 *G.* 3. (*U. K.*) *c.* 107. (*viz. s.* 6.) as requires copies of books, printed or reprinted, &c. with additions, &c. to be delivered to the company of stationers for the libraries therein mentioned, and imposes a penalty on omission, is repealed, 54 *G.* 3. *c.* 156. *s.* 1.

11. Eleven printed copies of the whole of every book, and of every volume thereof, upon the paper on which the largest number or impression of such book shall be printed for sale, together with all maps and prints belonging thereto, which from and after 29*th July*, 1814, shall be published, shall, on demand in writing left at the publisher's place of abode, at any time within 12 months next after publication thereof, under the hand of the warehouse-keeper of the company of stationers, or of the librarian or other person thereto authorized, by the persons or body, politic and corporate, proprietors or managers of the libraries following: *viz.* the *British Museum*, [*QU. If any demand in writing* need be made by this institution? *see s.* 5. *pl.* 13.] *Sion College*, *Bodleian* library at *Oxford*, public library at *Cambridge*, the library of the faculty of advocates at *Edinburgh*, the libraries of the 4 universities of *Scot.*, *Trinity College* library, and *King's Inns* library at *Dublin*, or so many of such 11 copies as shall be respectively demanded on behalf of such libraries respectively, shall be delivered by the publisher within one month after demand made thereof, in writing to the warehouse-keeper of the stationers' company; which copies he shall receive at the company's hall, for use of the library for which such demand is made, within such 12 months as above; and shall, within one month after any such book or volume is so delivered to him as above, deliver the same for the use of such library; and if any publisher or such warehouse-keeper shall not observe the directions of this act therein, and shall make default in not delivering or receiving the said 11 printed copies, he shall forfeit besides their value the sum of 5*l.* for each copy not so delivered or received, with full costs of suit, the same to be recovered in an action of debt in any court of record in the U. K. by the person or persons, or body politic or corporate, proprietors or managers of the library, for the use whereof such copy or copies ought to have been delivered, 54 *G.* 3. *c.* 156. *s.* 2.

12. No such printed copy or copies of the second, or any subsequent edition of any book, shall be demanded by or delivered to or for the use of any of the above libraries, unless the same shall contain additions or alterations; and in case of any such alteration or addition in any edition after the first, no printed copy thereof shall be demanded or delivered as above, if a printed copy of such additions or alterations printed in a uniform manner with the former edition of such book be delivered to each of the above libraries, for whose use a copy of the former edition has been demanded, and delivered as above, provided that the copy of every book demanded by the *British Museum* shall be delivered of the best paper on which such work is printed, *id. s.* 3.

13. "In order to ascertain what books are from time to time published;" the publisher of every book demandable under this act, which shall be published at any time after passing the same, [*viz.* 29*th July*, 1814,] shall, within one calendar month after the first day of publication, within the bills of mortality, or within 3 calendar months, if the said book is sold, published or advertised, in any other part of the U. K., enter the title to the copy of every such book, and the name or names, and place of abode of the publishers thereof, in the register book of the company of stationers in *London*, in the manner of entry heretofore used; and deliver one copy (on the best paper, as in *s.* 3.) for the use of the *British Museum*: which register book shall be kept in the hall of such company, and 2*s.* shall be paid for each entry, and which said register book may, at all seasonable and convenient times, be inspected by any person on payment of 1*s.* to the warehouse- keeper of such company, who, when required, shall give a certificate under his hand of every or any such entry, on payment of 1*s.*; and if such entry of the title of such book is not duly made within the herein limited periods, the publisher shall forfeit 5*l.*, together with 11 times the price at which such book is sold or advertised, to be recovered with costs of suit, by the person or persons, body politic or corporate, authorized to sue; and who shall first sue for the same in any court of record of U. K., by action of debt, &c. or information, wherein no essoin, &c. or more than one imparlance, shall be allowed: provided, that in the case of magazines, reviews or other periodical publications, it shall be sufficient to make such entry within one month after publication of the first number, and no failure in making such entry shall affect the copyright, but shall only subject the defaulter to the penalty, 54 *G.* 3. *c.* 156. *s.* 5., *superseding* 8 *A. c.* 19. *s.* 2.

14. The warehouse-keeper of stationers' hall, without any greater interval than 3 months, shall transmit to the librarian on behalf of the libraries before mentioned, a list of all books entered and not contained in former lists; and on being required so to do, by such librarians, or other authorized persons, or either of them, he shall call on the publishers of such books for as many of the said copies as may have been demanded of them, 54 *G.* 3. *c.* 156. *s.* 6.

15. If any publisher is desirous of delivering the copy of any book or volume so demanded, on behalf of any of the said libraries at such library, he may deliver the same thereat to the librarian, or other person authorized to receive the same, (who shall give a receipt in writing for the same,) which delivery shall, for all purposes of this act, be held as equivalent to a delivery to the said warehouse-keeper, *id. s.* 7.

16. No person shall import into any part of the U. K. for sale, any printed book or books, first composed, written, or printed and published in any part of U. K., and reprinted in any other country or place soever; and every person who shall so import any such printed book or books into any part of the U. K., contrary to this act; or shall knowingly sell, publish, or expose to sale, or have in possession for sale any such books, the same shall be forfeited, and may be seized by any officer of customs or excise, and shall be forthwith made waste paper; and every person so offending, shall, on conviction thereof, forfeit 10*l.*, and double the value of each copy of such work so imported, &c. or knowingly sold, &c., contrary to this act; and the commissioners of customs or excise in *Eng.*, *Scot.* or *Ire.*, according to the place where the seizure is made, and the officer who seizes, shall reward him with any sum they deem fit, not exceeding the value of such books, to be paid out of any duties in their hands; but no person shall be liable to any of the last mentioned penalties, for importing any book which has not been printed or reprinted in some part of U. K., within 20 years next before such importation, or of any book reprinted abroad, and inserted among other books or tracts, to be sold in any collection where the greatest part of such collection shall have been first composed, or written abroad, 41 *G.* 3. (*U. K.*) *c.* 107. *s.* 7.

17. This act shall not extend to prohibit the importation, vending or selling of any books in *Greek* or *Latin*, or of any foreign language printed beyond seas, (8 *A. c.* 17. *s.* 7.), nor to affect the right which any university or person have or claim to have, to the printing or reprinting any book or copy already or hereafter to be printed, 8 *A. c.* 17. *s.* 9.

18. If any action is brought against any person soever, for things done under these acts, the defendant may plead the general issue, giving the special matter in evidence; and if in such action he obtains a verdict, or if plaintiff is non-suited or discontinues, defendant shall have full costs, 8 *A. c.* 19. *s.* 8., 41 *G.* 3. *c.* 107. (*U. K.*) *s.* 8. [*see rest* of the last section, *infra*, *pl.* 21.]

19. "Whereas it is reasonable that authors of books already published, and now living, should also have the benefit of extension of copyright," it is enacted, that if the author of books not published 14 years at the time of passing this act, [*viz.* 29*th July* 1814,] shall be living at the said time, and if such author shall die before the expiration of such 14 years, then his personal representative, and the assigns of the latter shall have the sole right to print and publish the same for 14 years more after the expiration of the first 14 years, (see *pl.* 2.) but this shall not affect the right of the assignee or assigns of such author to sell any copies of such book which were printed by such assignee, &c. within the first 14 years, or the terms of any contract between such author and assignee, &c. 54 *G.* 3. *c.* 156. *s.* 8.

20. If the author of any books already published shall be living at the end of 28 years after the first publication of his book, he shall have the sole right of printing and publishing the same for the remainder of his life, (with like proviso as in *s.* 8. last *pl.* extended to 28 years,) *id. s.* 9.

21. All actions, indictments, or informations for any offence committed against 8 *A.* c. 19. shall be brought within 3 months, (*id. s.* 10.) against 41 *G.* 3. U. K. *c.* 107. within 6 months (*id. s.* 8.) against 54 *G.* 3. *c.* 156. within 12 months after the offence committed; or shall be void, 54 *G.* 3. *c.* 156. *s.* 10.

22. FOR ENABLING THE TWO UNIVERSITIES IN ENGLAND AND the four universities in *Scot.*, and the colleges of *Eton*, *Winchester*, and *Westminster*, to hold in perpetuity their copyright in books given or bequeathed to them for advancement of useful learning and other purposes of education, 15 *G.* 3. *c.* 53. *ss.* 1—5. and *s.* 7. (see as to *s.* 6. *pl.* 1. *and* 27.) [PUBLIC *clause*, *id. s.* 8.]

23. The said universities and colleges shall at their respective presses have for ever the sole liberty of printing and reprinting all such books as shall at any time heretofore have been or (having not been heretofore published or assigned) shall at any time hereafter be bequeathed or

otherwise given by the authors or their representatives, to or in trust for such universities, or any college or house of learning within the same, or the four universities of *Scot.*, or the colleges of *Eton*, *Westminster*, and *Winchester*, or any of them, for the purposes in last *pl.* mentioned, unless the same shall have been or shall be bequeathed for any limited term, 15 *G.*3. *c.* 53. *s.* 1.

24. Every bookseller or other person who shall print, reprint, or import, or cause to be printed, &c. any such books, or who knowing the same to have been so printed, &c. shall sell, publish, or expose to sale, or cause to be sold, &c. any such book, shall forfeit the same and every sheet or sheets being part thereof to the university, college, or house of learning respectively to whom the book belonged, who shall forthwith damask and make waste paper of them; and shall also forfeit 1*d.* per sheet found in his custody, either printed or printing, published, or exposed to sale contrary to this act, to go in moieties to H. M., and the party suing in the courts at *Westminster*, or in the court of session in *Scot.* by action of debt, &c. or information, in which no essoin, &c. or more than one imparlance shall be allowed, *id. s.* 2.

25. This act shall not extend to grant any exclusive right, otherwise than so long as the books or copies belonging to the said universities or colleges are printed at their own presses within such universities, &c. and for their sole benefit, and if any university or college shall delegate, grant, lease, or sell their copyrights or exclusive rights of printing the books hereby granted, or shall permit the same to be reprinted, then such the privileges hereby granted shall become void, but such universities, &c. shall nevertheless have a right to sell such copies so bequeathed in the like manner as authors may under 8 *A. c.* 19., 15 *G.*3. *c.* 53. *s.* 3.

26. This act shall not make any bookseller or other person liable to the forfeitures herein mentioned for printing, reprinting, exposing to sale, or importing any book, unless the title to the copy of such book already bequeathed or given to any such university or college be entered in the register-book of the stationers' company, in the usual way, and unless the title to the copy of all books hereafter so bequeathed, be so entered within 2 months after such bequest or gift came to the knowledge of the vice-chancellors of such universities, or the heads of such colleges, or of the principal of such four universities for ever, for every of which entries 6*d.* shall be paid; and which register-book shall be open at all seasonable times to public inspection without fee, and the clerk of such company shall give a certificate of such entry under his hand on payment of 6*d.*, *id. s.* 4.

27. If the clerk of such company shall neglect to register such books, or make such entries, or to give such certificate when required by the agent of either of such universities or colleges, then either of the latter being the proprietor of such copyright (notice being first given of such refusal by advertisement in the gazette,) shall have the like benefit as if such entry and certificate had been duly given, and such clerk shall forfeit 20*l.* to such proprietor, to be recovered as in *s.* 2., *id. s.* 5. [*Note*, *s.* 6. seems Rep. or Exp. since 8 *A. c.* 19. *s.* 5. is Rep. by 54 *G.*3. *c.* 156. *s.* 1. *Statute* Exp. *pl.* 1.]

28. In actions brought for any thing done under this act, defendant may plead the general issue, giving the special matter in evidence, and if a verdict, or if in the court of session a judgment shall be given for him, or if plaintiff is nonsuited and discontinues, defendant shall have full costs, *id. s.* 7.

LITERARY PROPERTY (*PRINTS AND ENGRAVINGS*).

29. For encouragement of the arts of designing, engraving and etching historical and other prints, by vesting the properties thereof in the inventors and engravers during the time therein mentioned, 8 *G.* 2. *c.* 13. Public *clause*, *s.* 6. [*and the property* in certain prints vested in *Jane Hogarth*, widow, *ss.* 3—4.] 7 *G.*3. *c.* 38. [*see as to copyright* in new patterns for printed linens, 27 *G.*3. *c.* 38. Linen Manufacture, *pl.* 14., &c.]

30. Every person who shall invent and design, engrave, etch, or work in *mezzotinto* or *chiaro oscuro*, or from his own works and invention shall cause to be designed and engraved, etched or worked in *mezzotinto* or *chiaro oscuro* any historical or other print or prints, shall have the sole right and liberty of printing and reprinting the same for 14 years, to commence from the day of first publishing thereof, which shall be truly engraved with the name of the proprietor in each plate, and printed on every such print; and every printseller or other person who within the time hereby limited shall so engrave, etch, or work, or in any other manner copy and sell, or cause to be engraved, etched, or copied and sold in the whole or in part, by varying, adding to or diminishing from the main design, or shall print, reprint, or import for sale, or cause to be printed, *&c.* any such prints, or parts thereof without the consent of the proprietor thereof first had in writing, signed by him in the presence of 2 witnesses; or knowing the same to be so printed or reprinted without such consent, shall publish, sell or expose to sale, or otherwise or in any other manner dispose of, or cause to be published, &c. any such prints without such consent, shall forfeit the plate or plates on which such print or prints are copied, and all and every sheet or sheets (being part of or whereon such print or prints shall be so copied or printed) to the proprietor of the original print, who shall forthwith destroy and damask the same, and shall also forfeit 5*s.* for every print found in his custody, printed, published, exposed to sale, or otherwise disposed of contrary to this act; to go one moiety to H. M., and the other to any person suing for the same in any court of record at *Westminster* by action of debt or information, wherein no essoin, &c. and but one imparlance shall be allowed, 8 *G.* 2. *c.* 13. *s.* 1.

31. Any person who shall hereafter purchase any plate for printing from the original proprietors thereof, may print and reprint from the same, without incurring the penalties in this act mentioned, *id. s.* 2.

32. All actions brought against any person for any offence committed against this act, shall be brought within 3 months after the discovery thereof, *id. s.* 4.

33. All persons who shall invent or design, engrave, etch, or work in *mezzotinto* or *chiaro oscuro*, or, from his own work, design, or invention, shall cause to be designed, engraved, etched, or worked in *mezzotinto* or *chiaro oscuro*, any historical print, or any print of any portrait, conversation, landscape, or architecture, map, chart, or plan, or any other print soever, shall have the benefit of 8 *G.* 2. *c.* 13. under the limitations after-mentioned, 7 *G.*3. *c.* 38. *s.* 1.

34. All persons who shall engrave, etch, or work in *mezzotinto* or *chiaro oscuro*, or cause to be engraved, etched, or worked, any print, taken from any picture, drawing, model, or sculpture either ancient or modern, shall have the benefit of the said act, and this act, for the term herein after-mentioned; and if any person shall engrave, print, and publish, or import for sale any copy of any such print, contrary to this and the former act, every such person shall be liable to the penalties in the said act, to be recovered as therein and herein mentioned, *id. s.* 2.

35. All the penalties inflicted by 8 *G.* 2. *c.* 13., and extended to the cases comprised in this act, may be recovered as thereby appointed with full costs of suit, *id. s.* 5.

36. The party shall commence prosecution within 6 calendar months after offence committed, *id. s.* 6.

37. The sole right and liberty of printing and reprinting, intended to be secured by 8 *G.*3. *c.* 13., and this act, shall be extended and vested in the respective proprietors for 28 years, to commence from the day of first publishing of any of the works in this and the former act mentioned, *id. s.* 7.

38. All actions for any thing done in pursuance of these acts, shall be brought within [3 months, 8 *G.* 2. *c.* 13. *s.* 3., altered by 7 *G.*3. *c.* 38. *s.* 8. to] 6 calendar months after the fact committed, and the defendant therein may plead the general issue and the special matter in evidence, and if a verdict therein be given for the defendant, or if plaintiff is nonsuited or discontinues, defendant shall have full costs, 8 *G.* 2. *c.* 13. *s.* 3., 7 *G.*3. *c.* 38. *s.* 8.

39. For more effectually securing the property of prints to inventors and engravers, by enabling them to sue for and recover penalties in certain cases, 17 *G.*3. *c.* 57.

40. If any engraver, etcher, printseller, or other person, shall, within the time limited by 8 *G.* 2. *c.* 13. or 7 *G.*3. *c.* 38., or either of those acts, engrave, etch, or work, or cause to be engraved, &c. in *mezzotinto* or *chiaro oscuro*, or otherwise, (*see pl.* 38.) or in any manner copy in the whole, or in part, by varying, adding to, or diminishing from the main design, or shall print, reprint, or import for sale, or cause to be printed, &c. or shall publish, sell, or otherwise dispose of, [or cause to be published, &c. any copy of any historical print, or any print of any portrait, conversation, landscape, or architecture, map, chart, or plan, or any other print whatsoever, which shall be engraved, etched, drawn, or designed in *G. B.*, without the express consent of the proprietor thereof first had in writing signed by him with his own hand, in the presence of, and attested by 2 witnesses, then such proprietor may, in a special action upon the case to be brought against the person offending, recover such damages as a jury on the trial of such action, or on the execution of a writ of enquiry thereon, shall give, together with double costs, 17 *G.*3. *c.* 57.

LITERARY PROPERTY (*SCULPTURE*).

41. For encouraging the art of making new models and casts of busts, and other things therein mentioned, 38 *G.*3. *c.* 71. [Amd. and made more effectual by 54 *G.*3. *c.* 56., the terms of which include and supersede 38 *G.*3. *c.* 71.; *and see* Lord *Ellenborough*'s observations on the latter statute, 3 *Camp. N. P. Rep.* 114, 115.]

42. Every person who shall make, or cause to be made, any new or original sculpture or model, or copy or cast of the human figure or figures, or of any bust or busts, or of any part of the human figure clothed in drapery or otherwise; or of any animal or animals, or of

any part or parts thereof combined with the human figure or otherwise; or of any subject being matter of invention in sculpture; or of any *alto* or *basso relievo*, representing any of the things above mentioned; or any cast from nature of the human figure, or of any part or parts thereof; or of any cast from nature of any animal, or any part or parts thereof; or of any such subject containing or representing any such things, whether separate or combined, shall have the sole right and property thereof, for and during the term of 14 years, from the first publication; provided the proprietor causes his name, with the date [*semb.* of first publication: see *pl.*30. as to *engravings*] to be put on all such models, copies, casts, &c. before they be published, 54 *G.*3. *c.*56. *s.*1.

43. The sole right and property of all works published under the protection of 38 *G.*3. *c.*77., shall be extended to, continued and vested in the respective proprietors for 14 years from the date of the first publication, *id. s.*2.

44. Every person who shall within such 14 years make or import, or cause to be made, imported, or exposed to sale, or otherwise disposed of, any printed copy or cast of any such new and original sculpture or model, or copy, &c. (as *in s.*1.,) whether such printed copy or cast be produced by moulding or copying from, or imitating in any way any of the matters or things published under the protection of this act, or of 38 *G.*3. *c.*71., to the damage of the original proprietor of the work so pirated, then such proprietor or his assignee may, by a special action on the case against the party so offending, receive such damages as a jury may assess, with double costs, *id. s.*3.

45. No person who shall purchase the right or property of any such new and original sculpture or model, &c. or of any of the things protected by this act, without the consent of the proprietor or proprietors expressed in a deed or writing signed by him or them respectively, with his, &c. own hand or hands, shall be subject to an action for copying or casting or vending the same, *id. s.*4.

46. All actions brought for any offence against this act shall be commenced within 6 calendar months after discovery of the offence, *id. s.*5.

47. Provided, that immediately after the expiration of such term of 14 years the sole right of making and disposing of such new and original sculpture, or things in *s.*1. mentioned, shall return to the person or persons who originally made, or caused to be made the same if he or they be then living, for the further term of 14 years, except when such person, by sale or otherwise, hath divested himself of such right of making or disposing of such sculpture, &c. before passing this act, [*viz.* before 18*th May*, 1814,] *id. s.*6.

LIVERIES.

1. Concerning liveries, 16 *R.*2. *c.*4., 20 *R.*2. *c.*2., 7 *H.*4. *c.*7., [*which is* Conf. and Amd. 2 *H.*4. *c.*21., 7 *H.*4. *c.*14., 13 *H.*4. *c.*3., 8 *H.*6. *c.*4.] 8 *E.*4. *c.*2. [and all these acts Rep. 3 *C.*1, *c.*4. *s.*27.]

2. For liveries given by the prince, 12 *E.*4. *c.*4. [Exp.]

3. Against retaining any of the king's tenants by liveries, 3 *H.*7. *c.*12. [Rep. 3 *C.*1, *c.*4. *s.*27.]

4. Against unlawful detentions, 19 *H.*7. *c.*14. [*see as to* maintenance by giving liveries, Maintenance.]

LONDON (*BROKER*).

1. For repealing 1 *J.*1. *c.*19. (*For the well garbling of spices*) and for granting an equivalent to the city of *London*, by admitting brokers, 6 *A. c.*16.

2. The 1 *J.*1. *c.*19. shall be Rep., and all suits depending for seizure, &c. under such act shall be discharged *id. ss.*1, 2.

3. The lord mayor, court of aldermen, and common-council of the city of *London* shall appoint a person to execute the office of garbler within such city and the liberties thereof, who, at the request of any owner of spices, drugs, and other wares garbleable, and not otherwise, shall garble the same and receive for his fee such as such mayor, court of aldermen, &c. shall appoint, *id. s.*3.

4. Persons who shall act as brokers within the city of *London*, and the liberties thereof, shall be admitted so to do by the court of mayor and aldermen, under such restrictions for their honest and good behaviour, as such court deem reasonable, and shall on admission pay to the chamberlain of such city 40*s.*, and yearly also another 40*s.* on 29*th Sept.*, to go to the mayor and commonalty and citizens of *London*, *id. s.*4.

5. Every person who shall act as a broker or employ any other to act as such, within such city, &c. not being so admitted, shall forfeit to such mayor and commonalty, &c. for each offence 25*l.*, to be recovered by action of debt in the name of the chamberlain of such city, in any court of record in which no protection, &c. and only one imparlance shall be allowed, *id. s.*5.

6. All persons employed as brokers, solicitors, or otherwise, to make any bargain or contract for buying or selling any tallies, orders, exchequer bills, or exchequer tickets, bank bills, or any shares in any joint stock created by act of parliament, or by letter patent under the great seal, or bonds of any company thereby created who shall take directly or indirectly any sum or other reward exceeding 2*s.*9*d.* per 100*l.*, and so in proportion, for his services in soliciting such bargain, &c. shall forfeit 20*l.* to any person who will sue by action of debt, &c. or information, in any court of record at *Westminster*, wherein no essoin, &c., and only one imparlance, shall be allowed, 10 *A. c.*19. *s.*121.

LONDON (*CATTLE*).

7. To prevent the mischiefs that arise from driving cattle within the cities of *London* and *Westminster*, and liberties thereof, and the bills of mortality, 14 *G.*3. *c.*87. [which is Exp.] and 21 *G.*3. *c.*67. (Public clause, *s.*15.)

8. If any person employed to drive any cattle within the cities of *London* or *Westminster*, or the liberties thereof, or the bills of mortality, shall, by negligence or ill usage in driving such cattle, be the means that any mischief shall be done by such cattle, or any of them, so committed to his care; or if any driver of cattle, within such limits, shall misbehave himself in the driving, care, or management of such cattle, by improper driving, treating, or using of such cattle; then any constable, or other peace officer, upon view thereof, or information of any person (who shall declare his name and place of abode to such constable), may seize and secure, and, without warrant, convey such offender before some justice, within such limits; and the party accused being brought before such justice, such justice shall examine upon oath any witness touching such offence; and if the party shall be convicted, either by confession, or upon such information, he shall forfeit not exceeding 20*s.* nor less than 5*s.*, to the person who shall prosecute; and if he shall not forthwith pay the sum forfeited, such offender shall, by warrant under the hand and seal of such justice, be committed to the house of correction, or some other prison within such limits, there to be kept to hard labour not exceeding one month, *id. s.*1.

9. And if any person, not employed to drive cattle within such limits, shall pelt with stones, brickbats, or by any other means drive or hunt away, or shall set any dog at any ox, heifer, cow, steer, or other cattle, without the consent of the owner, or his servant, then any constable, or other peace officer, upon view thereof, or information of any person who shall declare his name and place of abode to such constable, may seize and secure, and without warrant convey such offender before some such justice; and the party accused being brought before such justice, such justice shall examine upon oath any witness touching such offence; and if the party shall be convicted by confession or upon such information, he shall forfeit not exceeding 20, nor less than 5*s.* to the person who shall prosecute; and if he shall not forthwith pay the sum forfeited, such offender shall, by like warrant of such justice, be committed to the house of correction, or some other such prison, there to be kept to hard labour for not exceeding one month, *id. s.*2.

10. And in case the person giving such information shall not attend without some excuse, to be allowed by the justice, such constable or other peace officer within 6 hours of his making such information, the offender shall (upon proof being made on the oath of such constable, that such person had given such information) forfeit not exceeding 40 nor less than 10*s.* to such constable, &c. which if not paid upon demand by such constable, &c. the same shall be levied by distress and sale of the offender's goods, by like warrant of such justice, *id. s.*3.

11. The court or mayor and aldermen of the city of *London* may make and set down in writing, such reasonable rules, orders, or ordinances, for governing and regulating all persons who shall drive any cattle, sheep, calves, or lambs, within such cities of *London* or *Westminster*, and liberties thereof, or the bills of mortality, and annex reasonable penalties and forfeitures for the breach of such rules, &c. not exceeding 40*s.* nor less than 10*s.* for any one offence; and such rules they may amend, *id. s.*4.

12. Nothing in this act shall impower such court of mayor and aldermen to shorten the time for keeping *Smithfield* market open; but the same shall be kept open from 12 o'clock at night till 3 o'clock in the afternoon on the several market days, and at no other hours, unless such court shall judge it proper to enlarge the time for keeping it open, *id. s.*5.

13. One justice of *London* or *Westminster*, or the bills of mortality, shall have power to hear and determine in a summary way complaints of offences that shall be committed contrary to any of the rules, orders, or ordinances, hereafter to be made by the court of mayor and aldermen, in pursuance of this act; and such justice is, upon view, or upon complaint made, on oath, of any offence committed contrary to such rules, &c. within 6 days, to issue his warrant, under hand and seal, directed to such constable, &c. as the justice shall think fit, thereby requiring him to apprehend such offender, and to bring him before such

justice, to answer the matters of complaint to be contained in such warrant; and if such offender shall be convicted, either by confession, or the oath of one witness, such justice *may* impose a fine upon him for such offence, not exceeding the penalty which shall be inflicted by such rules, &c.; and if the person convicted shall not forthwith pay the penalty, such justice *may* deal with him as (in *s.* 2.) aforesaid, unless the penalty shall be sooner paid; which penalties shall go to the prosecutor, 21 *G.* 3. *c.* 67. *s.* 6.

14. If any person apprehended for any offence against this act, shall refuse to discover his name or place of abode, to the justices before whom he shall be brought, such person shall be immediately delivered over to a constable, and conveyed to the common gaol, or house of correction, there to remain for one month, or until he shall declare his name and place of abode to such justices, *id. s.* 7.

15. An abstract of this act, and all such rules, &c. so to be made by the court of mayor and aldermen, shall, within 14 days after making of such rules, &c. be printed and affixed upon such of the most conspicuous places within *London* and *Westminster*, the liberties thereof, and bills of mortality, as such court shall think proper and order, *id. s.* 8.

16. In case any person against whom a warrant shall be issued by any justice, either before or after conviction, for any offence against this act, or against such rules, &c. shall escape, go into, reside, or be in any other county, &c. out of the jurisdiction of the person granting such warrant; or if the goods of any such offender shall be in a different county than where such party was convicted, or the warrant of distress granted, any justice of the county, &c. into which such person shall escape, either before or after conviction, or where his goods shall be after conviction, upon proof made, upon oath, of the handwriting of the justice granting such warrant, may indorse his name on such warrant, and the same, when so indorsed, shall be a sufficient authority to all peace-officers to execute such warrant, in such other county, &c.; and such justices, after indorsing such warrant, may, on the offender being apprehended and brought before such justices, or one of them, hear and determine the complaint in the same manner as if it had originally arisen within their jurisdictions, or may direct the offender to be carried to the person who granted the warrant, *id. s.* 9.

17. No person shall suffer punishment for any offence against this act, unless the prosecution be commenced within 14 days after the offence done; and when any person shall suffer imprisonment in default of payment of any such penalty, he shall not be liable afterwards to pay such penalty, *id. s.* 10.

18. Any person aggrieved by the order or judgment of any justices for any offence against this act, may appeal to the next general or quarter sessions, first giving security, in the sum forfeited, before such justice, to prosecute such appeal with effect, and abide by the order made on such appeal; and giving 14 days' notice in writing of such intention to appeal, to the party on whose prosecution such conviction was founded, if there are so many days between the conviction and such sessions; and if not, then to the next subsequent general or quarter sessions; and such sessions shall hear and determine such appeal, and make such order therein, and award such costs, as to them shall appear just; and cause to be levied, under the order of such session, the costs awarded, together with the money they adjudge to be forfeited, by distress and sale of the goods of the person who shall refuse to pay, or of the person who shall have become surety, *id. s.* 11.

19. No order or proceedings before any justice, as under this act, shall be quashed for want of form; and the order of sessions shall be final; and no proceedings out of or in such sessions, in pursuance of this act, shall be removeable by *certiorari*, *id. s.* 12.

20. Such justice may cause the conviction under this act to be drawn up in the following form, or to that effect, *id. s.* 13.

'Be it remembered, that on the — day of — in the year of our Lord — *A. B.* is convicted before me *C. D.* one of H. M's justices of the peace for the cities of *London* or *Westminster*, or the county of *Middlesex*, either on his own confession, or on the oath of one or more credible witness or witnesses [*as the case shall be*], by virtue of an act made in the twenty-first year of the reign of H. M. king *George* the third, to prevent the mischiefs that arise from driving cattle within the cities of *London* and *Westminster*, and liberties thereof, and bills of mortality; [*specifying the offence, and time and place when and where the same was committed, as the case shall be.*] Given under my hand and seal, the day and year above written.'

21. Actions against any person for any thing done in pursuance of this act shall be brought within 6 calendar months after the cause accrued, and shall be laid in the county, city, or place where the offence was committed; and the defendant may plead the general issue, and give this act and the special matter in evidence, and that the same was done in pursuance hereof; and if it appears to have been so done, or if it is not brought within the time limited, or is laid in the wrong county, &c. the jury shall find for the defendants, and if the plaintiff is nonsuited, or discontinues, or has judgment against him, the defendant shall have treble costs, with usual remedy to recover the same, *id. s.* 14.

LONDON (*CLERGY*).

22. FOR THE BETTER SETTLEMENT OF THE MAINTENANCE OF THE parsons, vicars, and curates in the parishes of the city of *London*, burnt by the late dreadful fire there, 22 & 23 *C.* 2. *c.* 15. [*See* 44 *G.* 3. *c.* lxxxix. *commonly called the Fire Act.*]

23. The annual certain tithes, or money in lieu thereof of all parishes within the city of *London*, and the liberties thereof, whose churches have been demolished by the late fire, and which parishes by virtue of 22 *C.* 2. *c.* 11. (for rebuilding the city of *London*), remain single, or are by such act united, shall be as follows, 22 & 23 *C.* 2. *c.* 15. *s.* 1.

	£	s.		£	s.
Allhallows, Lombard Street	110	0	*St. Magnus*, and *St. Margaret, New Fish Street*	170	0
St. Bartholomew, Exchange	100	0			
St. Bridget, alias *Brides*	120	0	*St. Michael Royal*, and *St. Martin Vintry*	140	0
St. Bennet, Fink	100	0			
St. Michael, Crooked Lane	100	0	*St. Matthew, Friday Street*, and *St. Peter, Cheap*	150	0
St. Christopher	120	0			
St. Dionis, Back Church	120	0	*St. Margaret Pattens*, and *St. Gabriel, Fenchurch*	120	0
St. Dunstan in the East	200	0			
St. James, Garlickhythe	100	0	*St. Mary at Hill*, and *St. Andrew Hubbard*	200	0
St. Michael, Cornhill	140	0			
St. Michael Bassishaw	132	11	*St. Mary Woolnoth*, and *St. Mary, Woolchurch*	160	0
St. Margaret, Lothbury	100	0			
St. Mary, Aldermanbury	150	0	*St. Clement, Eastcheap*, and *St. Martin Organs*	140	0
St. Martin, Ludgate	160	0			
St. Peter, Cornhill	110	0	*St. Mary Abchurch*, and *St. Lawrence Pountney*	120	0
St. Stephen, Coleman Street	110	0			
St. Sepulchre	200	0	*St. Mary, Aldermary*, and *St. Thomas Apostle's*	150	0
Allhallows, Bread Street, and St. John Evangelist	140	0	*St. Mary-le-bow, St. Pancras, Soper Lane*, and *Allhallows, Honey Lane*	200	0
Allhallows the Great, and *Allhallows the Less*	200	0			
St. Alban's, Wood Street, and *St. Olaves, Silver Street*	170	0	*St. Mildred, Poultry*, and *St. Mary, Colechurch*	170	0
St. Anne, and *Agnes*, and *St. John Zachary*	140	0	*St. Michael, Wood Street*, and *St. Mary Staining*	100	0
St. Augustine, and *St. Faith*	172	0	*St. Mildred, Bread Street*, and *St. Margaret Moses*	130	0
St. Andrew Wardrobe, and *St. Anne, Blackfriars*	120	0	*St. Michael, Queenhithe*, and *Trinity St. Magdalen, Old Fish Street*, and *St. Gregory*	120	0
St. Antholin, and *St. John Baptist*	120	0			
St. Bennet, Gracechurch, and *St. Leonard, Eastcheap*	140	0	*St. Mary Somerset*, and *St. Mary Mounthaw*	110	0
St. Bennet, Paul's Wharf, and *St. Peter, Paul's Wharf*	100	0	*St. Nicholas, Coleabby*, and *St. Nicholas Olaves*	130	0
Christ Church, and *St. Leonard, Foster Lane*	200	0	*St. Olave Jury*, and *St. Martin, Ironmonger Lane*	120	0
St. Edmond King, and *St. Nicholas Acons*	180	0	*St. Stephen, Wallbrook*, and *St. Bennet Sheerkey*	100	0
St. Laurence Jury, and *St. Magdalen, Milk Street*	120	0	*St. Swithin*, and *St. Mary Bothaw*	140	0
St. George, Botolph Lane, and *St. Botolph, Billingsgate*	180	0	*St. Vedast*, alias *Fosters*, and *St. Michael Queen*	160	0

22 & 23 *C.* 2. *c.* 15. *s.* 2.

24. Which sums to be paid in lieu of tithes shall be the respective certain annual maintenance, (over and above glebes and perquisites, gifts, and bequests) of the respective parsons, vicars, and curates, legally instituted, inducted, and admitted into the respective parishes, 22 & 23 *C.* 2. *c.* 15. *s.* 3.

25. The alderman of the ward wherein any of such parishes lie, and the common-council-men of such ward, with the churchwardens, and one or more of the parishioners, shall, before the 20*th May* 1671, assemble, and proportionably assess upon all houses, shops, warehouses, and cellars, wharfs, keys, cranes, water-houses, and tofts of ground remaining unbuilt, and all other hereditaments, (except parsonage and vicarage-houses,) the whole respective sum by this act appointed, *id. s.* 4. [EXP.]

26. Such assessors within 10 days after such assessments made, and appeals determined, shall make 3 transcripts thereof in parchment, and subscribe the same; and within 20 days after, one of such transcripts shall be returned to the lord mayor of *London*, to be kept among the records of the city; and another into the registry of the lord bishop of *London*; and the other shall be kept in the vestry of such respective parish, *id. s.* 8.

27. Such sums so assessed shall be paid to the respective parsons, vicars, and curates, at the four usual feasts, *viz. the Annunciation of the Virgin, the Nativity of John the Baptist, Michaelmas*, and *Christmas*, or within 14 days after, by equal payments, to commence from such time as the incumbent begins to officiate, *id. s.* 9.

28. In any parish where any impropriations be, the impropriators shall pay what really and *bonâ fide* they have used and ought to pay to the in-

cumbent, at any time before the late fire, and the same shall be computed as part of the maintenance of such incumbent, 22 & 23 *C.* 2. *c.* 15. *s.* 10.

29. If any inhabitants in any parish neglect to pay any sum payable by this act, (being lawfully demanded at the premises whereout the same is payable), the lord mayor, upon oath made before him of such neglect, may grant warrants for the officer or person appointed to collect the same, with the assistance of a constable in the day-time, to levy the same by distress and sale of the goods of the party so neglecting to pay, restoring the overplus to the owner, after charges of the distress deducted, *id.* *s.* 11.

30. In case the lord mayor or court of aldermen neglect to execute any of the powers to them by this act granted, or to perform every thing relating to the assessing or levying such sums, the lord chancellor or 2 barons of the exchequer may, by warrant under their hands and seals, do what such lord mayor and court of aldermen ought to have done; and by such warrant may either empower any person to make the assessments, or to authorize the officers or persons appointed to collect the sums aforesaid, to levy the same by distress and sale of the goods of any person neglecting to pay, 22 & 23 *C.* 2. *c.* 15. *s.* 12.

31. No court or judge ecclesiastical or temporal shall hold plea for any sum to be paid by virtue of this act, other than the persons hereby authorized: nor shall any parson, vicar, curate, or incumbent sue any person neglecting to pay in any court, or before any judge, other than what are appointed by this act, *id.* *s.* 14.

32. The warden and minor canons of *St. Paul's* church, *London*, parson and proprietors of the rectory of *St. Gregory*, may receive and enjoy all tithes, oblations, and duties arising within such parish, as formerly they lawfully might have done, *id.* *s.* 15.

LONDON (*ERROR*).

33. REDRESS OF ERRORS and misprisions in the city of *London*, 28 *Ed.* 3. *c.* 10. [AMD. as to *s.* 1. by 1 *H.* 4. *c.* 15. and CONF. as to the rest, *id. ibid.*]

34. The mayor, sheriffs, and aldermen, having the governance of the city of *London*, shall cause to be redressed the errors, defaults, and misprisions, notoriously used therein for default of their good governance, the same to be duly punished by a (*certain*) penalty; [1000 marks for the 1st, 2000 for the 2d, and forfeiture of the city franchise to H. M. for the 3d neglect, 28 *Ed.* 3. *c.* 10. *s.* 1. AMD. as follows by 1 *H.* 4. *c.* 15. *s.* 1.] but these penalties are *not* limited in *certain*, but shall be by advice and discretion of the justices thereto assigned, as other cities and boroughs be, within the realm, 1 *H.* 4. *c.* 15. *s.* 1. [and see 28 *Ed.* 3. *c.* 10. *s.* 4. *pl.* 36., *sub. fin.*]

35. If such mayor, &c. do not afford due redress (as in *s.* 1.) it shall be enquired of their defaults, by inquests of foreign counties, *viz.* of *Kent*, *Essex*, *Sussex*, *Hertford*, *Buckingham*, and *Berks*, as well at suit of H.M. as of others who will complain; and if they be by such inquests indicted, they shall be caused to come by due process before H. M.'s justices thereto assigned, without the said city, before whom they shall answer as well to H. M. as the party; and if they put themselves on inquests, the same shall be taken by foreign people as above; and if attainted, the penalty shall be levied of such mayor, &c. and nevertheless the plaintiff shall recover treble damages against them, 28 *Ed.* 3. *c.* 10. *s.* 2.

36. Because the sheriffs of *London* are parties, the constable of the *Tower*, or his lieutenant shall be officer in their place, to reserve the writs, as well original out of chancery, as judicial under seals of the justices for execution thereof in the city; process shall be made by attachments and distresses, and by *exigent* if necessary, to be awarded at returns of the 1st *capias* at H. M.'s suit, and of 3d at that of the party, where the mayor, &c. have lands out of the city, process shall be had against them by attachments, &c. in the counties where they be; and every of the said mayors, &c. appearing before the justices, shall answer separately for himself, as well at the peril of those absent as at his own; and no franchise or custom shall avail against this ordinance, *id.* *s.* 3.; which shall extend to other cities and boroughs of the realm, where such defaults, &c. be used and not redressed, the inquests being taken of foreign people of the county, where such cities, &c. are, and the penalty of those attainted shall be at discretion of the justices thereto assigned, *id.* *s.* 4.

LONDON (*FIRE*).

37. THE LORD MAYOR, ALDERMEN, AND COMMON COUNCIL of the city of *London*, may prohibit such trades and occupations as they judge noisome or perilous in respect of fire, to be exercised in the principal streets of such city, 19 *C.* 2. *c.* 3. *s.* 21.

38. The 2d *Sept.*, unless the same is a *Sunday*, and then the next day shall be yearly for ever observed as a day of public fasting and humiliation within such city, *s.* 28.; and a pillar shall be set up in memory of the dreadful fire of *London*, *id.* *s.* 29. [*see* BUILDINGS, *Stats.* EXP. *&c. pl.* 2.]

LONDON (*FRANCHISE*).

39. EVERY FREEMAN AND CITIZEN OF *London* may lead, carry, and go, with his merchandize, at his liberty, to any fair or market in *Eng.*, notwithstanding ordinances of *London* to the contrary (which are hereby declared void,) and without loss of his liberty and franchise within the city; and any person prejudicing another by occasion hereof, shall forfeit to H.M. 10*l.* recoverable by a common informer in action of debt, H.M. having execution of one-half, and the plaintiff of the other, 3 *H.* 7. *c.* 9. *s.* 1.

40. THE ANNUAL ADMISSION and swearing the mayor of *London* at *Guildhall* shall be performed there, the 8th *Nov.*, 25 *G.* 2. *c.* 31. *s.* 4.

41. THE PRESENTING AND SWEARING the mayor of *London* into office before H.M. in exchequer, shall be observed there on the 9th *Nov.*, or on the day following if the 9th fall on a *Sunday*, 24 *G.* 2. *c.* 48. *s.* 11.

LONDON (*JURY*). (*See* ATTAINT.)

42. THEY THAT DWELL AT THE STEWS IN *Southwark* shall not be impanelled in juries, nor keep any inn or tavern, except there, 11 *H.* 6. *c.* 1.

43. THE CHALLENGE IN THE CITY OF *London*, called *riens deyns le gard*, shall be no challenge, saving to all persons all other challenges, 7 *H.* 7. *c.* 4. or *c.* 5.

44. CONCERNING JURIES IN *London*, 11 *H.* 7. *c.* 21. (intituled "An act against perjury,") [AMD. 4 *H.* 8. *c.* 3. (*ss.* 2. and 3. of which are explained, 5 *H.* 8. *c.* 5.; *sed quære if not* EXP.? *see s.* 3. *at the end*,) and by 37 *H.* 8. *c.* 5.]

45. No person shall be sworn in any jury or inquest in courts within *London*, except he have lands, tenements, or goods and chattels worth 40 marks, or for lands or tenements, or action personal, of 40 marks value or above, except he have lands, &c. (as above) worth 100 marks; and want of such qualification shall be ground of challenge, and every juror making default shall forfeit, in issues, 12*d.*, at the second default 2*s.*, and double at every succeeding default, 11 *H.* 7. *c.* 21. *s.* 1.

46. All such issues lost in the mayor's court shall be forfeited to the use of the mayor and commonalty, and those in the sheriff's court to the use of the sheriffs of *London* towards their fee farm, [11 *H.* 7. *c.* 21. *s.* 1.] and they may respectively distrain and retain the distresses till satisfied of such issues, 4 *H.* 8. *c.* 3. *s.* 1.

47. The sheriffs of *London* may return citizens having goods of 100 marks value as jurors to try issues joined in actions in K. B., C. P., and exchequer, triable in *London*, who shall be sworn and act as other persons having lands of 40*s.* yearly value, 4 *H.* 8. *c.* 3. *s.* 2.

48. The said sheriffs shall be bound to return at every first distress of *nisi prius* to be had at *St. Martin's le Grand* in every such action 20*d.*, on the 2d, 40*d.*; and on every other distress, the double on every juror till a full jury appear and be sworn to try the issues joined therein; and the sheriffs who shall make any other return on such distresses, [*viz.* before justices or justice of *nisi prius* in *London*, 5 *H.* 8. *c.* 5. *s.* 1.] shall forfeit 10*l.*, in moieties to H.M. and party suing; but may make their returns on all other processes out of the above courts as before the statutes, 4 *H.* 8. *c.* 3. *s.* 3., 5 *H.* 8. *c.* 5. *s.* 1.

49. The party grieved by any false verdict in any of the city courts, may sue attaint by bill before the mayor and aldermen in the court of hustings, [11 *H.* 7. *c.* 21. *s.* 2.] and any citizens having chattels worth 200 marks, may be impanelled and returned by the sheriffs therein, without challenge for insufficiency of lands, [37 *H.* 8. *c.* 5. *s.* 3.] the justices shall sit only at the *Guildhall*, or other convenient place within the city, and there swear the grand jury, and take the verdicts in such attaints, and none of the parties shall challenge the array or any juror therein impannelled for insufficiency of goods or lands, 11 *H.* 7. *c.* 21. *s.* 2., 37 *H.* 8. *c.* 5. *c.* 3.

50. The judgment in such attaint shall not extend to any lands, &c. or to other punishment of the petty jury, nor other process therein had than herein limited; and if 24 of the 48 persons sworn in the attaint, [*viz.* the grand jury] find that the petty jury have given an untrue verdict, the judgment shall be against the defendant as at common law, and against the petty jury that every juror shall forfeit 20*l.*, or more at discretion of the court of hustings to like use as the other penalties forfeited in actions commenced before the mayor, &c. of the city, and shall be imprisoned for 6 months or less at like discretion, and be disabled to be sworn as a juror before any temporal judge, 11 *H.* 7. *c.* 21. *s.* 3.

51. Though the grand jury in attaint affirm the first verdict, yet they may enquire if any of the petty jury took money or other reward or promise thereof, to the intent of [*Qu. to affect*] their verdict, and the punishment thereof shall be imprisonment and disability as in *s.* 3., with forfeiture to the plaintiff of ten times the sum so taken, *id.* *s.* 4.

52. The defendant in attaint corrupting the petty jury, shall forfeit 10 times the sum or other reward by him given to them, and shall be imprisoned for 6 months or less at the like discretion, and where any debts, damages, or costs are recovered in any action in which the jury are attainted of a false verdict, the plaintiff shall have an action of debt against the defendant for the restitution thereof, 11 *H.* 7. *c.* 21. *s.* 5.

53. If any plaintiff in attaint commenced before the said mayor, &c. on any record remaining in the city, be nonsuit, or if the first oath therein be affirmed, he shall be imprisoned and fined by discretion of the mayor, &c. the fine going to the mayor and commonalty; attaints shall not abate by the death or nonsuit of one plaintiff, defendant, or any of the petty jury, so that 2 of the latter remain, *id.* *s.* 6.

54. Every grand juror making default, shall for the first offence forfeit 40*s.*, for the 2d, 5*l.*, and for every other, 10*l.*, to the use of the mayor and commonalty, [but shall not be distrained to attend without the limits of the city, 37 *H.* 8. *c.* 5. *s.* 3.] all process in attaint against the grand and petty jury, and parties shall be as at common law, returnable at every hustings of common pleas; and no default in appearance of defendant, or of the petty jury shall stay the attaint, 11 *H.* 7. *c.* 21. *s.* 7. and 37 *H.* 8. *c.* 5. *s.* 3.

55. All attaints commenced in the city on any record wherein the trial was by a jury *de medietate linguæ*, shall be taken by a grand jury, half of strangers having 100*l.* or more in goods inhabiting the city, and the residue of citizens qualified as above, *id.* *s.* 8.

56. Other acts respecting attaints shall not extend to *London*, *id.* *s.* 9.

LONDON (*POOR*).

57. FOR KEEPING REGULAR UNIFORM AND ANNUAL REGISTERS of all parish poor infants under a certain age within the bills of mortality, 2 *G.* 3 *c.* 22. [AMD. and EXT. to children under 6 years old, 7 *G.* 3. *c.* 39. PUBLIC *clause*, *s.* 24. *See* 52 *G.* 3. *c.* 146. REGISTER.]

58. The churchwardens and overseers of the poor of every parish within the bills of mortality, shall enter in the book belonging to their parish, all infants under 4 years, which shall be in the workhouse or other place provided for the maintenance of the poor, on 1*st July* 1762, or under their care, with the times when received, their names, age, and description, as far as can be traced, 2 *G.* 3. *c.* 22. *s.* 2.

59. All infants under 4 years, brought to any workhouse, shall be, by the churchwardens or overseers, entered regularly in such book, with the times of their admittance, and all circumstances relating to them, *id.* *s.* 3.

60. The first annual register shall commence on 1*st July*, and end 31*st Dec.*; and after that time, it shall commence the 1*st Jan.* and end 31*st Dec.*, *id.* *s.* 4.

61. After the expiration of each year, the names of all infants under 4 years of age, then living and registered, and not discharged, shall be transferred to the registers for the year ensuing, under the description in the preceding registers, previous to any further entry; so that each annual register shall contain a full register of the whole number at that time, as well as the children received under such age, in the current year, without being intermixed with the deaths or discharges of the preceding years, *id.* *s.* 5.

62. Such registers shall be signed within 30 days after the expiration of each year by the vestry, or any 5 of them, and by the churchwardens, overseers, vestry clerk, and master of the workhouse; and where there is no vestry, by the churchwardens, overseers, and master of the workhouse; and where there is no master of the workhouse, by the churchwardens and overseers, 2 *G.* 3. *c.* 22. *s.* 6.

63. In case any infant is received before baptized, due care shall be taken to baptize the same within 14 days after the reception of such infant, so that the christian and the true surname, if known, and if not known, a surname to be given by the churchwardens and overseers of the poor, be regularly entered in the books, and registered in the parish register; and in case of a difficulty of distinguishing children, some proper mark shall be affixed to the child's clothes, or hung round its neck, *id.* *s.* 7.

64. Nothing herein contained shall extend to such children whose parents receive money from the parish in aid of the maintenance of such children, not being in the workhouse, *id.* *s.* 8.

65. A copy of such register wrote up, from time to time, shall, every month, be laid by the vestry clerk, before the vestries, or parochial meetings, to be revised by them, *id.* *s.* 9.

66. Such copy of the register being completed at the end of the year, shall be deposited in the vestry room, or other place of parochial meetings, to remain there for the use of the vestry, *id.* *s.* 10.

67. The original vestry book shall remain with the rest of the parish books in the hands of the parish officers, *id.* *s.* 11.

68. All the parishes within the bills of mortality, by the hand of their vestry clerk, or where there is no vestry clerk, by the hands of the churchwardens, shall before 15 *Feb.* in every year, deliver fair copies of their registers, signed in manner hereby directed, into the hands of the clerk of the company of parish clerks, or such person as such company shall appoint, he returning a receipt for the same signed by himself, 2 *G.* 3. *c.* 22. *s.* 12.

69. Such clerk, or other person so appointed, shall receive such copies, and cause the same to be bound in a book, collecting and ranging together the registers of the 97 parishes within *London*, those of the 17 parishes without, those of the 23 parishes in *Middlesex* and *Surrey*, and those of the 10 parishes in the city and liberty of *Westminster*, in alphabetical order; and in this order he shall, before the 25*th March* in every year, make out one general abstract of the same, *id.* *s.* 13.

70. Such registers, together with such general abstract, being bound in a book together, shall remain in the custody of such company of parish clerks, *id.* *s.* 14.

71. The said clerk, or other person appointed by such company, shall print the general abstract, and deliver 6 copies thereof to every vestry clerk, or one of the churchwardens, of all the parishes within the bills, for the use of the parishioners and officers, *id.* *s.* 15.

72. Each parish shall, by the hands of the vestry clerk or churchwardens, pay into the hands of the clerk, or other person appointed by such company 15*s.* at the time the copies of registers are delivered to him, he passing a receipt for the same, *id.* *s.* 16.

73. If any churchwarden, overseer of the poor, vestryman, clerk of the vestry, master of the workhouse, master or warden of such company of parish clerks, or any clerk of such company, or any other person, shall neglect his duty directed by this act, such churchwarden, &c. shall for every offence, forfeit to the informer 40*s.*; to be recovered before one justice, and to be levied by distress and sale, by warrant of such justice under his hand and seal, directed to any peace-officer, *id.* *s.* 17.

74. All children who shall be born in any workhouse or parish house, or received by any select vestries, governors, directors, or managers, for parochial affairs, or by any churchwardens, overseers of the poor, or other officers authorized by the several parishes following; *viz.* the 17 parishes without the walls of *London;* the 23 parishes of *Middlesex* and *Surrey*, within the bills of mortality, and the liberty of the *Tower of London;* and the 10 parishes within the city and liberty of *Westminster;* shall be nursed and taken care of in manner as after mentioned, 7 *G.* 3. *c.* 39. *s.* 1.

75. All children who shall be born in or received into workhouses or parish-houses of such parishes, not being suckled by the mother under the age of 2 years, shall, within 14 days after their birth or reception, be sent into the country, not less than 5 miles from *London* or *Westminster;* and all children received into such houses above the age of 2, and under 6 years, shall, within 14 days after their reception, be sent into the country, not less than 3 miles from *London* and *Westminster*, to be nursed, *id.* *s.* 3.

76. For the nursing and maintenance of each child so put out, these sums shall be paid; *viz.* for the first 6 years of their age, not less than 2*s.* 6*d.*; and from that time until put out apprentice or returned to the workhouse, not less than 2*s.* *per* week; and shall also over such charge, pay to every nurse who shall have received any child of or under the age of 9 months (the said child being alive, and having been treated properly, and to the satisfaction of the guardians hereafter mentioned), after having been under her care 12 months, not less than 10*s.*, as a reward for her pains; and the governors, directors, managers, or overseers of the poor, shall find good, proper, and sufficient clothing, and shall defray the conveyance, medicines, burials, and all other necessary expences incurred on account of such children; and shall keep separate and exact accounts of all expences in relation thereto, *id.* *s.* 4.

77. Five noblemen or gentlemen, inhabitants of each parish, shall be appointed guardians of the parish poor children; 2 or more of which shall be chosen out of the select vestry, or out of the governors, directors, or managers of the poor; and where there is no select vestry, governors, &c. then such 5 guardians to be appointed out of the noblemen and gentlemen inhabitants of each parish; and the election to be made upon *Tuesday*, or some other day in *Easter* week, by the vestry; and in case there shall be no noblemen or gentlemen, or not a sufficient number of such who will accept of the office of guardians; then such guardians shall be chosen out of the principal inhabitants; and if any of the parties so chosen shall refuse to act, or shall afterwards resign, or die, a further choice shall be made within 14 days after, *id.* *s.* 5.

78. Such noblemen, gentlemen, or principal inhabitants, who shall be first appointed, shall continue in office till *Easter*, 1770; and the guardians then chosen, or at any time thereafter to be chosen, shall remain in office for 3 years then next ensuing; and all appointments in future shall be once in 3 years only; except in cases of death, resignation, or refusal, *id.* *s.* 6.

79. No churchwarden or overseer shall be elected guardian, *id.* *s.* 7.

80. Such guardians, or any one of them, shall have free admittance to visit and see the parish poor children; and also have full liberty

to examine all registers, books, and accounts, relating to such children; and in case of any improper conduct whereby the life or health of a child may appear to be in danger, to report the same to the select vestry, governors, directors, or managers, or to the churchwardens or overseers; and if they do not take measures to remedy the evil complained of, then the guardians, or one of them, may inform one justice, and give evidence of the facts; and such justice shall give such orders therein as he shall think proper, 7 *G.*3. *c.*39. *s.* 8.

81. Such guardians shall be summoned by the vestry clerk, once in 6 weeks, to meet at the vestry room, or other convenient place; and 2 of the guardians shall make a *quorum*, either having the liberty of calling in one of the churchwardens or overseers; and when only one of the guardians is present, he shall have liberty of calling in 2, who shall attend; and when any number of the 5 guardians meet, they shall have liberty of calling in 2, as the majority think proper, *id. s.* 9.

82. Such select vestries, governors, directors, or managers, churchwardens, or overseers, may send their parish poor children, under the age of 6 years, to the hospital for the maintenance and education of exposed and deserted young children; and such select vestries, &c. shall agree with the governors and guardians of the hospital, on terms adequate to the support and maintenance of each child, *id. s.* 10.

83. The sums agreed to be paid for the admission, maintenance, and education of such parish poor children as shall be sent to such hospital, shall be paid by the overseer, out of the poor's rate; and in case the money agreed between such select vestry, &c. and the governors, &c. of such hospital, or 5 of them in committee, is not paid by such overseer to the person authorized by such governor, &c. to receive the same, one justice may summon the overseer, and order immediate payment, together with costs incurred, in consequence of such neglect; and if the overseer shall refuse or neglect to obey the order of such justice, the sum directed to be paid thereby shall be recovered by distress and sale of the goods of such overseer, with costs, *id. s.* 11.

84. At the death, discharge, or apprenticeship of any such parish poor child, a certificate thereof shall be sent by the secretary of such governors and guardians, to the vestry clerk, or overseers of the poor, of such parish to which the child did belong, *id. s.* 12.

85. The hospital account shall be kept with each parish distinct, in a proper book, with marginal columns, according to schedule (A); and shall be signed by the secretary of the hospital, *id. s.* 13.

86. It shall be lawful to bind out boys as well as girls apprentices for 7 years, or till they attain the age of 21, and no longer, *id. s.* 14.

87. No such parish child shall be bound out with less than 4*l.* 2*s.* as an apprentice-fee; 40*s.* whereof to be paid to the master or mistress within 7 weeks after executing the indentures, and the remaining 42*s.* after the apprentice has served 3 years of apprenticeship, *id. s.* 15.

88. The vestries, governors, directors managers, overseers of the poor, or other officers, shall provide at the expence of the parishes wherein there is or shall be a workhouse, hospital, or other place for the maintenance of the poor, a book of royal paper, ruled with distinct columns, and the title of each column shall be wrote or printed in such page agreeable to the schedule (B); and the book belonging to each parish, where there is not any workhouse, or place, shall in every page be ruled with distinct columns, and the title of each column shall be wrote or printed in such page agreeable to schedule (C), notwithstanding 2 *G.*3. *c.*22., *id. s.* 16.

89. There shall be mentioned at the foot of each register, the gross number of children remaining in the hands of mothers relieved by the parishes during the year, not entered in the register; and the number of such who are alive, *id. s.* 17.

90. The abstract of the register of the said infant poor shall be according to schedule marked (D), *s.* 18.

91. A full list of all apprentices placed out shall be made out by the vestry clerks, or other proper officer, and delivered, in the month of *February* in every year, to the company of parish clerks, to be written on royal paper according to schedule (E), to be bound up and deposited by the company of parish clerks; and such company shall make out an abstract thereof, distinguishing the number from each parish, and how many of them were born in the workhouse, and shall cause the same to be printed, and send 6 copies of the abstract to each parish, *id. s.* 20.

92. Such annual register and lists shall commence 1*st Jan.* and end 31*st Dec.* following, *id. s.* 21.

93. All expences incident to the nursing, maintenance, education, placing out apprentice, or the matters herein contained, not herein particularly ordered, shall be paid out of the poor rates, *id. s.* 22.

94. If any churchwarden, overseer, vestryman, clerk of the vestry, master of the workhouse, or master or warden or clerk of such company of parish clerks, or any other person, shall neglect his duty directed by this act, he shall forfeit to the informer 5*l.*, to be recovered before two justices, and levied by distress and sale of the goods of the offender, by warrant under their hands and seals, directed to any constable or peace officer; and the overplus shall be returned to the owner, after the charge of distress and sale is deducted, 7 *G.*3. *c.*39. *s.* 23.

LONDON (*RECOVERIES*).

95. Of feigned recovery in *London*, to make a termor lose his term, 6 *E.*1. *c.*11. [Ext. 21 *H.* 8. *c.* 15. See Recoveries.]

96. If any man lease his tenement in the city of *London*, for a term of years, and the owner of the freehold causes himself to be impleaded by collusion, and maketh default or cometh into court and giveth it up, to make the termor lose his term, and the demandant hath his suit, so that the termor may have recovery by writ of covenant, the mayor and bailiffs may inquire by a good inquest, in the presence of the termor and the demandant, whether the defendant moved his plea upon good right, or by collusion, to make the termor lose his term; and if it be found that he had such right, judgment shall be given forthwith; but if it be found that he impleaded him by fraud, to put the termor from his term, then such termor shall enjoy his term, and execution of judgment shall be suspended till the term expired; and in like manner shall it be of equity in such case before the justices, if the termor challenge before judgment, *id ibid.*

97. Fines in towns corporate shall be made as the same have been in times past, 34 & 35 *H.* 8. *c.* 22. [*The word* "Fines" is used in this title, but *Qu.* ought it not to have been "Recoveries?"]

98. All recoveries, deeds enrolled, and releases hereafter to be taken and acknowledged by women covert, before the mayors, aldermen, recorders, chamberlains, or other head officers, as well of city of *London* as of any other city, borough, or town corporate in *Eng.*, having authority to take the same, according to the customs thereof, shall be of like force as they were before 32 *H.* 8. *c.* 28. *s.* 6. made 34 & 35 *H.* 8. *c.* 22. [*The* 32 *H.* 8. *c.* 20. *s.* 6. *declares* that no act done by the husband only, shall operate as a discontinuance to the wife's inheritance, see Leases, *pl.* 6.]

LONDON (*SHIPPING*).

99. To prevent mischiefs and annoyances upon the river *Thames* below *London* bridge, 5 *G.*2. *c.*20. *ss.* 4. 15. [*for rest of this act, see* Pilotage. Statutes Rep. *and* Exp. *pl.* 2.]

100. If the master or commander of any vessel (except H.M.'s ships) shall, while such vessel lies in the *Thames* between *London* bridge and *Blackwall*, keep any gun belonging to such vessel shotted or loaded with ball, or shall fire or discharge, or permit to be fired, &c. any gun on board of such vessel lying above *Blackwall*, before sun-rising or after sun-setting, he shall forfeit 5*s.* for each gun so kept shotted or loaded, and 10*s.* for each gun fired; and if such master, &c. or other person on board of such vessel shall, while she lies in the *Thames* between *London* bridge and *Blackwall*, heat or melt, or permitted to be heated, &c. by fire, logger, heat, shot or any thing on board of such vessel, any pitch, tar, rosin, grease, tallow, oil or other combustible matter, he shall forfeit 5*l.*, *id. s.* 4.

101. The *Trinity House* of *Deptford Strond*, by an instrument under their common seal, may appoint any elder brother of such corporation to go in a boat between sun-rise and sun-set to any vessel, and enter on board thereof (except H.M.'s ships), in order to search for [powder, Rep., 12 *G.*3. *c.*61. *s.*31. *see* Gunpowder] gun shotted, and the heating and melting of such combustible matters within such limits, and if any master, commander or other officer in any such vessel shall, on demand, refuse to permit such person to enter and search he shall forfeit 5*l.*, *id. s.* 5.

102. All penalties imposed by this act shall go to the poor of such corporation, *id. s.* 6.

103. Two justices for the city of *London*, or for the four counties above mentioned [*so in act*, but no counties are mentioned, probably the counties of *Middlesex*, *Surry*, *Kent*, and *Essex*, were meant], not being members of such corporation, may determine offences against this act; and on information exhibited, or complaint made, within 10 days after the offence committed, may summon the accused, and also the witnesses on either side: or after oath made of the commission of any such facts by one witness, may issue a warrant to apprehend the offender in such cities or counties, or on the *Thames* within such limits, and on his appearance, or contempt in not appearing [on proof of notice given], may proceed to the examination of witnesses on oath, and give judgment accordingly; and where the party is convicted on view of such justice, or on such information or on confession, may award warrants to levy the penalty on the goods of the offender, and may sell the same if not redeemed within 5 days, rendering overplus to the owner; and, if no such goods can be found, may commit the offender to prison for 3 months, or till the penalty is paid, and the party grieved by such sentence may appeal to the next quarter sessions for the county,

city or place where the offence was committed, who may summon and examine the witnesses on oath and finally determine the same, and in case of conviction may issue warrants to levy such penalties as aforesaid, 5 *G.* 2. *c.* 20. *s.* 7. [*The ss.* 8, 9. are EXP.]

104. If any vessel shall be laid up or moored in the mouth or any part of *St. Saviour's* dock (except vessels loading or unloading, and except vessels, not exceeding two at a time, as shall lie in *Shipwright Yard* whilst repairing), the master or owner thereof shall pay for each day his vessel shall continue so laid up or moored, 20*s.*, to be recovered and applied as other penalties under this act may be, *id. s.* 10.

105. This act shall not abridge, interrupt or defeat any grants, liberties, franchises and privileges heretofore enjoyed by ancient custom by the pilots of the *Trinity House*, of *Kingston upon Hull*, or *Newcastle upon Tyne*, *id. s.* 11.

106. This act shall not abridge, prejudice or impeach any grant, franchise, authorities or immunities, nor lessen the sole right of piloting all merchant vessels, from or by *Dover*, *Deal* and the *Isle of Thanet*, up the *Thames* and *Medway*, granted to the society and fellowship of the master, warden and pilots of the *Trinity House* of *Dover*, *Deal* and the *Isle of Thanet*, by the 3 *G.* 1. *c.* 13. and 7 *G.* 2. *St.* 1. *c.* 21., but they shall remain in full force, 5 *G.* 2. *c.* 20. *s.* 12. [*This act* REP. together with all others relating to pilotage, by 48 *G.* 3. *c.* 104. and 52 *G.* 3. *c.* 39. *s.* 1. *See* PILOTAGE.]

107. This act shall be deemed a public act, and all actions for any thing done in pursuance hereof shall be commenced within 3 months after the fact done, and shall be laid in the county, city or place where the cause arose, and the defendants therein may plead the general issue, not guilty, and give this act and the special matter in evidence, and that the same was done in pursuance hereof; and if it appear to have been so done, or if such action is brought after the time limited, or is laid in the wrong county, &c. the jury shall find for the defendants; or if the plaintiff is nonsuited or discontinues, or has a verdict or judgment on demurrer against him, the defendant shall have treble costs, with usual remedy to recover the same, *id. s.* 13.

108. This act shall not prejudice any right, property or jurisdiction of the mayor, or mayor commonalty and citizens of the city of *London* to, in and upon the *Thames*, *id. s.* 14.

109. This act shall not prejudice or derogate from any right, authority or jurisdiction belonging to the office of the lord high admiral, but the same shall continue as before this act, *id. s.* 15.

LONDON (*SHOEMAKERS*).

(STATUTES *repealed.*)

110. FOR REGULATING SHOEMAKERS IN *London*, and within 3 miles thereof, 4 *E.* 4. *c.* 7. REP. 14 & 15 *H.* 8. *c.* 9.

STATUTE *in force.*

111. FOR PREVENTING JOURNEYMEN SHOEMAKERS selling, exchanging or pawning boots, shoes, slippers, cut leather, or other materials for making boots, &c. and for better regulating the said journeymen, 9 *G.* 1. *c.* 27.

112. If any journeyman shoemaker, or other person hired or employed as such, within the bills of mortality shall be accused by the master so employing such journeyman, &c. of having fraudulently purloined, embezzled, sold, pawned or exchanged any boots, shoes, slippers, cut leather, lace, silk, lasts, or other materials for making boots, shoes, slippers or other wares not being his proper goods, one justice for the county, city or place where the offence was committed, or the offender resides, shall, on complaint or information on oath of such offence, summon the party or issue his warrant to apprehend the party accused, and bring him before him, and, upon his appearance or default, may examine the matter charged, and on proof made by confession, or the oath of one witness, determine the same, and convict the offender; and, upon such conviction, shall award to the party injured reasonable satisfaction for the damages sustained, and upon his neglect to pay, may levy the same by warrant under hand and seal upon the goods of the offender, and for want of distress may cause the offender to be whipt in the parish where the offence was committed, and in case of conviction for any second or other such offence, may commit the offender to the house of correction, to be kept to hard labour for not exceeding one month, nor less than 14 days, *id. s.* 1.

113. Every person who shall buy or receive or take in pawn of or from any journeyman shoemaker, or other such person, or from any other person, any boots, shoes, slippers, &c. or such other materials not being their own proper goods, shall, on conviction as aforesaid, make such recompence within 3 days after the fact is determined, as upon hearing the same shall be awarded, or else shall be subject to such distress, and for want of distress shall be liable to like punishment as is hereby inflicted on such journeyman or other persons so purloining, pawning, &c. such goods or materials, 9 *G.* 1. *c.* 27. *s.* 2.

114. Any two justices dwelling within such limits as in *s.* 1., on complaint or information on oath, may issue their warrant for searching in the day time the house, warehouse or other place of such persons as such justice shall suspect to have received, bought or taken in pawn any such goods so fraudulently embezzled or purloined, and on refusal may break open such house, &c.; and all persons who shall oppose such search shall forfeit 10*l.* to any person who will inform, and sue for it within 2 calendar months after the offence committed in any court of record at *Westminster* by action of debt, &c. or information wherein no essoin, &c. and only one imparlance allowed; and if it appear by the oath of one witness, or upon such search, that such persons had in their custody any such goods so fraudulently sold, exchanged or pawned, such justices shall restore them to the owners, and oblige the offender to recompense such owner for the damage in detaining such goods and the charges for getting the same, and on refusal so to do shall be subject to the like punishment as is inflicted on such journeymen, &c. so purloining, &c. such goods, *id. s.* 3.

115. Every person who shall be retained in the making of boots, shoes, slippers and other wares for one master, and shall neglect to perform the same by suffering himself to be retained by another master before he has completed such first master's work, shall, on conviction by oath of one witness before one justice where the offence was committed, be sent to the house of correction, to be kept to hard labour for not exceeding one month, *id. s.* 4.

116. Any person aggrieved by orders made by such justices may appeal to the quarter sessions for the county, city or place where such order was made, giving 8 days' notice thereof, and such session shall hear the master and make satisfaction to either party, and their determination shall be final, *id. s.* 5.

LONDON (*SKAVAGE OR SKEWAGE*).

117. CONCERNING SKAVAGE OR SKEWAGE, 19 *H.* 7. *c.* 8.

118. If any mayor or other officer of any city, or town, levy the custom called skavage or skewage, of any denizen, of any merchandize customed to H. M. brought to any city, &c. to be sold; or for nonpayment thereof, shall disturb any denizens to sell their merchandize, he shall forfeit 20*l.*, to go one moiety to H. M., and the other to the party grieved, or to any who will sue for the same by action of debt, wherein no essoin, &c., *id. s.* 1.

119. Provided that the mayor, sheriffs, and commonalty of *London*, may take such sums for skavage as H. M. in council may determine, *id. s.* 2.

LONDON (*TYTHES*).

(STATUTE *expired.*)

FOR LIMITING AN ORDER FOR PAYMENT OF TYTHES, 27 *H.* 8. *c.* 21. [EXP.]

(STATUTES *in force.*)

120. FOR TYTHES IN *London*, 37 *H.* 8. *c.* 12. [*but see* 22 & 23. *C.* 2. *c.* 15. LONDON (*Clergy*).]

121. Arbitrators shall be chosen between the parsons, vicars, and curates of *London*, and the citizens and inhabitants of the same, as to the payment of tythes, and the decree of such arbitrators shall be enrolled in chancery, and be as valid as an act of parliament, and every person who shall refuse to pay his tythes, oblations, and other duties according to such decree, shall be imprisoned by the mayor, or in his default, by the chancellor, till he shall have agreed for his tythes, &c., *id. ibid.*

The Decree.

"II. As touching the payment of tythes in the city of *London*, and the liberties of the same, it is fully ordered and decreed by the most reverend father in God, *Thomas* archbishop of *Canterbury*, primate and metropolitane of *Eng.*, *Thomas* lord *Wryothesley*, lord chancellor of *Eng.*, *William* lord *St. John*, president of H. M.'s council, and lord great master of his highness' household, *John* lord *Russell*, lord privy seal, *Edward* earl of *Hertford*, lord great chamberlain of *Eng.*, *John* viscount *Lisle*, high admiral of *Eng.*, *Richard Lister*, knight, chief justice of *Eng.*, and *Roger Cholmeley*, knight, chief baron of his grace's exchequer, this present twenty-fourth day of *February*, *anno Domini*, *secundum cursum & computationem Ecclesiæ Anglicanæ*, *millesimo quingentesimo quadragesimo quinto*, according to the statute in such case lately provided, that the citizens and inhabitants of the said city of *London*, and liberties of the same, for the time being, shall yearly, without fraud or covin, for ever pay their tythes to the parsons, vicars, and curates of the said city, and their successors for the time being, after the rate hereafter following, that is to wit, of every x *s.* rent by the year of all and every house and houses,

shops, warehouses, cellars, stables, and every of them within the said city and liberty of the same, xvj *d.* ob.; and every of xx *s.* rent by the year of all and every such house and houses, shops, warehouses, cellars, and stables, and every of them within the said city and liberties, ij *s.* and ix *d.*; and so above the rent of xx *s.* by the year, ascending from x *s.* to x *s.* according to the rate aforesaid.

'III. That where any lease is or shall be made of any dwelling-house or houses, shops, warehouses, cellars, or stables, or any of them, by fraud or covin, reserving less rent than has been accustomed, or is, or that any such lease shall be made without any rent reserved upon the same, by reason of any fine or income paid beforehand, or by any other fraud or covin; that then in every such case the tenant or farmer, tenants and farmers thereof shall pay, for his or their tythes of the same after the rate aforesaid, according to the quality of such rent or rents, at the same house or houses, shops, warehouses, cellars, or stables, or any of them were last letten for, without fraud or covin, before the making of such lease.

'IV. That every owner or owners, inheritor or inheritors, of any dwelling-house or houses, shops, warehouses, cellars, or stables, or any of them, within the said city and liberties, inhabiting or occupying the same himself or themselves, shall pay after such rate or tythes as is abovesaid, after the quantity of such yearly rent as the same was last letten for, without fraud or covin.

'V. If any person or person have taken, or hereafter shall take any mease or mansion place by lease, and the taker or takers thereof, his or their executors or assigns, doth or shall inhabit in any part thereof, and have or hath within eight years last past before this order, or hereafter will or shall let out the residue of the same; that then in such case the principal farmer or farmers, or first taker or takers thereof, his or their executors or assigns, shall pay his or their tithes after the rate aforesaid, according to his or their quantity therein, and that his or their executors, assignee or assignees, shall pay his or their tithes after the rate abovesaid, according to the quantity of their rent by year.

'VI. And that if any person or persons have, or shall take divers mansion-houses, shops, warehouses, cellars, or stables, in one lease, and letteth or shall let out one or more of the said houses, and keepeth or shall keep one or more in his or their own hands, and inhabiteth or inhabit in the same; that then the said taker or takers and his and their executors or assigns shall pay his or their tythes after the rate abovesaid, according to the quantity of the yearly rent of such mansion-house, or houses, retained in his or their hands; and that his assignee or assignees of the residue of the said mansion-house, or houses, shall pay his or their tythes after the rate abovesaid, according to the quantity of their yearly rents.

'VII. If such farmer or farmers, or his or their assigns of any mansion-house, or houses, warehouses, shops, cellars, or stables, hath at any time within 8 years last past, or shall hereafter let over all the said mansion-house or houses, contained in his or their lease, to one person or to divers persons; that then the inhabitants, lessees, or occupiers of them, and every of them, shall pay their tythes after the rate of such rents as the inhabitants, lessees, or occupiers, and their assignee or assignees have been or shall be charged withal, without fraud or covin.

'VIII. If any dwelling house, within 8 years last past, was or hereafter shall be converted into a warehouse, storehouse, or such like, or if a warehouse, storehouse, or such like, within the said 8 years, was or hereafter shall be converted into a dwelling-house; that then the occupiers thereof shall pay tythes for the same, after the rate above declared of mansion-house rents.

'IX. That where any person shall demise any dyehouse or brewhouse, with implements convenient and necessary for dying or brewing, reserving a rent upon the same, as well in respect of such implements, as in respect of such dyehouse or brewhouse; that then the tenant shall pay his tythes after such rate as is abovesaid, the third penny abated: and that every principal house or houses, with key or wharf, having any crane or gibbet belonging to the same, shall pay after the like rate of their rents, as is aforesaid, the third penny abated; and that other wharfs belonging to the houses having no crane or gibbet, shall pay for his tithes as shall be paid for mansion-houses, in form aforesaid.

'X. That where any mansion-house, with a shop, stable, warehouse, wharf with crane, timber-yard, teinter-yard, or garden belonging to the same, or as parcel of the same, is or shall be occupied together, that if the same be hereafter severed or divided, or at any time within 8 years last past were severed or divided; that then the farmer or farmers, occupier or occupiers thereof, shall pay such tythes as is abovesaid, for such shops, stables, warehouses, wharf with crane, timber-yard, teinter-yard, or garden aforesaid, so severed or divided, after the rate of their several rents thereupon reserved.

'XI. That the said citizens and inhabitants shall pay their tythes quarterly, that is to say, at the feast of *Easter*, the nativity of *St. John Baptist*, the feast of *St. Michael* the archangel, and the Nativity of our Lord, by even portions.

'XII. That every householder paying 10*s.* rent or above, shall, for him or herself, be discharged of their four offering-days: but his wife, children, servant, or others of their family, taking the rights of the church at *Easter*, shall pay 2*d.* for their four offering-days yearly.

'XIII. Provided always, and it is decreed, that if any house or houses, which hath been or hereafter shall be letten for 10*s.* rent by year, or more, be or hath at any time within 8 years last passed, or hereafter shall be, divided and leased into small parcels or members, yielding less yearly rent than 10*s.* by the year; that then the owner or owners, if he or they dwell in any part of such house, or else the principal lessee and lessees, if the owner or owners do not dwell in some part of the same, shall from henceforth pay for his or their tythes after such rate of rent as the same house was accustomed to be letten for, before such division or dividing into parts or members: and the under farmer and farmers, lessee and lessees, to be discharged of all tythes for such small parcels, parts, or members, rented at less yearly rent than 10*s.* by year, without fraud or covin, paying 2*d.* yearly for four offering-days.

'XIV. Provided alway, and it is decreed, That for such gardens as appertain not to any mansion house, and which any person or persons holdeth or shall hold in his or their hands for pleasure, or to his own use; that the then person so holding the same, shall pay no tythes for the same: but if any person or persons, which holdeth, or shall hold any such garden, containing half an acre or more, doth or shall make any yearly profit thereof by way of sale; that then he or they shall pay tythes for the same, after such rate of his rent, as is herein first above specified.

'XV. Provided also, That if any such gardens now being of the quantity of half an acre, or more, be hereafter by fraud or covin, divided into less quantity or quantities, then to pay tythe according to the rate abovesaid.

'XVI. Provided alway, that this decree shall not extend to the houses of great men, or noble men, or noble women, kept in their own hands, and not letten for any rent, which in times past hath paid no tythes, so long as they shall so continue unletten: nor to any halls of crafts or companies, so long as they be kept unletten, so that the same halls in times past have not used to pay any tythes.

'XVII. Provided always, and it is decreed, That this present order and decree shall not in any wise extend to bind or charge any sheds, stables, cellars, timber-yards, ne teinter-yards, which were never parcel of any dwelling-house, ne appertaining or belonging to any dwelling-house, ne have been accustomed to pay any tythes; but that the said citizens and inhabitants shall thereof be quit of payment of any tythes, as it hath been used and accustomed.

'XVIII. Provided also, and it is decreed, That where less sum than after 16½*d.* in the 10*s.* rent, or less sum than 2*s.* 9*d.* in the 20*s.* rent, hath been accustomed to be paid for tythes; that then in such places the said citizens and inhabitants shall pay but only after such rate as hath been accustomed.

XIX. It is also decreed, That if any variance, controversy, or strife, do or shall hereafter arise in the said city for non-payment of any tythes; or if any variance or doubt arise upon the true knowledge or division of any rent or tythes, within the liberties of the said city, or of any extent or assessment thereof, or if any doubt arise upon any other thing contained within this decree; that then upon complaint made by the party grieved, to the mayor of the city of *London* for the time being, the said mayor by the advice of council, shall call the said parties before him, and make a final end in the same, with costs to be awarded by the discretion of the said mayor and his assistants, according to the intent and purport of this present decree.

'XX. And if the said mayor make not an end thereof within 2 months after complaint to him made, or if any of the said parties find themselves aggrieved, that then the lord chancellor of *Eng.* for the time being, upon complaint to him made within 3 months then next following, shall make an end in the same, with such costs to be awarded as shall be thought convenient, according to the intent and purport of the said decree.

'XXI. Provided always, That if any person or persons take any tenement for a less rent than it was accustomed to be letten for, by reason of great ruin or decay, brenning, or such like occasions or misfortunes; that then such person or persons, his executors or assigns, shall pay tythes only after the rate of the rent reserved in his or their lease, and none otherwise, as long as the same lease shall endure.'

N. B. This decree is not entered on the statute roll of this year in chancery; nor has it been found enrolled on any other roll in chancery; nor is it annexed to the bill in the parliament office; it was not inserted in the earliest printed editions of the statutes; it is printed in Rastall's Abridgement of the Statutes (edit. 1579.) *title* Tithes; *and in Pulton's Statutes at large, printed in* 1618.

LONDON (*VICTUAL*).

122. WHO MAY GOVERN OR REFORM THE DEFAULTS OF victuallers in *London*, 31 *E.* 3. *c.* 10.

123. All persons may freely bring into, and sell in the city of *London*, all manner of victuals, without interruption by any fisher, butcher, poulterer, or others; and the mayor and aldermen of such city may rule and redress the defaults of fishers, &c. as they do those that sell bread, wine, or ale; and such mayor, &c. shall execute the same, upon the pain late ordained touching such arts, [*Qu.* 28 *E.* 3. *c.* 10. LONDON (*Error*)?] *id. ibid.*

LONDON (*WARRANTY.*)

124. ONE IMPLEADED IN *London* VOUCHETH FOREIGN WARRANTY, 6 *E.* 1. *c.* 12.

125. If a man impleaded for a tenement in the same city doth vouch a foreigner to warranty, he shall come into chancery, and have a writ to summon his warrantor at a certain day, before the justices of the bench; and another writ to the mayor and bailiffs of *London*, to surcease in the matter, until the plea of warranty be determined before such justices of the bench, and when that is determined, the warrantor shall be commanded to go into the city to answer the chief plea; and a writ shall be awarded at the suit of the demandant by such justices to the mayor, &c., to proceed in the plea; and if the demandant

recover against the tenant, the tenant shall come before such justices, and have a writ to the mayor and bailiffs, that if the tenant has lost his land, they shall cause the land to be extended and valued, and return the extent at a certain day into the bench, and afterwards it shall be commanded to the sheriff of the shire where the warrantor was summoned, to cause him to have as much of the land of the warrantor in value, 6 *E.* 1. *c.* 12.

126. And if the tenant make default at the day given to him in bank then a writ to the justices of the bench shall issue to the mayor and bailiffs, to take the land demanded into H. M.'s hand by the *petit cape*, and to summon the tenant, that he be at the hustings at a certain day, whereof the justices shall be advised to judge of such default if he cannot save it; and if he can save it, then the justices shall be thereof certified by their record, and the justices shall by their record proceed to determine on the warrant, *Art. St. Glocest.* [*annexed by way of* note to the foregoing statute in the Statutes at Large.]

LONDON (*WATER*).

127. THE LORD MAYOR, ALDERMEN, AND COMMONALTY OF THE CITY of *London*, by order of common council, may, at their pleasure, remove out of any high-street all conduits that may be hereafter erected, and erect the same in another place within such city, or contract them into smaller compass in the places where they are erected, 19 *C.* 2. *c.* 3. *s.* 22.

LONGITUDE.

(STATUTES *repealed and expired.*)

1. FOR PROVIDING A PUBLIC REWARD FOR SUCH PERSON OR PERSONS as shall discover the longitude at sea, 12 *A. St.* 2. *c.* 15. [REP. *in part by* 14 *G.* 3. *c.* 66. *s.* 1., and altogether by 58 *G.* 3. *c.* 20. *s.* 1.]

2. FOR SURVEYING THE CHIEF PORTS AND HEAD-LANDS on the coasts of *G. B.* and *Ire.*, and the islands and plantations thereto belonging, in order to the more exact determination of the longitude and latitude thereof, 14 *G.* 2. *c.* 39., [*in part* REP., 14 *G.* 3. *c.* 66. *s.* 1., and altogether virtually by 58 *G.* 3. *c.* 20. *s.* 4.]

3. FOR GIVING A PUBLIC REWARD TO SUCH PERSON OR PERSONS, H. M.'s subject or subjects, as shall discover a north-west passage through *Hudson's Straits*, to the western and southern ocean of *America*, 18 *G.* 2. *c.* 17. [REP. 58 *G.* 3. *c.* 20. *s.* 9.]

4. FOR MAKING 12 *A. St.* 2. *c.* 15. more effectual with regard to the making experiments of proposals made for discovering the longitude, and to enlarge the number of commissioners for putting the said act into execution, 26 *G.* 2. *c.* 25., [REP. *in part by* 14 *G.* 3. *c.* 66. *s.* 1., and *altogether by* 58 *G.* 3. *c.* 20. *s.* 1.]

5. FOR RENDERING 12 *A. St.* 2. *c.* 15. MORE EFFCTUAL WITH regard to the making experiments of proposals, made for discovering the longitude, 2 *G.* 3. *c.* 18., 5 *G.* 3. *c.* 11., [both acts *in part* REP. 14 *G.* 3. *c.* 66. *s.* 1., and altogether virtually by 58 *G.* 3. *c.* 20. *s.* 4.]

6. FOR THE ENCOURAGEMENT OF *John Harrison*, to publish and make known his invention of a machine or watch, for the discovery of the longitude at sea, 3 *G.* 3. *c.* 14. [REP. 14 *G.* 3. *c.* 66. *s.* 1., and EXP. as to the residue.]

7. FOR EXPLAINING AND AMENDING 12 *A. St.* 2. *c.* 15. and 26 *G.* 2. *c.* 25., with regard to the making of experiments of proposals made for discovering the longitude, and to enlarge the number of commissioners for putting in execution the said act, 5 *G.* 3. *c.* 20. [*virtually* REP. 58 *G.* 3. *c.* 20. *s.* 4.]

8. FOR RENDERING MORE EFFECTUAL SEVERAL ACTS for providing a public reward for discovering the longitude at sea; for improving the lunar tables constructed by the late professor *Mayer*; and for encouraging discoveries and improvements useful to navigation, 10 *G.* 3. *c.* 34., [*in part* REP. 14 *G.* 3. *c.* 66. *s.* 1., *and altogether* virtually, by 58 *G.* 3. *c.* 20. *s.* 4.]

9. TO REPEAL ALL FORMER ACTS CONCERNING the longitude at sea, except so much thereof, as relates to the appointment and authority of the commissioners thereby constituted; and also such clauses as relate to the constructing, printing, publishing, vending, and licensing of nautical almanacks, and other useful tables; and for the more effectual encouragement and reward of such person and persons as shall discover the method for finding the same, or shall make useful discoveries in navigation, and for the better making experiments relating thereto, 14 *G.* 3. *c.* 66., [AMD. 17 *G.* 3. *c.* 48. (*which act is* EXP.), *and virtually* REP. by 58 *G.* 3. *c.* 20. *s.* 4.]

10. FOR GIVING A PUBLIC REWARD TO SUCH PERSON OR PERSONS, H. M.'s subject or subjects, as shall discover a northern passage for vessels by sea, between the *Atlantic* and *Pacific* Oceans; and also unto such as shall first approach by sea within one degree of the northern pole, 16 *G.* 3. *c.* 6. [REP. 58 *G.* 3. *c.* 20. *s.* 9.]

11. FOR CONTINUING THE ENCOURAGEMENT AND REWARD of persons for making certain discoveries for finding the longitude at sea, or making other useful discoveries and improvements in navigation; and for making experiments relating thereto, 20 *G.* 3. *c.* 61., 21 *G.* 3. *c.* 52., 36 *G.* 3. *c.* 107., [EXP., and see 58 *G.* 3. *c.* 20. *s.* 4. *pl.* 5.]

12. FOR CONTINUING THE ENCOURAGEMENT AND REWARD of persons making certain discoveries for finding the longitude at sea, or making other useful discoveries and improvements in navigation, and for making experiments relating thereto; and for adding a commissioner, to execute the several acts for the discovery of the longitude at sea, 30 *G.* 3. *c.* 14. [REP. 58 *G.* 3. *c.* 20. *s.* 1.]

13. TO RENDER 5 *G.* 3. *c.* 20. more effectual; and for discharging certain debts incurred by the commissioners of the longitude, in carrying the acts relating thereto into execution, 43 *G.* 3. *c.* 118. [EXP., and see 58 *G.* 3. *c.* 20. *s.* 4. *pl.* 5.]

14. FOR CONTINUING THE ENCOURAGEMENT of persons making discoveries for finding the longitude at sea, or other useful discoveries and improvements in navigation, and for making experiments relating thereto; and for discharging certain debts incurred by the commissioners of the longitude, in carrying the acts relating thereto into execution, 46 *G.* 3. *c.* 77., 55 *G.* 3. *c.* 75., [both acts EXP., and see 58 *G.* 3. *c.* 20. *s.* 4. *pl.* 5.]

(STATUTES *in force.*)

1. FOR MORE EFFECTUALLY DISCOVERING THE LONGITUDE AT SEA, and encouraging attempts to find a northern passage between the *Atlantic* and *Pacific* Oceans, and to approach the northern pole, 58 *G.* 3. *c.* 20. [AMD. 1 & 2 *G.* 4. *c.* 2.]

2. The acts 12 *A. c.* 15., 26 *G.* 2. *c.* 25., and 30 *G.* 3. *c.* 14. are REP. 58 *G.* 3., *c.* 20. *s.* 1.

3. The lord high treasurer of the U. K., or the first commissioner for executing such office, the lord high admiral, or first commissioner, and such other commissioners for executing such office, as may be flag officers, the speaker of the house of commons, the president of the council for trade and plantations, the governor of *Greenwich* hospital, the judge of the high court of admiralty, the secretaries of the treasury, the secretaries of the admiralty, the comptroller of the navy, the president and 3 fellows of the royal society, the royal astronomer at *Greenwich*, the Savilian, Lucasian, Plumian, and Lowndian professors of mathematics and astronomy at *Oxford* and *Cambridge*, the observer at the Ratcliffe observatory at *Oxford*, for the time being, and three other persons well versed in the science of mathematics, astronomy, or navigation, to be annually chosen, as hereinafter provided, shall be commissioners for discovering the longitude at sea, and for judging all proposals, experiments, and improvements relating to the same, and for rewarding persons making useful discoveries and improvements in or connected with navigation, 58 *G.* 3. *c.* 20. *s.* 2.

4. And the 3 members of the royal society, so to be commissioners, shall be lord *Colchester*, *Davies Gilbert*, esq. and colonel *William Mudge*; and in the event of vacancy by death, resignation, or refusal to act, such vacancy shall be filled up by the choice and election of the president and council of the royal society; and the said 3 other commissioners shall be doctor *William Hyde Wollaston*, and doctor *Thomas Young*, and captain *Henry Kater*, who shall continue commissioners until 1*st Jan.* 1820, after which time, the 3 persons to be such last-mentioned commissioners, shall be annually, or as often as a vacancy by death, resignation, or refusal to act, may occur, chosen by the lord high admiral, or commissioners for executing such office, and shall be persons well versed in the sciences of the mathematics, astronomy, or navigation, and shall be generally resident in or near *London*, and capable of attending at the board of commissioners, *id. s.* 3.

5. All and every act conferring any duty, authority, or power on the commissioners constituted by the acts recited in *pl.* 2., shall be REP., *id. s.* 4.

6. Such commissioners shall from time to time, as they see proper, propose, by their memorial to H. M. in council, to establish three scales of proportionate rewards to be paid to persons who shall, by any principle not already made public, ascertain the longitude within 3 corresponding scales of limit and condition, such rewards not exceeding 5000*l*, 7500*l*., and 10,000*l*.; and if H. M. in council shall approve such proposal, then the same shall be published in the *London Gazette*, and such commissioners may enquire into and examine all proposals for finding the longitude; and if on reasonable experiment, to be judged of and certified by such commissioners, it shall be found that the longitude hath been ascertained within any of such 3 scales, it shall be lawful to them to pay the proportionate reward assigned to the scale, 58 *G.* 3. *c.* 20. *s.* 5.

7. Such commissioners may pay or expend any sum, not exceeding 1000*l*. in any one year, towards the making, correcting, or publishing any experiments, modes, observations, calculations, or tables, *id. s.* 6.

8. And as it is expedient that the commissioners should be enabled to cause to be ascertained, as accurately as may be, the latitude and

longitude of places not already ascertained, it is enacted that they may expend any sum not exceeding 1000*l.* in any one year for such purposes, 58 *G.*3. *c.*20. *s.*7.

9. And as it may happen that proposals, inventions, and tables, or corrections and amendments of former ones, ingenious in themselves and useful to science may be made to such commissioners, it is enacted, that such commissioners may pay, not exceeding 500*l.* to any one person for one proposal or invention, or 2000*l.* in one year, as they may consider such proposals, inventions, tables, or corrections to deserve, *id. s.*8.

10. The acts 18 *G.*2. *c.*17., and 16 *G.*3. *c.*6. relating to the discovery of a northern passage, are hereby repealed, *id. s.*9.

11. And if any ships belonging to H. M.'s subjects, or to H. M., shall first find out and sail through any passage by sea, between the Atlantic and Pacific oceans, in any direction or parallel of the northern hemisphere, the owners of such ships, if belonging to subjects, or the commander, officers, seamen, and marines of such ships, if belonging to H. M., shall receive a reward of 20,000*l.*, *id. s.*10.

12. If any ship shall approach within one degree of the northern pole, the owner thereof belonging to any of H. M.'s subjects, or the commander, officers, seamen, and marines of such ship, if belonging to H. M., shall be entitled to receive a reward of 5000*l.*, *id. s.*11.

13. Such commissioners may, by memorial, propose to H. M. in council to direct proportionate rewards to be paid to such person who shall first have accomplished certain proportions of such passage or approach; and if H. M. shall sanction such proposal, then the same shall be published in the *London Gazette;* and any person accomplishing such passages, or the specified proportions of them, shall be entitled on the award of such commissioners, to receive such total or proportionate sums as may have been offered for the object accomplished, *id. s.*12.

14. The proportionate rewards by 58 *G.*3. *c.*20. *s.*12. directed to be established by the commissioners of the longitude, and published in the *London Gazette*, shall be taken to be parts only of the sums of 20,000*l.* and 5000*l.* by the said act allowed to the ship first sailing through any passage between the *Atlantic* and *Pacific* oceans, or first approaching within one degree of the north pole, and such proportionate rewards as H. M. may be pleased hereafter to direct, by his order in council under such act, shall be parts only of such sums, so that no more than such sums of 20,000*l.* and 5000*l.* shall be payable under such order in council for the accomplishment of the whole of such passage or approach; whether the same is attempted or accomplished by parts or by one voyage only, 1 & 2 *G.*4. *c.*2. *s.*1.

15. H.M. in council may revoke, alter, or annul, as may seem proper, any order in council already made, or to be made under the recited act, or this act, *id. s.*2.

16. Such commissioners may call for the journals, books, and papers, kept on board the ships of the claimants; and also may examine upon oath all such persons as they shall think proper, with regard to any claims, as well any person produced by such claimants, as any that are capable of giving any information; and such commissioners being fully satisfied, upon such examination and proof that such northern passage is effectually discovered and sailed through, or that such approach within one degree of the northern pole, or any specified proportion of such passage or approach, shall have been made, they are authorized to pay such rewards, or such proportion of them as the claimants may under this act, or such order in council, be entitled to receive, 58 *G.*3. *c.*20. *s.*13.

17. If such rewards shall be claimed by and adjudged to the commander or officers, seamen and marines of any ship belonging to H. M., the same shall be distributed in such proportions as shall be directed by H. M. in council, *id. s.*14.

18. Executors, administrators, and assigns of any person to whom any sum has been awarded by such commissioners, shall be entitled to receive the same in the event of his death, *id. s.*15.

19. Such commissioners may cause nautical almanacks, or other useful tables, to be constructed, and may print, publish, and vend such almanacks, or other useful tables, in order to facilitate the method of discovering the longitude at sea, *id. s.*16.

20. And no person shall print, publish, or vend any nautical almanack, or other table, constructed under the direction of such commissioners, without being first licensed by them; and if any person not so licensed shall print, publish, or vend any such almanacks or tables, such person shall, for every copy, forfeit 20*l.* to be recovered by action of debt, &c. in any court of record at *Westminster*, one moiety to H. M. and the other to him that shall prosecute, *id. s.*17.

21. Such penalty shall be sued for by the secretary of such commissioners, or by some other person authorized by such commissioners, and shall not be sued for by any other person; and such suits shall not abate by reason of the death of such prosecutors, but shall be continued, in the case of a sole plaintiff dying before judgment obtained, in the name of such secretary, 58 *G.*3. *c.*20. *s.*18.

22. No such nautical almanack shall be subject to any stamp duty, *id. s.*19.

23. There shall be annually paid to each of the 3 last-named commissioners such annual sum as H. M., by order in council, shall direct, *id. s.*20.

24. Some person of competent skill and ability shall be appointed by the commissioners of the admiralty to be secretary to the board of commissioners, and for superintending, under the directions of the board in general, and the astronomer royal in particular, the correct publication of the nautical almanack, and for taking care of and regulating such timekeepers as may be intrusted to his care by the commissioners of the admiralty, *id. s.*21.

25. Such secretary shall hold his office during the pleasure of the commissioners of the admiralty, and shall receive such annual salary as H. M., by order in council, may direct; but if it shall so happen that a person shall not be found competent to execute the 3 several duties of secretary to such board, and of superintending the publication of the nautical almanack, and the care and regulation of timekeepers, such commissioners may propose to H. M. in council to divide such duties, and assign them to several persons, and to apportion to each such part of the salary as may seem to them proportionate to the several duties, *id. s.*22.

26. Such salaries to the 3 annual commissioners, and such secretary, shall be annually placed on the ordinary estimate of the navy, *id. s.*23.

27. No receipt of any salary or reward under this act shall prevent any officer entitled to any military or naval half-pay from receiving such half-pay in addition to such salary or reward, *id. s.*24.

28. Such commissioners shall, at the beginning of every year, make an estimate of the sum necessary for executing the purposes of this act, to be transmitted to the secretary of the admiralty, and, on being approved or amended by the commissioners of the admiralty, placed on the ordinary estimate of the navy, *id. s.*25.

29. Any sum to be paid under the authority of this act shall be paid, upon certificates under the hands and seals of the commissioners of the longitude, to the commissioners of the navy, and the commissioners of the navy shall make out bills for the sums contained in such certificates, payable by the treasurer of the navy, who shall pay out of money in his hands unapplied to the use of the navy; but all such sums as shall exceed 5000*l.* shall be certified under the hands and seals of two-thirds of such commissioners, and all such as shall exceed 1000*l.* under the hands and seals of the major part of them, and all such as shall not exceed 1000*l.* under the hands and seals of any 5 or more of them; such certificates being, in every case whatsoever, signed by one at least of the following commissioners, *viz.* the lord high treasurer, or first commissioner of the treasury; the lord high admiral, or first commissioner of the admiralty; the secretaries of the treasury, and the secretaries of the admiralty, *id. s.*26.

30. And in any other respects where any power is vested in the commissioners under this act, the same may be exercised by any 5 commissioners, provided that one of the following commissioners be present, *viz.* the first or one other of the commissioners, or one of the secretaries of the admiralty, and also 3 other of the following commissioners shall be present; *viz.* the president of the royal society, the astronomer royal the professors and observer at the 2 universities, and the 3 commissioners annually elected and receiving salaries, *id. s.*27.

31. There shall be held at least 4 stated meetings of such commissioners within every year, on such days as H. M. by order in council may appoint, and such other meetings as may be necessary; of all which notice shall be given to such commissioners, *id. s.*28.

LOTTERY.

(STATUTES *repealed and expired.*)

1. FOR THE BETTER AND MORE ORDERLY PAYMENT of the lottery tickets, now payable out of certain additional duties of excise, and of other annuities lately payable out of tonnage duties, 9 & 10 *W.*3. *c.*34. [EXP.]

2. FOR LICENSING AND REGULATING LOTTERY OFFICE KEEPERS, 19 *G.*3. *c.*21. [REP. 22 *G.*3. *c.*47. *s.*27., *but that act is* REP. 42 *G.*3. *c.*54.; *and by* 42 *G.*3. *c.*54. *s.*28. all licences theretofore granted determined.]

3. FOR LICENSING LOTTERY OFFICE KEEPERS, and regulating the sale of lottery tickets, 22 *G.*3. *c*47. [REP. 42 *G.*3. *c.*54. *s.*27.]

4. TO RENDER MORE EFFECTUAL THE LAWS NOW IN BEING, for suppressing unlawful lotteries, 27 *G.*3. *c.*1. [REP. by 46 *G.*3. *c.*148. *s.*64.; [*but see this act* referred by 1 & 2 *G.*4. *c.*120. *s.*57. *pl.*37.]

5. To INDEMNIFY PERSONS BEING PROPRIETORS, PRINTERS, and editors of newspapers, and other publications, from certain penalties incurred under several acts therein mentioned, relative to lotteries, 32 *G.*3. *c.*61. [EXP.]

6. FOR GRANTING TO H. M. CERTAIN SUMS OF MONEY to be raised by way of lottery.

28 *G.*2. *c.*15.	21 *G.*3. *c.*14.	32 *G.*3. *c.*28.
30 *G.*2. *c.*5.	22 *G.*3. *c.*8.	33 *G.*3. *c.*62.
7 *G.*3. *c.*24.	23 *G.*3. *c.*35.	34 *G.*3. *c.*40.
9 *G.*3. *c.*33.	24 *G.*3. *S.*2. *c.*10.	35 *G.*3. *c.*36.
10 *G.*3. *c.*46.	25 *G.*3. *c.*59.	36 *G.*3. *c.*104.
11 *G.*3. *c.*47.	26 *G.*3. *c.*65.	37 *G.*3. *c.*113.
12 *G.*3. *c.*63.	27 *G.*3. *c.*41.	38 *G.*3. *c.*75.
17 *G.*3. *c.*46.	28 *G.*3. *c.*21.	39 *G.*3. *c.*91.
18 *G.*3. *c.*22.	29 *G.*3. *c.*33.	39 & 40 *G.*3. *c.*52.
19 *G.*3. *c.*18.	30 *G.*3. *c.*30.	
20 *G.*3. *c.*16.	31 *G.*3. *c.*53.	

7. FOR LIKE PURPOSES.

41 *G.*3.(U.K.) *c.*27.	47 *G.*3. *S.*2. *c.*9.	53 *G.*3. *c.*93.
[AMD. by	48 *G.*3. *c.*139.	54 *G.*3. *c.*74.
42 *G.*3. *c.*6.]	49 *G.*3. *c.*94.	55 *G.*3. *c.*73.
42 *G.*3. *c.*54.	50 *G.*3. *c.*94.	56 *G.*3. *c.*61.
43 *G.*3. *c.*91.	51 *G.*3. *c.*113.	57 *G.*3. *c.*31.
44 *G.*3. *c.*93.	[AMD. by	58 *G.*3. *c.*71.
45 *G.*3. *c.*74.	52 *G.*2. *c.*19.]	59 *G.*3. *c.*65.
46 *G.*3. *c.*148.	52 *G.*3. *c.*125.	1 *G.*4. *c.*72.

all seem EXP.; but their provisions are incorporated in the annual lottery acts.

(STATUTES *in force.*)

1. FOR SUPPRESSING LOTTERIES, 10 & 11 *W.*3. *c.*17. [CONF. 10 *A.* *c.*19. *s.*109., AMD. 5 *G.*1. *c.*9. *s.*43., *and as to* publishing the setting up of lotteries, and giving justices power to suppress them, 9 *A.* *c.*6. *s.*56.; *and as to selling* tickets of lotteries established by act of parliament, 8 *G.*1. *c.*2. *ss.*36, 37.; *and as to foreign* lotteries, 9 *G.*1. *c.*9. *ss.*4, 5. *pl.*10, 11.; *but see* further 12 *G.*2. *c.*28. *ss.*1—5., *pl.*12.; *and as to* lottery insurance, 1 & 2 *G.*4. *c.*120., *pl.*38, &c.]

2. All lotteries shall be deemed public nuisances; and all grants and patents for the same, shall be void, and against law, 10 & 11 *W.*3. *c.*17. *s.*1.

3. No person shall, either publicly or privately, exercise, keep open, shew or expose, to be played at, drawn or thrown at, or shall draw, play at, &c., any lottery, either by dice, lots, cards, balls, or other numbers or figures, or any other way; and every person who shall exercise, &c. any lottery, shall forfeit 500*l.*, to be recovered by information, &c. or action at law, in any court of record, wherein no essoin, &c. or more than one imparlance shall be allowed; 1-3d to H. M., 1-3d to the poor of the parish where the offence was committed, and the other 3d, together with double costs, to the party suing; and the parties so offending, shall be prosecuted as common rogues, *id.* *s.*2.

4. Every person, who shall play, throw or draw at any such lottery, &c., shall forfeit 20*l.*, to be recovered with double costs, and applied as in *s.*2., *id.* *s.*3.

5. The justices of peace, and all mayors, bailiffs, head officers, constables and other civil officers, shall use their utmost endeavours to prevent the drawing of any such unlawful lottery; and every person who shall set up, or by writing or printing, publish the setting up the same, with intent to have it drawn, shall forfeit 100*l.*, to be recovered by information, &c. or action at law, in any court of record at *Westminster*, wherein no essoin, &c. and only one imparlance shall be allowed; 1-3d to H. M., 1-3d to the poor of the parish where the offence was committed, and 1-3d, with costs, to the party who shall inform and sue for the same, 9 *A.* *c.*6. *s.*56.

6. The 10 & 11 *W.*3. *c.*17. and 9 *A.* *c.*6. *s.*56., shall be duly put in execution, 10 *A.* *c.*19. *s.*109.

7. "Whereas several persons have given notice for taking subscriptions for the sale of chances, to arise in tickets in the lottery established under 5 *G.*1. *c.*3. not being possessed of such tickets;" IT IS ENACTED, that the same and all such kinds of undertakings shall be declared to be within the meaning of the acts against private lotteries; and the several persons buying, selling, subscribing, or taking subscriptions for the purchase of such chances or lots, or parts thereof, of one or more tickets in the lottery made out under this or any other act, or of or on the number of such tickets, without having such original tickets in his custody, shall be liable to the penalties inflicted on persons concerned in private lotteries; and if any persons shall sell, or take subscriptions for the sale of any chance, or parts of a chance, of or on any one or more tickets, or of or on the number of any ticket made out in pursuance of this or any other act, for a public lottery, without having such ticket in his custody, such person shall, for every chance, or part of a chance so sold or subscribed for, forfeit 100*l.* over and above all other penalties to which he may be liable by any former act against private lotteries; one moiety thereof to go to H. M., and the other to such person as in his own right, at the commencement of the drawing of such lottery, shall be possessed of the ticket on which such chance was sold, to be recovered by action of debt or on the case, bill, suit, or information, in the courts of record at *Westminster*, 5 *G.*1. *c.*9. *s.*43.

8. Every person who shall set up or keep any office or place under the denomination of sales of houses, lands, advowsons, presentations to livings, jewels, ships, goods, or other things, for the improvement of small sums of money, or shall sell or expose to sale any houses, &c. by way of lottery, or by lots, tickets, numbers, or figures; or shall make, print, advertise, or publish proposals or schemes for advancing small sums by several persons, amounting in the whole to large sums, to be divided among them by the chances of the prizes in any public lottery established by act of parliament, or shall deliver out tickets to persons advancing such sums, to entitle them to a share of the money advanced according to such proposals or schemes; or shall make, print, or publish any proposal or scheme of the like kind, and shall be thereof convicted on the oath of one witness, by 2 or more justices of the county or place where the offence was committed, or the offender found, the person so convicted shall (over and above any former penalties inflicted by any other act against private or public lotteries) forfeit 500*l.*, one-third to H. M., one-third to the informer, and one-third to the poor of the parish where the offence was committed, to be levied by distress and sale of goods by warrant of the convicting justices; and shall also be committed to the county gaol for one year, and from thence till the 500*l.* be paid; and parties aggrieved may appeal to the next quarter sessions, whose judgment shall be final, 8 *G.* 1. *c.*2. *s.*36.

9. All persons who shall be adventurers in, or pay any money or other consideration, or any way contribute to any such sales, lotteries, proposals or schemes, shall forfeit double the sum so paid or contributed, to be recovered with costs by action of debt, &c. or information, in any court of record at *Westminster*, wherein no essoin, &c., and only one imparlance shall be allowed; and to go, one moiety to H. M., and the other to the informer, *id.* *s.*37.

10. Every person who, by virtue or colour of any grant or authority from any foreign prince, state, or government, shall erect or set up any lottery, or undertaking in the nature of a lottery under any denomination, or who shall make or publish any proposal or scheme for any such lottery or undertaking, or shall, within this kingdom, sell or dispose of any ticket in any foreign lottery, and shall be convicted thereof on oath of one witness, by 2 justices of peace for the county, liberty, or division where such offence was committed, shall forfeit (besides the penalties inflicted by former acts relating to unlawful lotteries) 200*l.*; one-third to H. M., one-third to the informer, and one-third to the poor of the parish where such offence was done, the same to be levied by distress and sale of the offender's goods by warrant under the hand and seal of the convicting justices, and shall also be committed by such justices to the county gaol for one year, and from thence until such 200*l.* is paid, 9 *G.*1. *c.*19. *s.*4.

11. But any person aggrieved by the determination of such justices in such cases, may appeal to the next quarter-sessions for the county, &c., whose judgment shall be final, *id.* *s.*5.

12. FOR THE MORE EFFECTUAL PREVENTING OF EXCESSIVE, and deceitful gaming, 12 *G.*2. *c.*28. [AMD. 13 *G.*2. *c.*19. *ss.*9, 10. EXT. to *Irc.*, 29 *G.*2. *c.*7. *s.*26., and see *tit.* GAMES, &c.]

13. "Recital of the provisions of 10 & 11 *W.*3. *c.*17., 9 *A.* *c.*6. *s.*56. and 8 *G.*1. *c.*2., and that such provisions had not effectually answered the ends proposed; and that difficulties had arisen on the methods of conviction of offenders against this act," it is ENACTED, that if any person shall set up or keep any office or place under the denomination of a sale of houses, land, advowsons, presentations to livings, plate, jewels, ships, goods, or other things, by way of lottery, or by lots, tickets, numbers or figures, cards or dice, or shall make, print, advertise or publish, or cause to be made, &c., schemes for advancing small sums by several persons, amounting in the whole to large sums, to be divided among them by chances of the prizes in some public lottery established by act of parliament, or shall deliver tickets to the persons advancing such sums, to entitle them to a share of the money so advanced according to such schemes, or shall expose to sale any houses, land, advowsons, &c. by any game or device to be determined by any lot or drawing, whether out of a box or wheel, or by cards or dice, or by any machine or device of chance of any kind; such person being convicted before one justice for any county, division, or place, or before the mayor or other justice for any city or town corporate, upon the oath of one witness, or upon the view of such justice, mayor, &c., or on confession, shall forfeit 200*l.*, to be levied by distress and sale of the offender's goods, by warrant of one or more justices for such county, &c.; which forfeitures, after deducting the charges of prosecution, shall be applied, one-third to the informer, and two-thirds to the poor of the parish where such offence is committed; excepting the said two-thirds of forfeitures incurred by any

person within the city of *Bath*, which shall be applied to the use of the poor in the hospital, for poor persons resorting to the said city for the benefit of the waters, 12 *G.*2. *c.*28. *s.*1.

14. The games of the ace of hearts, faro, basset and hazard, are hereby declared to be games or lotteries within the meaning of the said acts; and all persons who set up or keep them, shall be liable to all the penalties by this act inflicted upon persons keeping lotteries, and be prosecuted in like manner, *id. s.*2.

15. Every person who shall be an adventurer in any of the said games, lotteries or sales, or shall play, set at, stake or punt, at either of the said games of the ace of hearts, pharaoh, basset and hazard, shall forfeit 50*l.*, to be recovered as aforesaid, *id. s.*3.

16. All sales of houses, lands, advowsons, presentations to livings, plate, jewels, ships, goods or other things, by any game, lottery, or other device to be determined by chance or lot, are hereby declared to be void: and all such houses, &c. so exposed to sale, shall be forfeited to such person who shall sue for the same by action or information in any court of record, or at the assizes for the county where the offence is committed, in which action, no essoin, &c., and only one imparlance shall be allowed, *id. s.*4.

17. Any person aggrieved by the determination of any justice or mayor, may appeal to the next general quarter-sessions; but the appellant shall give reasonable notice to the prosecutor, and enter into recognizance before some justices, with 2 sureties, on condition to try such appeal there, and every such appeal shall there be finally determined, and not afterwards; and in case such judgment or conviction be affirmed, the appellant shall pay to the prosecutor treble costs, *id. s.*5.

18. No such conviction or judgment shall be set aside by the quarter-sessions for want of form, in case the facts alleged in the conviction be proved; nor shall such conviction or judgment be removable by *certiorari*, or other process, into any court of record at *Westminster*, until judgment is given thereupon by the quarter-sessions, *id. s.*6.

19. No *certiorari* or other process shall issue to remove the record of any such conviction from the quarter-sessions, or any proceedings on such conviction, into any court of record at *Westminster*, until the party against whom such conviction is made, before the allowance of such writ of *certiorari* or other process, find 2 sureties to become bound to the prosecutor in 100*l.*, with condition to prosecute the same with effect within 6 calendar months, and to pay to the prosecutor his treble costs, in case such conviction be affirmed, *id. s.*7.

20. If any person be convicted of setting up or keeping any of the said lotteries or games, or therein shall adventure, and have not sufficient goods whereon to levy the penalties, or do not immediately pay or give security for the same, the justice before whom such person is convicted, may commit such person to the common gaol of the county or place where such offence is committed, for any time not exceeding 6 months, *id. s.*8.

21. If any justice or mayor neglect do what is required of him by this act, he shall forfeit 10*l.* for each offence; one moiety to go to any person who shall sue for the same, and the other to the poor of the parish where such offence is committed; and to be recovered by action or information, with full costs, in any court of record, or at the assizes for any county, such prosecution being commenced within 6 months next after such refusal of such justices or mayor, *id. s.*9.

22. Nothing in this act, or in any former acts against gaming, shall extend to hinder any person from gaming or playing at any of the games in this or in any former act mentioned, within any of H. M.'s royal palaces, where H. M. then resides, *id. s.*10.

23. Nothing herein shall affect any estate or interest in any manors, honours, royalties, lands, tenements, advowsons, presentations, rents, services, and hereditaments, hereafter legally allotted to or held by an allotment or partition by lots; but all persons truly seised as part-owners, joint-tenants, and tenants in common of any manors, &c. shall be capable to take such estates and interest in like manner as they might have done by lot, chance or allotment, had this act never been made, *id. s.*11.

24. Any suit for any thing done in pursuance of this act, shall be commenced within 3 calendar months after the fact committed, and laid in the county or place where the cause of action arises, and the defendant may plead the general issue, and give this act and the special matter in evidence, and that the same was done by authority hereof; and if plaintiff be nonsuited, or discontinue, or has judgment against him on demurrer, the defendant shall recover treble costs, *id. s.*12.

25. THE GAME OF PASSAGE, AND ALL OTHER GAMES WITH ONE OR more dice, or with any other instrument or device in the nature of dice, having figures thereon (backgammon, and the other games now played with the backgammon tables, only excepted) shall be deemed games or lotteries by dice, within the meaning of 12 *G.*2. *c.*28.; and every person who shall set up or keep any office, table or place (save as in that act declared) for the said prohibited games, shall forfeit the penalties by the said act inflicted upon persons who keep games or lotteries; and every person who shall play, set at, stake or adventure at, the said prohibited games, save as in that act declared, shall forfeit the penalties thereby inflicted on persons who play at the games mentioned therein; and every such offender shall be prosecuted and convicted, and the penalties sued for, and disposed of in like manner as by that act is directed, 13 *G.*2. *c.*19. *s.*9.

26. If any action, &c. or information, be brought on this act, no essoin, &c. and but one imparlance shall be allowed; and over and above the penalties, the plaintiff or informer shall recover his double costs, *id. s.* 10.

27. If any offence against any act made in this kingdom for preventing private lotteries be committed in *Ire.*, the offender shall incur a like penalty, and such penalties as by any of those acts are directed to be recovered in any court at *Westminster*, shall in case of offences committed in *Ire.*, be recovered in any court of record at *Dublin*, 29 *G.* 2. *c.*7. *s.*26.

28. TO SUPPRESS CERTAIN GAMES AND LOTTERIES not authorized by law, 42 *G.*3. *c.*119. [AMD. 1&2 *G.*4. *c.*120. *s.* 57.]

29. All games or lotteries called *Little Goes*, shall be deemed, and are hereby declared, common and public nuisances, and against law, 42 *G.* 3. *c.*119. *s.*1.

30. No person shall publicly or privately keep any office or place to exercise, keep open, show, or expose to be played, drawn, or thrown at, or in, either by dice, lots, cards, balls, or by numbers or figures, or by any other way or device, any game or lottery called a *little go*, or any other lottery not authorized by parliament, or shall knowingly suffer to be exercised, kept open, &c. shown or exposed to be played, drawn, or thrown at or in, either by dice, lots, &c. or any other device, any such game or lottery, in his house, room, or place, upon pain to forfeit 500*l.*, to be recovered in the court of exchequer, at the suit of H. M.'s attorney-general, and to be to the use of H. M. And every person so offending, shall be deemed a rogue and a vagabond, within the meaning of 17 *G.* 2. *c.* 5. (VAGRANT), and be punishable as such accordingly, 42*G.*3. *c.*119. *s.*2.

31. Every offender against this act, against whom no information has been made as aforesaid, shall be deemed a rogue and a vagabond, within the 17*G.*2. *c.*5. and 27*G.*3. *c.*1. [*which last act was* REP. by 46*G.*3. *c.*148. *s.*64., but is referred to by 1&2 *G.*4. *c.*120. *s.*57. *pl.*37.] and be punishable as such according to such acts, and this act, 42 *G.*3. *c.*119. *s.*3.

32. On complaint, or information on oath, before any justice of the peace, of any offence committed against this act, in any house or place within his jurisdiction, whereby the offenders may be liable to be punished as rogues and vagabonds, such justice may, by special warrant under his hand and seal, empower any person, by night or by day, (and if by night in the presence of a peace officer, who shall assist therein,) to break open the doors of such house or place where such offence was committed, and enter the same, and apprehend all such offenders, and other persons discovered therein, and who have knowingly aided, or been any way concerned with any such offender, in committing such offence, and convey them before any justice for the county, city, &c. where they are apprehended, to be dealt with according to law; and all persons who may be discovered in such house or place, knowingly aiding or any ways concerned with such offenders in carrying on any transactions regarding such little goes or lotteries, shall be deemed rogues and vagabonds, and punishable as in 17 *G.*2. *c.*5. directed; and the officer executing such warrant, and the other persons acting in his aid, may arrest and detain all persons discovered in such house, and convey them before such justice; and if any person shall forcibly obstruct, oppose, molest, or hinder any such officer, or persons acting in his aid, in the execution of their duty, or in entering into such house, &c. in the seizing, detaining, or conveying such offenders and persons before such justices, such person so obstructing, &c. shall be deemed offenders against law and public peace; and the court trying such offenders may order them to be fined, imprisoned, and publicly whipped, as they think fit; and all persons, although not discovered in such house or place, who shall employ, or cause to be employed, any person in carrying on such transactions, or in aiding any such persons, shall be deemed rogues and vagabonds, and be punishable in like manner as by 27 *G.*3. *c.*1. [REP. *see s.*3. last *pl.*] directed, *id. s.* 4.

33. No person shall, under any pretence, device, form, denomination, or description whatsoever, promise or agree to pay any sums, or to deliver any goods, or to do or forbear doing any thing for the benefit of any person, whether with or without consideration, on any event or contingency relative or applicable to the drawing of any tickets, lots, numbers, or figures, in any such game or lottery, or publish any proposal for any such purposes, on pain that the persons offending herein shall forfeit 100*l. id. s.*5.

34. Any person may apprehend on the spot any persons so offending, and convey them before some magistrate or justice of peace residing near where the offence was committed, to be proceeded against under this act; and such magistrate or justice may examine into the circum-

stances of the case, and on due proof on oath or affirmation of any such offence committed, may give judgment accordingly; and where the accused is convicted, and such penalty is not immediately paid, may commit him to prison for not exceeding 6 calendar months, nor less than one, without appeal, or until such penalty is satisfied; and such penalty when paid shall go 1-3d to H. M., another to the informer, and the other to the persons apprehending or securing such offender, 42 *G.* 3. *c.* 119. *s.* 6.

35. All the pains, forfeitures, fines, exemptions, powers, rules, &c. contained in 27 *G.* 3. *c.* 1. [*which is* Rep. by 46 *G.* 3. *c.* 148. *s.* 64.] shall extend and apply in all cases, and for all purposes, as to this act, and 42 *G.* 3. *c.* 54. [*an annual* lottery act which *seems* Exp.] where no special or different provision is made by this, or the 42 *G.* 3. *c.* 54., as fully as if such forfeitures, &c. had been herein re-enacted, *id. s.* 7.

36. If any sheriff's officer or other person is sued or molested for any thing done in pursuance hereof, he may plead the general issue, and give this act and the special matter in evidence; and if the defendant shall have a verdict, or the plaintiff discontinues or is nonsuited, or has judgment against him on demurrer, or otherwise, the defendant shall have treble costs, *id. s.* 8.

37. The word "placé," when and where the same is mentioned in this act, and the 27 *G.* 3. *c.* 1. [*which was* Rep. by 46 *G.* 3. *c.* 148. *s.* 64.] and 42 *G.* 3. *c.* 119. relating to the drawing of the illegal lottery called a *little goe*, or the assembling of persons for any illegal purpose mentioned therein, or for the purpose of little goe or lottery insurance, shall be taken to mean any place in or out of an inclosed building or premises, whether upon land or water, where such illegal practices, or any thing relating thereto, shall be, or shall be attempted to be, carried on, 1 & 2 *G.* 4. *c.* 120. *s.* 57.

38. For granting to H. M. a sum of money to be raised by lotteries, 1 & 2 *G.* 4. *c.* 120.

39. The treasury may sell 60,000 tickets, to be drawn in one or more lotteries, for such sums, and subject to such regulations, as shall be thought expedient, *id. s.* 1. [Regulations as to the lottery, *id. ss.* 2—10.]

40. If any person shall forge or counterfeit, or cause or procure to be forged, &c. or willingly act in the forging, &c. any ticket or certificate or order made forth under this act, or alter any number, figure, word, or letter therein, or knowingly utter, vend, barter, or dispose of any such false, altered, forged, &c. ticket, &c. the number whereof, or any figure, &c. therein has been altered (knowing the same to be forged, &c.) to the managers and directors of the lottery, or the cashiers or accountant-general of the Bank of *Eng.*, or any other person, with a fraudulent intent, or shall willingly act, hire, or command any person to commit any such offence, then every person duly convicted thereof shall be adjudged a felon, and suffer death without clergy. And such managers, &c. may order the person bringing or uttering any such forged, &c. ticket, &c. or aiding, &c. hiring or commanding any person therein, to be apprehended, and commit him to *Newgate* gaol, or the county gaol, to be proceeded against as a felon, *id. s.* 11.

41. If any person who shall commit any such offence, or be aiding, &c. hiring, or commanding therein, shall afterwards, being out of prison, discover any person who shall commit, or be aiding, abetting, or concerned in any such offence, so as the person discovered is convicted, the discoverer shall have H. M.'s pardon, and be entitled to a reward of 50*l.*, *id. s.* 12. But no attainder for any such offences shall work any corruption of blood, loss of dower, or disherison of heirs, *id. s.* 13.

42. Further regulations as to the swearing of the managers, and the payment of the money for tickets, and the prizes on the fortunate tickets, money for such tickets may be paid by instalments, *id. ss.* 14. 19.

43. And no person shall take down the numbers of the tickets at the time of drawing, unless employed as a clerk by the managers, or licensed so to do by the commissioners of stamps, *id. s.* 20.; regulations as to persons licensed for such purpose, *id. s.* 21.

44. If any person, summoned as a witness to give evidence before any magistrate, touching any matter relative to this act, on either party's side, shall neglect to appear at the time and place appointed, without reasonable excuse to be allowed by such magistrate, he shall forfeit 50*l.*, to be levied and paid as in *s.* 21. directed, *id. s.* 22.; form of conviction, *id. s.* 23. [and *see s.* 64. *pl.* 61.]

45. Further regulations as to licensing lottery-office keepers by the commissioners of stamps, executors, &c. of persons so licensed, may carry on the business under such licence, in case of the death of the party licensed; lottery offices to be open from 8 *a. m.* to 8 *p. m.*; treasury may annul such licences, *id. ss.* 24—32.

46. Every person who shall forge, or counterfeit, or cause to be forged, &c. or assist in forging, &c. any licence authorized to be made under this act, shall fraudulently alter, or cause to be altered, or assist in altering any such licence as is really granted under this act, or shall knowingly make use of any such forged, &c. licence, shall forfeit 500*l.*, one moiety to H. M. and the other to him that will sue for the same, by action of debt, &c. or information, in any court of record at *Westminster*, for licences granted in *G. B.*, and at *Dublin* for licences granted in *Ire.*, in which no essoin, &c. and only one imparlance shall be allowed, and shall also be subject to imprisonment for not exceeding 6 months, 1 & 2 *G.* 4. *c.* 120. *s.* 33.

47. No person shall sell the chance of the benefit which may belong to any ticket in the lottery, for any less time than the whole time of drawing then to come; or sell any other chance of any benefit which may belong to any such ticket, other than that what is hereinafter expressly permitted, or insure for or against the drawing of any such ticket, or receive any money or goods in consideration of any agreement to repay any sums, or deliver the same, or other goods, if any such ticket, shall prove fortunate or unfortunate, or on any chance or event relative to the drawing of any such ticket, whether as to their being drawn fortunate or unfortunate, or the time of their being drawn: or otherwise howsoever promise or agree to pay any sum, or deliver any goods, or do, or forbear doing any thing for the benefit of any person, whether with or without consideration, or any contingency relative or applicable to the drawing of any such ticket, or publish any proposal for such purposes; and if any person shall offend against this act in any such matters, the contract shall be void; and the party offending, if not licensed to divide tickets into shares, shall be deemed a rogue and vagabond, and shall be punished as such, as after directed; and if so licensed, he shall forfeit 50*l.*, *id. s.* 34.

48. On information on oath made before any magistrate or justice of peace, stating any person to be a reputed lottery insurer, and in the opinion of the informer to be in possession of books, papers, or memorandums of illegal contracts entered into, relating to lottery insurances, such magistrate or justice shall issue his warrant, directed to a constable or police officer, to empower him, with proper assistance, to search the person of such reputed insurer, and to enter his house, and search for and seize such papers, &c.; and if any are so found, or if any memorandums of insurance in the lottery or little goe shall be then found, written in chalk or otherwise, on or about such place or premises, then to apprehend and bring such person, against whom the warrant was issued, with such person on whom such lottery or little goe insurance papers, &c. were found, before 2 magistrates or justices; and on proof before them by 2 credible witnesses, on oath, that such papers, &c. do appear to relate to any little go, or to any insurance in any lottery or little go, whether actually drawn or not, or on like proof, that such memorandums were written in chalk, or otherwise, on or about the premises of the person, against whom such warrant was issued, which could not be brought away without injury to the premises, such persons shall be deemed rogues and vagabonds, and punished as such, *id. s.* 35.

49. Any magistrate or justice may issue his summons, to order the attendance of any witness to give evidence on the hearing of every such offence, and service of such summons at the usual residence of the person summoned, shall be good; and in default of attendance of such witness at the time mentioned, and if no excuse is made to the satisfaction of such justice, then such magistrate or justice may issue his warrant, directed to any constable or police officer, who shall by virtue thereof, apprehend and detain him, to be examined touching matters against this act; and on proof of due diligence used to apprehend such witness, such magistrate or justice may remand the person to whom such offence, as in *s.* 35. is imputed, for not more than 7 days between each remand, but for so long in the whole, as such magistrate or person deems fit, *id. s.* 36.

50. On hearing of any case before any magistrates, where it is imputed, that any person is a rogue or vagabond, by committing any offence against this act, it shall not be permitted to produce any information on oath, whether filed or not, *id. s.* 37.

51. If any person shall sell any ticket or chance, or share of any ticket or chance, in any lottery, except such as are authorized by this or some other act to be sold, or shall publish any proposal for the sale of tickets, &c., or shares of any ticket, &c., except lotteries so authorized, or shall sell any share of any ticket or chance in any lottery to be drawn under this act, in any proportion other than one-half, quarter, eighth, or sixteenth part or share only, or shall publish any proposals for selling any shares, or enter into any agreement for any share of any ticket or chance in such lotteries, otherwise than in such parts as aforesaid; such person shall forfeit 50*l.*, and be deemed a rogue and vagabond, and punished as such, *id. s.* 38.

52. Regulations as to the form of such shares, and the division of such tickets; time of drawing to be limited to prevent insurances, *id. ss.* 39—42.

53. If any person shall forge or counterfeit, or caused to be forged, &c., or willingly act in forging, &c. any share, chance, or agreement for any share or chance of any ticket in any lottery, to be drawn under this act, or alter any figure, word, letter, or stamp therein, or thereon; or shall knowingly utter, vend, or dispose of any such forged, &c., share, &c., with intent to defraud any person, he shall be guilty of felony, and suffer as a felon, *id. s.* 43.

54. Regulations as to depositing tickets, and giving receipts for the same; and as to keeping books for registering such tickets, which may be inspected on payment of 2*d.*; and as to selling shares on paper or parchment, not duly stamped according to this act; and further regulations on this point, and the application of money hereby arising, and as to payment of prizes, 1 & 2 *G.* 4. *c.* 120 *ss.* 44—55.

55. On complaint or information on oath, before any justice of peace, of any offence against this act, in any house or place within the jurisdiction of any justice, whereby any person may be liable to be punished as a rogue or vagabond; such justice, before whom the oath is taken, may by special warrant, under his hand and seal, authorize any person by day or night, but if in the night, then in the presence of a constable or other peace officer, who shall be aiding or assisting therein, to break open the door of any house where such offence has been committed, and to seize and apprehend all such offenders, and other persons discovered in such house, and who have knowingly aided and assisted, or been anywise concerned with such offenders in such offence, and to convey them before any justice for the county, riding, city, division, liberty, or place, to be dealt with according to law; and all persons so found in such house, so assisting in carrying on any transactions respecting such lotteries, contrary to this act, shall be deemed rogues and vagabonds, and punishable as such; and the officer executing such warrant, and all others acting in his aid, may arrest and detain every person so discovered in such house, and convey him before such justice; and all persons who shall molest or hinder any officer or person acting in his aid in the execution of their duty, or in entering such house, or in seizing, &c. any such offenders or persons, shall be deemed offenders against law and the public peace; and the court trying such offenders, may order them to be fined, imprisoned, and publicly whipped, as the court deems proper, *id. s.* 56. [*see s.* 57. *supra, pl.* 37.]

56. All persons, though not discovered in such house or place, who shall employ any person in carrying on any transactions herein mentioned as illegal, and all persons acting as agents thereto, or in assisting any such person, shall be deemed rogues and vagabonds, and be punishable as hereby directed, *id. s.* 58.

57. All pecuniary penalties for any offence against this act, (except where otherwise herein directed) shall go to H. M.; and no person (except where herein otherwise directed) shall commence any action, &c., or information for the recovery of any such penalties, unless the same is commenced in the name of the attorneys-general for *Eng.* and *Ire.*, and H. M.'s advocate for *Scot.*, in the respective courts of exchequer of the respective countries, otherwise, all proceedings thereunder shall be void, *id. s.* 59.

58. Every person who shall steal, or take by robbery, any ticket, or any share, or chance, of any ticket, made, shared, and issued under this act, being the property of any person or corporation, shall be deemed guilty of felony, of the same nature, and with or without clergy, in the same manner, as if such offender had stolen or taken by robbery any goods of the like value as such ticket, &c., and be punished accordingly, *id. s.* 60.; but no attainder for any offence hereby made felony, shall work any corruption of blood, loss of dower, or disherison of heirs, *id. s.* 61.

59. Upon every bill, plaint, suit, or information, a *capias* or other writ may issue as the first process, specifying the amount of the penalties sued for, whereof an affidavit shall be first duly made and filed; and the defendant shall give bail by natural born subjects, persons naturalized, or denizens, to the person to whom such writ is directed, to appear at the day of the return of such process, to answer such suit or prosecution; and shall likewise, after appearance, give bail by such persons to pay the penalties, or yield himself to prison, but no bail shall be required above 500*l.*, 1 & 2 *G.* 4. *c.* 120. *s.* 62.

60. Where the amount of penalties sued for is not inserted in the writ, or no affidavit thereof is made and filed, the defendant shall be served with a copy of the process, and proceed as in cases of debt, where the cause of action does not amount to 15*l.*, *id. s.* 63.

61. If any person is brought before 2 or more justices for the county, &c. where any offence against this act has been committed, and is convicted thereof, and adjudged a rogue, &c. such justices shall order such offender to be sent to the house of correction for not exceeding 6 or less than one calendar month; and if such person has been convicted under this or any former lottery act of a like offence, the entry in the book kept at the police offices for that purpose, signed by 2 magistrates, shall be deemed good evidence, and then in addition to the punishment last mentioned, such offender shall be privately whipped; and any such adjudication or conviction under this act shall be as follows, *mutatis mutandis*, (*viz.*)

Middlesex, } To the keeper of —. Whereas *A. B.* of — in the county of
to wit, } *Middlesex*, is this day duly convicted before us *C. D.* and *E. F.*, two of the justices of our lord the king, assigned to keep the peace of our said lord the king, in and for the said county, and also to hear and determine divers felonies, trespasses, and other misdemeanors committed within the said county, for that he the said *A. B.* at — in the said county, on the day of — [*state offence,*] against the form of the statute made in the second year of the reign of our said lord the king, entitled, [*here set forth the title of this act,*] and the said *A. B.* having for such offence been adjudged a rogue and vagabond by us the said justices, within the intent and meaning of the said statute, we do order that the said *A. B.* be committed to the house of correction at — in and for the said county of *Middlesex*, there to remain for the space of —, now next ensuing, and we do hereby require the keeper of the said house of correction, to receive into his custody the body of the said *A. B.* herewith sent, and him safely keep and detain in the said house of correction accordingly. Given under our hands and seals, &c. &c.

And such proceedings shall not be subject to appeal, nor be removable by *certiorari* or otherwise, *id. s.* 64.

62. Persons sued for any thing done under this act, may plead the general issue, and give this act and the special matter in evidence, and if a verdict passes for the defendant, or if the plaintiff discontinues, or is nonsuited, or judgment is given against him on demurrer, or otherwise, the defendant shall have treble costs, *id. s.* 65.

63. *Irish* acts relating to lotteries and lottery tickets, contradictory to this, shall be Rep., and so much of any act in force in *Ire.*, as relates to the stamp duty on licences to keep lottery offices in *Ire.*, shall be in force and applied, and put in execution, with respect to the stamp duties on licences required by this act to be taken by persons dividing tickets, &c. or issuing chances under this act, *id. s.* 66.

MADDER.

(Statutes *expired.*)

1. To encourage the growth and cultivation of madder in that part of *G. B.* called *Eng.*, by ascertaining the tythe thereof there, 31 *G.* 2. *c.* 12. [Con. for 14 years, 5 *G.* 3. *c.* 18. Both Exp.]

(Statutes *in force.*)

2. For preventing the stealing or destroying of madder roots, 31 *G.* 2. *c.* 35. *ss.* 5—6.

3. Every person who shall steal and take away, or wilfully and maliciously pull up or destroy any madder roots, growing or being in any lands or grounds belonging to any person, shall on conviction thereof before any justice of the county or place where the offence is committed, either by confession, or on oath of any witness, for the first offence pay to the owner such satisfaction for his damage, and within such time as the justice shall appoint, and shall over and above pay down upon such conviction to the overseers of the parish, where, &c. for the use of the poor, any sum not exceeding 10*s.*, as to such justice seems meet: and in default of making satisfaction and payment as above, the justice may commit him to the house of correction, for not exceeding one month, or may order him to be whipped by the constable or other officer, as he thinks fit, and any person a second time convicted of the like offence, shall be committed to the house of correction for 3 months, *id. s.* 5.

4. Any prosecution for the offence, in last *pl.* shall be begun within 30 days after the offence committed, *id. s.* 6.

MALT.

1. To restrain the excessive making of malt, 39 *El. c.* 16. [Rep. 9 & 10 *W.* 3. *c.* 22.]

2. Malt made in the shires of *Huntingdon, Cambridge, Northampton*, and *Bedford*, and sold and brought to *London*, shall be well cleansed from dust before its sale, so that the buyer have 8 bushels of clean malt, *per* quarter, and the chief officers of the places where such malt is sold, shall have power at suit of any person who will complain, to search such malt, and to redress defaults therein, 17 *R.* 2. *c.* 4.

3. For true making of malt, 2 & 3 *E.* 6. *c.* 10. *and preamble to s.* 1. [Rev. 27 *El. c.* 14. Con. 3 *C.* 1. *c.* 4. and indefinitely, 16 *C.* 1. *c.* 4.]

4. No person shall make any barley malt (the months of *June, July*, and *August* excepted) but the same shall have in making, *viz.* in the fat, floor, steeping and drying, 3 weeks at least; and no person in *June, July*, and *August*, shall make any barley malt, except the same have in the fat, floor, steeping, and drying 17 days, on pain to forfeit for every quarter made contrary to this act, 2*s.*; and no person shall mingle any

malt ill made, or made of mow-burnt or spired barley, with good malt, and put the same to sale, on pain to forfeit for every quarter 2*s*., 2 & 3 *E*. 6. *c*. 10. *s*. 2.

5. Any person putting to sale any malt not well trodden, rubbed and fanned, whereby there may be conveniently fanned out of one quarter half a peck of dust, shall forfeit for every quarter 20*d*., one moiety of which shall be to H. M. and the other to the party suing for the same, *id*. *s*. 3.

6. Justices in sessions, and stewards in leets, may enquire, hear, and determine as well by presentment of 12 men as by information of 2 witnesses, of the above offences and forfeitures, as well for H. M. as the plaintiff; and the bailiffs and constables of every borough, market or other town wherein such malt is put to sale, on finding any malt so put to sale to be ill made, or mingled with bad malt contrary to this act, shall, with advice of one justice of the same county, cause it to be sold to such person, at such reasonable price under the market price as in his discretion shall seem fit, *id*. *s*. 4.

7. Nothing herein shall extend to making malt for a man's own house or family, and offenders must be prosecuted or accused within one year next after the offence, *id*. *s*. 5.

MAN (*ISLE OF*).

1. FOR CARRYING INTO EXECUTION a contract made pursuant to 12 *G*. 1. *c*. 28. [*s*. 25.] between the commissioners of the treasury and duke and duchess of *Athol*, the proprietors of the *Isle of Man*, and their trustees, for purchase of that island and its dependencies, [for 70,000*l*.] under certain exceptions therein mentioned, 5 *G*. 3. *c*. 26.

2. FOR SETTLING AN ANNUITY equal to 1-4th of the revenue of customs arising within the *Isle of Man*, to be paid from the consolidated fund to the duke of *Athol*, and the heirs general of the 7th earl of *Derby*, 45 *G*. 3. *c*. 123.

MANUFACTURES. (*See titles* COTTON, FRAME-WORK, LACE, LEATHER, LINEN, SILK, AND WOOLLEN *MANUFACTURES*.)

(STATUTE *expired*.)

1. FOR MORE EFFECTUAL ENCOURAGEMENT OF THE MANUFACTURE of flax and cotton in *G*. *B*., 23 *G*. 3. *c*. 77. [CON. 29 *G*. 3. *c*. 54. 55 *G*. 3. *c*. 178., and (till 25th *July*, 1821) 1 *G*. 4. *c*. 15. *semb*. EXP.]

(STATUTES *in force*.)

I. *Provisions against frauds of workmen in certain manufactures, and for due payment of their wages.*

II. *Provisions against exportation of machines and tools used in certain manufactures, and against seducing workmen employed therein.*

I. *Provisions against frauds of workmen in certain manufactures, and for due payment of their wages.*

1. FOR MORE EFFECTUALLY PREVENTING THE ABUSES AND FRAUDS of persons employed in working up the *woollen*, *linen*, *fustian*, *cotton*, and *iron* manufactures of this kingdom, 1 *A*. *St*. 2. *c*. 18. [MADE PERP. 9 *A*. *c*. 30. EXT. to *Scot*. 13 *G*. 2. *c*. 8. *s*. 11. AMD. by 13 *G*. 2. *c*. 8. *ss*. 1—3. & 11. (which act is not repealed by 39 & 40 *G*. 3. *c*. 90. see *s*. 11. of that act, nor by 43 *G*. 3. *c*. 151., except as thereby altered, (see *s*. 50. of that act,) and is AMD. by 52 *G*. 3. *c*. 44. *ss*. 1—4. *tit*. SILK MANUFACTURES, and by 22 *G*. 2. *c*. 27. which see, *infra*, *this title*, (which is AMD. by 17 *G*. 3. *c*. 56. which see, *infra*, *this title*; 32 *G*. 3. *c*. 44. *ss*. 1—4) *tit*. SILK MANUFACTURES, and as to wages by 1 *G*. 4. *c*. 39. which see, *infra*, *this title*.]

2. If any person or persons employed to work up any woollen, linen, fustian, cotton, or iron manufactures, shall purloin, embezzle, secrete, sell, pawn, exchange, or otherwise illegally dispose of any materials, with which they are respectively intrusted to work up such respective manufactures, whether the same or any part thereof be or be not first wrought or made up, &c. into merchantable wares, and shall be thereof convicted by oath of one or more credible witnesses, or by confession of the accused, before any one or more justices of the county, &c., division, or place, where the offence is committed, they shall respectively forfeit double the value of the damages sustained by the owner of the materials, (to go one moiety to such owner, and the other to the use of the poor of the parish, with appeal as in 1 *A*. *St*. 2. *c*. 18. *s*. 4., 13 *G*. 2. *c*. 8. *s*. 3., and 1 *A*. *St*. 2. *c*. 18. *s*. 1.) together with reasonable costs of prosecution; and in case immediate payment thereof be not made, the convicting justice may cause the offender to be committed to the house of correction, to be there whipped and kept to hard labour, for not exceeding 14 days; [1 *A*. *c*. 18. *s*. 1., 13 *G*. 2. *c*. 8. *s*. 1.; *What follows* is provided by the *latter* act only: And in case of a further conviction of any person for a second or subsequent offence, in embezzling or purloining any of the above materials, whether made up into merchantable wares or not, he shall on like conviction, forfeit four times the value of the damages which the owners shall thereby sustain, together with reasonable costs of prosecution; and if immediate payment thereof be not made, then the same or any other justice shall cause the offender to be committed to the house of correction, to be kept to hard labour for not more than 3 nor less than one month, as seems to him reasonable; and during his commitment, shall cause him to be publicly whipped, once or oftener, at the market-place or cross of the town where he is committed, 13 *G*. 2. *c*. 8. *s*. 1. and *s*. 4. [See 22 *G*. 2. *c*. 27. *s*. 1. as altered by 17 *G*. 3. *c*. 56. *s*. 1. *pl*. 9.]

3. Every person who shall buy or receive, accept or take by way of gift, pawn, pledge, or sale, or from any of the persons in either act mentioned, any woollen, linen, cotton, or iron materials or manufactures soever, either before or after the same shall be made up into merchantable wares, knowing the same to be purloined or embezzled, and being convicted as above, shall be subjected to the respective forfeitures and punishments in last *pl*., 1 *A*. *St*. 2. *c*. 18. *s*. 2., 13 *G*. 2. *c*. 8. *s*. 1.

4. All payments, &c. made to workmen for work done in such manufacture, shall be by lawful coin of the realm, [or note or notes of the bank of *Eng*., or of any duly licensed banker, where the workman consents to take the same, but not otherwise, 58 *G*. 3. *c*. 51. *s*. 1., see *pl*. 44.] and not by any cloth, victuals, or commodities in lieu thereof; and all wool delivered out to be wrought up shall be so delivered, with declaration of the true weight thereof, on pain, that every offender in either case shall forfeit [to such workman, REP. 58 *G*. 3. *c*. 51. *s*. 2. *pl*. 45.] double the sum due to him for work done; and if the latter be guilty of any fraud or default in his work, he shall pay the owner double the damages sustained, 1 *A*. *St*. 2. *c*. 18. *s*. 3. [*See form of conviction* for payment of wages, otherwise than above, 58 *G*. 3. *c*. 51. *s*. 1., *Sch*. (A.) *pl*. 48.]

5. All wages, demands, frauds, and defaults of labourers in the woollen, linen, fustian, cotton, [see COTTON MANUFACTURE,] and iron manufactures, or concerning work done therein, shall be determined by any 2 justices of the county, city, division, &c., who may summon and examine witnesses on oath therein; but any party grieved by their judgment and order shall appeal against the same to the next quarter session for the same county, &c., who shall examine witnesses on oath, and finally determine the appeal; and if they give judgment against such appellant, then the justices shall order the prevailing party his reasonable [or treble costs in cases of appeals against convictions relating to wages decided against appellant, 1 *G*. 4. *c*. 93. *s*. 3. *pl*. 53.] costs, to be paid by the appellant, *id*. *s*. 4.

6. [*For the method* of appeal against the judgment of the 2 justices, see 13 *G*. 2. *c*. 8. *s*. 9. LEATHER, &c. *pl*. 26.]

7. 1 *A*. *S*. 2. *c*. 18. *and this act* are extended to *Scot*., and no warrant of distress issued by any justice there under this act shall be sisted otherwise, than by appeal to quarter-sessions, as in *s*. 9. last *pl*., 13 *G*. 2. *c*. 8. *s*. 11.

8. FOR MORE EFFECTUAL PREVENTING OF FRAUDS AND ABUSES, committed by persons employed in the manufacture of hats, and in the woollen, linen, fustian, cotton, iron, leather, fur, hemp, flax, mohair, and silk manufactures: AND FOR PREVENTING unlawful combinations of journeymen dyers and hot-pressers, and of all persons employed in the said several manufactures, and for the better payment of their wages, 22 *G*. 2. *c*. 27. [*Reciting in s*. 1., 13 *G*. 2. *c*. 8. *ss*. 1—5., *to which* its provisions seem cumulative. EXT. to *Scot*. and *Ire*., 57 *G*. 3. *c*. 122. *s*. 5., and in all its provisions for facilitating the recovery of wages by labourers in the *woollen trade;* and for punishing masters paying labourers in goods, *to* persons employed in the manufacture of articles made of *steel*, or of *steel* and *iron combined*, and of *plated articles* or other articles of *cutlery*, 57 *G*. 3. *c*. 115. *s*. 2.: and to labourers in *collieries*, 57 *G*. 3. *c*. 122. *s*. 2. AMD. 23 *G*. 2. *c*. 13. *s*. 9., 17 *G*. 3. *c*. 56., 32 *G*. 3. *c*. 44. *ss*. 4—5., 58 *G*. 3. *c*. 51., 1 *G*. 4 *c*. 96. *ss*. 1—3. ENFORCED, 17 *G*. 2. *c*. 35. *s*. 7., 24 *G*. 3. *S*. 2. *c*. 3. *s*. 1. This act and 17 *G*. 2. *c*. 56. are not REP. by 39 & 40 *G*. 3. *c*. 90., (see *s*. 11.), or by 45 *G*. 3. *c*. 151., see *s*. 30.]

9. If any person employed to make any felt or hat, or to prepare or work up any woollen, linen, fustian, cotton, iron, leather, fur, hemp, flax, mohair, or silk manufactures; or any manufactures made up of wool, fur, hemp, flax, cotton, mohair, or silk, or of any such materials mixed one with another, shall purloin, imbezzle, secrete, sell, pawn, exchange, or otherwise unlawfully dispose of any materials with which he is intrusted, whether the same or any part thereof be or be not first converted into merchantable wares, and shall be thereof convicted on the oath or (if the owner is a quaker) affirmation of the owner of such

goods or materials, or of any other witness or witnesses, or by his own confession before any 2 justices [17*G.*3. *c.*56. *s.*2., *repealing* 22*G.*2. *c.*27. *s.*8. *and s.*1. which gave the power to *one or more* justices] of the county, city, division, &c., or place where such offence is committed, or where the person shall reside, such justices shall commit the offender to the house of correction, or other public prison of such county, division, &c., or place, [to be kept to hard labour for not less than 14 days, nor more than 3 months: and in case of a further conviction, for not less than 3 nor more than 6 months; and may likewise, at discretion, for the first or subsequent offence, order the person convicted to be once publicly whipped: *This punishment is given by* 17 *G.*3. *c.*36. *s.*1., altering that prescribed by 22 *G.* 2. *c.*27. *s.*1., except as follows, which seems in force, and adopted by 17 *G.*3. *c.*56. *s.*3. *infra, pl.*11. *sub fin.*] at the market or some other public place of the city, town, or place where the offender is so committed, 22 *G.*2. *c.*27. *s.*1. and *s.*8., as AMD. by 17 *G.*3. *c.*56. *ss.*1—2.

10. No person charged with an offence against 22*G.*2. *c.*27. shall be convicted but by 2 justices, 17*G.*3. *c.*56. *s.*2. [*Repealing* 22 *G.*2. *c.*27. *s.*8. *and part of s.*1.]

11. Every person who shall buy, receive, [*as to* such buying, &c. of *silk*, see 32*G.*3. *c.*44. *s.*4. *next pl.*] accept, or take by way of gift, pawn, pledge, sale, or exchange, or in any manner soever of, or from any person employed to make or work up any of the manufactures mentioned in 22 *G.*2. *c.*27. *s.*1. (*pl.*9.) any ends of yarn or other materials of wool, fur, hemp, flax, cotton, or iron, or any leather mohair, or silk, whether made up or not, knowing the seller, *&c.* to be so employed, and not having first obtained the consent of his employer; or who shall bring, receive, accept, or take, in any manner, of any other person any such materials, knowing them to be purloined or embezzled, shall on conviction, as in *s.*1. of this act, [*pl.*9., and 17 *G.*3. *c.*56. *s.*2.] prescribed, forfeit for the first offence not more than 40*l.* nor less than 20*l.*, at discretion of the justices, to be applied as follows: 1st, in defraying the expences of the prosecution; 2dly, in such satisfaction to the parties grieved as the justices shall think proper; and 3dly, a sum in discretion of the justices, and never exceeding 10*l.*, to the informer, and the residue, if any, to the poor of the parish or some public charity; [*but these penalties* are now otherwise applied, see 58 *G.*3. *c.*51. *ss.*3—4. *infra, pl.*46, 47.] and if such penalties are not paid on conviction, the justices shall commit the offender to prison to hard labour, for not more than 6 nor less than 3 months as they shall direct, unless sooner paid: or for 3 days, exclusive of the day of commitment, with an order for a public whipping at such market-place, &c., as in *s.*1. *pl.*9., within that time, 22*G.*2. *c.*27. *s.*2., 17*G.*3. *c.*56. *s.*3.

12. Every person who shall so buy or receive, &c. as in last *pl.*, of any person employed to work up any silk manufacture, or manufacture of silk mixed with other materials, whether manufactured or not, or mixed with other materials or not, under the circumstances enumerated in last *pl.*, may be proceeded against under the same, or prosecuted for a misdemeanor, and punished by fine, imprisonment, or whipping, as the court of general or quarter sessions hereby empowered to try such offenders shall inflict, though no proof is given on the trial, as to who is the owner of such silk, 32*G.*3. *c.*4. *s.*4. [*See this* section at length, SILK MANUFACTURES.]

13. If any person shall sell, pawn, pledge, exchange, or otherwise unlawfully dispose of any silk, wrought or unwrought, mixed or unmixed, knowing the same to be purloined, he shall on conviction, be liable to the penalties in *s.*4., of unlawfully receiving the same, *id. s.*5.

14. Where any person is charged, on oath or affirmation, with the offence of buying or receiving such materials as in 22 *G.*2. *c.*27. *s.*2. *pl.*11., and 17*G.*3. *c.*56. *s.*3. *same pl.*, and it appears to the justices that the party has been already convicted of a like offence, they shall not convict, but shall commit him to prison till the next general or quarter sessions for the place where the offence committed, or till such offender has entered into a recognizance to answer for such offence thereat, which sessions shall determine the same; and if the offender is convicted on oath or affirmation of one or more witnesses, he shall forfeit not more than 100*l.*, nor less than 50*l.*, in discretion of the justices, which shall be disposed of as in *s.*3. *pl.*11., with like punishments on default of payment thereof, 17 *G.*3. *c.*56. *s.*4.

15. Every person who shall sell, pawn, pledge, exchange, or otherwise unlawfully dispose of, or offer to sell, *&c.* any such materials as aforesaid, whether wrought or unwrought, mixed or unmixed, knowing them to have been purloined, shall, on conviction, be liable to the punishment of receiving the same knowing them to have been purloined, *&c.* (*pl.*11.) *id. s.*5.

16. When any person shall be charged on oath, before any 2 or more justices, by virtue of this act, with being suspected of, or with having purloined or received any such materials as aforesaid, whether wrought or unwrought, mixed or unmixed, knowing the same to have been either purloined, *&c.* or received from some person not entitled to dispose thereof; and if it appear to the satisfaction of such justices, on the oath or affirmation of one or more witnesses, that such person has purloined, *&c.* or received any such materials knowing them to be so purloined or received as above, though no proof be given of the owner of the materials, such person shall be liable to the punishment of receiving the same knowing them to have been purloined, &c., 17*G.*3. *c.*56. *s.*6.

17. If any person so convicted of buying, receiving, or taking to pawn any of the above materials, shall be aggrieved by the justices' judgment, he may appeal to the next general or quarter sessions held for the county, division, &c. city, or place where such judgment is given; and the execution thereof shall be suspended; such person entering into a recognizance, taken by such justices, at the time of such conviction, with 2 sufficient sureties in double the forfeiture incurred, on condition to prosecute such appeal with effect, and to be forthcoming to abide the judgment of the sessions, the justices in which shall determine the same, and award reasonable costs to be paid by either party: and if on hearing the same, the judgment of the convicting justice shall be affirmed, such appellant shall immediately pay the penalty adjudged, with defendant's costs of such appeal as awarded by the sessions, or, in default of payment, shall suffer the penalties in *s.*2. *pl.*11., 22 *G.*2. *c.*27. *s.*3.

18. The justices before whom any person shall be convicted under 22 *G.*2. *c.*27. *or* 17 *G.*3. *c.*56., of buying, receiving, or taking to pawn any of the materials therein mentioned, shall cause such conviction to be drawn up on parchment thus: *viz.*

'— } Be it remembered, that on the — day of — in the — year of our
to wit. } Lord — *A. B.* was convicted before us — of H. M.'s justices of the peace in and for the said county of — [*or* for the — riding of the said county of —, *or* for the city, liberty, town, or place aforesaid, in the said county, *as case is*] of [*here specifying the offence, and when and where committed*]. Given under our hands and seals the day and year first above written,' 17 *G.*3. *c.*56. *s.*21. [repealing the form in 23 *G.* 2. *c.*13. *s.* 9.]

and shall not be removeable by *certiorari* into K. B., and shall be certified by such justices to the next general or quarter sessions for the county, city, division, or place where made, to be there recorded; and, in case of appeal, to the said sessions; the latter on receiving the conviction drawn up as above, shall proceed to determine such appeal according to [22 *G.*2. *c.*27. *s.*3. *pl.*17.] 23 *G.*2. *c.*13. *s.*9., 17 *G.*3. *c.*56. *s.*21.

19. If any person is charged and convicted of purloining or embezzling any of the above materials, or of buying and receiving the same as in *s.*2. *pl.*11., the convicting justices may issue a search-warrant empowering any person or persons, in the presence of a constable or headborough, and in the day-time, to enter and search the premises of the person convicted; and if on such search any such materials are found, the searcher shall bring them before the justices to be kept in safe custody; and if, in 24 days after such seizure, it be made appear to the satisfaction of such justices that the person from whose premises the said materials are taken is the lawful owner thereof, they shall be restored to him; but if they are not so shewn within that time, they shall be deemed purloined and embezzled, and the justices may order a public sale thereof, the produce, after deducting the charges of such sale, to be distributed among the poor of the parish, &c. where the convict resides, 22 *G.*2. *c.*27. *s.*4.

20. The justices, within 3 days after such materials brought to them as above, shall give notice thereof in writing under their hands and seals to the person convicted as above, appointing therein a time and place for his attending them in order to prove his property therein, which time shall be within 21, and not less than 18 days after such notice given; and if such person is detained in any prison, &c. the justices shall cause a like copy of such notice to be delivered to the gaoler, who shall bring him before them at the time and place fixed if he be then in his custody; or, on refusal, shall forfeit to the person named in such notice the full value of the materials sold, to be recovered by distress and sale of his goods by like justice's warrant, if not forthwith paid, *id. s.*5.

21. Every person aggrieved by the judgment or order of the said justices relating to the sale or disposal of the materials so found and detained as above, may appeal to the next general or quarter sessions of the same county, city, division, or place, and in the mean time the sale of such materials shall be postponed, notice thereof in writing under the hand of the appellant being given to the justices by whom such order is made, before the time appointed for sale of such materials, and the said sessions shall summon and examine witnesses on oath, and finally determine the appeal; and if the same be not prosecuted, or if the justices' order is affirmed, the sessions may award costs to the defendant, to be paid by the appellant, *id. s.*6. [*See the general appeal* given under these acts, 17*G.*3. *c.*56. *s.*20. *pl.*39.]

22. Any 2 justices of any county, city, division, or place, on complaint to them, on oath, by any one credible person, or on affirmation of a quaker, that there is just cause to suspect that any such purloined or embezzled materials, whether mixed or unmixed, wrought or unwrought, are concealed in any dwelling or outhouse, yard, garden, or

other place, may, by warrant under their hands and seals, cause the same to be searched in the day-time, and if any materials so suspected are found therein, may cause the same, and the person in whose house, &c. they are so found, to be brought before any 2 justices for the same county, &c., and if he shall not give an account of his possession thereof to the satisfaction of the justices, he shall be adjudged guilty of a misdemeanor, and punished as in *s.* 14. *pl.* 26., though no proof is given to whom the materials belong, 17 *G.* 3. *c.* 56. *s.* 10.

23. Every peace-officer of a county, &c. or place where there are officers, every beadle within his ward, parish, or district, and every watchman (while on duty only) shall and may apprehend every person reasonably suspected of having or conveying between sun-set and sun-rise, any materials so suspected to be purloined, and the same, with such person, shall carry before any 2 such justices as above; and if the person so apprehended shall not produce the parties entitled to dispose thereof from whom he received the same, or some witness to testify on oath or affirmation to such sale or delivery, or shall not account for his possession thereof to the satisfaction of such justices, he shall be deemed guilty of a misdemeanor, and punished as in *s.* 14. *pl.* 26., though no proof is given to whom such materials belong, *id. s.* 11.

24. In either of these cases as in *ss.* 10, 11. *pl.* 22, 23. the justices shall, at the request of the person brought before them, appoint a reasonable time for him to produce the persons entitled to dispose thereof of whom he received the same, and shall issue a summons to the constable, &c. of the place where such person or witness are respectively resident, requiring the latter to appear at the appointed time and place, to give evidence in the matters aforesaid; but the party so brought up shall enter into a recognizance for his appearance at such day, *&c.*, with or without surety as the justices shall think fit, or for want thereof, shall be committed till the time so fixed, and if then convicted, shall be punished as in *s.* 14. *pl.* 26., *id. s.* 12.

25. Where any conviction of a misdemeanor in either of the cases in *ss.* 10, 11. *pl.* 22, 23. takes place, the convicting justices may cause the seized materials to be deposited with the parish officers of the poor of the place where they are found, for not exceeding 30 days, and order them to insert an advertisement in some newspaper usually circulated near such place, or else to give notice by some public crier, and by fixing on the church door a notice describing such materials, and where deposited, that persons having lost may come and claim the same; and in case any person can prove his property therein, on oath or affirmation, to the satisfaction of the justices, the latter shall order restitution to the owners, after paying reasonable charges of removing, depositing, and giving public notice; but if before the end of the 30 days no person shall prove his property therein, they shall order the same to be sold, and, after deducting the said charges, with those of sale, shall apply one moiety of the produce to the use either of the prosecuting or apprehending of the offender, or both of them, as the justices shall appoint, and the other moiety to the poor of the parish, or to a public charity, *id. s.* 13.

26. Every person adjudged guilty of any of the misdemeanors in *ss.* 10—13. of this act, shall forfeit for the 1st offence, 20*l.*; for the 2d, 30*l.*; and for every subsequent offence, 40*l.*; to be levied by distress and sale of the offender's goods, by warrant of the convicting justices: of which forfeiture, one moiety shall be paid to the informer and the other to the poor of the parish, or to such public charity as the justices appoint: [*but these penalties* are now otherwise applied, see 58 *G.* 3. *c.* 51. *ss.* 3, 4. *infra, pl.* 46, 47.] if no sufficient distress can be found, they may commit the offender to any gaol in their jurisdiction, for one month for the 1st, 2 for the 2d, and 6 for every subsequent offence, *id. s.* 14.

27. If any person entrusted with any of the above materials to manufacture the same, shall not use the whole thereof in such working them up, and shall delay for [21, 22 *G.* 2. *c.* 27. *s.* 7., altered by 17 *G.* 3. *c.* 56. *s.* 7. to] 8 days to return (if required by the owner thereof) so much of the materials as remain unused to the person entrusting him therewith, such neglect, &c. shall be deemed an embezzling or purloining of such materials, and the offender, &c. being convicted as above, shall suffer the punishments inflicted for the same by both acts, 22 *G.* 2. *c.* 27. *s.* 7., 17 *G.* 3. *c.* 56. *s.* 7.

28. Any [*one* justice, 22 *G.* 2. *c.* 27. *s.* 8., altered by 17 *G.* 3. *c.* 56. *s.* 2. *pl.* 9. to] *two* justices of the county, city, or place, on complaint to them on oath, or on affirmation if by a quaker, of any offence against this act committed within their jurisdiction, may issue their warrant for bringing the party charged before them, and shall determine the same, and proceed to conviction and judgment thereon, 22 *G.* 2. *c.* 27. *s.* 8.

29. If any person employed to work up any materials, whether mixed or unmixed, for any master, shall wilfully neglect the same for 8 days successively, or having taken in any materials for manufacture from one master, or 2 masters, being partners, shall afterwards take in any materials, whether mixed or unmixed, from any other master, or shall be retained in any other employment sooner than 8 days before completion of the work taken, then, on conviction on oath or affirmation of one or more witnesses before 2 or more justices, he shall be sent to the house of correction or other public prison for not more than 3, nor less than 1 month's hard labour, 17 *G.* 3. *c.* 56. *s.* 8.

30. If any person shall receive any such materials in a fictitious name, in order to be manufactured, or shall receive in his own name any such materials in order to be manufactured by himself, and shall afterwards deliver the same to be manufactured by another (without the owner's consent), or if any carrier or person employed to deliver materials to any workman shall designedly deliver them to any other than the person intended by the owner, all such persons shall be respectively liable to prosecution and punishment, as in *s.* 8., *id. s.* 9.

31. Nothing in this act shall repeal any of the provisions in 13 & 14 *C.* 2. *c.* 15., 20 *C.* 2. *c.* 6., or 8 & 9 *W.* 3. *c.* 36., for punishing silk winders, doublers, and other persons convicted of purloining, &c. any silk delivered them to wind, double, or work up, or after the same is wrought up, or the buyers, receivers, or persons taking to pawn such silk, 22 *G.* 2. *c.* 27. *s.* 10.

32. No person shall, by virtue of the said acts, or of this act, be liable to suffer the punishments thereby inflicted twice for the same offence, *id. s.* 11.

33. All the provisions and penalties contained in 12 *G.* 1. *c.* 34. *ss.* 1—6. (Woollen Manufactures,) shall extend to journeymen dyers, hot-pressers, and all other persons soever employed in any of the woollen manufactures of this kingdom, and also to journeymen, workmen and all other persons employed in making felts or hats, or in any of the other manufactures enumerated in *s.* 1. of this act, *pl.* 9., 22 *G.* 2. *c.* 27. *s.* 12. [*See the form of* conviction for non or mis-payment of *wages*, 58 *G.* 3. *c.* 51. *Sch.* A, *infra, pl.* 48.]

34. The owner of such materials as in *s.* 1. *pl.* 9. may enter at all seasonable hours in the day-time, the shops, &c. or working-places of any persons by him employed to work up such materials, and in case of refusal by the person so employed to permit such entrance or inspection, he shall forfeit not more than 40*s.*, nor less than 10*s.* as the convicting justice thinks proper, to be recovered and applied as in *s.* 14. *pl.* 26., 17 *G.* 3. *c.* 56. *s.* 15.

35. Every punishment or provision contained in 22 *G.* 2. *c.* 27. as far as is not varied by this act, in respect to the said materials, shall apply to any tool and implement with which any person shall be entrusted for manufacturing or working up such materials, and also to any drugs or ingredients with which any person shall be entrusted for dying or preparing, &c. any such materials as are usually so dyed, &c., *id. s.* 16.

36. If any person employed as a journeyman dyer, servant or apprentice, in dying any felt or any woollen, linen, fustian, cotton, leather, fur, flax, mohair, or silk materials, whether wrought or unwrought, mixed or unmixed, shall, without consent of the master, wilfully dye any such materials, or receive the same for that purpose, whether the same shall be dyed or prepared for dying, he shall, for the first offence, forfeit 10*s.*, for the second, 20*s.*, and for every subsequent offence, 40*s.*; or if any person shall procure such materials to be dyed by such journeyman, &c. without consent of his employer, or shall offer any such materials to him for such purpose, the offender being convicted by the oath, &c. of one or more witnesses before 2 justices, shall for the first offence forfeit 5*s.*, for the second, 20*s.*, and for every subsequent offence 4*l.*, to be paid to the informer, [but these penalties are otherwise applied by 58 *G.* 3. *c.* 51. *ss.* 2—4., *infra, pl.* 45—47.] and in case of non-payment on conviction, the offender shall be committed to gaol or house of correction for not exceeding one month, *id. s.* 17.

37. Any inhabitant of a parish in which any offence shall be committed contrary to 12 *G.* 1. *c.* 34., (Woollen Manufactures,) or 22 *G.* 2. *c.* 27., shall be a competent witness, *id. s.* 18.

38. Any one justice, on complaint to him made on oath or affirmation, of any offence against this act, shall issue his warrant for apprehending and bringing before 2 justices the person charged with such offence, who shall determine the matter, and proceed to conviction, *id. s.* 19.

39. Any person who shall be aggrieved by the judgment of any 2 justices before whom he shall have been convicted of any of the offences in 12 *G.* 1. *c.* 34. (Woollen Manufactures,) or 22 *G.* 2. *c.* 27., or in this act mentioned, may appeal; and the said justices shall make known to such person, at the time of his conviction, his right to appeal to the next general or quarter sessions for the county, &c., or place where such conviction is made, (such person, at the time of such conviction, giving to such justice notice in writing of his intention to appeal, and entering into a recognizance, with sufficient sureties conditioned to try the same, and to abide the judgment and pay the costs awarded by the justices at the sessions;) but if he shall not then enter into such recognizance, the justices may commit him to the next quarter sessions, or till he enter into such recognizance; and the quarter sessions shall determine such appeal, and award reasonable costs to be paid by either party, [and treble costs may be awarded against the appellant, where the cause of appeal relates to any provisions of any of the above acts, respecting the payment or receipt of wages, and the same is decided against him, 1 *G.* 1.

c 93. *s*. 3., see *infra*, *pl*. 53.] and if the judgment of the convicting parties is affirmed, such appellant shall, in 48 hours after, suffer the corporal punishment directed in his conviction, or immediately pay the penalty, with costs awarded by the sessions for defraying defendant's costs in the appeal, or in default thereof shall be committed to the common gaol, &c. in the same manner and for the time directed by the original judgment of conviction, unless he has been imprisoned under the original conviction, in which case the time of his confinement shall be included, 17 *G*. 3. *c*. 56. *s*. 20.

40. No order made touching any matters in this act, nor any proceedings in the conviction of any offender against 22*G*. 2. *c*. 27., or this act, shall be quashed for want of form, or removable by *certiorari* into K. B., and the convicting justices shall cause the same to be drawn up in form as in *s*. 21. *pl*. 18., to be fairly written on parchment, and transmitted at the next general or quarter sessions of the peace, to be held for the county or place wherein such conviction was had, to be filed among the records of the said general or quarter sessions, and if the convict appeals to the sessions, the latter, on receiving the above conviction, shall determine the appeal, *id*. *s*. 22.

41. Nothing herein shall repeal any former laws now in force for the punishment of any of the offences herein above specified, except those expressly specified herein, and no offender proceeded against under this act for any offence shall be proceeded against for the same under any former law, *id*. *s*. 23.

42. Every action commenced against any person for any thing done in pursuance hereof, shall be severally laid and tried in the county or place where the fact was committed, and not elsewhere, and the general issue may be pleaded, and the special matter given in evidence, and that the act was done in pursuance of this act, and if so done, or if any such action is brought in any other county, &c. the jury shall find for defendant, and on such verdict, or if the plaintiff shall be nonsuit or discontinue, after defendant has appeared, or if on demurrer judgment is given against plaintiff, defendant shall have treble costs, *id*. *s*. 25.

43. To AMEND 4*E*. 4. *c*. 1., 1*A*. *St*. 2. *c*. 18., [10*A*. *c*. 16., 1*G*. 1. *St*. 2. *c*. 15., 7*A*. *c*. 13., REP. by 49*G*. 3. *c*. 109. *s*. 1.] 12*G*. 1. *c*. 34., 13*G* 1. *c*. 23., 13*G*. 2. *c*. 8., 22*G*. 2. *c*. 27., 29*G*. 2. *c*. 33., [13, *so in the act*, and in the conviction, *pl*. 48., but the act is *really*] 17*G*. 3. *c*. 56., 57*G*. 3. *cc*. 115. 122., as far as they prohibit the payment of wages of workmen in certain trades, otherwise than in the lawful coin or money of the realm, 58*G*. 3. *c*. 51. [AMD. and EXT. 1*G*. 4. *c*. 93.]

44. Every person concerned in the trades or occupations, or in the employment of workmen of the descriptions mentioned in the above acts, [*viz*. in the manufactures of *woollen*, *linen*, *fustian*, *cotton*, and *iron*, 1 *A*. *St*. 2. *c*. 18., 13*G*. 2. *c*. 8. of *woollen*, 12 *G*. 1. *c*. 34., 13*G*. 1. *c*. 23., 29 *G*. 2. *c*. 33., of *leather*, 13*G*. 2. *c*. 8., of *felts* or *hats*, *woollen*, *linen*, *fustian*, *cotton*, *iron*, *leather*, *fur*, *hemp*, *flax*, *mohair*, and *silk*, and in the trade of *dying* and *hotpressing*, 22*G*. 2. *c*. 27., 17*G*. 3. *c*. 56., the manufacture of articles of *steel*, or of *steel* and *iron* combined, and of *plated* and other *cutlery articles*, 57 *G*. 3. *c*. 115., and in the *collieries* and *coal-mines* in *G*. *B*. and *Ire*., *id*. *c*. 122.] or any of them, may pay the wages of his workmen in a note or notes of the bank of *Eng*., or of any duly licensed banker or bankers, issued under authority of the statutes in force for the time being, and according to those in force for granting and regulating the the stamp duties, in all cases where his workmen shall freely consent and be willing to accept the same in payment of their wages, and not otherwise, 58 *G*. 3. *c*. 51. *s*. 1.

45. So much of the said acts as directs the payment of any penalties for payment of wages otherwise than in money, either to the workmen themselves or in equal moieties to the informer and party grieved, shall be repealed, *id*. *s*. 2.

46. If any person shall incur and be convicted in any penalty under any of the above acts, the same shall be applied (not as therein directed) but one moiety to the informer and the other to the churchwardens and overseers, or in *Scot*. to the kirk session, of the parish within which the offence is committed, for the use of the poor thereof, *id*. *s*. 3.

47. If the informer be called to give evidence, the whole penalty shall go to the poor of the parish, *id*. *s*. 4.

48. The following conviction in *Sched*. A. shall be the legal form as to any penalty to be incurred under any or either of the above acts, [*semb*. in the manner of *payment of wages* only. *See pl*. 18., the *other* form of conviction.]

'——shire, } BE it remembered that on this — day of — at — in the said
to wit. } county of —, *A*. *B*. of — in the said county of —, was duly convicted before us —, 2 of H. M.'s justices of the peace in and for the county aforesaid, in the penalty of — for having paid or caused to be paid the sum of — due to *C*. *D*., of the parish of —, for wages for work done for him the said *A*. *B*., in the trade or occupation of —, otherwise than as provided and directed by an act passed in the 58th year of H. M. K. *G*. 3., intituled, [*recite the title of the act*, inserting the years of the reign at length, and not in figures, and omitting the chapters; the 13 *G*. 3. is here *again* placed for the 17 G. 3., *see* the bracketed part of the title, *pl*. 43.] Given under our hands and seals the day and year first above written.' *id*. *s*. 5.

49. All the powers and penalties in the above acts contained for the above purposes, shall be exercised as amply as if hereby enacted, 58 *G*. 3. *c*. 51. *s*. 6.

50. TO AMEND AND RENDER MORE EFFECTUAL THE PROVISIONS of 4*E*. 4. *c*. 1., 1*A*. *St*. 2. *c*. 18., 12*G*. 1. *c*. 34., 13*G*. 1. *c*. 23., 13*G*. 2. *c*. 8., 22*G*. 2. *c*. 27., 29*G*. 2. *c*. 33., 17*G*. 3. *c*. 56., 57*G*. 3. *cc*. 115. 122., 58*G*. 3. *c*. 51., for securing to the artificers, workmen, and labourers therein mentioned the due payment of their wages, 1*G*. 4. *c*. 93. *ss*. 1—3. [*see s*. 4., *tit*. LABOURER *pl*. 25., CON. to the end of the session of 1822., *id*. *s*. 5.]

51. If any person or persons concerned in the employment of workmen in the descriptions above mentioned, [*viz*. those in the bracketed part of *pl*. 44.] shall make or impose, or cause to be made, &c. any restriction, stipulation, or agreement, either directly or indirectly, as to the place or manner of laying out the whole or any part of any wages, money, or bank notes agreed to be paid to any such workmen, or as to the persons with whom the same or any part thereof shall be laid out, or shall in any way do any thing contrary to the said acts, as respects the payment or receipt of wages, every such offender being thereof lawfully convicted, [*viz*. *comm*. *semb*. as in *s*. 10. *pl*. 10.] shall pay in lieu of any penalty imposed by those acts any sum not less than 10*l*. nor more than 20*l*., in discretion of the convicting justice or justices, together with full costs of conviction, which such justice, &c. shall ascertain, 1 *G*. 4. *c*. 93. *s*. 1.

52. All powers of the above acts for recovery of penalties, shall be exercised for enforcing those of this act, *id*. *s*. 2.

53. Any court of quarter sessions, to which appeal is made in pursuance of any provisions contained in the above acts, or any of them, or of this act, *respecting payment or receipt of wages*, may award treble costs to be paid by the appellant in any case where the cause of appeal is determined against the appellant, and may enforce payment thereof as in the case of common costs, *id*. *s*. 3. [*see s*. 4., *tit*. LABOURER, *pl*. 25.]

II. *Provisions against Exportation of Machines and Tools used in certain Manufactures, and against seducing Workmen employed therein.*

54. For effectual punishment of persons convicted of seducing artificers in the manufactures of *G*. *B*. and *Ire*. into foreign parts, out of H. M.'s dominions, 5*G*. 1. *c*. 27. [AMD. 23*G*. 2 *c*. 13. *ss*. 1, 2. This title is framed from those of both acts.]

55. If any person shall contract with, entice, [persuade, 23*G*. 2. *c*. 13. *s*. 1.] endeavour to persuade or solicit, [or seduce, *id*. *ibid*.] any manufacturer [workman, *id*. *ibid*.] or artificer, of or in wool, [mohair, cotton, or silk, or of or in any manufactures made up thereof, or of any such materials mixed one with another, or of or in, *id*. *ibid*.] iron, steel, bruss, or any other metal, or any clock or watchmaker, or any other manufacturer, &c. of [any other of the manufactures of, *id*. *ibid*.] *G*. *B*., [or *Ire*., of what nature or kind soever, *id*. *ibid*.] to go out of this kingdom, [or *Ire*., *id*. *ibid*.] into any foreign country, [out of H. M's dominions, 5*G*. 1. *c*. 27.; not within the dominions of the crown of *G*. *B*., 23*G*. 2. *c*. 13. *s*. 1.] and shall be lawfully convicted thereof, on indictment or information, in any of H. M.'s courts [in K. B., *id*. *ibid*.] at *Westminster*, or [by indictment, *id*. *ibid*.] at the assizes or general gaol delivery [or quarter sessions of the peace, 5*G*. 1. *c*. 27. *s*. 1.] for the county, riding, or division wherein such offence is committed, [if in *Eng*., or by indictment in the court of justiciary, or any circuit court in *Scot*., if there committed, or by indictment or information in K. B. at *Dublin*, (if committed in *Ire*.,) 23*G*. 2. *c*. 13. *s*. 1.] the person or persons so convict SHALL [be fined any sum not exceeding 100*l*. for such first offence, at discretion of the court in which such conviction shall be, and shall be imprisoned for 3 months, and until such fine paid; and on a second conviction of a like offence, shall be fined at discretion of the same court, and be imprisoned for 12 months, and until such fine paid, 5*G*. 1. *c*. 27. *s*. 1. *semble*, *in force*, *see* 23*G*. 2. *c*. 13. *s*. 1., *preamble*,] BE, FOR EVERY artificer so by him or them respectively contracted with, &c. severally forfeit 500*l*., and shall be imprisoned in the common gaol of the county, &c., or stewartry, for 12 months, and until such forfeiture be paid; and on any second or subsequent conviction for a like offence, shall forfeit for every person so contracted with, &c. 1000*l*., and shall suffer 2 years' imprisonment, and until such forfeiture paid, 23*G*. 2. *c*. 13. *s*. 1. [5*G*. 1. *c*. 27. *s*. 1., as EXT. and AMD. by 23*G*. 2. *c*. 13. *s*. 1.]

56. No person shall be prosecuted for any of the above offences, unless such prosecution is commenced within 12 [calendar 23 *G*. 2. *c*. 13. *s*. 2.] months after such offence committed, 5*G*. 1. *c*. 27. *s*. 2. and 23 *G*. 2. *c*. 13. *s*. 2. [*See as to actions* brought for acts done in pursuance of 23*G*. 2. *c*. 13. *s*. 8. of that act, *post*. *pl*. 67.]

57. Every subject being such artificer, &c. who shall go into any country out of H. M.'s dominions, there to use or exercise, or to teach any of the said trades or manufactures to foreigners; or who, being in any such foreign country, and there using any of the said trades, &c. shall not return into this realm within 6 months next, after warning given him by the ambassador envoy, resident minister, or consul of the crown

of *G. B*, in the country where he shall be, or by any person authorized by such ambassador, &c. or by a secretary of state, and shall not thenceforth continually inhabit within this realm, shall be thenceforth incapable of taking any legacy devised to him, or any lands or hereditaments by descent, devise, or purchase, within this kingdom; or of being executor or administrator to any person therein, and shall forfeit all his lands, hereditaments, and chattels, in this kingdom, to H. M.'s use, and shall be deemed an alien, *5 G.1. c.27. s.3.*

58. On complaint on oath before any justice, that any person is endeavouring to seduce or draw away any such artificer, &c. out of H. M.'s dominions, for any of the said purposes, or that the latter hath promised, or is preparing to go out of the same for any such purpose, such justice may issue his warrant to bring the accused before him, or some other of the justices for the same county, &c. or city; and if, on bringing the accused before him, his guilt shall appear to such justice, by the oath of one witness, or by confession, such justice may bind him over to appear at the next assizes general gaol delivery, [or quarter sessions, *this is left out in 23 G.2. c.13. s.1. see above, pl. 55.*] to answer the premises, with reasonable sureties for appearance, in default of which security, such justice may commit the offender to the county gaol till the next assizes [or quarter sessions, *see note above, pl.55.*] at election of such justice, and until their delivery by due course of law; and any such artificer, &c. who is so afterwards convicted of such promise or preparation to go abroad for any of the said purposes, shall give such security to H. M. not to depart his dominions for any such purpose as the court shall deem reasonable, and shall be imprisoned till such security given, *id. s.4.*

59. Any of the above offences committed in *Scot.* shall be prosecuted in the court of justiciary or circuits there, *id. s.5.*

60. TO PREVENT THE EXPORTATION TO FOREIGN PARTS of utensils made use of in the cotton, linen, woollen, and silk manufactures of this kingdom, *23 G.2. c.13. ss.3—8.* and *14 G.3. c.71.* [ENF. and AMD. by *15 G.3. c.5., 21 G.3. c.37., 22 G.3. c.60., 26 G.3. c.76.*]

61. Every person in *G. B.* or *Ire.*, who shall, on any pretence soever, load or put on board, or cause to be laden, &c. in any vessel or boat not bound directly to some port or place in *G. B.* or *Ire.* [or to some other of the dominions of the crown of *G. B.*, *23 G.2. c.13. s.3.*] any tools or utensils used in the woollen or [cotton or linen, *14 G.3. c.71. s.1.*] silk manufactures, or any or either of them, or any other goods in which cotton and linen, or either of them are used; or any parts or parcels of such tools, by what name soever known; shall not only forfeit such tools, &c. so put on board, but also 200*l.*, to be recovered by action of debt, or information in any court of record at *Westminster*, or in the court of session of *Scot.*, or in any of the four courts of *Dublin*, respectively, without essoin, &c. or more than one imparlance, *23 G.2. c.13. s.3.* and *14 G.3. c.71. s.1.* [and see *21 G.3. c.37. s.1. pl.68.*]

62. Any customs or revenue officer, may seize and secure, in some or one of H. M.'s warehouses, all such tools or utensils, or parts thereof, as he shall find on board any vessel or boat not bound, as in last *pl.* and shall be indemnified for so doing, and all such tools seized and secured as above, shall be publicly sold to the best bidder, and one moiety of the produce shall go to H. M., and the other to the seizer, *23 G.2. c.13. s.4., 14 G.3. c.71. s.2.*

63. Every captain of any vessel in *G. B.* or *Ire.*, who shall knowingly permit any such tools, &c. to be put on board his ship, shall forfeit 100*l.* by *23 G.2. c.13. s.5.*, 200*l.* by *14 G.3. c.71. s.3.* recoverable as in *pl.61.*, and if it be a king's ship, shall also lose his command, and be disabled for any further employment under the crown, *23 G.2. c.13. s.5. 14 G.3. c.71. s.3.*

64. Every customs or revenue officer, who shall take, or knowingly suffer to be taken any entry outward, or who shall sign any cocket or sufferance for the shipping of any such tools, &c., or shall knowingly permit the same to be done, directly or indirectly, contrary to this act, shall forfeit 100*l.* by *23 G.2. c.13. s.6.* and 200*l.* by *14 G.3. c.71. s.4.* recoverable as in *pl.61.*, and shall lose his office, and be disabled, as in *23 G.2. c.13. s.6., 14 G.3. c.71. s.4.*

65. If any person shall collect, obtain, or have in his custody or possession, any such tools, &c. [as in *pl.61.*] or any tools or implements used in the woollen or silk manufactures of this kingdom, or any parts thereof; [This clause, and *21 G.3. c.37. s.1.* REPEALED as to prohibiting the exportation of wool cards, not exceeding 4*s.* per pair, and spinners cards not exceeding 1*s.* 6*d.* per pair value, intended to be exported to the *American* colonies, *15 G.3. c.5., 21 G.3. c.37. s.9.* but the last act *26 G.3. c.76.*, omits these words, and is general] and complaint is made on oath of one witness, before any justice, that there is reason to believe that such person hath collected, &c. or got into his possession such tools, &c. or parts thereof, with intent to export the same to some place out of *G. B.* or *Ire.* the justice may issue his warrant to seize all such tools, and bring the person complained of before him, or some other justice; and if, when so brought up, such person shall not give such justice a satisfactory account of the purpose to which such tools are intended to be appropriated, the latter shall cause such tools to be detained, and shall bind the persons so charged to appear at the next assizes, gaol-delivery or quarter sessions for the county where such offence is committed, with reasonable sureties for appearance, or if refusing to give such security, may commit such person to the county gaol, till the next assizes or quarter sessions at the justices' election, and till delivered by law, and in case he is convicted at such assizes, &c. he shall not only forfeit all such tools so seized, but also 200*l.* recoverable as in *pl.61.*, *14 G.3. c.71. s.5.*, *15 G.3. c.5.*, *21 G.3. c.37. s.9.*, *26 G.3. c.76.*

66. One moiety of the forfeitures by these acts, [except *comm. semb.* where otherwise *specially* disposed of, as in *23 G.2. c.13. s.4.*, and *14 G.3. c.71. s.2. pl.62.*] shall, when recovered, go to H. M. and the other to the person suing for the same, *23 G.2. c.13. s.7. 14 G.3. c.71. s.6.*

67. Every action brought against any person, for any thing done in pursuance of these acts, shall be commenced within six months after the fact committed; defendant may file common bail or a common appearance, and plead general issue, not guilty, giving this act and the special matter, in evidence; and if plaintiff is nonsuit, discontinues, or has verdict or judgment against him on demurrer, defendant shall recover treble costs, *23 G.2. c.13. s.8.*, *14 G.3. c.71. s.7.*

68. If any person in *G. B.* or *Ire.* shall put on board, or pack, or cause, &c. to be put on board, or packed in order to be put on board of any vessel not bound directly to some port in *G. B.* or *Ire.* or shall lade, or cause, &c. to be laden on board any boat or other vessel, or shall bring, or cause to be brought to any quay, wharf, or other place, in order to be so put on board any such vessel, any machine, engine, tool-press, paper utensil, or implement soever, used in, or proper for the working, pressing, or completing of the woollen, cotton, linen, or silk manufactures of this kingdom, or any of them, or any other goods, wherein wool, cotton, linen, or silk, or any of them are used, or any part of such machine, &c. by whatever name known, or any model or plan of such machine, or any part thereof, and complaint being made, on the oath of one witness, before any justice, the latter shall issue his warrant, not only to seize all such machines, models, plans, and parts thereof respectively, with the packages and all other goods packed therewith, but also to bring the person complained of before him or some other justice for the same county; and if, when so brought up, such person shall not give a satisfactory account of the purpose to which such machines, models, plans, &c. are intended to be appropriated, the justice may not only cause such machines, &c. seized, together with the packages and all other goods packed therewith, to be detained, but may also bind over the person charged, to appear at the next assizes, general gaol delivery or quarter sessions, with reasonable sureties for his appearance; and if he shall not give such security, may commit him to the common gaol or house of correction till the next assizes, or sessions, and till delivered by law; and if he is convicted of any of the offences aforesaid, on any indictment or information against him, at such assizes or sessions, he shall not only forfeit all such machines, &c. together with the packages, and all other goods packed therewith; but also 200*l.* with 12 months imprisonment in the common gaol of the county, and until such forfeiture is paid, *21 G.3. c.37. s.1.*

69. Any officer of customs in *G. B.* and of revenue in *Ire.* may seize and secure in some H. M.'s warehouses, all such machines, &c. as he shall find to be laid on board, or intended to be laid on board of any vessel or boat, not bound directly to some port in *G. B.* or *Ire.* contrary to this act, together with the packages, and all other goods packed therewith, and is indemnified in so doing; and all machines, &c. together with the packages and other goods packed therewith, so seized, shall after condemnation, be publicly sold to the best bidder, by order of the customs in *G. B.*, or commissioners of revenue in *Ire.*; and one moiety of the produce, after deducting the charges of condemnation and sale, shall be to the use of H. M., and the other to the seizer, *id. s.2.*

70. If the captain of any vessel or boat, in *G. B.* or *Ire.*, shall knowingly permit any machine, &c. by this act prohibited to be exported, to be put on board his vessel, he shall forfeit 200*l.*; and if the vessel belong to H. M., he shall also forfeit his employment, and be incapable of holding office under H. M., *id. s.3.*

71. If any officer of customs shall take, or knowingly suffer to be taken any entry outward, or shall sign any cocket for the shipping or exporting of any of the said machines, &c. or shall knowingly permit the same to be done, contrary to this act, he shall forfeit 200*l.* and his office, and be disabled as in *s.3.*, *id. s.4.*

72. The penalties and forfeitures herein (the recovery whereof is not before directed) shall be recovered by action of debt or information, in any court of record at *Westminster*, or in the court of session in *Scot.* or in any of the four courts at *Dublin*, in the name of the attorney-general, or lord advocate, or in the names of some officer of customs in *G. B.* or of revenue in *Ire.*, one moiety shall go to H. M., and the other to such officer of customs or revenue as shall sue, after deducting the charges of prosecution from the whole, *id. s.5.*

73. If any person hath in his possession, or shall obtain, make, apply for, or cause to be made any such machine, &c. with intent to export, or that the same may be exported to some other port than *G. B.* or *Ire.*

and complaint is made, on oath of one witness, before any justice, that there is reason to believe such person hath in his possession, or hath obtained, &c. the same, with intent to export, or that the same may be exported to some other port than in *G. B.* or *Ire.*, the said justice may issue his warrant to seize all such machines, &c. and to bring the person complained of before him, or some other justice, and if he shall not give a satisfactory account of the purpose to which such machines, &c. are, or were intended to be appropriated, such justice may cause all such machines, &c. so seized to be detained, and may bind the person so charged to appear at the next assizes, general gaol delivery, or quarter sessions, with reasonable sureties for his appearance; and if he shall not give such security, such justice may commit such person to the county gaol, till the next assizes or quarter sessions, and till his delivery by law; and if he is there convicted of having in his possession, or of having obtained, &c. any such machine, &c. with such intent, then he shall forfeit all such machines, &c. so seized, and also 200*l.*, and shall suffer imprisonment in the common gaol of the county, for 12 months, and till such forfeiture is paid: but such prosecution must be commenced within 12 months, 21 *G.* 3. *c.* 37. *s.* 6.

74. The forfeitures by this act inflicted on offenders against the same, shall, when recovered (where not otherwise provided) go to the use of the informer, after expences of prosecution paid, *id. s.* 7.

75. Actions against any person for what he does in pursuance of this act, shall be commenced within six months, and the person sued may file common bail or appearance, plead the general issue, and give this act in evidence, and if the plaintiff be nonsuit, discontinue, or have verdict or judgment on demurrer against him, the defendant shall recover treble costs, *id. s.* 8.

76. To PREVENT THE SEDUCING OF WORKMEN EMPLOYED in printing callicoes, cottons, muslins, and linens, or in making blocks, plates, or other implements used in that manufactory, to go to parts beyond the seas, and to prohibit the export of such blocks, &c., 22 *G.* 3. *c.* 60.

77. Every person who shall contract with, entice, persuade, or endeavour to seduce or encourage any artificer or workman employed, or having been employed, in printing callicoes, cottons, muslins, or linens of any sort, or in making or preparing any blocks, plates, or other utensils for such manufactory, to go out of *G. B.* to parts beyond the seas, and who shall be convicted thereof, on indictment, &c. in *K. B.* at *Westminster*, or at the assizes or gaol delivery for the county or place wherein such offence is committed, or the offender is resident, or by indictment in the courts of justiciary, or circuit courts in *Scot.*, shall, for every artificer so contracted with, &c. forfeit 500*l.* and be committed to the common gaol for 12 months, and till such forfeiture paid; and in case of a like subsequent offence, shall, on like conviction, forfeit for every person contracted with, &c. 100*l.* and be committed to common gaol for 2 years, and till forfeiture paid, 22 *G.* 3. *c.* 60. *s.* 1.

78. Prosecutions for the above offences, shall be commenced within 12 months after the offence committed, *id. s.* 2.

79. No person shall export from *G. B.* to any parts beyond the seas, any blocks, plates, engines, tools, or utensils used in, or proper for preparing, working up, or finishing of the callicoe, cotton, muslin, or linen *printing* manufactures, or any part of such blocks, &c. and if any person shall put or endeavour to put on board any vessel, not bound directly to some port of *G. B.*, any such blocks, &c. or part thereof, he shall forfeit all such blocks, &c. and also 500*l.* to be recovered by action of debt or information in any court at *Westminster*, or in the court of session in *Scot.* with no essoin, &c. and but one imparlance allowed, *id. s.* 3.

80. Any officer of customs or excise, shall seize, and secure in some of H. M.'s warehouses, all such blocks, &c. or parts thereof, as he shall find, or be informed are on board, or in any way of being put on board any vessel, not bound directly to some port in *G. B.*; and all blocks &c. or parts thereof so seized shall after condemnation be publicly sold to the best bidder, to be used in *G. B.* and not elsewhere; and one moiety of the produce shall go to H. M., and the other to the officer, *id. s.* 4.

81. If the captain or other officer of any vessel in *G. B.* or *Ire.*, shall permit any such blocks, &c. or parts thereof, to be put on board his vessel, or shall connive at the same, he shall forfeit 100*l.*, to be recovered as aforesaid; and if the vessel belongs to H. M., the captain, or other officer thereof, so permitting or conniving, shall, besides forfeiting the 100*l.*, be incapable of holding any office or commission under H. M., *id. s.* 5.

82. If any officer of customs shall take or permit any entry outwards, or sign any cocket for the shipping or exporting of any of the said blocks, &c. or parts thereof, or suffer the same to be done, he shall forfeit 100*l.*, to be recovered as in *s.* 3.; and also his office, and be for ever rendered incapable of holding office under H. M., *id. s.* 6.

83. One moiety of the forfeitures, shall go to the use of H. M., and the other to the person suing, *id. s.* 7.

84. Actions against any person for what he shall do in pursuance of this act, shall be commenced within six months after the fact; and the person sued may file common bail, and plead the general issue; and if plaintiff is nonsuit, discontinues, or has judgment against him, defendant shall have treble costs, 22 *G.* 3. *c.* 60. *s.* 8.

85. To PROHIBIT THE EXPORTATION TO FOREIGN PARTS of tools and utensils made use of in the iron and steel manufactures of this kingdom, and to prevent the seducing of artificers or workmen employed in those manufactures, to go into parts beyond the seas, 25 *G.* 3 *c.* 67. [AMD. &c. 26 *G.* 3. *c.* 89. which act is CON. by 30 *G.* 3. *c.* 18. *s.* 12. and made perpetual, 35 *G* 3. *c.* 38. *s.* 4.]

86. If any person in *G. B.* shall export or put on board, or pack, or cause to be put on board, or packed in order to be put on board of any vessel which shall be bound to some port in parts beyond the seas (except *Ire.*), or shall lade, or cause to be laden on board any boat or other vessel, or shall bring, or cause to be brought, to any quay, wharf, or other place, in order to be so laden or put on board any such vessel, any tool or utensil hereafter mentioned; that is to say,

'Hand stamps, dog head stamps, pulley stamps, stamps of all sorts, hammers and anvils for stamps, screws for stamps, iron rods for stamps, presses of all sorts, in iron, steel, or other metal used for giving impressions to metal, or any parts of these articles; presses of all sorts called cutting out presses, beds and punches to be used therewith; piercing presses of all sorts, beds and punches to be used therewith, either in parts or pieces, or fitted together; iron or steel dies to be used in stamps or presses either with or without impressions on them; rollers of cast iron, wrought iron, or steel, for rolling of metal, and frame for the same; flasks or casting moulds, and boards used therewith; lathes of all sorts for turning, burnishing, polishing, either the whole together, or separate parts thereof; lathe strings, polishing brushes, scoring or shading engines, presses for horn buttons, dies for horn buttons, sheers for cutting of metal, rolled metal with silver thereon, parts of buttons not fitted up into buttons, or unfinished; engines for chasing, stocks for casting buckles, buttons, and rings; cast iron anvils and hammers for forging mills for iron and copper; roles, slitters, beds, pillars and frames for slitting mills; die-sinking tools of all sorts, engines for making button shanks, laps of all sorts, drilling engines, tools for pinching of glass, engines for covering of whips, polishing brushes, bars of metal covered with gold or silver, iron or steel screw plates, pins and stocks for making screws;'

or other tool or utensil whatsoever, which may be used in, or proper for working or completing the iron or steel manufactures of this kingdom, by what name soever known, or any model or plan of any such tool, or any part thereof; the offender shall forfeit all such tools, or parts thereof, with the packages, and all other goods packed therewith, and complaint being made, on the oath of one witness, before any justice, he may issue his warrant to bring the person complained of before him, or some other justice for the same county; and if, when brought before such justice, he shall not give a satisfactory account of the purpose to which such tools, &c. and models, plans, or parts thereof are intended to be appropriated, such justice may bind him to appear at the next assizes, general gaol delivery, or quarter sessions, with reasonable sureties for his appearance; and in case he shall not give such security, such justice may commit the person so refusing to the common gaol, till the next assizes, or quarter sessions, and till his delivery by law: and in case such person shall be convicted on any indictment or information against him at such assizes or sessions, he shall forfeit 200*l.*, and also suffer imprisonment in the common gaol for 12 months, and till such forfeiture is paid, 25 *G.* 3. *c.* 67. *s.* 1.

87. Any officer of customs in *G. B.*, may seize and secure, in some of H. M.'s warehouses, all such tools, models, or parts thereof respectively, as he shall find put on board, or intended to be put on board any vessel or boat bound to some port in parts beyond the seas, (except *Ire.*), contrary to this act, together with the packages and all other goods packed therewith, and is indemnified in so doing; and all tools, models, or parts thereof, with the packages and other goods packed therewith, so seized, shall, after condemnation, be publicly sold to the best bidder, by order of commissioners of customs; and one moiety arising by the sale, after deducting the charges of condemnation and sale, shall be to H. M., and the other to the seizer, *id. s.* 2.

88. If the captain, &c. of any vessel or boat in *G. B.*, shall knowingly permit any such tool, or part thereof, or any model, or part thereof, to be put on board his vessel, he shall forfeit 200*l.*, and if the vessel belong to H. M., shall also forfeit his employment, and be incapable of holding any office under H. M., *id. s.* 3.

89. Every officer of customs in *G. B.* who shall take, or knowingly suffer to be taken any entry outward, or shall sign any cocket for shipping or exporting of any of the said tools, models, or parts thereof, or shall knowingly permit the same to be done, shall forfeit 200*l.* and also his office, and be incapable of holding office under H. M., *id. s.* 4.

90. If any person hath in his possession, or shall obtain, make, apply for, or cause to be made any such tool, or part thereof, or any such model or plan, or part thereof, with intent to export, or that the same may be exported out of *G. B.* to any part beyond the seas, (except *Ire.*), and complaint being made, on the oath of one witness, be-

fore any justice, that there is reason to believe such person hath in his possession, or hath collected, &c. any such tools, &c. with intent to export, or that the same may be exported to some other place than *G. B.* or *Ire.*; the said justice may issue his warrant to seize all such tools, &c. and to bring the person complained of before him, or some other justice for the same county and if he shall not give a satisfactory account of the use to which such tools, &c. were intended to be appropriated, such justice may cause such tools, &c. so seized, to be detained, and bind the person charged to appear at the next assizes, general gaol delivery, or quarter sessions, with reasonable sureties for appearance; and if he shall not give such security, may commit him to the county gaol, till the next assizes, or quarter sessions, and till delivered by law; and in case he is convicted on any indictment or information against him at such assizes or quarter sessions, of having in his possession, or of having obtained, &c. such tool, &c. with such intent as aforesaid, the convict shall forfeit all such tools, &c. so seized, and also 200*l.*, and shall suffer imprisonment in the common gaol of the county, for 12 months, without bail, and till such forfeiture paid, 25*G.*3. *c.*67. *s.*5.

91. If any person shall contract with, entice, persuade, or endeavour to seduce or encourage any artificer or workman employed, or having been employed in the iron or steel manufactures, or in making or preparing any tools, &c. for such manufactory to go out of *G. B.* to any foreign parts, except *Ire.* and shall be convicted thereof, on indictment or information in *K. B.* at *Westminster*, or by indictment at the assizes or quarter sessions for the county or place where the offence is committed, or the offender resides, or in the justiciary or circuit courts in *Scot.* he shall, for every artificer so contracted with, &c. forfeit 500*l.*, and be committed to the common gaol for 12 calendar months, and till such forfeiture is paid; and for a like subsequent offence, shall forfeit 1000*l.* and be committed to the common gaol for 2 years, and till such forfeitures be paid, *id. s.*6.

92. Prosecutions for the above offences, shall be brought within 12 calendar months after the offence committed, *id. s.*7.

93. The penalties shall be recovered by action of debt or information in any court of record at *Westminster*, or in the courts of exchequer, or of session of *Scot.*, in the name of the attorney-general or lord advocate, or of some officer of customs in *G. B.*; and one moiety shall go to the king, and the other to such officer of customs as shall sue, after deducting the charges of prosecution from the whole, *id. s.*8.

94. Actions against any person for what he shall do in pursuance hereof, shall be commenced within 3 months, and the person sued may plead the general issue; and if the plaintiff shall be nonsuit, &c. the defendant shall recover treble costs, 25*G.*3. *c.*67. *s.*9.

95. It shall be lawful to export from *G. B.* to the *British West Indies*, or to any part whatever any tools or utensils made use of in the iron or steel manufactures of this kingdom, which might have been legally exported before the passing of 25 *G.* 3. *c.* 67. (except

'Rollers, either plain, grooved, or of any other form or denomination of cast iron, wrought iron, or steel, for the rolling of iron, or any sort of metals, and frames, beds, pillars, screws, pinions, and each implement, tool, or utensil thereunto belonging; rollers, slitters, frames, beds, pillars, and screws, for slitting mills; presses of all sorts in iron, steel, or other metals, which are used with a screw exceeding one inch and a half in diameter; or any parts of such articles, or any model of any such utensils, implements, and machines, or any part thereof; and all sorts of utensils, engines, or machines used in the casting or boring cannon, or any sort of artillery, or any parts thereof, or any model tools, utensils, engines or machines used in casting or boring of cannon, or any sort of artillery, or parts thereof; hand-stamps, dog-head stamps, pulley stamps, hammers and anvils for stamps, presses of all sorts called cutting-out presses, beds and punches to be used therewith, piercing presses of all sorts, beds and punches to be used therewith, either in parts or pieces, or fitted together; scoring or shading engines, presses for horn buttons, dies for horn buttons, rolled metal with silver thereon, parts of buttons not fitted up into buttons, or in an unfinished state; engines for chasing, stocks for casting buckles, buttons and rings; die sinking tools of all sorts, engines for making button shanks, laps of all sorts, tools for pinching of glass, engines for covering of whigs, bars of metal covered with gold or silver, burnishing stones, commonly called blood stones, either in the rough state or finished for use);'

any thing in 25*G.*3. *c.*67. *s.*1. notwithstanding, 26 *G.* 3. *c.* 89. *s.*1.

96. No person in *G. B.* may export to parts beyond the seas (except *Ire.*), or have in his possession with intent to export, any of these tools: *viz.*

'Wire moulds for making paper; wheels made of metal, stone, or wood, for cutting, roughing, smoothing, polishing, and engraving glass; purcellas, pincers, sheers, and pipes, used in blowing glass; potters' wheels and potters' lathes for plain, round, and for engine-turning tools, used by saddlers, harness-makers, and bridle-makers, namely, cantle-strainers, side-strainers, point-strainers, creasing-irons, screw-creasers, wheel-irons, seat-irons, pricking-irons, bolstering-irons, clams, head-knives;'

and 25*G.*3. *c.*67. so far as it concerns the exporters or possessors of the tools therein enumerated or described, shall extend to all exporters or possessors of the tools herein enumerated, 26 *G.* 3. *c.* 89. *s.*2.

MARKETS AND FAIRS.

1. NO FAIRS OR MARKETS SHALL BE KEPT in church-yards, 13 *E.* 1. *c.* 6. *Stat. Wynt.*

2. ALL SHERIFFS SHALL PROCLAIM AND PUBLISH that all lords that have fairs shall hold the same for the time they ought, and no longer; *viz.* those that have them by H. M.'s charter, for the time thereby granted, and those without charter for the time they ought by right. Every lord, at beginning of his fair, shall proclaim how long the fair endures, to the intent that merchants who stay over such time shall be grievously punished towards H. M.; and the lords shall not hold fairs over due time, on pain to seize same into H. M.'s hands till fine is made to H. M., after it is duly found that they held such fairs longer than they ought, or that the merchants have stayed above the time so proclaimed, 2 *E.* 3. *c.* 15.

3. MERCHANTS AFTER THE TIME OF HOLDING the fair is ended, shall close their booths or stalls, without putting to sale any ware there; and if they sell any wares there after such time, shall forfeit to H. M. double value of the thing sold; and to recover same, every man who will sue for H. M. shall be received, and shall have 1-4th of the penalty, 5 *E.* 3. *c.* 5.

4. THE CLERK OF THE MARKET OF H. M.'s house shall do his office well and duly: all false measures and weights shall be burned: he shall take no common fine; but every person in default touching the office, shall be punished according to desert: he shall not ride but with 6 horses, at most, or tarry in any town or place longer than necessary for his business; and if convict of any thing contrary to this statute, shall pay to H. M., on 1st conviction, 100*s.*; at the 2d, 10*l.*; at the 3d, 20*l.*, 13 *R.* 2. *c.* 4.

5. THE CLERK OF THE MARKET SHALL have all his measures and weights of brass, according to the exchequer standard, and marked with the proper sign of the exchequer, and shall carry the same with him when he makes assay of weights and measures within the realm, and no other measure or weight shall be used by him or any other, on the pains contained in former statutes; 16 *R.* 2. *c.* 3. *s.* 1. [AMD. 16 *C.* 1. *c.* 19. *For the modern* regulations for regulating weights and measures, *see tit.* WEIGHTS, &c.]

6. FOR BETTER ORDERING AND REGULATING THE OFFICE OF CLERK of the market allowed and confirmed by this statute, 16 *C.* 1. *c.* 19., and recital in *s.* 1. [*ss.* 3—6. and 8—9. See rest of this statute, WEIGHTS AND MEASURES.]

7. The clerk of the market of H. M.'s house, or of any future duke of *Cornwall*, or his deputy, shall execute his office only within the verge of H. M.'s court, where it then resides; and the head officers of corporations, and the lords of franchises, and their deputies, may execute the said office according to their several jurisdictions, *id. s.* 3.

8. Every such clerk of the market or head officer, lord of franchise, or their deputies, who shall seal or give allowance to any other weight or measure than the standard of exchequer, or shall, on reasonable warning, refuse to seal, &c. such as are agreeable thereto, on paying only the fees warranted by ancient custom or by statute, shall forfeit for each offence 50*l.*, to be levied as in *s.* 2. (*tit.* WEIGHTS, *&c.*) to the use of the poor of the parish where the offence is committed, *id. s.* 4.

9. If they shall take from any subject, by color of office, any common fine, fee, or other money, other than that allowed by statute or ancient custom, for making, signing, or examination of any weights or measures having been formerly marked or sealed, or shall impose any fine without legal trial of the offence, or shall otherwise misdemean themselves in their offices, and are thereof convicted, they shall respectively forfeit for the 1st offence 5*l.*; for the 2d, 10*l.*; for every other 20*l.* to be levied to the use of the poor, as in *s.* 2. (*tit.* WEIGHTS, &c.), *id. s.* 5.

10. Persons fined or amerced under this act shall not be again punished for the same offence under former statutes, *id. s.* 6.

11. Every officer, his assistant, or other authorized to execute this statute, who shall be sued for any act done therein, may plead the general issue "*not guilty*," and give this statute or any other special matter in evidence [*id. s.* 8.]; and if the verdict is not guilty, or if plaintiff is nonsuited, shall recover treble costs, *id. s.* 9.

12. CERTAIN DAYS WHEREIN FAIRS AND MARKETS OUGHT NOT to be kept, 27 *H.* 6. *c.* 5. [*semb.* in force, *see s.* 2., and *Comyns* v. *Boyer*, *Cro. Eliz.* 485, *and Drury* v. *Defontaine*, 1 *Taunt. Rep.* 131.]

13. All fairs and markets [in the principal feasts, *viz.*] in the feast of the *Ascension*, in the days of *Corpus Christi*, of *Whitsunday*, *Trinity*, and other *Sundays*, and in the feast of *Assumption*, *All-Saints-Day*, and on *Good-Friday*, shall clearly cease from all shewing of goods, &c. (necessary victual only except) on pain of forfeiture of the goods shewed to the lord of the franchise (the 4 *Sundays* in harvest except): but fairs granted to be held on those festivals may be held by their old grant in 3 days next before or after the feasts, making proclamation to the people: on which day they shall be holden, without fine or fee to

H. M.'s use; and those fairs having sufficient days before or after the feasts, shall hold the same their full number of days, except the above days, 27 *H.* 6. *c.* 5.

14. For trial of matters in courts of piepoudre at fairs, 17 *E.* 4. *c.* 2. [Made Perp. 1 *R.* 3. *c.* 6.]

15. No steward, &c. of such a court shall hold plea therein unless plaintiff or his attorney, in presence of defendant, if he desires it, shall make oath on the holy Evangelists that the contract, trespass, or deed comprised in the declaration were made or done in the fair time of the fair, where he takes his action, and within its bounds and jurisdiction: defendant may plead to the action or in abatement of plaint, and may tender an issue that such contract, &c. was made out of the time, or at other places out of the jurisdiction of the same fair; and if it be so tried [found], or if plaintiff refuse to be sworn, defendant shall be discharged, and plaintiff is left to common law. Such steward, &c. shall for every default forfeit 100*s.*, one moiety to H. M., the other to the party suing by action of debt in his own name, 17 *E.* 4. *c.* 2., 1 *R.* 3. *c.* 6.

16. The franchise of bishopric of *Durham* being excepted, 17 *E.* 4. *c.* 2.

17. That persons dwelling in the country shall not sell divers wares in cities and towns corporate by retail, 1 & 2 *P.* & *M.* *c.* 7. (*and recital in s.* 1.)

18. Any person who shall dwell out of any city, borough, town corporate, or market town, shall not sell by retail any woollen or linen cloth, haberdashery, grocery, or mercery wares within such cities, &c. or the suburbs or liberties thereof, except it be in open fairs, on penalty of 6*s.* 8*d.*, and all wares so sold or offered to be sold contrary to this act shall go in moieties to H. M. and to the person suing for same by action of debt, information, &c., wherein no essoin, &c., *id. s.* 2.

19. This act shall not prejudice any person who brings any such wares to any city, &c. to be sold by wholesale, but not by retail; but the same may be sold by wholesale as before this act, *id. s.* 3.; so persons, &c. being free of any of the guilds and liberties of such cities, and dwelling within the same, may sell any of such wares by retail, *id. s.* 4.

20. All persons may sell, by retail or otherwise, all manner of cloth, linen, or woollen of their own making, in every city and town as before, *id. s.* 5.; and this act shall not prejudice the privileges of the universities of *Oxford* or *Cambridge*, *id. s.* 6.

MARQUE.

1. For regulating the grant of letters of marque, 4 *H.* 5. *c.* 7. [Rep. as to the grant thereof against *Scot.* in *s.* 3. by 4 *J.* 1. *c.* 1. *s.* 1.]

2. [After reciting 2 *H.* 5. *c.* 6., making breach of truce high treason, whereby though enemies break the same, subjects cannot act against them, *now* Rep. 20 *H.* 6. *c.* 11., 14 *E.* 4. *c.* 4., 1 *E.* 6. *c.* 12. *s.* 2.] In case of breach of truce by enemies, letters of marque shall be granted to the parties grieved, *id. s.* 1.; who may complain to the keeper of the privy seal, who shall make for the complainant (if he so require) letters of request of restitution under his seal in due form; and if restitution be not made accordingly within a reasonable time, the chancellor of *England* shall cause to be made out to him letters of marque in due form, *id. s.* 2.

3. To authorize the issuing of commissions, and letters of marque and reprisal, against H. M.'s enemies, to such ships and vessels belonging to H. M. as are employed in the service of the boards of customs or excise, and other public boards in this kingdom, 41 *G.* 3. *U.K.* *c.* 76.

4. The lord high admiral, or commissioners for executing that office, or any 3 of them, may, if they think fit, or any person by them appointed, may, at the request of the commissioners of customs, excise, navy transports, ordnance, or victualling, cause to be issued in the usual manner, commissions or letters of marque and reprisal, to any person they may appoint to be commanders of such ship or vessel, for taking with such ships, &c. any place or fortress upon land, or any ships or vessels, arms, ammunition, stores of war, goods and merchandize possessed by H. M.'s enemies in any sea, creek, haven, or river; and such ship, arms, &c., with all their furniture, tackle, and apparel so to be taken, after final adjudication thereof as lawful prize in the high court, or in any other court of admiralty in H. M.'s dominions duly authorized thereto, shall wholly belong and be divided between the persons on board thereof aiding and assisting in the taking thereof, in such shares as any public boards in this kingdom shall think fit; and neither H. M. nor any other person, other than those on board, shall be entitled to any share therein, except to the duties payable in respect thereof [33 *G.* 3. *c.* 66. *s.* 9. now Exp.] notwithstanding, *id. s.* 1.

5. But before granting any commission or letter of marque in pursuance of this act, such like bail and security shall be taken as usual in cases where granted to merchants' ships, and the sufficiency thereof shall be enquired into and reported, and such oath taken as by 33 *G.* 3. *c.* 66. [*s.* 14. now Exp.] required; and all the rules, regulations, &c. in that act contained, relating to the applying for, obtaining, using, or revoking such commissions or letters, for vessels belonging to H. M.'s subjects, and relating to the officers and crews thereof, or offences by them committed, or to any persons granting certificates, or otherwise acting in respect to such ships, &c. (except where hereby altered) shall be observed, &c. as far as applicable to this act, and to vessels having commissions or letters of marque, and to the officers and crews thereof, and other persons acting in anywise relating thereto, 41 *G.* 3. (*U.K.*) *c.* 76. *s.* 2.

MARRIAGE.

1. The prohibited degrees of marriage are the following: No subjects of this realm, or in any H. M.'s dominions, shall marry within the following degrees; and the children of such unlawful marriages are illegitimate: *viz.* a man may not marry his mother or stepmother; his sister; his son's or daughter's daughter; his father's daughter by his step-mother; his aunt; his uncle's wife; his son's wife; his brother's wife; his wife's daughter; his wife's son's daughter; his wife's daughter's daughter; his wife's sister, 25 *H.* 8. *c.* 22. *s.* 3.; and this provision shall be interpreted of such marriages, where marriages were solemnized and carnal knowledge had, 25 *H.* 8. *c.* 22. *s.* 14.

2. Concerning [precontracts of] marriages, and touching degrees of consanguinity, 32 *H.* 8. *c.* 38. [Rep. by 2 & 3 *E.* 6. *c* 23. *ss.* 1; 2., as to annulling marriages for *precontracts*; and wholly by 1 & 2 *P.* & *M.* *c.* 8. *s.* 20., but so much as was not Rep. by 2 & 3 *E.* 6. *c.* 23. is Rev. by 1 *El.* *c.* 1. *s.* 11.]

3. All such marriages as within the church of *Eng.* shall be contracted between lawful persons (as all persons be lawful that be not prohibited by God's law to marry) being contract and solemnized in the face of the church, and consummate with bodily knowledge and fruit of children, shall be lawful and indissoluble, notwithstanding any dispensation, prescription, or other thing; and no reservation or prohibition (God's law except) shall impeach any marriage without the *Levitical* degrees; and no person shall be admitted in the spiritual courts to any process contrary to this act, 32 *H.* 8. *c.* 38. *s.* 1.

4. As concerning pre-contracts, 32 *H.* 8. *c.* 38. shall be Rep., and reduced to the state of H. M.'s ecclesiastical law, 2 & 3 *E.* 6. *c.* 23. *s.* 2.

5. No person shall be married at any place pretending to be exempt from the visitation of the bishop, without a licence, except the banns be published and certified; and every parson, vicar, and curate, who shall marry any persons contrary to the meaning hereof, shall forfeit 100*l.*, to be recovered in any of H. M.'s courts of record, one moiety to H. M. and the other to the informer; and shall for the second offence be suspended *ab officio et beneficio* for 3 years, 6 & 7 *W.* 3. *c.* 6. *s.* 52. [*see* rest of this act, Register, *pl.* 1.]

6. For enforcing the laws which restrain marriages without license or banns, and for better registering marriages, births and burials, 7 & 8 *W.* 3. *c.* 35., (and recital in *s.* 1.)

7. Every parson, vicar, or curate who shall marry any person without publication of banns, or without licence, shall forfeit 100*l.*, *id. s.* 2.

8. Every parson, vicar, or curate, who shall substitute, or knowingly permit any other minister to marry any persons in any church or chapel to such parson, &c. belonging, without publication of banns or licences, shall forfeit 100*l.*, to be recovered in any of H. M.'s courts of record, by action of debt or information, without essoin, &c. or more than one imparlance, one moiety to H. M., and the other to him that shall sue, *id. s* 3.

9. Every man married without licence or publication of banns, shall forfeit 10*l.*, to be recovered with costs as aforesaid; and every sexton or parish clerk who shall knowingly assist at such marriages shall forfeit 5*l.*, recoverable in like manner, *id. s.* 4.

10. [To guard against loss to stamp duties by clandestine marriages.] Every parson, vicar, or curate, or other person in holy orders, who shall marry any person without publication of banns, or licence from the proper ordinary, shall forfeit 100*l.*, to be recovered with costs in any court of record at *Westminster*, [as in *pl.* 8.] one moiety to H. M. and the other to him who shall sue; and if such offender is a prisoner in any prison (other than a county gaol) and is convicted of such offence by action or information, then on oath of such imprisonment made before any judge of the above courts, and on producing a copy of the record of such conviction proved on oath, the judge shall grant his warrant to the keeper of the gaol where such offender is prisoner, to remove him to the gaol of the county; and every gaoler knowingly permitting any marriage to be solemnized in his prison, before publication of banns, or licence obtained, shall forfeit 100*l.* as aforesaid, 10*l.* *c.* 19. *s.* 176. Saving to all archbishops, bishops, and other ordinaries, &c. all ecclesiastical jurisdiction, *id. s.* 177.; the provision for marriages shall not extend to *Scot.*, *id. s.* 178. [*See* rest of this statute, Stamps.]

11. For the better preventing of clandestine marriages, 26 *G.* 2. *c.* 33. [Ext., as to *s.* 13., to *Ire.* by 58 *G.* 3. *c.* 81. *s.* 3.]

12. All banns of matrimony shall be published in an audible manner in the parish church, or in some public chapel in which banns have been usually published, belonging to such parish or chapelry wherein the persons to be married dwell, according to the form prescribed by the

rubric prefixed to the office of matrimony in the book of common prayer, on 3 *Sundays* preceding the solemnization, during morning service, (or evening service, if there be no morning service in such church or chapel,) on any of those *Sundays*, immediately after the 2d lesson; and when the persons to be married dwell in divers parishes or chapelries, shall be published in the church, &c. of each parish, &c.; and where both or either of them dwell in any extra-parochial place having no church, &c. wherein banns have been usually published, then the banns shall be published in the parish church, &c. belonging to some parish, &c. adjoining to such extra-parochial place; and where banns shall be published in any church, &c. belonging to any parish adjoining to such extra-parochial place, the parson, vicar, minister, or curate, publishing such banns, shall under his hand certify the publication thereof, in such manner as if either of the persons to be married dwelt in such adjoining parish; and all other rules prescribed by the said rubric concerning the publication of banns and the solemnization of matrimony, not hereby altered, shall be observed: and in all cases where banns have been published, the marriage shall be solemnized in one of the parish churches or chapels where such banns have been published, and in no other place, 26 *G.* 2. *c.* 33. *s.* 1.

13. No parson, vicar, minister, or curate, shall be obliged to publish the banns of matrimony between any persons, unless the persons to be married shall, 7 days before the time required for the first publication, cause to be delivered to such parson, &c. a notice in writing of their christian and surnames, and of their respective abodes, within such parish, chapelry, or extra-parochial place, and of the time during which they have dwelt in such houses respectively, *id. s.* 2.

14. No parson, &c. solemnizing marriages between persons, both or one of whom shall be under the age of 21 years, after banns published, shall be punishable by ecclesiastical censures for solemnizing such marriages without consent of parents or guardians, whose consent is required by law, unless such parson, &c. have notice of the latter's dissent; and in case the latter, or one of them, publicly cause to be declared in the church, &c. where the banns shall be published, at the time of such publication, their dissent to such marriage, such publication of banns shall be void, *id. s.* 3.

15. No licence of marriage shall be granted by any person having authority to grant such licences, to solemnize any marriage in any other church or chapel, than in the parish church or public chapel belonging to the parish or chapelry within which the usual place of abode of one of the persons to be married shall have been for 4 weeks immediately before granting such licence; or where both or either of the parties to be married dwell in any extra-parochial place having no church, &c. wherein banns have been usually published, then in the parish church or chapel belonging to some parish or chapelry adjoining thereto, *id. s.* 4.

16. All parishes where there is no parish church, &c., or none wherein divine service shall be usually celebrated every *Sunday*, may be deemed extra-parochial places for the purposes of this act, *id. s.* 5.

17. Nothing herein shall deprive the archbishop of *Canterbury* and his officers of the right which hath hitherto been used under 25 *H.* 8. *c.* 21. of granting special licences to marry at any convenient time or place, *id. s.* 6.

18. No surrogate deputed by any ecclesiastical judge, having power to grant licences of marriages, shall grant any such licence before taking an oath before the said judge, faithfully to execute his office according to law, to the best of his knowledge, and giving security by bond in 100*l.* to the bishop of the diocese, for faithful execution of his office, *id. s.* 7.

19. Every person who shall solemnize matrimony in any other place than a church or public chapel, where banns have been usually published, (unless by special licence from the archbishop of *Canterbury*), or shall solemnize it without publication of banns, unless licence of marriage is first obtained from some competent person, shall be judged guilty of felony, and transported to some of H. M.'s plantations in *America* for 14 years, according to the laws for transportation of felons. And all marriages so solemnized are void, *id. s.* 8.

20. Prosecutions for such felony shall be commenced within 3 years after the offence committed, *id. s.* 9.

21. After solemnization of any marriage under a publication of banns, it shall not be necessary, in support of it, to prove the dwelling of the parties in the respective parishes or chapelries wherein the banns were published; or where the marriage is by licence, to prove that the usual place of abode of one of the parties, for 4 weeks as aforesaid, was in the parish or chapelry where the marriage was solemnized; nor shall any evidence, in either of the said cases, be received to prove the contrary in any suit touching the validity of such marriage, *id. s.* 10.

22. All marriages solemnized by licence, where either party, not being a widower or widow, shall be under 21, without consent of the father of such of the parties so under age, if living, or, if dead, of the guardians of the person of the party so under age, or one of them; and in case there be no such guardian, then of the mother, if living and unmarried; or if there be no mother living and unmarried, then of a guardian of the person appointed by the court of *Chancery*, shall be void, 26 *G.* 2. *c.* 33. *s.* 11.

23. In case any such guardian or mother, or any of them, whose consent is made necessary, shall be *non compos mentis*, or beyond the seas, or shall refuse their consent to the marriage, any person desirous of marrying, in any of the beforementioned cases, may apply by petition to the lord chancellor, who shall proceed on such petition in a summary way; and if the marriage proposed appear proper, shall judicially declare the same to be so by an order of court, which shall be deemed as good as if the guardian or mother of the person so petitioning had consented thereto, *id. s.* 12.

24. In no case shall any suit or proceeding be had in any ecclesiastical court, to compel a celebration of any marriage *in facie ecclesiæ*, by reason of any contract of matrimony, whether *per verba de præsenti* or *per verba de futuro*, entered into after 25th *Mar.* 1754, *id. s.* 13. [or in *Ire.* after 15th *June* 1818, 58 *G.* 3. *c.* 81. *s.* 3]

25. The church and chapelwardens of every parish or chapelry shall provide books of vellum, or durable paper, in which all marriages and banns of marriage respectively, there published or solemnized, shall be registered; every page thereof shall be marked at the top with the number of such page, beginning at the second leaf with number 1, and shall be ruled with lines at proper and equal distances; and all banns and marriages published or celebrated in any church or chapel, or within any such parish or chapelry, shall be registered, printed, or written on, or as near as may be to such ruled lines, and signed by the parson, vicar, minister, or curate, or by some other person in his presence, and by his direction; and such entries shall be made on or near such lines in successive order, where the paper is not damaged or decayed, till a new book is necessary; and the directions aforesaid shall be observed in every such new book. And all books provided as aforesaid shall belong to every such parish or chapelry respectively, and shall be carefully preserved for public use, *id. s.* 14. [*See title*, REGISTER, *pl.* 1—2.]

26. All marriages shall be solemnized in the presence of 2 witnesses, besides the minister who shall celebrate the same: and immediately after celebration of every marriage, an entry thereof shall be made in such register; in which it shall be expressed, that it was celebrated by banns or licence; and if both or either of the parties married by licence be under age, with consent of the parents or guardians, as the case is; and shall be signed by the minister with his proper addition, and also by the parties married, and attested by such 2 witnesses; the entry to be thus; *viz.*

'*A. B.* of {the / this} parish — and *C. D.* of {the / this} parish — were married in this {church / chapel} by {banns / licence} with consent of {parents / guardians} this — day of — in the year —.

by me *J. J.* {Rector. / Vicar. / Curate.}

This marriage was solemnized between us {*A. B.* / *C. D.*} in the presence of {*E. F.* / *G. H.*}'

id. s. 15.

27. If any person shall, with intent to elude this act, wilfully insert, or cause to be inserted in the register book of such parish or chapelry any entry of any thing relating to any marriage; or shall falsely make, alter, forge, or counterfeit, or cause to be falsely made, &c. or assist in falsely making, &c. any such entry in such register; or falsely make, &c., or cause to be falsely made, &c., or assist in falsely making, &c. any such licence of marriage as aforesaid; or publish as true any such false, altered, forged, or counterfeited register, or a copy thereof, or any such false, &c. licence of marriage, knowing such register or licence of marriage respectively to be false, &c.; or if any person shall wilfully destroy, or cause to be destroyed, any register book of marriages, or any part of such register book, with intent to avoid any marriage, or to subject any person to any of the penalties of this act; every person so offending, and being convicted, shall be adjudged guilty of felony, and shall suffer death without benefit of clergy, *id. s.* 16.

28. This act shall not extend to the marriages of the royal family, *id. s.* 17. see 12 *G.* 3. *c.* 11., or to *Scot.*, or to any marriages amongst *Quakers*, or amongst persons professing the *Jewish* religion, where both the parties to such marriage shall be *Quakers* or *Jews*, or to marriages solemnized beyond the seas, *id. s.* 18.

29. FOR BETTER REGULATING THE FUTURE MARRIAGES of the royal family, 12 *G.* 3. *c.* 11.

30. No descendant, male or female, of the body of *G.* 2., (other than the issue of princesses who have married, or may marry, into foreign families), shall be capable of contracting matrimony without consent of H. M., signified under the great seal declared in council, (which consent shall be set out in the licence and register of marriage, and be entered on the books of the privy council), and every marriage or matrimonial contract of such descendant, without such consent is void, *id. s.* 1.

31. In case any such descendant, being above 25 years old, shall persist in his resolution to contract a marriage so disapproved by H. M., he may, on giving notice to the privy council, (which shall be entered in their books), at any time after the expiration of 12 calendar months after, contract such marriage, and the same may be duly solemnized without H. M.'s consent, and shall be good, unless both houses, before expiration of such 12 months, declare their disapprobation thereof, 12 *G.*3. *c.*11. *s.*2.

32. Every person who shall knowingly or wilfully solemnize, or assist, or be present at the celebration of any marriage without such consent, shall incur a *præmunire*, *id. s.*3.

33. To RENDER VALID CERTAIN MARRIAGES SOLEMNIZED in certain churches and public chapels, in which banns had not usually been published before or at the passing of 26 *G.*2. *c.*33., 21 *G.*3. *c.*53., 44 *G.*3. *c.*77., 48 *G.*3. *c.*127.

34. Marriages solemnized before 23d *Aug.* 1808, in any church or chapel in *Eng.*, *Wa.*, or *Ber.*, duly consecrated, are declared valid, 48 *G.*3. *c.*127. *s.*1.: ministers who have solemnized them are indemnified, *id. s.*2.: registers of them shall be received in evidence, *id. s.*3.

35. The registers of all marriages hereby made valid shall, within 30 days from 23 *Aug.* 1808, be removed to the parish church of the parish where such chapel is situate; and if situate in an extra-parochial place, then to the parish church next adjoining, the same to be kept with the registers of such parish, according to 26 *G.*2. *c.*33. *s.*14. *pl.*25., and within 12 months after such removal, 2 copies thereof shall be transmitted by the churchwardens to the bishop of the diocese or his chancellor, subscribed by the hands of the minister and churchwardens, that they may be preserved in the bishop's registry, *id. s.*4.

36. To REGULATE THE CELEBRATION OF MARRIAGES IN *Newfoundland*, 57 *G.*3. *c.*51.

37. All marriages had in *Newfoundland* shall be celebrated by persons in holy orders, and marriages hereafter to be celebrated contrary to this act shall be void; but nothing herein shall extend to any marriages to be had under circumstances of peculiar and extreme difficulty in procuring a person in holy orders to perform the ceremony, and in which the law might, on that account, otherwise determine on the validity of such marriage, provided that in such case the circumstances and the actual contract of marriage shall be certified on oath of the parties before the magistrate nearest their place of residence, or before a person authorized by the officer administering the government of *Newfoundland*, to administer such oath, *id. s.*1.

38. Nothing herein shall extend to marriages held previous to 1 *Jan.* 1818, nor to marriages amongst quakers or Jews, where both parties are quakers or Jews, *id. s.*2.

39. To REMOVE DOUBTS AS TO THE VALIDITY OF CERTAIN marriages had and solemnised within the *British* territories in *India*, 58 *G.*3. *c.*84.

40. All marriages solemnized within those territories before 31st *Dec.* 1818, by ordained ministers of the church of *Scot.* as by law established, shall be of the same force and effect as if solemnized by clergymen of the church of *Eng.*, and after that day, all marriages between persons, one or both of them being members of the church of *Scot.*, and making a declaration as hereinafter mentioned, which are solemnized by ministers of the established church of *Scot.*, and appointed by the *East India* company to officiate as chaplains within the said territories, shall be equally valid as if so solemnized as above; provided that no such marriage shall be solemnized till one or both of such persons have signed a declaration in writing in duplicate, stating that they, he, or she are members of, or holding communion with the church of *Scot.*, *id. s.*1.

41. The minister shall, immediately on the solemnization, certify such marriage by a writing under his hand, in duplicate subjoined to, or indorsed on the before-mentioned declaration in duplicate, specifying in such certificate the names and descriptions of the parties, and the witnesses, and the time and place of celebration, which certificate in duplicate, shall be signed by the parties and the witnesses, and the minister shall deliver one duplicate and certificate to the persons married, or one of them, and transmit the other to the chief secretary of government at the presidency, *id. s.*2.

MASTER AND SERVANT.

(STATUTE *repealed.*)

THAT A SERVANT EMBEZZLING HIS MASTER'S GOODS TO THE value of 40*s.* shall lose his clergy and sanctuary, 27 *H.*8. *c.*17. [MADE PERP. 28 *H.*8. *c.*2. CONF. 1 *E.*6. *c.*12. *s.*18. REP. by general words of 1 *M. St.*1. *c.*1. *s.*5.]

(STATUTES *in force.*)

1. FOR PUNISHMENT OF SUCH SERVANTS AS SHALL WITHDRAW themselves, and go away with their masters or mistresses caskets and other jewels or goods committed to them in trust to be kept, 21 *H.*8. *c.*7. [MADE PERP. 28 *H.*8. *c.*2. REP. by general words of 1 *M. St.*1. *c.*1. *s.*3. recited 5 *El. c.*10. *ss.*1—2. and REV. and MADE PERP. 5 *El. c.*10. *s.*3.]

2. If any servant to whom any caskets, jewels, money, goods, or chattels shall by his master be delivered to keep, shall withdraw himself from his master, and go away with the same or any part thereof, with intent to steal the same, and defraud his master thereof, contrary to the trust reposed in him, or if he, being in his master's service, shall without his assent or command, embezzle, or otherwise convert the same to his own use, with like purpose to steal, then, (if the said caskets, &c. be worth 40*s.* or more) he shall be deemed guilty of felony, and punished as a felon at common law, 21 *H.*8. *c.*7. *s.*1.

3. This act shall not prejudice any apprentice or person within the age of 18 years, going away with his masters goods or jewels, or otherwise converting the same to his own use during such apprenticeship, or within the above age, *id. s.*2. (*See* EMBEZZLEMENT.)

4. FOR PREVENTING THE COUNTERFEITING OF CERTIFICATES OF the character of servants, 32 *G.*3. *c.*56.

5. Every person who shall falsely personate any master or mistress, or the executor, administrator, wife, relation, housekeeper, steward, agent, or servant of any such master, &c. and shall, either personally or in writing, give any false, forged, or counterfeited character to any person offering to be hired as a servant into any person's service, shall be punished as in *s.* 6. *pl.* 10., *id. s.*1.

6. Every person who shall knowingly and wilfully pretend, or falsely assert in writing, that any servant has been hired or retained for any period, or in any capacity soever, other than that for or in which he shall have hired or retained such servant in his service, or for that of any other person, shall be punished as in *s.*6. *pl.* 10., *id. s.*2.

7. Every person who shall knowingly and wilfully pretend, or falsely assert in writing that any servant was discharged or left his service at any other time than that at which he was discharged or actually left it, or that he had not been hired or employed in any previous service contrary to truth, shall be punished as in *s.* 6. *pl.* 10., *id. s.*3.

8. Every person who shall offer himself as a servant, pretending that he hath served in any service in which he hath not actually served, or with a false, forged, or counterfeit certificate of character, or who shall in anywise add to or alter, or erase any word, date, matter, or thing contained or referred to in any certificate given to him by his last actual master or mistress, or by any other person duly authorized by them to give the same, shall be punished as in *s.* 6. *pl.* 10., *id. s.*4.

9. Any person having before been in service, who on offering to hire himself as a servant in any service soever, shall falsely and wilfully pretend not to have been hired or retained in any previous service as a servant, shall be punished as in *s.* 6. *pl.* 10., *id. s.*5.

10. If any person shall be convicted of any or either of the above offences, by confession, or oath of one or more witnesses, before 2 or more justices for the county or place where the offence is committed, (which oath they shall administer) such offender shall forfeit 20*l.* in moieties to informer and poor of the parish where, &c. and if the party so convicted shall not immediately pay such 20*l.*, with 10*s.* costs of conviction, or shall not give notice of appeal, and enter into recognizance, as in *s.*10. *pl.* 14. such justices shall commit such offender to the house of correction, or other prison of the same county or place, there to remain and be kept to hard labour, without bail, &c. for not exceeding 3 months nor less than one month, or until he pay the same, *id. s.*6.

11. The informer shall be a competent witness in law, notwithstanding being entitled to a part of the penalty as above, *id. s.*7.

12. Any servant who having been guilty of any of the said offences, shall, before any information is lodged against him for such offence, discover or inform against any person concerned with him in any offence against this act, shall be discharged from the penalties to which he may at the date of the information be liable for his own offences, *id. s.*8.

13. All justices before whom any person shall be convicted of any offence against this act, shall cause the conviction to be drawn up in the following, or in any other form to the same effect, as may happen,

'Be it remembered, that on the — day of — *A. B.* is convicted before us — two of H. M.'s justices of the peace for the county of — [*specifying the offence, and time and place when and where committed, as the case is*], given under our hands and seals the day and year aforesaid,' *id. s.*9.

14. Any person who shall think himself aggrieved by any thing done in pursuance hereof, may appeal to the next general or quarter sessions for the county or place where the cause of complaint has arisen, on entering into recognizance, with 2 sufficient sureties in 20*l.* each, conditioned to try such appeal, and abide the order of, and pay the costs awarded by the sessions, on due proof of such notice being so given, and of entering into such recognizance; and the sessions shall determine such appeal in a summary way, and award such costs to either party as they think fit; and their determination shall be final, and no conviction or order, or other proceedings relating thereto, shall be

quashed for want of form, or removed by *certiorari* or other process into any court at *Westminster*, 32 *G.*3. *c.*56. *s.*10.

MAYHEM.

1. PERSONS CUTTING THE TONGUES OR PUTTING OUT THE EYES of any subject of malice prepense, (that being duly proved and found) shall incur the pain of felony, 5 *H.*4. *c.*5.

2. TO PREVENT MALICIOUS MAIMING AND WOUNDING, 22 & 23 *C.*2. *c.*1. [*ss.*1—6. EXP. and *Personal*, and *s.*9. EXP.]

3. Any person who on purpose, and of malice aforethought, and by lying in wait, shall unlawfully cut out or disable the tongue, put out an eye, slit the nose, cut off a nose or lip, or cut off or disable any limb or member of any subject, with intention in so doing to maim or disfigure him, shall himself, his counsellors, aiders, and abetters privy to the offence, suffer death as a felon, without clergy, *id. s.*7.

4. No attainder of such felony shall corrupt the blood or forfeit the dower of the wife, or the offender's lands, goods, or chattels, *id. s.*8.

MEDITERRANEAN PASS.

1. TO PREVENT THE COUNTERFEITING OF MEDITERRANEAN PASSES, 4 *G.*2. *c.*18.

2. Every person who shall within or without *G. B.* or *Ire.* or any other H. M.'s dominions, falsely make, forge, or counterfeit, or cause to be forged, &c. or who shall knowingly act or assist in forging, &c. any pass for any ship soever, commonly called a *Mediterranean Pass*, or who shall counterfeit the seal of office, or the hand of the lord high admiral, or of any commissioner for executing that office to any such pass, or who shall alter or erase any true pass issued by such lord high admiral or commissioners; or who shall utter or publish as true any such false, &c. pass, knowing the same to be forged, altered, or erased, shall, being duly convicted in any proper court of *G. B.*, *Ire.*, or the plantations beyond seas, where such offence is committed respectively, suffer death as a felon, without clergy, *id. s.*1.

3. The offences in *s.*1. committed in any place out of *G. B.*, either within or without H. M.'s dominions, may be tried in any county of *G. B.* under H. M.'s commission of oyer and terminer and gaol delivery, or before any court of justiciary in *Scot.*, *id. s.*2.

MERCHANT.

(STATUTES *repealed and expired.*)

1. MERCHANTS SHALL NOT INGROSS MERCHANDIZES TO inhance their price, and shall use only one sort of merchandize, 37 *E.*3. *c.*5. [REP. 38 *E.*3. *St.*1. *c.*2. *s.*1.]

2. FOR REGULATING ALIEN MERCHANTS, 18 *H.*6. *c.*4. [EXP.]

(STATUTES *in force.*)

1. ALL MERCHANTS, UNLESS OPENLY PROHIBITED BEFORE, SHALL have safe and sure conduct to depart out of, come into, tarry in, and go through *Eng.* by land and water, to buy and sell, without evil tolls at the rightful customs, except in time of war; and if they be of a country at war with us, and be found here at the beginning of the war, shall be attached without harm of body or goods, till it be known to us, or our chief justice, how our merchants are treated in their country, and if ours be safe there, the others shall be safe in our land, 9 *H.*3. *c.*30. *M. C.*

2. ALL STAPLES SHALL CEASE, AND ALL MERCHANDIZES MAY go and come with their merchandizes, according to 9 *H.*3. *M. C. c.*30. 2 *E.*3. *c.*9.

3. ALL MERCHANTS, DENIZENS AND FOREIGNERS, EXCEPT THOSE which are of enmity, may safely come into *Eng.* with their goods, and tarry and return, paying customs and other profits, so that franchises granted to *London* and other cities and towns be saved, 14 *E.*3. *St.*2. *c.*2.

4. MERCHANT STRANGERS MAY BUY AND SELL WITHIN THE REALM, without disturbance, 9 *E.*3. *St.*1. *c.*1., 25 *E.*3. *St.*4. *c.*2. [Both CONF. 11 *R.*2. *c.*7. *s.*3., and 16 *R.*2. *c.*1. *s.*1., partly REP. in their operation, *id. s.*2.; but 2 *R.*2. *St.*2. *c.*1., which in part supports their enactments, is not alluded to in 16 *R.*2. *c.*1.; it is therefore annexed.]

5. All merchants, aliens and denizens, that will buy or sell corn, wines, [goods], flesh, fish, and all other provisions and victuals, [woollen cloths, wares, and all other merchandizes, *semb.* REP. 16 *R.*2. *c.*1. *s.*2. *post*, *pl.*10.] at any place in the realm, within franchise or without, may freely sell them to any [persons, as well *foreigners* as, *semb.* REP. 16 *R.*2. *c.*1. *s.*2. *pl.*10.] denizens; and if any disturbance be done to such merchant or to any other for the sale of such things in any city, town, port, or other place which hath franchise, and the mayor or other which hath rule of such franchise being required to provide remedy, do not, and are attainted thereof, the franchise shall be seized into H. M.'s hands, and the disturbers shall also pay the merchant his double damages; and if such disturbance be done in places without franchise, and the lord or his bailiffs, &c. or other ruler of such places in his absence, being required to do right therein, does not, and thereof is attainted, he shall yield the party double damages; and the disturbers, whether within or without franchise, shall, on attaint thereof, have one year's imprisonment, and be fined at H. M.'s will, 9 *E.*3. *St.*1. *c.*1. *s.*1.

6. No alien or denizen shall be troubled under the same penalty; but may freely buy and export the things recited in *s.*1.; but shall not export wines, *id. s.*2.

7. All charters of franchise contrary to this act are declared void, saving to H. M. his customs, *id. s.*3.

8. The chancellor, treasurer, and justices assigned to hold H. M.'s pleas in places where they come, shall enquire of and punish such disturbances as in *s.*1. *pl.*8. is ordained: but H. M. may, at pleasure, assign commissioners under the great seal for the same purpose, *id. s.*4.

9. Every merchant or other, as well alien as denizen, that brings wines, flesh, fish, or other victuals [wools, woolfells, goods, or merchandizes, *semb.* REP. 16 *R.*2. *c.*1. *s.*2. next *pl.*] to the city of *London*, or to other cities and towns of *Eng.*, or sea-ports, may freely sell in gross, retail, or parcels, at his will, to all buyers [not to aliens to sell again, 16 *R.*2. *c.*1. *s.*2. next *pl.*] notwithstanding franchises or customs to the contrary; and no mayor or officer shall meddle with the sale of any victuals vendible brought to cities, towns, or market: and proclamation thereof shall be made anew in *Eng.*; and H. M. shall assign justices, if need be, to enquire of such offenders, and punish them according to 9 *E.*3. *St.*1. *c.*1.; and every person that will sue against any such shall have a writ in chancery to attach him by his body as disturbing the common weal, to cause him to answer thereof in H. M.'s court, 25 *E.*3. *St.*4. *c.*2.

10. No merchant alien shall sell or buy merchandize within the realm with another merchant alien *to sell again*, or shall sell at retail within the realm, or put to sale, any wares or merchandize, except victuals and provisions, and all aliens shall also sell wines by whole vessels; and spicery by whole vessels and bales only, 16 *R.*2. *c.*1. *s.*2.

11. ANY STATUTE OR JUDGMENT made against 9 *E.*3. *c.*1. and 25 *E.*3. *c.*2. shall be repealed, 11 *R.*2. *c.*7.

12. THAT ALL MERCHANTS MAY BUY AND SELL within the realm without disturbance, 2 *R.*2. *St.*1. *c.*1.

13. Merchants aliens coming from countries in H. M.'s amity may safely come within the realm of *Eng.* and abide in all places therein within franchise and without, with their merchandize, under H. M.'s protection, without disturbance; and such merchants, as well aliens as denizens, who will buy or sell corn, flesh, fish, and all other provisions, and all manner of spiceries, fruit, ["*fur, and small wares, as silk, gold or silver wire coverchiefs*," &c. mentioned in 2 *R.*2. *St.*1. *c.*1., are omitted in the recital and confirmation by 16 *R.*2. *c.*1. of the other statutes; *viz.* 9 *E.*3. *St.*1. *c.*1. and 25 *E.*3. *St.*4. *c.*2. which are *in pari materiâ* with these provisions: but the latter, as to the bracketed part, (*see pl.*5. *and pl.*9.) appear virtually REP. by 16 *R.*2. *c.*1. *s.*2.] may sell and buy in gross and parcels to [*foreigners* as well as, *semb.* REP. if sold to sell again, 16 *R.*2. *c.*1. *s.*2.] denizens: but aliens shall sell their wines in gross only by whole vessels as imported [so in 16 *R.*2. *c.*1. *s.*2.], and not at retail in the cities, towns, and boroughs franchised, by any but the inhabitants and freemen: [and as to all other great wares, as cloth of gold and silver, silk drapery, linen cloth, canvas, and all other great merchandizes, as well aliens and denizens in *London* and in other cities, &c., and elsewhere within franchise and without, may sell the same in gross to every person [*foreign or*] denizen, except H. M.'s enemies, by the bale or whole pieces, and not at retail on pain of forfeiture, [*Qu.* REP. *as above?*] but only the citizens and burgesses in their own cities and boroughs: and they may unfold and cut in their proper cities and boroughs the great merchandizes, and the same there sell in gross and retail, paying the customs: and the merchants that will buy and sell their merchandizes at fairs and markets shall not be restrained by this statute to sell or buy in gross or at retail as they were wont, 2 *R.*2. *St.*1. *c.*1. *s.*1.

14. And if disturbance be done to any merchant, alien or denizen, upon the sale of such things against this ordinance, and the mayor, bailiffs, or other having the keeping of such franchise, and required to make remedy, do not the same, and be thereof attainted, the franchise shall be seized into H. M.'s hands, and the disturbers shall yield double damages to plaintiff; and if the disturbance is made where no franchise is, and the lord or his bailiff are required to do right, and do not, and thereof be attainted, they shall yield double damages to plaintiff, and the disturbers, as well within as without franchise, shall have one year's imprisonment, and be ransomed at H. M.'s will; and the chancellor, treasurer, and justices assigned to hold pleas of H. M. shall enquire of such disturbances, and do punishment, and nevertheless H. M. shall assign, by commission, certain people to enquire as above, *id. s.*2.

15. PROTECTION OF MERCHANT STRANGERS IN COMING INTO and departing out of the realm with their goods, 27 *E.*3. *St.*2. *c.*2.

16. Merchant strangers not being of enmity may, under safe conduct,

come and dwell where they will, and return with their ships and merchandizes, and freely sell the latter, paying customs. Their goods shall not be liable to purveyance under forfeiture to the merchant of double what is taken, and like fine to H. M.; and process shall be made for same from day to day and hour to hour, according to the law of the staple, 27 *E.* 3. *St.* 2. *c.* 2.

17. IF ANY MERCHANT, privy, or stranger, be robbed of his goods upon the sea, and they come within the realm, and he will sue for them, he shall be received to prove them to be his own by his marks, or by his chart or cocket, or by lawful merchants, natives or strangers; and by such proofs the goods shall be delivered to the merchants without suit at common law. And in case any ships going out of the realm, or coming into the same, by misfortune break upon the sea-banks, and the goods come to land, which may not be called wreck, they shall be presently delivered to the merchants, or their servants, paying to them that have saved and kept the same for their labour, *viz.* by discretion of the sheriffs and bailiffs, or other ministers in places guildable, and by advice of 4 or 6 of the most discreet men of the country; and if within the franchise of other lords, by the stewards and bailiff, or wardens of the franchises, and by advice of 4 or 6 discreet men of the country, 27 *E.* 3. *St.* 2. *c.* 13.

18. NO MERCHANT-STRANGER shall be impeached for another's trespass or debt whereof he is not debtor, pledge or mainpernor; provided that if the liege people, merchants or other, be endamaged by any lords of strange lands or their subjects, and the said lords (duly required) fail of right, H. M. shall have the law of marque, and of taking them; and in case debate rise with lords of strange lands, the people and merchants of the said lands shall not be suddenly subdued because of such debate, but shall be warned, and proclamation thereof published, that they avoid the realm within 40 days after the proclamation; nor shall they be let of making profit of their merchandize if they sell them: and in case that for want of wind, stress, or from sickness, they cannot avoid the realm within so short a time, they shall have other 40 days, 27 *E.* 3. *S.* 2. *c.* 17.

19. NO MERCHANT NOR OTHER shall forfeit goods for the trespass of his servant, unless he do it by the procurement of his master, or that he hath offended in the office in which his master hath set him, or in other manner than the master be holden to answer for the deed of his servant by the law-merchant. And speedy right shall be to them done from day to day, and hour to hour, according to the laws used in staples elsewhere, 27 *E.* 3. *St.* 2. *c.* 19. [*Qu.* if in force? see 2 *E.* 3. *c.* 9. *pl.* 2.]

20. IF ANY OUTRAGE OR GRIEVANCE be done to merchants-strangers in the country out of the staple, the justices of the place shall do speedy justice to them after the law-merchant from day to day, and from hour to hour, without driving them to sue at common law; and if any be convict that he hath grieved the merchants, he shall be punished for the contempt, in as much as shall be adjudged to the merchants for their damages; and to the merchants-strangers their double damages shall be judged, 27 *E.* 3. *St.* 2. *c.* 20.

21. NO SHIP SHALL BE COMPELLED to come to any port of *Eng.* nor to abide, against the will of the master, or of the merchants whose the goods be. And if such ships come of their good will, or be driven by misfortune to any port in *Eng.*, and the masters or merchants will sell part of their merchandizes, any man may buy the same, albeit they be not put to land to sell; [so that no merchant nor other go to meet such ships to forestall the merchandizes; *not recited* 20 *R.* 2. *c.* 4.] so that the masters and merchants, after they have sold that which pleaseth them, and paid the custom, may freely depart. And none shall disturb any ship to come to any port of *Eng.*, but to the port where the masters and merchants will of their free will arrive, nor shall meddle with the sale of the merchandizes, nor disturb the merchants; and if any cause disturbance, he shall incur a grievous forfeiture to H. M., 28 *E.* 3. *c.* 13. *ss.* 3, 4. CONF. and REC. 20 *R.* 2. *c.* 4.]

22. ALL MERCHANTS, AS WELL aliens as denizens, may [sell and buy all manner of merchandizes, *Qu.?* see 16 *R.* 2. *c.* 1. *s.* 2. *pl.* 10.] and freely carry them out of the realm, paying customs, except that *English* merchants shall not pass out of the realm carrying wool or woolfels, 38 *E.* 3. *St.* 1. *c.* 2. [rest of act for preventing the carrying gold or silver out of the realm except by persons engaged in fisheries, at the chancellor's pleasure, *semb.* REP. 59 *G.* 3. *c.* 49. *s.* 10.]

23. ALL MERCHANTS, AS WELL ALIENS AS DENIZENS, may come into *Ire.* with their merchandize, and freely return without fine, saving to H. M. his customs, 34 *E.* 3. *c.* 17.

24. THE PEOPLE OF *Eng.*, which have possessions in *Ire.*, may bring their corn, beasts, and victuals to *Ire.*, and from thence recarry their goods into *Eng.* freely, paying their customs, 34 *E.* 3. *c.* 18.

25. MERCHANTS OF GENOA, VENICE, CATALONIA, ARRAGON, and other countries towards the west, in H. M.'s amity, who will bring to *Hampton* or elsewhere in the realm, carracks, ships, gallies, or other vessels, laden or unladen, may there freely sell their merchandize, as in 2 *R.* 2. *c.* 1.; *pl.* 13. provided, and there relade their vessels with [*wools and woolfels, Qu.?* see 16 *R.* 2. *c.* 1. *s.* 2. *pl.* 10.] leather, lead, tin, and other staple merchandizes, and freely carry them to their countries, paying at the ports of lading all manner of customs, subsidies, and other duties of *Calais*, as they would if they had carried them to the staple there, so that they find surety to carry the same towards the west and not the east, but to *Calais*, on pain of the forfeiture in 2 *R.* 2. *St.* 1. *c.* 1.: 2 *R.* 2. *St.* 1. *c.* 3., [but see 2 *E.* 3. *c.* 9., *pl.* 2.]

26. MERCHANT STRANGERS SHALL BE well treated in all parts of the realm, with their merchandizes, and suffered to go and come, and into their own countries peaceably to return, without disturbance, 5 *R.* 2. *St.* 2. *c.* 1.

27. All aliens in amity with H. M. and his realm, coming within any city or town therein, within and without liberties, with *fish* [*Qu.? see* FISH, *pl.* 57—78.] and all manner of other victuals, shall, in tarrying and returning, be under special protection of H. M., and may cut the same in pieces without denial of any man; and may sell and make profit thereof, in part or in all, by retail or gross, as they think fit, 6 *R.* 2. *St.* 1. *c.* 10. [CONF. 1 *H.* 4. *c.* 17., 14 *H.* 6. *c.* 6. AMD. 14 *H.* 6. *c.* 6.]

28. Every man disturbing any alien in selling their fish, [*Qu.? as in* last *pl.*] by gross or retail, in part or in whole, contrary to the above ordinances, and duly attainted thereof at suit of H. M. or the party, shall forfeit 40*l.*, in moieties to H. M. and the party suing for the same, for H. M. or for himself: and for any such offence committed in *London*, such suit may be taken, either in *Middlesex*, *Hertford*, *Essex*, *Kent*, *Surrey*, or *London*, 14 *H.* 6. *c.* 6.

29. EVERY ALIEN BRINGING MERCHANDIZE into *Eng.*, shall find surety before the customers to buy other merchandize, to the value of the moiety of that so brought, as wool, leather, woolfels, lead, tin, butter, cheese, cloths, or other commodities of the land, 14 *R.* 2. *c.* 1. *s.* 2.

30. MERCHANT STRANGERS RESORTING HITHER shall be well used, 14 *R.* 2. *c.* 9.

31. FOR REGULATING ALIEN MERCHANTS, 5 *H.* 4. *c.* 7. [REC. and CONF. 4 *H.* 5. *c.* 5.]

32. ALL ALIEN MERCHANTS SHALL be entreated in this realm, as the denizen merchants are entreated beyond the seas, on pain of forfeiture of their goods to H. M. and imprisonment, 5 *H.* 4. *c.* 7.

33. FOR REGULATING ALIEN MERCHANTS, 5 *H.* 4. *c.* 9. [REP. 6 *H.* 4. *c.* 4., but REC. and CONF., 4 *H.* 5. *c.* 5. AMD. 4 *E.* 4. *c.* 6., which last act is EXP.]

34. IN EVERY CITY, TOWN, AND PORT in *Eng.*, where alien merchants are or repair, sufficient hosts shall be assigned them by the chief officers of such cities, &c.; and such merchants shall not remain in other places, but with their hosts so to be assigned, who shall take for their trouble as of old time, 5 *H.* 4. *c.* 9., 4 *H.* 5. *c.* 5.

35. FOR REGULATING ALIEN MERCHANTS, 6 *H.* 4. *c.* 4.; alien merchants shall not export foreign goods by them imported, *id. ibid.*

36. FOR REGULATING MERCHANTS IN *London*, 7 *H.* 4. *c.* 9.

37. RECITAL, "that *English* drapers and clothsellers, &c. had been used to buy and sell their commodities in gross, as well with *aliens* as *denizens*, and that they are now constrained by the drapers and by the mayor, &c. of *London*, to sell only to the inhabitants of that city." The drapers, clothsellers, and other merchants, of wine, iron, oil, and wax, and other merchandize, may freely sell in gross, as well to any H. M.'s lieges as to the citizens of *London*, 7 *H.* 4. *c.* 9. [*But see repeal* as to liberties of *London*, *Printed Rot. Parl.*, 9 *H.* 4., *nu.* 30., that non-freemen shall not buy of and sell to each other in *London*, *id. ibid. semb.* EXP.]

38. FOR REGULATING THE TRADE in *Eng.* with alien merchants, 9 *H.* 6. *c.* 24. [*virtually*, REP. as to *s.* 2. by 9 *H.* 6. *c.* 2.]

39. No alien merchant shall bind any *English* subject by covenant, promises or bond, to pay him his debt in gold, nor shall refuse payment thereof in silver, on penalty of double the value, 8 *H.* 6. *c.* 24. *s.* 1.

40. No such subject shall sell within this realm, or cause to be sold to any alien merchant any merchandize, [but for ready payment, or merchandize for merchandize paid in hand, on pain of forfeiture, *id. s.* 2. Six months' credit now allowed to be given, 9 *H.* 6. *c.* 2., continuing during H. M.'s pleasure, *id. ibid.*]

41. NO NEW IMPOSITION SHALL be laid on merchants buying wines in *Gascony* or *Guienne by* H. M.'s officers *there*, on penalty of 20*l.* and treble damages. 23 *H.* 6. *c.* 17. *semb.* EXP.

42. ALIEN MERCHANTS SHALL EMPLOY their money received in *Eng.* or *Wa.* on commodities of this realm, on pain of forfeiture of goods and imprisonment: the same being duly proved by them before departing from the same port where they arrived, by writing from the merchant to whom the money is paid, witnessing that he hath so done, or by such proofs as seem reasonable to the customer of the same port or chief governor of the city, &c. where such port is; on pain of forfeiting all his goods within this realm, with one year's imprisonment, (saving to such alien his reasonable costs by the oversight of such chief governor)

which forfeiture shall be recovered at his election, by action of debt, either at common law, or before justices of peace of the county, or by bill before the mayor, &c. of places corporate, 17 *E.*4. *c.*1. *5th part*, as divided in 1 *Stat.* 8vo. *ed.* 662, 663. [MADE PERP. and EXT. to *Jersey* and *Guernsey* merchants, who shall give security to the customs for so doing, 3 *H.*7. *c.*8.]

43. ENGLISH SUBJECTS SHALL HAVE free resort to the coasts of *Flanders*, *Holland*, *Zealand*, *Brabant*, and adjacent places to the marts there, to buy, sell, and exchange, without exaction or fine levied of them by any *English* person to his own use, or to that of the mercers and *London* merchants, except 10 marks; and no *Englishman* shall take of another any other exaction, &c. above that sum, for liberty to buy and sell there, on penalty of 20*l.* to H. M.; and of ten times the exaction to the party grieved, who shall have an action of debt as at common law for the same in any of H. M.'s courts within the realm, by writ, bill, plaint, or information, without essoin, &c.; and the trial thereof shall be had in the shire or place where the action is commenced, 12 *H.*7. *c.*6.

44. NO STATUTES RELATING TO MERCHANTS or merchandizes shall affect the ancient privileges of the *Hanse* merchants of *London*; but this statute shall not prejudice the liberties or privileges of that city, 19 *H.*7. *c.*23.

45. TO ENABLE ALL H. M.'s loving subjects of *Eng.* and *Wa.*, to trade freely into the dominions of *Spain*, *Portugal*, and *France*, 3 *J.*1. *c.*6. [EXPLD. 4 *J.*1. *c.*9. and recital, *id. ss.*1—2.]

46. All such subjects may have free trade into the dominions of *Spain*, *Portugal*, and *France*, any charter to the contrary notwithstanding, 3 *J.*1. *c.*6. *s.*1.; but this act shall not give liberty to any person to go over seas without licence, who by any law or statute shall be restrained, *id. s.*2.

47. 3 *J.*1. *c.*6. shall not impeach the charter of the governor and society of merchants of *Exeter* trafficking to *France*, 4 *J.*1. *c.*9. *s.*3.

MESNE.

1. REMEDY FOR TENANTS IN DEMESNE by the writ of *Mesne*, 13 *E.*1. *West. Sec. c.*9. [See 2 *Inst.* 374., and *qu. exp.* since 18 *E.*1. *West.*3. *Quia Emptores.*]

2. When any tenant in demesne, having a mesne between him and the chief lord is distrained, he shall purchase his writ of mesne; and if the mesne having land in the same county, absent himself until the great distress is awarded, the plaintiff shall have a day given him in his great distress, before the coming whereof two counties may be holden, and the sheriff shall be commanded to distrain the mesne by the great distress; and the sheriff in two full counties shall cause to be proclaimed solemnly, that the mesne do come at a day contained in the writ, to answer his tenant, at which day if he come, the plaint shall proceed between them after the common usage; but if not, he shall lose the service of his tenant, who shall not henceforth answer him any thing, but shall answer the same to the chief lord: nor shall the chief lord distrain tenants in demesne, so long as such tenant shall offer him the services and customs due; and if the chief lord exact more than the mesne ought, the tenant shall have the same exceptions against him as against the mesne: but if the mesne have nothing, the tenant shall have the less purchase, his writ of mesne to the sheriff of the shire where he is distrained; and if the sheriff return that the mesne have nothing, the tenant shall sue his attachment; and if he have nothing to be attached by he shall sue his writ of great distress, and proclamation shall be made as aforesaid. And if the mesne have no land in the shire where the distress was taken, but hath land in some other shire, then a writ original to summon him, shall issue to the sheriff of that shire where the distress is taken, and when testified by the latter that he hath nothing in his shire, a writ judicial shall issue to summon him unto the sheriff of that shire in which it is testified that he has land, and suit shall be made in that shire and in the county where he has nothing, until the process comes to the great distress and proclamation; and after proclamation made in both counties, the mesne shall be forejudged of his fee and service. And whereas sometimes the tenant in demesne holds of his mesne by less service than the mesne ought to do of the chief lord, when after such proclamation he has attorned tenant to the chief lord, he must answer unto the chief lord all the services due, and after that the mesne is come into court, and acknowledges that he ought to acquit the tenant, and complaint is made that he does not, then a writ judicial shall issue to the sheriff to distrain him to acquit, and be before the justices on a day certain, to shew why he did not acquit him before; and when they have proceeded unto the great distress, the plaintiff shall be heard; and if the plaintiff proves that he has not acquitted him, he shall yield damages by award of the court, and the tenant shall go quit from the mesne and attorn to the chief lord; and if he come at the great distress, a writ shall issue to distrain him again, and proclamation shall be made, and when returned they shall proceed to judgment, 13 *E.*1. *West. Sec. c.*9. *s.*1.

3. Tenants are not excluded by this statute, but may have a warranty of the mesnes and their heirs, if impleaded of their lands as before, and may sue their mesnes either by the old process or by this statute; and no remedy is provided but to tenants where one mesne only is between them and the lord that distrains, and where that mesne is of full age, and where the tenant may attorn unto the chief lord without prejudice to any other than of the mesne which is said for tenants in dower, and by the curtesy or otherwise, for life or in fee-tail, to whom remedy is for certain causes not yet provided, but shall be at another time, *id. s.*2.

MILLS.

1. HOW TOLL OF A MILL SHALL BE TAKEN, *Stat. incert. Temp. c.*2.

2. The toll of a mill shall be taken according to custom, either to the 20th or 24th corn, and the measure shall be by H. M.'s measure, and the toll shall be taken by strike and not by heap or cantel; and they who do otherwise, shall be grievously punished, *id. ibid.*

3. FOR MORE EFFECTUAL PUNISHMENT OF PERSONS demolishing barns or spoiling mills, 9 *G.*3. *c.*29. *ss.*1, 2. 4. [AMD. as to mills, 41 *G.*3. (*U. K.*) *c.*24.; *see s.*3., MINES, *pl.*12.]

4. If any person or persons unlawfully, riotously, and tumultuously assembled together to the disturbance of the public peace, shall unlawfully, and with force, demolish or pull down, or begin to demolish, &c. any wind saw mill or other wind mill, or any water mill or other mill, or any of the works thereto belonging, every such demolishing or pulling down, or beginning to demolish, &c. shall be adjudged felony without benefit of clergy, and the offenders shall suffer death accordingly, 9 *G.*3. *c.*29. *s.*1.

5. Every person who shall wilfully or maliciously burn or set fire to any mill mentioned in *s.*1., shall be guilty of felony without clergy, and shall suffer death, *id. s.*2. Prosecutions under this act must be commenced within 18 months, *id. s.*4.

6. If any wind saw or other wind mill, water or other mill, or any works thereto belonging are demolished or pulled down wholly or in part, by any persons so unlawfully, &c. assembled, as in *pl.*4. the damages sustained may be recovered, raised, and reimbursed under the provisions of 1 *G.*1. *St.*2. *c.*5. (RIOT), 41 *G.*3. (U. K.) *c.*24.

7. FOR BETTER REGULATION OF MILLS, 36 *G.*3. *c.*85. [PUBLIC *clause*, *id. s.*11.]

8. Every miller or other person keeping a mill for grinding corn, shall have therein a true and equal balance, with proper weights of exchequer standard, and any persons appointed under 35 *G.*3. *c.*102. [*see* now 55 *G.*3. *c.*143. *ss.*1, 2., 37 *G.*3. *c.*143. *ss.*1, 2., *tit.* WEIGHTS, &c.] may examine the weights and balances within their respective jurisdictions, and proceed with them as in that act provided with respect to weights and balances; and every miller, &c. in whose mill no such balance or weights are found, shall forfeit not exceeding 20*s.*, and every miller, &c. in whose mill any weight not according to exchequer standard, or any false balance, is found, and all persons obstructing the above persons in examining the same, shall be proceeded against, and shall pay the penalties in 35 *G.*3. *c.*102. [*see now* 55 *G.*3. *c.*43. *s.*3., *tit.* WEIGHTS, &c.] 36 *G.*3. *c.*85. *s.*1.

9. Every person bringing, or causing to be brought, any corn to a mill to be ground, may require the miller, &c., or person acting for him, to weigh in his presence such corn before grinding, and its produce after it is ground, on penalty of not exceeding 40*s.* on refusal, *id. s.*2.

10. Every miller, &c. shall, if required, after grinding any corn, deliver to the person bringing it the whole produce thereof in weight, allowing for the diminution caused by waste in grinding, and by taking toll where toll is allowed (as in *s.*5.) to be taken, and if dressed into flour, then its whole produce in weight allowing for the waste in grinding and dressing, and by taking toll as above; and if such corn shall in either case appear to weigh less than such full weight, the miller shall for every bushel so deficient forfeit not more than 1*s.* and treble the value of the deficiency, *id. s.*3.

11. Where toll is allowed as in *s.*5., the quantity of corn taken for the same shall be deducted before the corn is put into the mill, *id. s.*4.

12. No miller, &c. shall demand or take any part of the corn brought for grinding, or of its produce when ground, as toll for payment, on penalty of 5*l.*, but shall in lieu thereof be entitled to demand payment in money; provided that where the person bringing, &c. as in *s.*2. such corn to be ground has not money to pay for its grinding, the miller, &c. may, with his consent, take a quantity of corn equal to the money price, in the table of prices, as in *s.*6.; but nothing *in this clause* shall extend to *Soke* mills, or other ancient mills, where the right and obligation of the possessors to grind corn for particular persons or in particular districts is established by law and ancient custom, *id. s.*5.

13. Every miller or other person grinding for hire or toll, shall put up,

in some conspicuous place in his mill, and renew when necessary, in fair and legible characters, a table of prices in money, or amount of toll or multure, for which the several operations of his mill are to be performed, on penalty of 20*s.* for not setting up or not keeping the same legible, 36 *G.* 3. *c.* 85. *s.* 6. Nothing in this act extends to private mills, *id. s.* 7.

14. Every penalty by this act imposed is recoverable before any one or more justices for the county or place where the offence is committed, [by information within 10 days after such offence, *id. s.* 9.] on confession or conviction of the party, by oath of one or more credible witnesses, and shall be levied by warrant under hand and seal of such justice, &c. by distress and sale of offender's goods; and when so levied, shall be paid in moieties to the informer and poor of the parish, any overplus, after deducting costs of conviction and distress, being returned to the offender; and if no distress be found, and such penalty and costs be not forthwith paid, the justice, &c. may, by like warrant, commit the offender to the gaol or house of correction of the county or place, for not exceeding one month, unless such penalty and costs are sooner paid; provided that the party grieved by such judgment may, on giving security to the value of such penalty and costs, in case of judgment affirmed, appeal to quarter sessions for the same county, division, or place, who, if they affirm such judgment, may award the offender to pay such costs of appeal as they think fit, and no such conviction shall be removable by *certiorari*, *id. ss.* 8, 9.

15. Convictions shall be as follows; and shall be certified to the next quarter sessions, to be filed among their records:

'——} Be it remembered, that on the — day of — in the year of our Lord *to wit.* } — *A. B.* was, on the complaint of *C. D.*, convicted before — of the justices of the peace for —, in pursuance of an act passed in the 36th year of the reign of H. M. king *Geo.* the 3d, for [*or as the case may be.*] Given under — hand and seal the day and year above written.' *id. s.* 10.

MINES.

1. No mine of copper, tin, iron, or lead, shall be taken to be a royal mine, though gold and silver may be extracted from the same, 1 *W. & M. S.* 1. *c.* 30. *s.* 4., [*see ss.* 1, 2., Gold and Silver, *Stat.* Rep., &c. *pl.* 7.; *s.* 3., *id. pl.* 15. Enf. by 5 & 6 *W. & M. c.* 6., and recited, *id. s.* 1., and Alt. as to the rate of pre-emption of lead by the crown, in 5 & 6 *W. & M. c.* 6. *s.* 3., by 55 *G.* 3. *c.* 134. *s.* 1.]

2. To prevent disputes and controversies concerning royal mines, 5 & 6 *W. & M. c.* 6. [Amd. 55 *G.* 3. *c.* 134. *s.* 1.] All *subjects, bodies* politic or corporate, that now are or hereafter shall be owners or proprietors of any mine in *Eng.*, *Wa.*, or *Ber.*, wherein any ore shall be discovered or wrought, and in which there is copper, tin, iron, or lead, may enjoy the same mine and ore, and work the same, notwithstanding it shall be pretended or claimed to be a royal mine, *id. s.* 2.

3. H. M., or the claimant of royal mines under him, may have the ore of any such mine, (except the tin ore in *Devon* and *Cornwall*,) paying the owners of the mines wherein it is found, within 30 days after the same is raised and laid on the banks thereof, and before removing it thence, 16*l. per* ton for all ore washed, cleaned, and merchantable, wherein is copper: 40*s. per* ton for all ore so washed, &c., wherein is tin or iron; and [9*l.*, altered by 55 *G.* 3. *c.* 134. *s.* 1. to] 25*l.* for all ore so washed, &c. where there is lead, and in default of payment the owner of the mine may dispose of it to his own use, *id. s.* 3.

4. Nothing in this act shall affect the charters or privileges of the tinners, or the laws or customs of the stannaries of *Devon* or *Cornwall*, *id. s.* 4.

5. For relief of the creditors and proprietors of the "Company of *mine adventurers*," by establishing a method for settling the differences between them and their creditors, and for uniting them in order to an effectual working the company's mines, 9 *A. c.* 24. [Public *clause*, *id. s.* 16.]

6. All grants, contracts, bargains, sales, leases, mortgages, conveyances, and assurances made of any mines, minerals, lands, tenements, hereditaments, stocks, goods, and chattels, by the *company of mine adventurers* of *Eng.*, to any person since they first stopt payment of their bills or bonds, or by any person seized of any mines, &c. in trust for them, shall be void, *id. s.* 1. [*ss.* 2—8. Exp.]

7. The governor, deputy governor, and directors of the co., with the consent of a general assembly of the members thereof duly called, after such new division, &c. of the 6012 shares by this act made, shall call in any sum not exceeding 40*s. per* share; and all executors and administrators, trustees and guardians, shall be indemnified in paying it; and any member neglecting to pay his share of the money so called in, at the time appointed by notice in the *London Gazette*, shall forfeit a moiety of his shares, which shall be for the use of the co., who may dispose thereof at a general court, and the governor, &c. may restrain such member from transferring his other moiety of shares or interest, or part thereof, in the co.; provided that the governor, &c. may, by several calls as above, appoint the payment of any part of the said 40*s.*, and at several times, but shall not call in at any time or times any sum in the whole exceeding 40*s. per* share, and every call so made after payment by the proprietors, of the 6012 shares, of 40*s. per* share, shall be void, 9 *A. c.* 24. *s.* 9. [*ss.* 10—15. Exp., 17—19. *Personal.* Saving all rights of the crown, *id. s.* 20.]

8. For more effectual securing mines of black lead from theft and robbery, 25 *G.* 2. *c.* 10.

9. Every person who shall unlawfully break, or by force enter into any mine, wad hole of wad or black cawke, called black lead, or into any pit, shaft, adit, or vein of wad, black cawke or black lead, with intent to take and carry away any such wad, &c., or shall unlawfully from thence take away any wad, black cawke, or black lead, although such mine, &c. be not actually broke or by force entered into by such offender, or shall aid, abet, assist, hire, or command any person to commit such offence, shall be deemed guilty of felony; and the court or judge before whom such offender shall be convicted, may order him to be committed to the prison appointed for criminals, or to some house of correction within the same county, for not exceeding one year, there to be kept to hard labour, and to be publicly whipt by the common hangman, or by the master of such house of correction, at such times and places, and in such manner as such court or judge shall think proper, or may order such offender to be transported for not exceeding 7 years, and thereupon judgment shall be given that the person so convicted shall be committed and whipt, or transported accordingly; and if transportation be directed, the same shall be executed as is provided by law for transportation of felons; and if any such persons so committed or transported, voluntarily escape or break prison, or return from transportation, before the expiration of the time for which transported, and shall be convicted thereof, he shall suffer death as a felon, without clergy, and shall be tried for such felony in the county where he so escaped, or shall be apprehended, *id. s.* 1.

10. If any person convicted of any such offences shall voluntarily escape, or break prison, or return from transportation, and is apprehended in any other county or city different from that wherein the offence was committed, the clerk of the assize or of the peace for the county, &c. where such conviction or attainder was had, shall, at the request of the prosecutor, or of any other on H. M.'s behalf, certify the same by a transcript in a few words, containing the effect of such conviction or attainder, for which certificate 2*s.* shall be paid, and the same being produced in court, shall be sufficient proof of such former conviction or attainder, *id. s.* 2.

11. Every person who shall buy or receive any wad or black cawke, knowing the same to be so unlawfully taken, shall be deemed guilty of felony, and being convicted, shall be subject to all the pains and penalties of buying and receiving goods feloniously stolen, knowing the same to have been stolen, *id. s.* 3.

12. For preventing the destroying or damaging of engines for draining collieries and mines, or bridges, waggon ways, or other things used in conveying coals, lead, tin, or other minerals from mines: or fences for inclosing lands, in pursuance of acts of parliament: 9 *G.* 3. *c.* 29. (*ss.* 3, 4.) [*see ss.* 1, 2. Mills, *pl.* 4—5.]

13. Every person who shall wilfully or maliciously set fire to, burn, demolish, pull down, or otherwise destroy or damage any fire or other engine erected for draining water from collieries or coal mines, or for drawing coals thereout, or for draining water from any mine of lead, tin, copper, or other mineral, or any bridge, waggon way, or trunk erected for conveying coals from any colliery or staith for depositing the same; or any bridge or waggon way erected for conveying lead, tin, copper, or other mineral from any such mine, or any fence made for dividing or inclosing any common, waste, or other lands, in pursuance of any statute; or who shall cause or procure any such offence to be done, shall be adjudged guilty of felony, and the court before whom he is tried may transport him for 7 years, *id. s.* 3. [prosecutions under this act must be commenced within 18 months, *id. s.* 4.]

14. For security of collieries and mines, and for better regulation of colliers and miners, 59 & 40 *G.* 3. *c.* 77.

15. If any person shall wilfully and maliciously pull down, fill up, or begin or attempt to pull down or fill up any air or water way, drain, pit, level, or shaft, or damage or destroy any railway, tram, or other road to or from any coal or other mine work; or if any person (not having or *bonâ fide* claiming a right to possess or work the same respectively) shall wilfully and unlawfully cut, dig, raise, or carry away any coal, culm, or other mineral from any bed, vein, or mine lying in any waste or open lands, or shall wilfully, &c. enter into any level, pit, or shaft, with an intent so to do, or shall abet, &c. any person to commit any such offence, he shall be deemed guilty of a misdemeanor; and the court or judge before whom the party is tried or convicted, may cause him to be imprisoned for not exceeding 6 months, *id. s.* 1.

16. Nothing herein shall extend to any damage done underground by any owners of adjoining coal or other mines in working them, or by other duly authorized persons, *id. s.* 2.

17. If any person making any bargain, or entering into any contract

in writing, for raising any coal, culm, iron, stone, or ore, shall wilfully, and to the prejudice of the owner, raise, get, or work such coal, &c. in a different manner to his stipulations, and contrary to the directions and will of the owner or his agents, or shall refuse to fulfil his engagements, such offender shall, on conviction by confession, or on oath of one or more witnesses before any one or more justices, on complaint of the owner or his agents, and not otherwise, forfeit not exceeding 40*s.* with costs, to be ascertained by such justice, &c. who, on non-payment, shall commit the offender to the county gaol for not exceeding 6 months, or till penalty and charges paid; and on such conviction, every such bargain shall become void, 39 & 40 *G.* 3. *c.* 77. *s.* 3.

18. Every person who shall wall or stack any coal, iron, stone, or ore in any fraudulent manner, with intent to deceive his employer, or shall cause the same to be done; or who shall remove any iron, stone, or ore with intent to defraud the person who has raised the same, shall, on conviction, (as in *s.* 3.) be committed to the house of correction or common gaol for not more than 3 months, *id. s.* 4.

19. Every person who shall steal any coal, culm, or coke, wood, iron, ropes, or leather not exceeding 5*s.* value from any bank, yard, wharf, or other place, or off or out of any barge, waggon, &c., or other carriage; or who shall wilfully break or damage the same, being used for carrying coal, culm, coke, iron, or iron stone; or who shall steal, damage, or embezzle any tools or implements used in raising the same, not exceeding that value, shall, on conviction by complaint of the owner or his agent, either by confession or oath of one or more witnesses before any justice or justices, for the first offence forfeit any sum not exceeding 10*s.* as to such justice seems meet, besides the charges of conviction by him ascertained, and on nonpayment shall be committed to the house of correction for one month's hard labour, till penalty and charges paid; for the second offence 20*s.* penalty, and on nonpayment commitment for 3 months' hard labour, or till payment and charges paid; for the third offence 40*s.* penalty, and on nonpayment commitment for 6 months' hard labour, or till penalty and charges paid: provided, that a conviction under this act exempts offender from all other prosecution, *id. s.* 5.

20. The forfeitures of this act shall be divided between the informer and overseers of the parish or place where the offence is committed, for the use of the poor thereof, in proportions settled by the convicting justice or justices, *id. s.* 6.

21. Evidence of inhabitants of the place where offence committed shall be admissible, *id. s.* 7.

22. The conviction shall be drawn as follows:—

'Be it remembered, that on the — day of — *A. D.* —, *A. B.* having been brought before me [*or*, having been duly summoned, and not having appeared, *as the case may be*] is on his own confession [*or*, on due proof, *as the case may be*] convicted before me, *C. D.*, one of H. M.'s justices of peace for the county of —, for that he the said *A. B.*, on the — day of — at — in the said county of —, did [*here specify the offence according to the fact, and following the words of the act, and whether the same is the first, or what other offence*] against the form of the statute in that case made; and I do adjudge him to forfeit and pay for the said offence the sum of —, and also the further sum of £— for the charges of this conviction. Given under my hand and seal [*or* our hands and seals] the day and year first aforesaid.' *id. s.* 8.

23. Prosecutions for offences against this act must begin within 9 calendar months after the offence committed, *id. s.* 9.

24. Any person grieved by any determination of a justice, except an order of commitment, may, in 3 calendar months, complain to the general quarter sessions who shall determine the same there, or may adjourn it to the next sessions; and may quash any conviction, mitigate any fine, and award costs to either party, or order any money levied to be returned, and award such further satisfaction to the party grieved as they think reasonable; but no proceedings shall be quashed, &c. for want of form, or removed by *certiorari*, &c. into any other court, *id. s.* 10.

25. FOR REMOVING DIFFICULTIES IN THE CONVICTION OF offenders stealing property from mines, 56 *G.* 3. *c.* 73. [EXT. to other indictments, 1 *G.* 4. *c.* 102.; see that act, *tit.* INDICTMENT.]

26. It shall be lawful and deemed sufficient, to all intents and purposes soever, for conviction of any offender charged in any indictment with grand or petty larceny for stealing any minerals, timber, iron, or other materials used in working mines, being the personal property of any company or adventurers carrying on the same, to allege and aver that "the minerals, &c. so stolen are the property of some one or more of the partners or adventurers in such mining concern, and others his or their partners or co-adventurers:" which form of designating the property so stolen shall be as valid as if the same were averred to be the property of all the owners, and as if their names were particularly set forth in the indictment, *id. ibid.*

27. FOR MORE EFFECTUAL PUNISHMENT OF PERSONS RIOTOUSLY destroying or damaging buildings, engines, and machinery used in and about collieries and other mines, waggon-ways, bridges, and other works used in conveying and shipping coals and other minerals, and for enabling the owners of such property to recover damages for the injury sustained, 56 *G.* 3. *c.* 125.

28. If any persons unlawfully, riotously, and tumultuously assembled together, in disturbance of the public peace, shall unlawfully and with force demolish, pull down, destroy, or damage, or begin to demolish, &c. any fire or other engine, erected or to be erected for making, sinking, or working collieries, coal or other mines, or any bridge, waggon-way, or trunk, erected or made, or to be erected, &c. for conveying coals or other minerals from any colliery, coal or other mine, to any place, or for shipping the same, or any staith or other erection or building for depositing the same, or used in conducting the business of any such colliery, coal or other mine, whether the said engines, &c. are respectively completed and finished, or are only begun to be set up, made, and erected, then every such demolishing, &c. shall be adjudged felony without clergy, and the offenders shall suffer death, *id. s.* 1.

29. The persons injured by such demolishing, &c. or beginning to demolish &c. any property in *s.* 1. specified, may recover the value thereof, or the amount of the damage done to the same, which value or damage may be recovered, levied, raised, and reimbursed as by 1 *G.* 1. *St.* 2. *c.* 5. directed, *id. s.* 2.

30. Whenever any person or number of persons shall so unlawfully assemble together in disturbance of the public peace, as in *s.* 1., the proprietor of any of the engines, &c., or other property in *s.* 1. specified, shall, as soon as conveniently may be, after such unlawful assembly shall take place, by himself or his servants, give, or cause to be given, due notice and information of its having taken place to some or one of the nearest magistrates, and to the constable or some one resident housekeeper of the towns, villages, or hamlets near the place of such assembly, or in *Scot.* to the sheriff; and no person (nor any stewart-depute, or substitute of the county or stewartry where the offence is committed, in order to taking the measures prescribed by the law of *Scot.* therein,) shall recover damages under this act, unless he has so given the aforesaid notice, &c. within 2 days after such injury done him; and shall, within 4 days after such notice, give in his examination on oath, or on oath of his servant or servants that had the care of his property so destroyed or damaged as aforesaid, before any justice of the county, liberty, or division where the fact is committed, or near thereto, whether he or they do know the persons or any of them who committed such fact, and if on such examination it be confessed that he or they do know them, then he or they so confessing shall be bound by recognizance to prosecute the offenders, *id. s.* 3.

31. No person sustaining damage by reason of any such offence, as in *s.* 1. recited, shall be thereby enabled to sue the hundred, except he commence his action within one year after the offence committed, *id. ibid.*

MINT. (*See* COIN.)

(STATUTES *expired.*)

1. A MINT SHALL BE ESTABLISHED AT *Calais* during H. M.'s pleasure, 9 *H.* 5. *St.* 1. *c.* 4. [EXP.]

2. TO ENABLE *Matthew Boulton* to export the machinery necessary for the erection of a mint in the dominions of the emperor of *Russia*, 59 *G.* 3. *c.* 96. [EXP.]

3. TO ENABLE H. M. to export like machinery for the king of *Denmark*, 44 *G.* 3. *c.* 70., to the *Brazils*, 50 *G.* 3. *c.* 63., to the *United States*, 56 *G.* 3. *c.* 92. [ALL EXP.]

(STATUTES *in force.*)

1. THE OFFICE AND DUTY OF H. M.'s assayer, controller, and master of the mint, 2 *H.* 6. *c.* 12.

2. The master of the mint shall keep his alloy in making white money, according to the form of his indenture, and shall receive silver at its value according to such alloy, on penalty of double damages, and shall convert the whole into coin, without any sale or alienation thereof, [*and see as to* silver coinage, 56 *G.* 3. *c.* 68. *s.* 4. and 18 *G.* 2. *c.* 5. COIN.] and H. M.'s assayer, who is a person indifferent betwixt the master of the mint and the merchant, and the controller thereof, [*see* 57 *G.* 3. *c.* 67. *s.* 2. *pl.* 12.] shall be present when silver bullion is brought to the mint, in order that the former may assay the same according to the alloy, in case of variance between the party bringing it and the master; and the controller shall control all silver brought into and taken out of the mint; both officers doing their duties without other reward than H. M.'s salary, on pain of double damages, such assayer and controller being credible, substantial, and men expert in the knowledge of goldsmiths and of the mint; and the master of the mint shall not sell or aliene any gold or silver coin or bullion brought to the mint, to any other use than to the coin, 2 *H.* 6. *c.* 12. *s.* 1.

3. The master of the mint shall strike from time to time half-nobles, gold farthings, groats, half-groats, pence, half-pence, and farthings, *id. s.* 2.

4. To ascertain the salary of the master and worker of H. M.'s mint, 39 *G.*3. *c.*94.

5. He shall have a net salary of 3000*l. per ann.* in lieu of his present salary and fees, such net salary being payable half-yearly, on 5th *April* and 10th *Oct.* as provided in *s.* 3., *id. s.* 1.

6. All taxes to which the master of the mint is liable in respect of his office, shall be paid out of the monies arising as in *s.* 3. *id. s.* 2.

7. The same proportion of fees, &c. now received by the master of the mint, shall be still received by a person appointed by the treasury, with a reasonable salary, and giving sufficient security; and the surplus, after payment of the sums charged thereon in *ss.* 1, 2., shall be paid into exchequer, to the consolidated fund, out of which fund any deficiency in those sums shall be made up, *id. s.* 3.

8. The office of master of the mint shall be granted, subject to this act, *id. s.* 4.

9. Such master of the mint may sit in the house of commons, 22 *G.*3. *c.*45. notwithstanding, 39 *G.*3. *c.*94. *s.*5.

10. For regulating certain offices, and abolishing others in H. M.'s mints in *Eng.* and *Scot.* respectively, 57 *G.*3. *c.*67.

11. The office of warden of H. M.'s mint in *Eng.* is abolished, and his powers and duties, whether required to be exercised by him alone or in conjunction with others, shall be performed by the master and worker of the mint or his deputy at their present salaries, *id. s.* 1.

12. The office of comptroller of the mint, shall, after termination of existing interests, be executed in person and not by deputy, *id. s.* 2.

13. The office of governor of the mint in *Scot.* shall, on termination of the existing interests, be held by master of the mint in *Eng.*, and all other offices of the *Scotch* mint shall, at the like expiration of existing interests, be abolished, and exercised by the corresponding officers in *Eng.*, without additional salaries, *id. s.* 3. [1200*l. per ann.* may be granted by treasury for salaries of the *Scotch* mint officers, 7 *A. c.*24. *s.*3.]

14. On the termination of the existing interests of officers entitled to apartments in the buildings of the mint in *Scot.*, or on their relinquishment thereof, the treasury may direct them to be sold, and the proceeds shall be paid to the receiver-general in *Scot.* to be accounted for as other public monies, *id. s.* 5.

MISDEMEANOR.

1. To prevent delay in the administration of justice in cases of misdemeanor, 60 *G.*3. and 1 *G.*4. *c.*4.

2. Where any person is prosecuted in K.B. at *Westminster*, or in *Dublin* respectively, for any misdemeanor, either by information or indictment there found, or removed into such courts, and shall appear in person, in term time, in either court respectively to answer thereto, such defendant, on being charged therewith, shall not be permitted to imparle to a following term, but shall plead or demur thereto within 4 days from appearance, and in default thereof, judgment may be entered against him for want of a plea; and if he appear by clerk or attorney, he shall not imparle to a following term, but a rule requiring him to plead may forthwith be given, and plea or demurrer to such indictment, &c. may be enforced, or judgment by default entered thereon, as might have been done before passing this act, in cases where defendant had so appeared in a previous term, *id. s.* 1.

3. The said courts, or any judge of them, on sufficient cause shewn, may allow further time for such defendant to plead or demur to such indictment, *id. s.* 2.

4. Persons prosecuted for misdemeanor by indictment at any session of the peace, oyer and terminer, great sessions, or session of gaol delivery within *Eng.*, or in *Ire.*, having been committed to custody, or held to bail to appear to answer for such offence 20 days at least before the session at which such indictment is found, shall plead thereto, and the trial shall proceed thereon at such same session, unless a *certiorari* for removing the same into K. B. at *Westminster* or *Dublin* respectively, shall be delivered at such session before the jury are sworn for such trial, *id. s.* 3.

5. Such *certiorari* may be applied for, and issued in like cases and manner, and on the same terms, as well before as after indictment found, *id. s.* 4.

6. Persons prosecuted for any misdemeanor by indictment at any session of the peace, (as in *s.* 3.) within *Eng.* or *Ire.*, not having been committed to custody, or held to bail to appear to answer for such offence 20 days before the session at which such indictment was found, but being committed, &c. to appear to answer for such offence at some subsequent session, or having received notice of such indictment found, 20 days before such subsequent session, shall plead to such indictment thereat, and trial shall proceed thereon at the same session, &c. unless a *certiorari*, for removing such indictment into K. B. at *Westminster* or in *Dublin*, shall be delivered at such session before the jury is sworn at suchtrial, *id. s.* 5.

7. Nothing herein shall prevent any indictment found by a grand jury of any city or town corporate, from being removed at the prayer of defendant, for trial by a jury of the county next adjoining to the county of such city, &c. pursuant to 38 *G.*3. *c.*52., and on such removal defendant shall plead, and trial shall be had according to this act, as if such indictment had originally been found by a grand jury of such adjoining county, 60 *G.*3. and 1 *G.*4. *c.*4. *s.* 6.

8. The court at any session of the peace, &c. as in *s.* 3., on sufficient cause shewn, may allow further time for pleading to such indictment, or for trial thereof, *id. s.* 7.

9. In all prosecutions for misdemeanors instituted by the attorney or solicitor general in any of the above courts, the court shall, if required, order a copy of the information or indictment to be delivered after appearance to the party prosecuted, or his clerk in court, or attorney, on application, free of all expence to the party on applying, provided that the party, or his attorney, &c. has not previously received a copy thereof, *id. s.* 8.

10. In case any prosecution for misdemeanor instituted as in *s.* 9., is not brought to trial within 12 calendar months next after not guilty pleaded therein, the court, on application made on behalf of any defendant in such prosecution (20 days notice of such application having been given to such attorney or solicitor general), may make order, if they see fit, authorizing such defendant to bring on the trial of such prosecution, who may do so, unless *nolle prosequi* be first entered therein, *id. s.* 9.

11. Nothing in this act shall extend to any prosecution by information in nature of a *quo warranto*, or for non-repair of any bridge or highway, *id. s.* 10.

MONOPOLY. (*See* LITERARY PROPERTY.)

1. Concerning monopolies and dispensations with penal laws, and the forfeitures thereof, 21 *J.*1. *c.*3.

2. All monopolies and commissions, grants, licences, charters, and letters patent granted to any person or body politic or corporate soever, of the sole buying, selling, making, working, or using of any thing within this realm, or *Wa.*, or of any other monopolies, or of power to dispense with any others, or to give licence to do, use, or exercise any thing against the tenor of any statute; or to give or make any warrant for such dispensation or licence to be given, or to agree or compound with any others for any penalty limited by statute; or of any grant or promise of the benefit of any penalty or sum of money due by any statute before judgment thereon had, and all proclamations, restraints, warrants of assistance, and other things soever any way tending to further the same, are contrary to the laws, and utterly void, *id. s.* 1.

3. All such monopolies and commissions, &c. shall be determined as to their validity by the common law, *id. s.* 2., and no person shall exercise them, *id. s.* 3.

4. Any person grieved or disquieted, or his chattels taken by pretext of any such monopoly or commission, &c. may sue the offenders at common law, by action grounded on this statute, to be determined in K. B., C. P., or exchequer, and shall recover treble damages and double costs, without essoin, &c. or more than one imparlance allowed; and any person who, after notice that the action pending is grounded on this statute, shall cause it to be stayed or delayed before judgment by colour of any other authority save that of the court; or who, after judgment had, shall procure execution to be stayed by colour of any authority except writ of error or attaint, shall incur the penalties of a *præmunire*, *id. s.* 4.

5. The declarations herein shall not extend to letters patents and grants of privilege for 14 years or under, of the sole working or making of any new manufactures in this realm, to the true and first inventor of such manufactures, which others at the time of making such patent shall not use, so as they be not contrary to the law and mischievous to the state, by raising the prices of commodities at home, or hurt of trade or general inconvenience; the 14 years to be accounted from the date of the patent, *id. s.* 6. [*not to affect* grants theretofore allowed by statute, while the latter continues in force, *id. s.* 7.]

6. This act shall not extend to any warrant or privy seal directed by H. M. to the justices of K. B. or C. P., and barons of exchequer, justices of assize, of *oyer* and *terminer* and gaol delivery, of the peace, and other justices, having power to determine offences against any penal statute, to compound for the forfeitures thereof pending in suit before them after plea pleaded, *id. s.* 8.

7. This act shall not extend to the city of *London*, or other city, borough, or town corporate within this realm, for or concerning any grants, charters, or letters patents to them granted, or to their customs, or to any corporations, &c. of any art, trade, or mystery, or to any companies of merchants erected for maintenance of any trade, but the immunities of these bodies shall remain in force, *id. s.* 9.

8. Nor to letters patents concerning printing, digging, or compounding saltpetre or gunpowder, casting or making ordnance or their

shot, nor to any former grant or patent of offices now in being, and not decried by H. M.'s proclamation, *id. s.* 10.; *nor to* grants, patents, &c. for digging, compounding, or making allum and allum mines, 21 *J.* 1. *c.* 3. *s.* 11.

9. This act shall not extend to any use, custom, &c., or privilege heretofore enjoyed by the fellowship of the hoastmen of *Newcastle-upon-Tyne*, or by the ancient fraternity, &c. commonly called hoastmen, concerning the selling, lading, shipping or trading, of or for any sea, stone, or pit coals out of the haven and river of *Tyne*, or to any grant by them to queen *Elizabeth* of any duty in respect thereof, nor to any licences for keeping any tavern, or selling or retailing wines to be drunk in the mansion-house, or other place in occupation of the party selling the same, or to making any compositions for such licences where the benefit thereof is reserved to H. M., *id. s.* 12.

MORTGAGE.

1. To prevent frauds by clandestine mortgages, 4 & 5 *W.* & *M. c.* 16. (*and recital in s.* 1.)

2. If any person shall borrow any money, or for other valuable consideration for the payment thereof voluntarily give, acknowledge, permit, or suffer to be entered against him one or more judgments, statutes, or recognizances, to any creditor; and if he shall afterwards borrow any other money of any other person, or for other valuable consideration become indebted to such person, and for securing the repayment thereof shall mortgage his lands or tenements, or any part thereof, to the said second or other creditor, or to any other person in trust for, or to the use of such second or other creditor, and shall not give notice to the said [second] mortgagee, of the said judgment, statute, or recognizance, in writing under his hand, before execution of the mortgage, unless such mortgagor or his heirs, on notice given by the mortgagee or his heirs, executors, administrators, or assigns, in writing under his or their hands and seals, attested by two or more sufficient witnesses, of any such former judgment, &c. shall, within 6 months, pay off the same, and all interest and charges due thereon, and cause the same to be vacated by record; then the mortgagor, his heirs, &c., shall have no remedy against the mortgagee, his heirs, &c. in equity or elsewhere, for redemption of the said lands, or any part thereof, but the latter, his heirs, &c. may hold the same for such term therein as was granted to him, against the mortgagor and all claimants under him, freed from equity of redemption, and as fully as if it were purchased absolutely and without power of redemption, *id. s.* 2.

3. If any person who shall mortgage any lands or tenements to any person, for security of money lent or otherwise become due, or for other valuable considerations, shall again mortgage the same, or any part thereof, to any other person for valuable consideration (the former mortgage being in force, and not discharged), and shall not discover to the said second or other mortgagees, or some or one of them, the former mortgage in writing under his hand, then such mortgagor, his heirs, &c. shall have no relief or equity of redemption against the second or after mortgagee, his heirs, &c. on the said after mortgage, but such mortgagee, his heirs, &c. may hold and enjoy such more than once mortgaged lands, &c. for such term thereon, as was granted by the mortgagor against him, or his heirs, &c. respectively free, from equity of redemption, and as fully to all intents, as if it had been an actual purchase without power of redemption, *id. s.* 3.

4. If it happen that there be more than one mortgage at the same time made by any person to any person, of the same lands, &c. the several late or under mortgagees, their heirs, &c. shall have power to redeem any former mortgage, on payment of the principal debt, interest, and costs of suit to the prior mortgagee, his heirs, &c. *id. s.* 4.

5. Nothing in this act snall be construed to bar any widow of any mortgagor of lands, &c. from her dower and right therein, who did not legally join with her husband in such mortgage or otherwise bar herself of such her right, *id. s.* 5.

6. For the more easy redemption and foreclosure of mortgages, 7 *G.* 2. *c.* 20.

7. Where any action is brought on any bond for payment of the money secured by mortgage, or for performance of the covenants therein contained; or where any action or ejectment is brought in any court of record at *Westminster*, or of great sessions in *Wa.*, or in any superior court in the counties palatine, by any mortgagee, his heirs, executors, administrators, or assigns, for recovery of possession of any mortgaged lands, tenements, or hereditaments; and no suit shall be then pending in any court of equity in *Eng.* for foreclosing or redeeming the same; if the person having right to redeem, and who shall appear and become defendant in such action, shall, at any time pending the same, pay unto such mortgagees; or in case of refusal, shall bring into the court where the action is pending, all the principal and interest due on the mortgage, with all the costs expended in suits in law or equity thereon, (the amount for principal, &c. being computed by the court, or proper officer by them appointed); the monies so paid or brought into court shall be taken to be in full discharge of the mortgage, and the court shall discharge such mortgagor or defendant accordingly, and may, by rule of court, compel such mortgagee at the mortgagor's costs, to assign, surrender, or re-convey such mortgaged lands, &c. and such estate as he hath therein, and deliver up all deeds and writings in his custody relating to the title thereto, unto such mortgagor, his heirs, &c. or to such other person as they shall appoint, 7 *G.* 2. *c.* 20. *s.* 1.

8. Where any bill or suit shall be filed or brought in any court of equity in *Eng.* by any person having any estate or interest in any lands, &c. under any mortgage thereof, to compel the defendant (having a right to redeem the same) to pay the plaintiff in such suit the principal and interest due thereon, or the principal and interest so due, together with any sum due on any incumbrance, or specialty charged on the equity of redemption, and in default of payment thereof to foreclose such defendant of his equity of redeeming such mortgaged lands, &c. such court of equity, on application by defendant (*having such* right to redeem as above), and on admitting the title of plaintiff, may, at any time before bringing the cause to hearing, make such decree therein, as such court might have made, in case such suit had been regularly brought to hearing before such court; and all parties thereto shall be bound by such decree, to all intents and purposes as if made by such court, at or after the hearing of the suit, *id. s.* 2.

9. This act shall not extend to any case, where the person against whom the redemption is prayed shall, by writing under his hand, or that of his attorney to be delivered to the attorney for the other side, before the money shall be brought into such court at law insist, either that the party praying a redemption has no right to redeem, or that the premises are chargeable with other principal sums than what appear on the face of the mortgage, or are admitted on the other side, nor to any case where the right of redemption to the mortgaged lands and premises in question shall be controverted between different defendants in the same suit, nor shall prejudice any subsequent mortgagee or incumbrancer, *id. s.* 3.

10. For explaining 12 *A. St.* 2. *c.* 16. (*tit.* Usury,) with regard to loans on mortgage in *Ire.* or the colonies, 14 *G.* 3. *c.* 79. [Amd. 1 & 2 *G.* 4. *c.* 51.]

11. All mortgages and securities which, by any of H. M.'s subjects *already have been* made and executed in *G. B.* of or concerning any lands, tenements, hereditaments, slaves, cattle, or other things, lying in *Ire.*, or in any of H. M.'s colonies, plantations, or dominions; or any estate or interest therein, to any of H. M's subjects, for securing the repayment of money thereon really lent, with interest for the same, and all bonds, covenants, and securities, for payment of the same, and all transfers or assignments which *have been* made in *G. B.* of such mortgages, securities, or bonds, to any such subjects, shall be as valid, as if they had been made in the kingdom, island, plantation, country, or place, where the lands, &c. severally lie; and none shall be subject to any of the penalties in 12 *A. St.* 2. *c.* 16. by taking interest for the money advanced on such mortgage, &c. at the rate of interest allowed by the law of the kingdom, &c. wherein the mortgaged premises lie, 14 *G.* 3. *c.* 79. *s.* 1.

12. All mortgages and securities *which shall be made and* executed in *G. B.*, concerning lands, &c. lying in *Ire.*, or in any of the said colonies, &c. to any like subjects, for securing the repayment of money thereon *bona fide* lent, with interest for the same; and all bonds, &c. for payment of the same, and all transfers or assignments which shall be made and executed in *G. B.*, of such mortgages, &c. to any of H. M.'s subjects, shall be as valid as if the same were executed in the kingdom, &c. where the lands, &c. severally lie; and none of H. M.'s subjects in *G. B.* shall be subject to any of the penalties in the said act of 12 *A.* by receiving interest for money advanced on any such mortgage, &c. so as the interest so received, do not exceed 6 *per cent.*, *id. s.* 2.

13. All mortgages and securities made, (*as in* 2 *last placita*) at any time before or after passing this act, for securing repayment of the money *bonâ fide* lent thereon, with interest for the same, whether payable in *G. B.* or in the country, island, plantation, or place where the things comprised in any such mortgage, security, transfer, or assignment severally lie, and all bonds and covenants at any time made and executed in *G. B.*, either by persons borrowing such money, or by any other person, either residing in *G. B.* or elsewhere, by way of collateral security for payment of such interest; and all transfers and assignments at any time made, &c. in *G. B.* of such mortgages, securities, or bonds to any of H. M.'s subjects, shall be as valid as if they were made, &c. and the interest thereon was payable, and as if the persons entering into such bonds, &c. as collateral security had resided in the country, &c. where the things comprised in any such mortgage or assignment, severally lie, and none of H. M.'s subjects in *G. B.* shall be subject to any of the penalties in 12 *A. St.* 2. *c.* 16. by receiving, or having received interest for the money really lent on any such mortgage, bond, covenant, transfer, or assignment, so as the interest thereon does not exceed 6 *per cent.*, 1 & 2 *G.* 4. *c.* 51.

14. This act shall not make good any mortgage, &c. where the lender

of any money has knowingly advanced, or shall knowingly advance, more money than the lands, &c. were or shall be, at the time of advancing such money, *bonâ fide* worth, to be sold, 14*G.*3.*c.*79.*s.*9.

15. Every person borrowing money under this act, upon such lands, &c. as aforesaid, exceeding the value which the same shall, at the time of borrowing such money, be really worth, to be sold over all incumbrances which shall then affect the same, shall forfeit treble the value of the sum borrowed; one half to the informer, the other to the treasurer of *Greenwich* hospital, for the use of the hospital, *id.s.*4.

16. All such mortgages, &c. under this act, shall be registered within the kingdom, &c. (as in *pl.*11.) where the lands, &c. severally lie, within the time limited by the laws of such kingdom, &c. otherwise they shall be subject to the provisions and penalties contained in 12 *A. St.*2. *c.*16. in such manner as the same would have been if this act had never been passed, unless the mortgagee, or other person for whose behoof such mortgage shall have been made, shall have *bonâ fide* used his endeavour to cause the same to be registered within the time before limited-*id.s.*5.

MORTMAIN.

1. IT SHALL NOT BE LAWFUL TO GIVE LANDS to any religious house, and to take the same land again to hold of the same house, or for the religious houses to accept the land for that purpose: If any man so give his lands to any religious house, and be convict, the gift shall be void, and the land shall return to the lord of the fee, 9 *H.*3. *M. C. c.*36.

2. NO PERSON SHALL PRESUME TO BUY OR sell, or by any craft or engine to appropriate lands, under pain of forfeiture of the same, whereby such lands may come into mortmain; if any person offend against this statute, the lords of the fee may enter into the same within a year from the time of the alienation, and hold it in fee; and if the chief lord immediate will not enter within the year, the next chief lord may enter within half a year next; and so every lord mediate may enter, if the next immediate lord to him be negligent; and if all the lords of such fees, which be of full age, within the four seas, and out of prison, be negligent, H. M., after the year accomplished, shall take such lands, and enfeoff others therein by services for defence of the realm; saving to the lords their escheats and services, 7 *E.* 1. *Statutum de Religiosis.*

3. WHEREAS ECCLESIASTICAL PERSONS DO IMPLEAD, and the party maketh default, whereby he ought to lose the land, IT IS ORDAINED, that after default made, it shall be enquired by the country, whether the demandant had right, and if it be found that he had, he shall recover seisin; and if he had no right, the land shall accrue to the lord of the fee, if he demand it within a year from the time of the inquest taken; and if he do not demand it, it shall accrue to the next lord above, if he demand it within half a year; and so every lord after the lord immediate shall have half a year, until it come to the king; and to challenge the jurors of the inquest the lords of the fees shall be admitted, and likewise for the king; and after judgment given, the land shall remain in the king's hands until it be deraigned by the demandant, or some other chief lord, and the sheriff shall answer therefore at the exchequer, 13 *E.* 1. (*West. Sec.*) *c.*32.

4. LANDS WHERE CROSSES SHALL BE SET (to assume the privileges of Templars and Hospitallers), shall be forfeit, as provided for lands aliened in mortmain, 13 *E.* 1. (*West. Sec.*) *c.* 33.

5. BY THE PURCHASES PERMITTED by this statute, such lands shall in nowise come into mortmain, 18 *E.* 1. *St.* 1. *c.* 3. *Quia emptores terrarum.*

6. TOUCHING THE GRANT OF H. M. TO BE OBTAINED on inquests returned for lands to be put in mortmain, nothing shall be done where there shall be any lords mesne, except the religious persons can shew H. M. their assent under their patents; and nothing shall pass where the donor retaineth nothing to himself: and where inquisitions be made without warrant, *viz.* without the writ original returned with the inquisition, and except the writ make mention of every thing according to the new ordinance, [*See* 27 *E.* 1. *St.*2.] 34 *E.*1. *St.* 3.

7. IF PRELATES OR CLERKS BENEFICED, WHICH HAVE purchased lands, and the same have put to mortmain, be impeached before our justices, and they shew a charter of licence, and process thereon made by inquest of *ad quod damnum*, &c. they shall be let in peace; and in case they cannot shew that they have entered by due process, shall be received to make reasonable fine, 18 *E.* 3. *St.* 3. *c.* 3.

8. WHEREAS SOME SPIRITUAL PERSONS HAVE ENTERED in lands adjoining to their churches, and of the same by sufferance of the tenants have made churchyards, and by bulls of the bishop of *Rome* have hallowed the same without licence of H. M. and of the lords; *it is declared*, that it is within 7 *Ed.* 1. (*pl.*2.), and no purchase shall be made, so as spiritual persons take the profits, upon pain of forfeiture; and the statute shall be kept of all lands, advowsons, and other possessions, to be purchased to the use of fraternities; and mayors, bailiffs, and commons of cities and towns, that have a perpetual commonalty, and others which have offices perpetual, shall not purchase, upon the pain contained in the statute, 15 *R.*2. *c.*5.

9. FOR FEOFFMENTS AND ASSURANCES OF LANDS AND tenements made to the use of any parish church, chapel, or the like, 23 *H.*8. *c.*10. and recital in *s.*1. [*Qu.* how far superseded by 9 *G.*2. *c.*36.?]

10. ALL USES, &c. TO THE USE OF PARISH CHURCHES, churches, chapels, churchwardens, guilds, companies, or brotherhoods, made of devotion, or by assent of the people, without any corporation, and also to the intent to have any continual service of a priest for 60 years, or other like uses, shall be void, *id.s.*2.

11. But every person being seised of lands, &c. may ordain any of the uses above specified, so that none such uses be made to continue above 20 years after the making, *id. s.*3.

12. If any persons, in fraud of this statute, bind their heirs, or any other persons, that they shall suffer such uses to continue contrary to this act, upon penalties of loss of any other lands or things, or attempt by any other colour to make any such uses to be declared contrary to this act, to continue for any longer time than above limited, then such penalty, &c. shall be void; and this statute shall be always interpreted as beneficially as may be, to the destruction of such uses, &c. except as above provided, *id. s.*4.

13. Proviso for customs of cities and towns corporate, to devise lands in mortmain, *id. s.* 5.

14. FOR ENCOURAGEMENT OF CHARITABLE GIFTS AND dispositions, 7 & 8 *W.*3. *c.*37.

15. H.M., when and as often, and in such cases as he shall think fit, may grant to any person, licence to alien in mortmain, and also to purchase and hold in mortmain, in perpetuity, or otherwise, any lands or hereditaments, *id. s.*1.; and lands, &c. so aliened or acquired, and licensed, shall not be subject to any forfeiture by reason thereof, *id. s.*2.

16. TO RESTRAIN THE DISPOSITION OF LANDS, whereby they become unalienable. 9 *G.*2. *c.*36. [Not extending to *Scot.*, *id. s.* 6.]

17. No manors, lands, tenements, rents, advowsons, or other corporeal or incorporeal hereditaments; nor any money, goods, chattels, stocks in public funds, securities for money, or other personal estate soever, to be laid out in purchase of any lands, &c. shall be in any ways given, conveyed, or settled on any person, or body politic or corporate, or otherwise, for any estate or interest soever, or any ways charged by any person in trust, or for benefit of any charitable uses whatever; unless such gift, conveyance, or settlement of any such lands, &c. or personal estate, (other than stocks in public funds) be made by deed indented, sealed, and delivered, in presence of 2 or more credible witnesses, 12 calendar months before the death of such donor or grantor (including the days of execution and death), and be inrolled in chancery within 6 calendar months after its execution, and unless such stock be transferred in the public books usually kept for transfer of stocks 6 months at least before death of such donor or grantor (including the days of transfer and death), and unless the same be made to take effect in possession for the charitable use intended, immediately from the making thereof, and without power of revocation, reservation, or clause soever for benefit of the grantor, or of any claimant under him, *id. s.*1.

18. Nothing above-mentioned relating to sealing and delivering any deed, 12 calendar months at least before the grantor's death, or to the transfer of any stock, 6 like months before the death of the grantor or person making such transfer, shall extend to any purchase of any estate or interest in lands, &c. or to any transfer of stock really made, for a full and valuable consideration actually paid, or before making such conveyance or transfer, without collusion, *id. s.* 2.

19. All gifts, conveyances, and settlements of lands, tenements, or other hereditaments, or of any estate or interest therein, or of any charge or incumbrance affecting any lands, &c., or of any stock, money, goods, or other personalty or securities for money to be laid out in purchase of any lands, &c. or interest therein, or of any incumbrance affecting the same, to or in trust for any charitable uses soever, which shall, at any time after 24th *June*, 1736, be made any otherwise than by this act appointed, shall be void, *id. s.*3.

20. This act shall not avoid the dispositions of any lands, &c. or of any personal estate to be laid out in the purchase thereof, which shall be made in any other manner than by this act directed, to or in trust for either of the two universities in *Eng.*, or any of the colleges or houses of learning therein, or to or in trust for the colleges of *Eton*, *Winchester*, or *Westminster*, or either of them, for the better maintenance of the scholars only, on their respective foundations, *id. s.* 4.

MORTUARY.

1. CONCERNING THE TAKING OF MORTUARIES; OR demanding, receiving, or claiming the same, 21 *H.*8. *c.*6. [and recital in *s.*1.]

2. No spiritual person or their lessees, shall receive or demand of any person within this realm, for any person dying in the same, any

mortuary or corse present, nor other thing for the same, more than is hereafter mentioned; nor shall convent any person before any spiritual judge, for recovery of more than is so mentioned, on pain to forfeit, for every demand or calling before the spiritual judges so much as is taken above the sum herein limited, and 40*s.* over that, to the party grieved, who shall have an action of debt, &c. or information for the same in any of H.M.'s courts, 21 *H.* 8. *c.* 6. *s.* 2.

3. No mortuary shall be given or demanded of any person, but in places where they have been used to be paid, and then, not otherwise, than after the following rates: *viz.* for every person who does not leave goods to the value of 10 marks, nothing; for every person who leaves goods to the value of 10 marks and under 30*l.*, 3*s.* 4*d.*; if above 30*l.*, and under 40*l.*, 6*s.* 8*d.*; if above 40*l.*, of what value soever they may be, only 10*s.*, *id. s.* 3.

4. For no woman being covert baron, nor child, nor for any person not keeping house, nor for any wayfaring man not dwelling nor making residence in the place where he happens to die, but the mortuary of such wayfaring persons shall be answerable at the rate in *s.* 3. in the place where they have most habitation, and no where else, 21 *H.* 8. *c.* 6. *s.* 4.

5. All persons, &c. and other spiritual persons, may receive money bequeathed to them, or to the high altar of the church, *id. s.* 5.

6. No mortuaries shall be taken in *Wa.* or the marches, nor in the towns of *Calais* or *Ber.*, or the marches, but only where they have been accustomed to be paid, and then according to the rates in *s.* 3. *id. s.* 6.

7. Saving for taking the accustomed mortuaries by the bishops of *Bangor*, *Llandaff*, *St. David's*, and *St. Asaph*, and by archdeacon of *Chester*, *id. s.* 7. [*but see* the 12 *A. St.* 2. *c.* 6. as to the bishoprics; and 28 *G.* 2. *c.* 6. as to *Chester*, which take away mortuaries in all those places.]

8. In places where mortuaries have been accustomed to be taken, of less value than in *s.* 3., no person shall be compelled to pay any other, or more for any mortuary than is so accustomed; nor shall any mortuary in such place be taken of any person exempt by, or in any way contrary to this act, on penalty in *s.* 1., *id. s.* 8.

NATURALIZATION. (*See* ALIEN.)

(STATUTES *expired.*)

1. FOR THE NATURALIZING OF CHILDREN OF H. M.'s *English* subjects born in foreign countries during the late troubles, 29 *C.* 2. *c.* 6. [EXP.]

2. TO NATURALIZE THE CHILDREN OF SUCH OFFICERS and soldiers and others, the natural-born subjects of this realm, who have been abroad during the war, the parents of such children having been in the service of this government, 9 & 10 *W.* 3. *c.* 20. [EXP.]

3. FOR ALLOWING A TIME FOR 213 FAMILIES OF protestant palatines now settled in *Ire.*, to take the oaths in order to entitle them to all benefits intended them by 7 *A. c.* 5., 1 *G.* 1. *St.* 2. *c.* 29. [EXP.]

(STATUTES *in force.*)

1. THAT ALL SUCH AS ARE TO BE NATURALIZED OR restored in blood, shall first receive the sacrament of the Lord's supper, and the oath of allegiance, and the oath of supremacy, 7 *J.* 1. *c.* 2.

2. No person of the age of 18 years or above, shall be naturalized or restored in blood, unless he have received the sacrament of the Lord's supper within one month before any bill exhibited for that purpose, and also shall take the oath of supremacy and allegiance in the parliament house, before his bill be twice read; and the lord chancellor, if the bill begin in the upper house, and the speaker of the commons house, if the bill begin there, shall have authority during the session, to minister such oaths, *id. ibid.*

3. AFTER THE LIMITATION OF THE CROWN HEREIN mentioned shall take effect, no person born out of *Eng.*, *Scot.*, or *Ire.*, or the dominions thereof (although he is naturalized or made a denizen, except such as are born of *English* parents), shall be capable to be of the privy council, or a member of either house of parliament, or to enjoy any office or place of trust, either civil or military, or to have any grant of lands or hereditaments from the crown, to himself or others, in trust for him, 12 & 13 *W.* 3. *c.* 2. *s.* 3. [EXPL. 1 *G.* 1. *St.* 2. *c.* 4.]

4. No person shall be naturalized, unless, in the bill exhibited for that purpose, there be a clause to declare, that such person shall not be enabled to be of the privy council, or a member of either house of parliament, or enjoy any office of trust, or have any grant from the crown, of any lands, &c. to himself, or to others in trust for him; and no bill of naturalization shall be received, without such clause, 1 *G.* 1. *St.* 2. *c.* 4. *s.* 2. [*And see* 14 *G.* 3. *c.* 84. *pl.* 31.] [NOTE.—This clause, as also 7 *J.* 1. *c.* 2., is usually suspended before the introduction of a bill to naturalize foreign princes. *See* 4 & 5 *A. c.* 1., 7 *G.* 2. *c.* 3., 4 *G.* 3. *c.* 4.]

5. FOR NATURALIZING FOREIGN PROTESTANTS [and the children of natural-born subjects born out of the allegiance of the *British* crown], 7 *A. c.* 5. [REP. *except what* (*viz. s.* 3.) relates to such children, 10 *A. c.* 5., and EXPL. 4 *G.* 2. *c.* 21., *which is* EXT. to the children of such children, 13 *G.* 3. *c.* 21.]

6. The children of all natural-born subjects born out of the ligeance of H. M. shall be deemed to be natural-born subjects of this kingdom, 7 *A. c.* 5. *s.* 3.

7. All children to be born out of the ligeance of the crown of *Eng.* or of *G. B.* whose fathers shall be natural-born subjects of such crown at the time of the birth of such children, shall by virtue of the 7 *A. c.* 5. *s.* 3. and of this act, be adjudged to be natural-born subjects of the crown of *G. B.*, 4 *G.* 2. *c.* 21. *s.* 1.

8. But nothing in 7 *A. c.* 5. or in this act, did or shall extend to make any children to be born out of such ligeance, to be such natural-born subjects whose fathers at the time of their birth shall be attainted of high treason by judgment, outlawry, or otherwise, either in this kingdom or *Ire.*, or whose fathers at the time of the birth of such children shall by any law made in this kingdom or *Ire.*, be liable to penalties of high treason or felony in case they return here or to *Ire.* without H. M.'s licence, or who shall be in the actual service of any foreign state in enmity with the crown of *Eng.* or *G. B.*, but such children shall remain in the same state as if this act or the 7 *A. c.* 5. had never been made, 4 *G.* 2. *c.* 21. *s.* 2.

9. Proviso for children of persons so attainted returning here or to *Ire.*, and continuing to reside here or in *Ire.*, or taking certain oaths or receiving certain rents of lands, &c., to be deemed natural-born subjects, *id. s.* 3. [EXP.]

10. All persons born out of the ligeance of the crown of *Eng.* or of *G. B.*, whose fathers were by 4 *G.* 2. *c.* 21. entitled to all rights and privileges of natural-born subjects of *Eng.*, or of *G. B.*, shall be natural-born subjects of *G. B.*, as if born in this kingdom, the 12 & 13 *W.* 3. *c.* 2. notwithstanding, 13 *G.* 3. *c.* 21. *s.* 1.

11. Nothing in this act shall make any persons born out of the ligeance of the crown of *Eng.*, or of *G. B.*, to be natural-born subjects thereof, contrary to 4 *G.* 2. *c.* 21. or to repeal, abridge, or alter the same; but the same shall remain as if this act had never been made, *id. s.* 2.

12. Nothing in this act shall repeal, abridge, or alter 5 *G.* 1. *c.* 27., nor repeal, &c. any law, statute, custom, or usage, concerning alien duties, customs, and impositions, nor cause any privilege, exemption, or abatement relating thereto, in favour of any person naturalized by this act, unless such person shall come into this realm, and there reside, and shall take and subscribe the oaths, and make, repeat, and subscribe the declaration appointed by 1 *G.* 1. *St.* 2. *c.* 13., and also receive the sacrament according to the church of *Eng.*, or in some protestant or reformed congregation within *G. B.*, within 3 months before their taking the oaths in such act mentioned; and shall, at the time of taking the said oaths, &c. produce a certificate signed by the person administering the sacrament, attested by 2 witnesses, whereof an entry shall be made of record in the court wherein such oaths shall have been taken, without fee, *id. s.* 3.

13. No person shall be enabled hereby to defeat any estate, right, or interest, on the last day of this session vested in any other person, or to demand any estate or interest which shall hereafter accrue, unless such demand be made within 5 years next after the same shall accrue, *id. s.* 4.

14. FOR NATURALIZING FOREIGN PROTESTANTS and others therein mentioned as are settled or shall settle in any of H. M.'s colonies in *America*, 13 *G.* 2. *c.* 7. [EXT. to other foreign protestants who conscientiously scruple the taking of an oath, 20 *G.* 2. *c.* 44., and to such foreign protestants as have served or shall serve for the time therein mentioned as officers or soldiers in H.M.'s royal *American* regiment, or as engineers in *America*, 2 *G.* 3. *c.* 25. EXPL. as to such persons holding offices of trust, 13 *G.* 3. *c* 25.]

15. All persons born out of the ligeance of H. M., who shall reside 7 years in any of H. M.'s colonies in *America*, and shall not have been absent out of some of such colonies for more than 2 months at one time, during such 7 years, and shall take and subscribe the oaths and declaration appointed by 1 *G.* 1. *St.* 2. *c.* 13., or, being *quakers*, shall make and subscribe the declaration of fidelity, and affirm the effect of the abjuration oath appointed by 8 *G.* 1. *c.* 6., and make and subscribe the profession of his christian belief, appointed by 1 *W. & M. St.* 1. *c.* 18., before the chief judge, or other judge of the colony wherein such persons reside, shall be deemed H. M.'s natural-born subjects; which oath or affirmation and subscription such judge may administer, and the same shall be taken and made before such judge in open court, between the hours of 9 and 12 in the forenoon; and shall be entered in the same

court, and also in the secretary's office of the colony wherein such person resides: and every chief judge, or other judge of every respective colony, before whom such oath, &c. shall be taken and made, shall make an entry thereof in a book, for the doing whereof 2*s.* and no more shall be paid, under the penalty of 10*l.* of lawful money of *G. B.* for every neglect: in like manner every secretary of the colony shall make an entry thereof in a book kept in his office, upon notification to him by the judge, under the like penalty, 13 *G.* 2. *c.* 7. *s.* 1.

16. No person, except quakers as shall qualify themselves and be naturalized as hereby directed, or such as profess the *Jewish* religion, shall be naturalized by this act, unless such person has received the sacrament in some protestant congregation in *G. B.*, or some of the colonies in *America*, within 3 months next before his taking such oaths, &c.; and unless at the time of taking such oaths, &c. he produce a certificate signed by the person administering such sacrament, and attested by 2 witnesses; whereof an entry shall be made in the secretary's office of the colony where such person resides, and also in the court where such oaths shall be taken, without fee, *id. s.* 2.

17. Whenever any *Jew* shall present himself to take the oath of abjuration, in pursuance of this act, the words *upon the true faith of a christian* shall be omitted in administering the same to such *Jew*, and the taking and subscribing such oath by such *Jew*, and the other oaths appointed by such act, in like manner as *Jews* were permitted to take the oath of abjuration by the 10 *G.* 1. *c.* 4., shall be sufficient to entitle him to be naturalized by this act, *id. s.* 3.

18. A testimonial under the seal of any such colonies, of any persons having resided 7 years within some of such colonies to be specified in such certificate, with the time of residence in each colony, (whereof the colony under the seal of which such certificate is given shall be one) and of his having taken such oaths, *&c.* and in case of a quaker, made the declaration of fidelity, and affirmed the effect of the abjuration oath; and in case of a *Jew*, taken the oath of abjuration, within the same colony under the seal whereof such certificate is given, shall be deemed proof thereof, and of his being a natural-born subject of *G. B.*, and as such shall be allowed in all courts of *G. B.* and *Ire.* and the colonies of *America*, *id. s.* 4.

19. Every secretary of such respective colonies shall at the end of every year to be computed from the 1st of *June* 1740, transmit to the office of the commissioners for trade and plantations in *London* or *Westminster*, a list of all persons who have entitled themselves to the benefit of this act; under the penalty of 50*l.* for every neglect: all which lists so transmitted shall be entered by such commissioners in a book to be kept in their office for public inspection, *id. s.* 5.

20. No person who shall become a natural-born subject by virtue of this act, shall be of the privy council, or a member of either house of parliament, or capable of taking any office of trust in *G. B.* or *Ire.*, civil or military, or any grant from the crown to himself, or any other in trust for him, of any lands or hereditaments in *G. B.* or *Ire.*, *id. s.* 6.

21. All foreign protestants, who conscientiously scruple the taking of an oath, and who are born out of the ligeance of H. M., who have resided or shall reside for 7 years in any of H. M.'s colonies in *America*, and shall not have been absent out of some of such colonies longer than 2 months at one time during such 7 years, and shall make and subscribe the declaration of fidelity, and affirm the effect of the abjuration oath prescribed by 8 *G.* 1. *c.* 6., and subscribe the profession of christian belief prescribed by 1 *W. & M. c.* 18. before the chief judge, or other judge of the colony wherein they reside, shall be deemed natural-born subjects of this kingdom, which affirmation and subscription such judge may administer, and the taking such affirmation and making such declaration, shall be in such manner and place, and at such times, and such entries made thereof, and for the same fees, and under the same penalties, as in 13 *G.* 2. *c.* 7.; and lists of the persons who shall take the benefit of this act, shall be transmitted to the commissioners of trade and plantations, in like manner, and under the same penalties, as lists of the persons taking the benefit of such act, 20 *G.* 2. *c.* 44. *s.* 1.

22. No person shall be naturalized by virtue of this act, unless he have received the sacrament, in some protestant congregation, within some of the colonies in *America*, within 3 months next before his making such affirmation and declaration, and at the time of making such affirmation, &c. produce a certificate signed by the person administering such sacrament, and attested by 2 witnesses; whereof an entry shall be made in the secretary's office of the colony wherein he resides, as also in the court where such affirmation is taken, without fee, *id. s.* 2.

23. The provisions contained in the 13 *G.* 2. *c.* 7. with regard to certificates of residence, and of having made such declaration and affirmation, and as to such certificates being evidence in the courts of *G. B.* and *Ire.*, and in the colonies, and all other benefits of such act shall extend to foreign protestants who scruple the taking of an oath, and shall be qualified as aforesaid, *id. s.* 3.

24. Such foreign protestants shall enjoy the privileges of natural-born subjects, and all the benefits of this act, and the 13 *G.* 2. *c.* 7., *id. s.* 4.

25. Nothing in this act, or 13 *G.* 2. *c.* 7. shall naturalize any person who by 4 *G.* 2. *c.* 21. *s.* 2. *pl.* 8. is declared not entitled to the benefit of 7 *A. c.* 5. *pl.* 6., but all such persons shall remain in the same condition as they would have been in, if 13 *G.* 2. *c.* 7. or this act, had never been made, 20 *G.* 2. *c.* 44. *s.* 6.

26. All foreign protestants, as well officers as soldiers, who have served or shall hereafter serve in the royal *American* regiment, or as engineers in *America*, for 2 years, and shall take and subscribe the oaths, and make and subscribe the declaration appointed by 1 *G.* 1. *St.* 2. *c.* 13., and shall at such times produce certificates, signed as by 3 *G.* 2. *c.* 7. directed, of their having received the sacrament within *G. B.*, or within some of the colonies in *America*, within 6 months before, shall be deemed to be H. M.'s natural-born subjects of this kingdom; and no estate purchased by them in any of H. M.'s colonies in *America*, since 29 *G.* 2. *c.* 5. shall be liable to seizure into the hands of H. M., or their titles thereto be impeached by reason of their having been aliens at the time of purchase, 2 *G.* 3. *c.* 25. *s.* 1.

27. Nothing in this act shall extend to naturalize any person, who, by virtue of 4 *G.* 2. *c.* 21. *s.* 2. *pl.* 8. is declared not to be entitled to the benefit of 7 *A. c.* 5., but all such persons shall remain in the same state as if this act had never been made, 2 *G.* 3. *c.* 25. *s.* 2.

28. No person who shall become a natural-born subject by this act, shall be enabled to be of the privy council, or a member of either house of parliament, or be capable of enjoying any office or place of trust within *G. B.* or *Ire.* either civil or military; or of taking any grant from the crown of any lands, tenements, or hereditaments within the kingdoms aforesaid, 13 *G.* 2. *c.* 7. *s.* 6., 20 *G.* 2. *c.* 44. *s.* 5., 2 *G.* 3. *c.* 25. *s.* 3.

29. Every person that shall become natural-born subjects by 13 *G.* 2. *c.* 7. and 2 *G.* 3. *c.* 15., shall be capable of taking and holding any office of trust, either civil or military, and of taking any grant of lands, &c. from the crown, to themselves or to others in trust for them, as well under the great seal as otherwise, except offices and grants within *G. B.* and *Ire.*, 13 *G.* 3. *c.* 25.

30. To PREVENT CERTAIN INCONVENIENCES THAT MAY HAPPEN by bills of naturalization, 14 *G.* 3. *c.* 84. [*see* 1 *G.* 1. *St.* 2. *c.* 4. *s.* 2. *pl.* 4.]

31. No person hereafter shall be naturalized, unless in the bills exhibited for that purpose there is a clause to declare that such person shall not thereby obtain within any foreign country, any of the indulgencies or immunities in trade which are or may be claimed therein by natural born *British* subjects, by virtue of any treaty or otherwise, unless such person has resided within *G. B.*, or the dominions thereof, for 7 years, subsequent to the first day of the session of parliament in which such bill of naturalization passed, and has not been absent longer than 2 months at one time during such 7 years, and no bill of naturalization shall be received in either house of parliament unless such clause is inserted, 14 *G.* 3. *c.* 84.

NEWFOUNDLAND.

(STATUTES *expired.*)

1. FOR ESTABLISHING A COURT of civil jurisdiction in the island of *Newfoundland* for a limited time, 31 *G.* 3. *c.* 29. [*semb.* EXP. since 33 *G.* 3. *c.* 76., and 49 *G.* 3. *c.* 27.

2. FOR ESTABLISHING COURTS of judicature in *Newfoundland*, and the islands adjacent, 32 *G.* 3. *c.* 46. [CON. 33 *G.* 3. *c.* 76. *s.* 11. EXP.]

(STATUTES *in force.*)

1. FOR REGULATING THE FEES TO BE TAKEN BY THE OFFICERS of customs in the island of *Newfoundland*, 10 *G.* 3. *c.* 37. *s.* 2. (*s.* 1. is EXP.) 16 *G.* 3. *c.* 47. *s.* 3. [rest of which statute is REP.; both MADE PERP. 43 *G.* 3. *c.* 68. *s.* 5.]

2. Every officer of customs in *Newfoundland* shall be deemed to have been and shall be entitled to demand and receive such fees for all business done by them in execution of their duty, as were legally demanded and taken by them at the port of *Halifax* in *Nova Scotia*, on or before 1st *Jan.* 1768, provided the fees so taken are not contrary to the express directions of any statute made in *G. B.*, and shall have like remedy for the same, and be liable to the same forfeitures and disabilities for exacting or recovering greater or other fees than such as are hereinbefore allowed to be taken as are presented and inflicted by 5 *G.* 3. *c.* 45., 10 *G.* 3. *c.* 37., 16 *G.* 3. *c.* 47. *s.* 3., amending 10 *G.* 3. *c.* 37, *s.* 2.

3. FOR ESTABLISHING COURTS OF JUDICATURE IN THE ISLAND of *Newfoundland* and the islands adjacent, 33 *G.* 3. *c.* 76. [CON. 34 *G.* 3. *c.* 44. *s.* 1., 35 *G.* 3. *c.* 25., 36 *G.* 3. *c.* 37., 39 *G.* 3. *c.* 16. *s.* 1., 39 & 40 *G.* 3. *c.* 17. *s.* 1., 43 *G.* 3. *c.* 29. *s.* 1., 46 *G.* 3. *c.* 29. *s.* 1.; and MADE PERP. 49 *G.* 3. *c.* 27. *s.* 1.; AMD. 51 *G.* 3. *c.* 45. *s.* 2.]

4. The king, by commission under the great seal, may institute a court of criminal and civil jurisdiction to be called "The supreme

court of judicature of the island of *Newfoundland*," to hold plea of all crimes and misdemeanors, and to hold plea in a summary way of all civil suits committed, or arising within the islands of *Newfoundland*, *St. Pierre*, and *Miquelon*, and on the islands and seas to which vessels repair from *Newfoundland* for carrying on the fishery, and on the banks of *Newfoundland*, [*and in G. B. or Ire. These words are in* 49 *G.* 3. *c.* 27. *s.* 1—2. 6. 8. only, and not in 33 *G.* 3. *c.* 76. *s.* 1. 6. 8.] and shall hold plea of such crimes and civil suits according to the law of *Eng.*, which court shall be a court of record holden by a chief justice appointed by H. M., with such clerks and officers as the chief justice shall appoint; his salary to be appointed by H. M. and those of his clerks, &c. by him as chief justice, with consent of the governor of *Newfoundland*, which several salaries shall be in lieu of all other emoluments, 49 *G.* 3. *c.* 27. *s.* 1., 33 *G.* 3. *c.* 76. *s.* 1.

3. The supreme court may, in like manner, hold plea of all crimes, &c. committed, and all civil suits arising within such parts of the coast of *Labrador*, from the river *St. John* to *Hudson's Straits*, and of the island of *Anticosti*, and all smaller islands separated from *Lower Canada*, and re-annexed to the government of *Newfoundland*, by proclamation of 7th *Oct.* 1763., and 49 *G.* 3. *c.* 27. *s.* 14. (except the islands of *Madelaine*), or on the islands, seas, and harbours to which ships repair from *Labrador*, and the islands so re-annexed to *Newfoundland* as above for carrying on the fishery, 49 *G.* 3. *c.* 27. *ss.* 14—15.

4. The governor of *Newfoundland* may from time to time institute courts of civil jurisdiction, to be called "Surrogate courts," in different parts of *Newfoundland* and the islands aforesaid, [and in those parts of the coast of *Labrador*, from the river *St. John* to *Hudson's Straits*, and in the island of *Anticosti*, and in all other smaller islands which are re-annexed to the government of *Newfoundland* by 49 *G.* 3. *c.* 27. *ss.* 14—15., with all powers of the like courts instituted by that act, 51 *G.* 3. *c.* 45. *s.* 2.], to hear and determine in a summary way all suits arising within the limits in 49 *G.* 3. *c.* 27. *s.* 1. [*and* 51 *G.* 3. *c.* 45. *s.* 2.] mentioned, which courts shall be courts of record, and shall determine according to the law of *Eng.* as far as it can be applied thereto, and shall be held by a surrogate appointed by the governor, who shall appoint the officers of such courts and their salaries, 49 *G.* 3. *c.* 27. *s.* 2., 33 *G.* 3. *c.* 76. *s.* 2., 51 *G.* 3. *c.* 45. *s.* 2.

5. The supreme and surrogate courts respectively may cause to appear from day to day all persons interested in the matter in dispute, and may examine them on oath, and thereupon make order, judgment, or decree therein, with costs or damages, and where the cause of action does not exceed 5*l.* and is sworn to in an affidavit made by plaintiff, defendant may be caused to appear by arrest or attachment of goods, and the execution of any order, &c. may be enforced by attachment of effects, or arrest of the person, and the chief justice and surrogates may respectively authorize some person in his or their absence, to issue process, and do all acts in their respective courts, except trying any crime or civil action, 49 *G.* 3. *c.* 27. *s.* 3., 33 *G.* 3. *c.* 76. *s.* 3,

6. Where the cause of action exceeds 40*s.* and plaintiff or defendant pray the summons of a jury to try the same, the chief justice and surrogates may respectively cause 24 persons to be summoned, of whom 12 shall be a jury, for trial of such action, provided that if a sufficient number of jurors do not appear on being summoned, the governor may appoint 2 assessors for the chief justice, and each surrogate in his court may appoint in like manner two for himself, who, with such chief justice or surrogates respectively, shall proceed to the trial of such action as if such jury had not been prayed, *ss.* 4. *of both the above acts.*

7. On any decree in a surrogate court for any sum exceeding 40*l.*, the party failing against whom judgment given, may appeal to the supreme court, having first given notice of his intention, and having entered into security to the surrogate in double the sum for which the decree was made, within 2 days after making the same, for duly prosecuting such appeal, and in any decree in the supreme court for more than 100*l.* an appeal lies to the king in council on like notice given, and security entered into, to be approved by the chief justice: and execution shall be stayed as soon as such notice and security are given, *ss.* 5. *of both acts.*

8. As often as the goods, debts, and credits of any person are attached, and it appears to the court that they are not sufficient to pay 20*s.* in the pound for his debts contracted within the island, or on the banks of *Newfoundland*, and on the islands and seas in *pl.* 2., or in *G. B.* and *Ire.*, the court may summon the plaintiff in the attachment, the party whose goods, &c. are attached, and his creditors to appear in court on a fixed day, and if, on due examination, he be found insolvent, may declare him insolvent, and proceed to take order for discovering and selling his effects and debts, and rateably distributing the produce to his creditors, and may authorize one or more of the latter, chosen by a majority in value of three of them, whose debts amount respectively to 10*l.* or upwards to perform the same, and may from time to time make further order therein as above, *ss.* 6. *of both acts.*

9. In such distribution every fisherman or seaman in the fishery, who is a creditor for wages earned in the then current season, shall first be paid 20*s.* in the pound, then every creditor for supplies furnished in the current season shall be paid a like sum; and next, every creditor within 2 years shall be paid a like sum, and lastly, all other creditors shall be paid equally as far as the effects go, 49 *G.* 3. *c.* 27. *s.* 7., 33 *G.* 3. *c.* 76. *s.* 7.

10. If such insolvent shall make true disclosure of all his effects soever, and shall conform to the orders of the court, the latter, with consent of one-half in number and value of his creditors, may grant a certificate thereof, which shall bar [*must be* pleaded in *bar*, 1 *Brod. & Bing. Rep.* 13.] all suits for debts contracted within the limits in 49 *G.* 3. *c.* 27. *s.* 1. *pl.* 2. prior to his being declared insolvent, *ss.* 8. *of both acts.*

11. The chief justice, or any person appointed by him for that purpose, may grant administration of intestates' effects, and the probate of wills, and no effects shall be administered in the island or banks of *Newfoundland*, or on the islands and seas aforesaid, without either administration or probate granted, 49 *G.* 3. *c.* 27. *s.* 9., 33 *G.* 3. *c.* 76. *s.* 10.

12. No courts in *Newfoundland*, &c. except the supreme and surrogate courts appointed by this act, shall hold plea of any suit of a civil nature, but the court of vice-admiralty of the island may hold plea of maritime causes and of the revenue; and disputes concerning the wages of seamen or fishermen, and all offences committed by their hirer or employer against this or any other act relating to the island of *Newfoundland*, or the islands and seas aforesaid, or the fishery thereof, and concerning such seamen, &c. absenting themselves, or refusing to work, may be determined, and the penalties recovered in the court of session, or before any 2 justices of peace, 49 *G.* 3. *c.* 27. *s.* 11., 33 *G.* 3. *c.* 76. *s.* 12.

13. The court of session may hear and determine in a summary way all suits for payment of debts not exceeding 40*s.*, and not contracted more than one year before the suits commenced, and that court, or 2 justices respectively, may award costs therein, which judgment and award shall be final, and executed by attachment and sale of the party's goods, 49 *G.* 3. *c.* 27. *s.* 12., 33 *G.* 3. *c.* 76. *s.* 13.

14. The chief justice may settle forms of process and rules of practice for dispatch of business in the supreme and surrogate courts, and courts of session, or before one or more justices of peace, and may appoint the fees for conducting the same, and for granting administration of effects of intestates, and for probate of wills, all which fees received in the surrogate courts shall be paid and accounted for by the surrogate in the supreme court, and the chief justice may limit the fees and poundage of the sheriff of *Newfoundland*, but no such fees shall be taken till they receive the approbation of the governor, signified under his hand and seal, 49 *G.* 3. *c.* 27. *s.* 13., 33 *G.* 3. *c.* 76. *s.* 14.

15. All penalties imposed by statute relating to *Newfoundland*, or its fishery, may be recovered in a summary way, in the supreme or any surrogate court; if of 10*l.* or under, in the court of session, or before one or more justices; and all fines, &c. imposed or paid in such inferior courts, shall be estreated and paid by the respective judges thereof into the supreme court, which may issue process to compel them to bring such monies to account, and shall apply the same towards the expence of executing these acts, 49 *G.* 3. *c.* 27. *s.* 16., 33 *G.* 3. *c.* 76. *s.* 15.

16. Actions commenced for any thing done in pursuance of these acts, shall be commenced in 6 months after the act done, the general issue may be pleaded, and special matter given in evidence thereon, with treble costs to defendant, if plaintiff discontinues after appearance, is nonsuited, or has judgment against him on verdict or demurrer, 49 *G.* 3. *c.* 27. *s.* 17., and see 33 *G.* 3. *c.* 76. *s.* 16.

17. THE SHIPS ROOMS FOLLOWING, IN THE TOWN OF *St. John's*, *viz.* The ships rooms No. I. *Rotten Row*, or *Pye Corner* ships rooms, No. II.; *Darkus's*, No. II.; *Lady's*, No. II.; *Gallows Hills*, No. III.; *Burstheart Hills*, No. III.; *Churchill*, No. IV.; *Hudson's*, No. V.; and *Admiral's* ships room, No. VI.; as the same are laid down in a plan of the town and harbour of *St. John*, dated *Oct.* 1804, and deposited in the government-house, these shall no longer be deemed ships rooms, and occupied during the fishing season as such, but may be let and possessed as private property in like manner as any other portions of land in *Newfoundland* may be, 51 *G.* 3. *c.* 45. *s.* 1.

NEW HOLLAND AND NEW SOUTH WALES.

(STATUTE *repealed.*)

TO ENABLE H. M. TO ESTABLISH A COURT OF CRIMINAL judicature in *Norfolk* island, 34 *G.* 3. *c.* 55. [REP. 35 *G.* 3. *c.* 18. *s.* 1.]

(STATUTES *in force.*)

1. TO ENABLE H. M. TO ESTABLISH A COURT OF criminal judicature on the eastern coast of *New South Wales*, and the parts adjacent, 27 *G.* 3. *c.* 2.

2. FOR LIKE PURPOSES IN *Norfolk* island, 35 *G.* 3. *c.* 18.

3. "Recital of 24 *G.* 3. *S.* 2. *c.* 56. *s.* 1. [now REP. by 55 *G.* 3. *c.* 156. *s.* 1.] and of the appointment of the eastern coast of *New South Wales* or some other adjacent islands, as a place of transportation under that act, by two orders in council of 6th *Dec.* 1786.; and recital of an order of transportation of offenders thither, made by Sir *James Eyre* and Mr. *Baron Hotham*, under the above statute, and dated 30th *Dec.* 1786."

4. H. M. may, by commission under great seal, authorize the governor or lieutenant-governor in his absence, to convene as often as may be necessary, a court of judicature consisting of the judge-advocate of the place and 6 naval or military officers, for trial and punishment of all outrages and misdemeanors, which if committed in this realm would, according to its laws be treason or misprision thereof, felony, or misdemeanor: and such court shall try all offenders by calling them before it, and causing the charge against them, being in writing, and exhibited to the court by the judge-advocate, to be read over; and by examining all witnesses on oath, to be administered by the court, as well for as against the offender; and afterwards adjudging the guilt or innocence of the accused by a majority of their number, and (in capital offences) by pronouncing judgment of death, or of such corporal not extending to capital punishment, as they think fit; and in minor offences, by pronouncing judgment of corporal punishment, not extending to life or limb, as to the court shall seem meet, 27 *G.* 3. *c.* 2. *s.* 1.

5. The provisions of 35 *G.* 3. *c.* 18. *s.* 2. for the above purposes in *Norfolk Island* are the same as in last *pl.*, except that the judge-advocate of *Norfolk Island* and 4 naval or military officers are sufficient to form such court in the latter place, 35 *G.* 3. *c.* 18. *s.* 2.

6. The provost marshal or other officer appointed by the governor or lieutenant-governor, [or person for the time being administering the government in *Norfolk Island*] shall execute the judgment of the court according to the warrant under hand and seal of such governor, &c.; and no convict shall be executed for a capital offence, unless 5 persons present in the court [or 4 persons in that of *Norfolk Island*, 35 *G.* 3. *c.* 18. *s.* 3.] concur in adjudging him guilty, until the proceedings are transmitted to and approved by H. M., 27 *G.* 3. *c.* 2. *s.* 2., 35 *G.* 3. *c.* 18. *s.* 3.

7. The above courts shall be courts of record, with all the powers incident thereto, by the laws of *Eng.*, 27 *G.* 3. *c.* 2. *s.* 3., 25 *G.* 3. *c.* 18. *s.* 4.

8. FOR MORE EASY RECOVERY OF DEBTS IN H. M.'s COLONY of *New South Wales*, 54 *G.* 3. *c.* 15.

9. In any suit or action, to be brought in any court of law or equity within that colony or its dependencies, for or relating to any debt or account, wherein any person residing in *G. B.* is a party, the plaintiff or defendant, and any witness to be examined in such circuits, &c., may verify any matter by affidavit or affidavits in writing upon oath (or affirmation in case of a quaker) made before any mayor or other chief magistrate of any city, borough, or town corporate in *G. B.*, where or near to which the deponent shall reside, and certified and transmitted under the common seal of such city, &c., or the seal of office of such mayor or other chief magistrate, which oath or affirmation every such mayor, &c. may administer; and every affidavit or affirmation so made, certified and transmitted, shall in all such actions or suits be allowed to be of the same force as if the deponents had appeared, and sworn or affirmed the matters therein contained *vivâ voce* in open court, or on a commission issued for the examination of witnesses, or of any party in any such action or suit, provided the addition of the deponent and the particular place of his abode be stated in such affidavit or affirmation, *id s.* 1.

10. In all suits now depending or hereafter to be brought in any court of law or equity, by or on behalf of H. M. in the said colony or its dependencies, for or relating to any debt or account, H. M., his heirs and successors, may prove his and their debts and accounts, and examine his witnesses, as a subject may do by this act, *id. s.* 2.

11. If any person making such affidavit or affirmation on oath, or solemn affirmation as above, shall be guilty of falsely swearing or affirming any thing therein, which, if sworn on an examination in the usual form, would amount to wilful and corrupt perjury, he shall incur the penalties by the laws of this realm provided against persons convicted of wilful and corrupt perjury, *id. s.* 3.

12. The houses, lands, and other hereditaments and real estates situate within *New South Wales* or its dependencies, and belonging to any person indebted, shall be liable to and chargeable with all just debts, duties, and demands, owing by him to H. M. or any of his subjects, and shall be assets for the satisfaction thereof as real estates are to the law of *Eng.*, liable to satisfaction of debts due by bond or other specialty, and shall be subject to the like remedies, proceedings, and process in the courts of law or equity in that colony or its dependencies, for securing, extending, selling, or disposing of any such houses, &c. towards satisfaction of such debts: personal estates in such colony may be seized, &c. for the like satisfaction of debts, *id. s.* 4.

13. TO STAY PROCEEDINGS AGAINST ANY GOVERNOR or other persons concerned in imposing and levying duties in *New South Wales*: TO CONTINUE UNTIL 1st *Jan.* 1821. certain duties; and to empower such governor to levy a duty on spirits made in such colony, 59 *G.* 3. *c.* 114. [CON. until 1st *Jan.* 1822., 1 *G.* 4. *c.* 62., *semb.* EXP.]

14. Till 1st *Jan.* [1821, *semb.* altered as above to] 1822, no action, information, or proceeding soever, shall be prosecuted against any governor of *New South Wales* or other persons, for advising or executing any order to levy any rate or duty in such colony, previous to the passing of this act; and if any action, &c. is brought, the same may be stayed on applying to the court or a judge in vacation, until 1st *Jan.* [1821, *semb.* now] 1822, 59 *G.* 3. *c.* 114. *s.* 1.

15. Until 1st *Jan.* [1821, *semb.* see above, *pl.* 13.] 1822, such governor may collect such duty as was imposed before this act but no other; but nothing herein contained shall prevent him from discontinuing the same, *id. s.* 2.

16. The governor or person administering the government of *New South Wales*, may order and direct the levy of a duty on spirits made within the colony, although no such duty has been here before imposed, provided the amount thereof shall in no case exceed the amount of that paid on importation of spirits into such colony; and such persons may regulate the collection of the same in such manner as if such duty on spirits made within the colony had been imposed, collected, and leased, previous to the passing of this act, *id. s.* 3.

NEWSPAPERS.

1. FOR PREVENTING THE MISCHIEFS ARISING FROM the printing and publishing newspapers, and papers of the like nature, by persons not known; and for regulating the printing and publication of such papers in other respects, 38 *G.* 3. *c.* 78. [*See further as to* newspapers, STAMPS, (*Newspaper*).]

2. No person shall print or publish, or cause to be printed, &c. any newspaper or other paper containing public news or intelligence, or serving the purpose of a newspaper, until an affidavit or affirmation is made, and being signed as hereinafter mentioned, is delivered to the commissioners of stamps at their head office, or to some of their officers in towns; and at the offices by them appointed, (but which shall not be on stamped paper) containing the matters hereinafter specified, *id. s.* 1.

3. Such affidavit or affirmation shall specify the real names, additions, descriptions, and places of abode of all persons who are, or who are intended to be printers and publishers of the newspaper or other paper mentioned therein, and of all the proprietors of the same, if their number, exclusive of the printer and publisher, does not exceed 2, and if it does, then of 2 of such proprietors, exclusive of the printer and publisher, and also the proportional shares of such proprietors in the property of the newspaper or other paper, and the true description of the house where such paper is to be printed, and also the title of such paper, *id. s.* 2.

4. In every case where the number of such proprietors, exclusive of the printer and publisher, does not exceed 2, the names of 2 (the amount of each of whose particular shares in such newspaper or other paper shall not be less than the proportional share of any other proprietors, exclusive of the printer and publisher) shall be specified in such affidavit or affirmation, *id. s.* 3.

5. An affidavit, or affirmation of the like import shall be made, signed and given, as often as any of the printers, publishers, or proprietors named in such affidavits, &c. shall be changed, or shall change their residences or printing-house or office, or the title of their paper, and as often as the commissioners of stamps shall think proper to require the same to be made, signed and sworn, and affirmed, and shall give notice thereof by leaving such notice at the place mentioned in the affidavit, &c. last delivered, as the place at which the newspaper to which such notice relates is printed, *id. s.* 4.

6. Every such affidavit, &c. shall be in writing, and signed by the person making the same, and shall be taken by one of such commissioners or by one officer specially appointed by them to receive such affidavits, &c. and such commissioners and officers may take such affidavits on the oath of the person making the same, and such affirmations in the case of quakers, *id. s.* 5.

7. When the persons concerned as printers and publishers of any newspapers, &c. together with such number of proprietors as are required to be named in such affidavits or affirmations, shall not altogether exceed 4 persons, such affidavit, &c. shall be sworn or affirmed, and signed by all such persons who are adult; and when they exceed 4, by 4 of them, who are adult, if so many, and if not, by so many as are adult; but the same shall contain the real names, descriptions, and places of abode of all the persons who are or are intended to be the printers and publishers, and of so many of the proprietors of such newspaper, &c. as is hereinbefore required; and the persons so signing and swearing to the truth of such affidavit, &c. in the last-mentioned case, shall give notice within 7 days after such affidavit, &c. shall be so delivered, to each of the persons not signing and swearing, or affirming such affi-

davit, &c. but named therein, that he is so named; and in case of neglect to give such notice they shall each forfeit 50*l.*, 38 *G.3. c.*78. *s.*6.

8. Every person who shall knowingly and wilfully print or publish, or cause to be printed, &c., or shall knowingly, either as proprietor or otherwise, vend or deliver out newspapers, &c., such affidavit or affirmation as aforesaid not having been duly signed, sworn, or affirmed, and delivered as often as hereby required, or any other thing required by this act to be done, not having been done, shall forfeit for each such act done 100*l.*, *id. s.*7.

9. Every person making such affidavit, &c. who shall knowingly and wilfully insert therein the names, additions, or residences of any person as proprietor, printer, or publisher of any newspaper, &c. to which such affidavit, &c. relates, who is not a proprietor, &c. thereof, or who shall knowingly or wilfully omit to mention therein the names, additions, and residences of any of the proprietors, &c. thereof, contrary to this act, or shall knowingly and wilfully, in any other respect, set forth in such affidavit, &c. any thing by this act required to be set forth, otherwise than according to the truth, or shall omit to set forth according to the truth any thing hereby required, such person so offending shall be liable to the penalties inflicted on persons guilty of corrupt perjury, *id. s.*8.

10. All such affidavits, &c. shall be filed by the commissioners of stamps, and the same, or copies thereof certified to be true as hereinafter mentioned, shall in all proceedings, civil and criminal, touching any newspaper or other such paper mentioned in such affidavits, &c. or any publication or thing contained therein, be received as conclusive evidence of the truth of all matters therein set forth, as are hereby required to be therein set forth, against every person who signed, swore, or affirmed such affidavits, &c., and against all persons who have not signed, &c. the same, but who are mentioned therein as proprietors, printers, or publishers of such newspaper, &c., unless the contrary is proved; provided that if any person against whom such affidavit, &c. or copy thereof is offered in evidence, shall prove that he hath signed, &c. and delivered to such commissioners, or such officer as in *s.*5., previous to the day of the date of the publication of the newspaper, &c. to which such proceedings, civil or criminal, shall relate, an affidavit or affirmation that he has ceased to be the printer, proprietor, or publisher of such newspaper, &c., such person shall not be deemed, by reason of any former affidavit or affirmation so delivered, to have been the printer, &c. of such paper, after the day in which such last-mentioned affidavit or affirmation was delivered to such commissioners or their officer, *id. s.*9.

11. In one part of every newspaper, &c. there shall be printed the name, addition, and residence of the printer and publisher of the same, and a true description of the place where printed; and in case any person shall knowingly and wilfully print, or cause to be printed or published, any such newspaper, &c. not containing such particulars, such person shall forfeit 100*l.*; and proof made as herein mentioned, in any proceeding to recover the same, that the party proceeded against is a printer or publisher of a newspaper, &c. so printed or published, shall be deemed proof that such party is a person wilfully, &c. printing or publishing, or causing the same to be printed, &c. unless he can satisfactorily prove the contrary, *id. s.*10.

12. It shall not be necessary after such affidavit, &c. or a certified copy thereof has been produced in evidence against the persons who signed and made the same, or are therein named, according to this act, and after a newspaper, &c. shall be produced in evidence, entitled in the same manner as the newspaper mentioned in such affidavit, or copy, and wherein the name of the printer and publisher, and the place of printing, shall be the same as the name of the printer, &c. mentioned in such affidavit, &c. for the plaintiff, informant, or prosecutor, or person seeking to recover any of the penalties hereby inflicted, to prove that the newspaper, &c. to which such trial relates was purchased at any house, shop, or office belonging to the defendant or his servant, or where he prints or publishes such paper, or where the same is usually sold, *id. s.*11.

13. Service at the house, or place mentioned in such affidavit or affirmation as the house where such newspaper, &c. to which any proceedings, civil or criminal, shall relate, is printed or published, or intended so to be, of any legal notice, summons, *subpœna*, rule, order, or process, of what nature soever, or to enforce any appearance in proceeding, civil or criminal, against any printer, publisher, or proprietor of any such newspaper, &c. shall be deemed good service against all persons named in such affidavit, &c. as the proprietors, printers, or publishers of the newspaper, &c. mentioned in such affidavit, provided that every person who shall have signed, sworn, or affirmed, and delivered to such commissioners, or such officer as in *s.*5., previous to the day of the date of the publication of the newspaper, &c. to which such proceedings relate, an affidavit or affirmation that he has ceased to be printer, publisher, or proprietor thereof, and shall prove the same, shall not be deemed, by reason of such former affidavit, &c. to have been the printer, &c. of such paper after the day on which such last-mentioned affidavit, &c. was delivered into the stamp office, *id. s.*12.

14. The commissioners or officers by whom such affidavit or affirmation shall be kept, shall, when required, deliver a copy, certified according to this act, of such affidavit or affirmation to any person applying for the same, on payment of 1*s.*, in order that the same may be produced in any civil or criminal proceedings, 38 *G.3. c.*78. *s.*13.

15. A copy of any such affidavit or affirmation, certified to be a true one, under the hand of one of the commissioners or officers in whose possession the same is, shall, on proof made that such certificates have been signed by the hand-writing of the person making the same, and whom it shall not be necessary to prove to be a commissioner or officer, be received in evidence as good proof of such affidavit or affirmation, and that the same was duly sworn or affirmed, and of the contents thereof; and that the affirmations or affidavits of which they purport to be copies have been sworn or affirmed according to this act, and shall have the same effect for the purposes of evidence as if the originals had been produced and proved to have been duly so certified, sworn, and affirmed by the person appearing by such copy to have sworn, &c. the same, *id. s.*14.

16. Every person, not being such commissioner or officer, who shall give any such certificate, or presume to certify any matter by this act directed or entrusted to be certified by such commissioners and officers, shall forfeit 100*l.*, *id. s.*15.

17. Every person who shall knowingly and wilfully falsely certify under his hand that any such affidavit or affirmation as hereby required was duly signed and sworn or affirmed before him, the same not having been so signed, &c. or that any copy of any affidavit or affirmation is a true copy of the affidavit, &c. of which the same are certified to be copies, or who shall knowingly, &c. falsely certify or express in any certificate that the affidavit or affirmation of which any copy is certified to be true, was duly sworn or affirmed before the person so certifying, by the parties whose names appear subscribed to the same, as the names of the parties swearing and signing or affirming the same, shall forfeit 100*l.*, *id. s.*16.

18. The printer or publisher of every newspaper, &c. shall on each day of publishing the same, or within 6 days after, deliver to the commissioners of stamps, at their head office, or to some person appointed by them to receive the same, one of the papers so published, signed by the printer or publisher, in his hand-writing, with his name and place of abode, and the same shall be kept by such commissioners or officer; and such printer or publisher shall receive from such commissioners, once in 6 days, the ordinary price of the newspapers, &c. so delivered; and in case of neglect herein he shall forfeit 100*l.*; and every person who shall apply to such commissioners or officers, in order that such newspaper, &c. so signed may be produced in evidence, in any proceedings civil or criminal, such commissioners or officer shall, at any time within 2 years from the publication thereof, at the expence of the applicant, either cause the same to be produced in court, at the time when required, or shall deliver the same to the party applying for it, taking security, at his expence, for returning the same; and if the same cannot (by reason that it has been previously required by another party to be produced in any court, or hath been previously delivered to any other person for a like purpose) be produced at the time required, it shall be produced as soon after as possible, *id. s.*17.

19. Every person who shall knowingly or wilfully print or publish, or cause to be printed any newspaper, &c., the same not being duly stamped shall forfeit, besides all other penalties, 20*l.* for each such unstamped newspaper; and proof made as in *s.*9. *pl.*10. in any proceeding to recover the same, that the party proceeded against is the printer or publisher of such unstamped newspaper, shall be deemed proof that such party is a person wilfully, &c. printing and publishing, or causing the same to be printed, &c. contrary to this act, unless he prove the contrary thereof, *id. s.*18.

20. Every person who shall knowingly and wilfully receive or keep in custody any newspaper, &c. not duly stamped, shall forfeit 20*l.* for each such unstamped newspaper he shall so have in custody, *id. s.*19.

21. Every person who shall knowingly or wilfully, directly or indirectly send or carry, or endeavour to send or carry, or cause to be sent, &c., or do any act towards sending, &c., or with intent to send or carry out of *G. B.* any unstamped newspaper shall forfeit 100*l.*, *id. s.*20.

22. Every person during the present war who shall send any newspaper out of *G. B.* into any country not in amity with H. M. shall forfeit 500*l.*, besides being liable to all the other penalties by law inflicted on such persons, *id. s.*21.; and all justices may summon and examine such offenders as in *s.*21. described, *id. ss.*21, 22. [*both* Exp.]

23. In case any proprietor of any newspaper shall be resident out of *G. B.*, his name and place of abode shall be specified in such affidavit or affirmation in *s.*1. *pl.*2. required, *id. s.*23.

24. Every person who shall print or publish in any newspaper, &c. printed or published in *Eng.*, any matter having a tendency to excite hatred and contempt of H. M., and the constitution and government of these kingdoms, as having been previously printed and published in some foreign paper or print which hath not been so previously printed,

shall on conviction thereof be committed to prison, for not less than 6 or more than 12 months, and be liable to such other punishment as may by law be inflicted on persons guilty of high misdemeanors; and in proceeding against any person for having printed such matter, the person accused shall prove that the same has been previously printed in some foreign print, and if he fail, it shall be deemed not to have been so previously printed, 38 *G.*3. *c.*73. *s.*24.

25. If such proof is made, the publication respecting which such proceedings are instituted shall, notwithstanding, be deemed of such nature in the law as it would have been before this act, *id. s.*25.

26. No person, other than a commissioner or officer of stamps, shall sell or supply to any person paper stamped, for the purpose of being used for printing newspapers, &c., until the person so selling the same shall have given such security to such commissioners or officer appointed by them as they deem reasonable, duly to deliver to such commissioners once in 6 weeks, a true account of the quantities and kinds of stamped paper by them sold and supplied during such weeks, and to whom by name; and that they will not sell or supply such paper to persons, other than those who ordinarily deal in selling and supplying such paper, or to the printers, publishers, and proprietors of newspapers; and that they will not sell such paper to such printers, &c., until the person applying for the same shall produce a certificate, signed by one or more of the commissioners of stamps or their duly appointed officer, purporting, that the security required by law had been given by the printer or proprietor, and that such affidavits or affirmations have been duly made and delivered respecting the same as hereby required; and that they will not sell or supply any such paper to any such printers, &c., with respect to whom notice shall be given to them by such commissioners, that such security has not been given, or is not in force, or that the parties who had given the same are dead, or are gone abroad, or are not to be found, or have given notice, that they are no longer concerned as printers, &c. of such newspaper, or that no such affidavit or affirmation hath been given; and every person who shall sell or supply any such paper, not having previously given such security, shall forfeit 100*l.*, to be recovered as in *s.*29. *pl.*29. directed, *id. s.*26.

27. Every person printing, publishing, or being concerned, either as proprietor or otherwise, in printing or publishing, or causing to be printed, &c. any newspaper, &c. upon paper not duly stamped or not stamped, shall be deemed to owe to H. M. such sum as would have accrued in case the same had been printed on duly stamped paper; and if any information or bill is filed, or other proceedings had on H. M.'s behalf for the discovery of such matters and an account and payment of such sums, the defendant shall not plead or demur thereto, but be compellable to make such discovery; provided such discovery shall not be made use of as evidence against such defendants, save only in that proceeding in which the discovery is made, *id. s.*27.

28. Every person who shall file any bill in any court, for the discovery of the names of any persons concerned in the property of, or as printers, editors, or publishers of, or otherwise in any newspaper, &c., or of any matters relative to the printing or publishing thereof, in order to enable him to bring an action for damages alleged by him to have been sustained for any slanderous or libellous matter contained in any such newspaper, &c. respecting such person, the defendants shall not plead or demur to such bill, but be compelled to make such discovery, with like proviso as to evidence as in *s.*27. contained, *id. s.*28.

29. All fines and penalties hereby imposed, which shall exceed 20*l.*, shall (except where otherwise directed) be recovered by action of debt, &c. or information in the courts of record at *Westminster*, or of great sessions in *Wa.*, or the courts of the counties palatine, or in the court of session or of exchequer in *Scot.*, wherein no essoin, &c., and only one imparlance shall be allowed; and all such fines, &c. which shall not exceed 20*l.*, shall on proof on oath of the offence before any justice of peace for the county, riding, stewartry, city, or place where the offence was committed, be levied by distress and sale of the offender's goods, by warrant of such justice, under hand and seal, rendering overplus on demand, after costs deducted to the owner; and for want of such distress, such justice may, where no particular time of commitment is herein directed, commit such offender to the common gaol of the county, &c., for not exceeding 3 months; and the money arising by all such fines, &c., shall go one moiety to H. M. and the other to the informer, except where the application is hereby otherwise directed, *id. s.*29.

30. No order or conviction made under this act by any justice, shall be removed by *certiorari*, advocation, or suspension, out of the county, riding, stewartry, &c. wherein such order, &c. was made; and no writ of *certiorari*, &c. shall supersede execution or other proceedings upon any such order, &c., but execution shall be had, *id. s.*30.

31. This act shall not extend to *Scot.*, except as to so much thereof as relates to the printing or publishing newspapers, &c. on paper not duly stamped, and to taking and receiving in custody of any person any such newspaper, &c. not duly stamped, and to sending same out of

G. B. [and to the summoning and examining persons for the discovery of such persons as are concerned therein, and to seizing and taking the same as forfeited], 38 *G.*3. *c.*78 *s.*31. [*The part between brackets* relates to *ss.* 22, 23., and seems Exp.]

NONCONFORMIST. (*See* QUAKER.)

(Statutes *repealed and expired.*)

1. For preventing the mischiefs and dangers that may arise by certain persons called quakers, *and others* refusing to take lawful oaths, 13 *&* 14 *C.*2. *c.*1. [Rep., 32*G.*3. *c.*155. *s.*1.]

2. For restraining nonconformists from inhabiting in corporations, 17 *C.*2. *c.*2. [Rep., 52*G.*3. *c.*155. *s.*1.]

3. To prevent and suppress seditious conventicles, 22 *C.*2. *c.*1. [Rep., 52*G.*3. *c.*155. *s.*1.]

(Statutes *in force.*)

1. For exempting T. M.s' protestant subjects dissenting from the church of *Eng.* from the penalty of certain laws, 1 *W.& M. St.*1. *c.*18. (*and recital in s.*1.) [Conf., 10 *A. c.*2. *s.*7., to be deemed a public act, 19*G.*3. *c.*44. *s.*4. Amd., 10 *A. c.*2. *ss.*8, 9., 19*G.*3. *c.*44., which is Ext. to *Ire.*, 57*G.*3. *c.*70. Public clause, *s.*4.]

2. Neither 23 *El. c.*1., 29 *El. c.*6., 1 *El. c.*2. *s.*14., nor 3 *J.*1. *cc.*4, 5., nor any other law made against papists or popish recusants, except 25 *C.*2. *c.*2. Papist, *pl.*166., and 30 *C.*2. *St.*2., Parliament, *pl.*66., shall extend to any persons dissenting from the church of *Eng.* who shall take the oaths of allegiance [and supremacy, *see note at end*] in 1 *W.& M. S.*1. *c.*1. *ss.*6, 7. (Oaths), and shall make and subscribe the declaration against popery in 30 *C.*2. *St.*2. *s.*2., (Parliament, *pl.*67.) [*but see the note at end*] which oaths and declaration the justices of peace at their general sessions to be held for the county or place where such person lives, shall tender and administer to such persons as shall offer to take, make, and subscribe the same, and thereof shall keep a register; and only 6*d.* shall be paid, and that but once to any officer of the court for his entry of the taking the said oaths, and making and subscribing the said declaration, nor above the further sum of 6*d.* for any certificate of the same, to be made out and signed by the said officer, 1 *W.& M. S.*1. *c.*18. *s.*2.; [*But after* 24th *June* 1791. no person shall be summoned to take the oath, (*of supremacy*) and make the above declaration, or be prosecuted for not obeying such summons, 31*G.*3. *c.*32. *s.*18. (*see* Papist, *pl.*246.)]

3. Every person who shall take the said oaths and make and subscribe the said declaration shall not be liable to the penalties of recusancy in 35 *E. c.*1. [nor in 22 *C.*2. *c.*1. Rep. as above, *pl.*3.] nor shall be prosecuted in any ecclesiastical court for nonconforming to the church of *Eng.*, 1 *W.& M. St.*1. *c.*18. *s.*4.

4. If any assembly of persons dissenting from the church of *Eng.* shall be had in any place for religious worship with the doors locked, barred, or bolted during any time of such meeting together, all persons present at the same shall not receive benefit from this law, but shall be liable to the penalties of all the said laws, notwithstanding taking the oaths and subscribing the declaration, *id. s.*5.

5. Nothing herein shall exempt any of the above persons from paying tithes or parochial duties or other duties to the church or minister, nor from any prosecution for the same, *id. s.* 6.

6. If any person dissenting from the church of *Eng.* as above shall be appointed to bear the offices of high or petty constable, churchwarden, overseer of the poor, or any other parochial or ward office, and shall scruple to take on him any of the said offices in regard of the oaths or any other thing required by law to be taken or done in respect of such office, he may execute the office by a sufficient deputy that shall comply with the laws, provided he be allowed and approved by such person and in such manner as such officer himself should have been, *id. s.*7.

7. No person dissenting from the church of *Eng.* in holy or pretended holy orders, or pretending to holy orders, nor any preacher or teacher of any congregation of dissenting protestants who shall make and subscribe the declaration *aforesaid* [*semb.* that against popery in 30 *C.*2. *St.*2. *s.*2., see *pl.*2. *and note there*,] and take the oaths *aforesaid* [*semb.* those in 1 *W.& M. St.*1. *c.*1. *ss.*6, 7., see *pl.*2. *and note there*,] at the quarter sessions for the county where he resides, [*and shall also* declare his approbation of and subscribe the articles of religion mentioned in 13 *E. c.*12. except the 34th, 35th, and 36th, and these words of the 20th articles, *viz.* "The church hath power to decree rites or ceremonies, and controversies of faith, and yet" *This is rendered* unnecessary by 19 *G.*3. *c.*44. *s.*1. (*pl.*10.) on making the declaration there provided] shall be liable to the penalties in 17 *C.*2. *c.*2. *s.*3., nor those in 22 *C.*2. *c.*1. [which are both now Rep. 52 *G.*3. *c.*155. *s.*1.] for preaching at any meeting for the exercise of religion, nor to the penalty of 100*l.* mentioned in 13 *&* 14 *C.* 2. *c.* 4. (Service and Sacraments, *pl.*47.) for officiating in any congregation for the exercise of religion allowed by this act, 1 *W.& M. St.*1. *c.*18. *s.*8.

8. Every dissenter who scruples the taking any oath, shall make and subscribe the *aforesaid* declaration [*viz.* that in 30 *C.* 2. *St.* 2. *s.* 2. PARLIAMENT, *pl.* 67., *but see note to pl.* 2. *this title*,] and also the following declaration of fidelity:

'I, *A. B.* do sincerely promise and solemnly declare before God and the world that I will be true and faithful to King —; and I do solemnly profess and declare that I do from my heart abhor, detest, and renounce, as impious and heretical, that damnable doctrine and position, "*That* princes excommunicated or deprived by the pope, or any authority of the see of *Rome*, may be deposed or murdered by their subjects, or any other whatsoever;" and I do declare that no foreign prince, person, prelate, state, or potentate, hath or ought to have any power, jurisdiction, superiority, pre-eminence, or authority, ecclesiastical or spiritual, within this realm.' [*Altered as to* quakers, 8 *G.* 1. *c.* 6. *s.* 1. QUAKERS, *pl.* 7.]

and shall subscribe a profession of their Christian belief in these words:

'I, *A. B.* profess faith in God the Father, and in Jesus Christ his Eternal Son, the true God, and in the Holy Spirit, one God blessed for evermore; and do acknowledge the Holy Scriptures of the Old and New Testament to be given by divine inspiration.'

which declarations and subscription shall be made and recorded at the general quarter sessions for the county, city, or place where such person then resides; and every such person so making and subscribing the said *two* [but see note to *pl.* 2.] declarations and profession when required, shall be exempted from the penalties of all the statutes *recited in s.* 2. *pl.* 2., and made against popish recusants or protestant nonconformists, and of 5 *El. c.* 1. PAPIST, *pl.* 2. *&c.*, for not taking the oath therein required, and also from the penalties of 13 & 14 *C.* 2. *c.* 1. [now REP. 52 *G.* 3. *c.* 155. *s.* 1.] and enjoy all the other benefits enjoyed by dissenters under this act, 1 *W. & M. St.* 1. *c.* 18. *s.* 13.

9. FOR FURTHER RELIEF OF PROTESTANT DISSENTING ministers and schoolmasters, 19 *G.* 3. *c.* 44. PUBLIC *clause*, *s.* 4. [EXT. to *Ire.* 57 *G.* 3. *c.* 70.]

10. "Reciting 1 *W. & M. St.* 1. *c.* 18. *s.* 8. (*pl.* 7.) and also reciting that many dissenting ministers scruple to declare their approbation of, and to subscribe the articles not there excepted, *i. e.* the whole residue of the 39 articles," it is ENACTED, that every person dissenting from the church of *Eng.* in holy orders, or pretended holy orders, or pretending to holy orders, being a preacher or teacher of any congregation of dissenting protestants, who if he scruple to declare his approbation of the 39 articles, and subscribe the same according to 13 *El. c.* 12. [as required by 1 *W. & M. S.* 1. *c.* 18. *s.* 8.], shall take the oaths and make and subscribe the declaration against popery [in 30 *C.* 2. *St.* 2. *s.* 32. (PARLIAMENT, *pl.* 67.); but see *note to pl.* 2.] required by 1 *W. & M. St.* 1. *c.* 18. *s.* 13. last *pl.*, and shall also make and subscribe this declaration; *viz.*

'I, *A. B.* do solemnly declare in the presence of Almighty God that I am a Christian, and a protestant, and as such, that I believe that the Scriptures of the Old and New Testament, as commonly received among protestant churches, do contain the revealed will of God, and that I do receive the same as the rule of my doctrine and practice.'

shall be entitled to all the exemptions and privileges granted to protestant dissenting ministers by 1 *W. & M. c.* 18. and 10 *A. c.* 2. *ss.* 8, 9. (*pl.* 14. *and* 20.); and the justices of peace at their general session for the county or place where such dissenting minister resides, shall tender and administer the last-mentioned declaration to such minister on his offering himself to make and subscribe the same, and thereof shall keep a register; and no such minister shall give or pay as a fee to any officer of the said court above 6*d.* for the entry of his having taken the said oaths, and making and subscribing the said declaration against popery; nor above 6*d.* for any certificate thereof to be made out and signed by such officer; and every such person so qualifying himself, shall be exempted from serving in the militia, and from any imprisonment or other punishment by the act of uniformity, 13 & 14 *C.* 2. *c.* 4., and by 15 *C.* 2. *c.* 6. (SERVICE AND SACRAMENTS) for preaching or officiating in any congregation of protestant dissenters for the exercise of religion permitted by law, 19 *G.* 3. *c.* 44. *s.* 1.

11. Provided the making and subscribing the said declaration against popery [*but see note to pl.* 2.] and the taking of the oaths as in *s.* 2. *pl.* 2., and making [the declaration of approbation, and subscription to the said articles REP., see *pl.* 7. *and* 10., *and semb.* now] the declaration in last *pl.* shall be entered of record at the general or quarter sessions of the peace, as in *s.* 2. *pl.* 2., paying 6*d.* only to the clerk of the peace: provided that such person shall not at any time preach in any place but with the doors not locked, &c. as in *s.* 5. *pl.* 4., (*and see pl.* 37.) 1 *W. & M. St.* 1. *c.* 18. *s.* 9.

12. "Whereas some dissenting protestants scruple to baptize infants," every person in pretended holy orders, or preacher, that shall [subscribe the 39 articles, except as before excepted, *semb.* now unnecessary, 19 *G.* 3. *c.* 44. *s.* 1. *pl.* 10., and also except part of the 27th article in 13 *El. c.* 12. touching infant baptism; *semb. this is* also unnecessary since 19 *G.* 3. *c.* 44. *s.* 1., see that *s.* and the recital, *pl.* 10., and shall] take the oaths and make and subscribe the declaration aforesaid [*viz.* in *pl.* 2., observing the *note* there; and *semb.* another declaration must now be made by those dissenting ministers who will not subscribe to *any* of the 39 articles *not* above excepted, 19 *G.* 3. *c.* 44. *s.* 1. *pl.* 10.] shall enjoy all the privileges enjoyed by any other dissenting minister under this act, 1 *W. & M. St.* 1. *c.* 18. *s.* 10.

13. Every teacher or preacher in holy or pretended holy orders, that is a minister, preacher, &c. of a congregation, who shall take the oaths herein required, and make and subscribe the declaration, (*but see pl.* 2.) [and subscribe such of the 39 articles as are hereby required, *semb.* REP. 19 *G.* 3. *c.* 44. *s.* 1. *pl.* 10.] shall be from thenceforth exempted from serving on any jury, or from being appointed to bear the office of churchwarden, overseer of the poor, or other parochial or ward or other office in any hundred of any shire, city, town, &c., *id. s.* 11.

14. Any preacher qualified according to 1 *W. & M. St.* 1. *c.* 18. may officiate in any congregation duly registered as in *pl.* 2. though it be not in the county wherein he was qualified, and shall, if required, produce a certificate of his having so qualified himself, under the hand of the clerk of the peace, and shall also, before any justice of peace of the county where he shall so officiate, make and subscribe such declaration [*see pl.* 2. *and note there*], and take such oaths [*see pl.* 2.] as in that act required, 10 *A. c.* 2. *s.* 9.

15. Every justice of peace may require any person that goes to any meeting for exercise of religion, to make and subscribe the declaration aforesaid [*semb.* against popery, in *pl.* 2.] and to take the said oaths; [*but see pl.* 2. *and note there*] or (*if scrupling* to take any oaths) the declaration of fidelity in *s.* 13. *pl.* 8., and, on refusal thereof, shall commit such person to prison, and shall certify his name to the next general or quarter sessions; and if such person shall, on a second tender at such sessions, refuse to make and subscribe the declaration *aforesaid* [*Qu.* which? *semb.* that against popery,] he shall be recorded and taken to be a popish recusant convict, and incur all the penalties of the laws in *pl.* 2. recited, 1 *W. & M. St.* 1. *c.* 18. *s.* 12.

16. In case any person shall refuse to take the said oaths when tendered [*but see as* to that of *supremacy*, 31 *G.* 3. *c.* 32. *s.* 18. *note to pl.* 2.] (which every justice of peace may do) he shall not be admitted to take and subscribe the 2 declarations aforesaid [*viz. in s.* 13. *pl.* 8.] (though required thereto by any justice, or at the general or quarter sessions before or after any conviction of popish recusancy) unless he can, within 31 days after tender to him of such declarations, produce 2 protestant witnesses to testify, on oath, that they believe him to be a protestant dissenter, or a certificate under the hands of 4 protestants conforming to the church of *Eng.*, or having taken the oaths and subscribed the declaration above mentioned [*see pl.* 2.]: and shall also produce a certificate under the hands and seals of 6 or more sufficient men of the congregation to which he belongs, owning him for one of them, *id. s.* 14.

17. Until some such proof as in *s.* 14. is produced, the justice shall take a recognizance, with 2 sureties in the penal sum of 50*l.*, to be levied of his goods and lands to the use of H. M., for producing the same, in default of which he shall be committed to prison till he has produced it, *id. s.* 15.

18. All the laws for frequenting divine service on *Sundays* shall remain in force, and be executed against all offenders except those who come to some congregation of religious worship allowed by this act, *id. s.* 16.

19. This act shall give no advantage to any papist or popish recusant [or person who shall deny, in preaching or writing, the doctrine of the Trinity declared in the 39 articles, REP. by 53 *G.* 3. *c.* 160. *s.* 1. *pl.* 45.] *id. s.* 17.

20. Any person dissenting from the church, &c. (not pretending to holy orders, nor preacher of any congregation), but entitled to the benefit of 1 *W. & M. St.* 1. *c.* 18. if he had duly qualified himself, who shall, during any prosecution on any of the penal statutes in *pl.* 2. recited, take, make, and subscribe the oaths and declarations, or if a quaker, shall make and subscribe the declarations, and subscribe the profession, &c. as in that act, or before any two justices (who shall take and return the same to the next quarter sessions to be recorded), he shall be entitled to the benefit of that act, and shall be discharged from the penalties, 10 *A. c.* 2. *s.* 8.

21. If any person or persons shall willingly and of purpose, maliciously and contemptuously come into any cathedral or parish church, chapel, or other congregation by this act permitted, and disquiet or disturb the same, or misuse any preacher, &c. then, on proof thereof by two witnesses, before any justice, he or they shall find two sureties in the sum of 50*l.*, and in default thereof, shall be committed to prison till the next general or quarter sessions, and on conviction thereat, shall suffer the penalty of 20*l.* to the use of H. M., 1 *W. & M. St.* 1. *c.* 18. *s.* 18. [*and see* 1 *G.* 1. *S.* 2. *c.* 5. *s.* 4. RIOT, *pl.* 22.]

22. Provided that no congregation for religious worship shall be hereby allowed, until the place of such meeting be certified to the bishop of the diocese, or archdeacon of the archdeaconry, or to the quarter sessions of the peace of the county, city, or place where such meeting is held, and recorded therein, or registered in the bishop's or archdeacon's court the register or clerk of the peace whereof, respectively

shall register the same, and give certificate thereof, to such as shall demand it, for which no more than 6*d.* shall be taken, 1 *W. & M. St.* 1. *c.* 18. *s.* 19.

23. No dissenting minister or other protestant dissenting from the church of *Eng.* who shall take the aforesaid oaths, and make and subscribe the declaration against popery, required by 1 *W. & M. St.* 1. *c.* 18., [*but see note* to *pl.* 2.] shall be prosecuted for instructing youth as a tutor or schoolmaster, 19 *G.* 3. *c.* 44. *s.* 2.

24. Nothing herein shall enable any dissenter to hold the mastership of any college or school of royal foundation, or of any other endowed college or school for the education of youth, unless founded since 1 *W. & M.* (A. D. 1688,) for the immediate use and benefit of protestant dissenters, *id. s.* 3.

25. FOR STRENGTHENING THE PROTESTANT interest in these kingdoms, 5 *G.* 1. *c* 4.

26. If any mayor, bailiff, or other magistrate in *Eng.*, *Wa.*, *Ber.*, *Jersey*, or *Guernsey*, shall knowingly resort to, or be present at any public meeting for religious worship, other than of the church of *Eng.* by law established, in the gown or with the ensigns of his office; every such mayor, &c. being thereof duly convicted, shall be disabled to hold such office, or any public office soever, in the above limits, *id s.* 2.

27. TO REPEAL CERTAIN ACTS, AND AMEND OTHER acts relating to religious worship and assemblies, and persons teaching or preaching therein, 52 *G.* 3. *c.* 155. PUBLIC *clause*, *s.* 19. [*for the* repeals in *s.* 1., see *supra*, *pl.* 1—3.]

28. No congregation or assembly for religious worship, of protestants (at which there shall be present more than 20 persons, besides the immediate family and servants of the person in whose house, or upon whose premises such meeting, congregation, or assembly shall be had), shall be permitted, unless and until the place of such meeting (if it has not been duly certified and registered under any former act relating to registering places of religious worship) has been duly certified to the bishop of the diocese, or to the archdeacon of the archdeaconry, or to the justices at general or quarter sessions for the county, riding, division, city, town, or place, in which such meeting shall be held; and all places of meetings so certified to the bishop's or archdeacon's court, shall be returned by such court, once a year to the quarter sessions of the county, &c. and all places of meeting certified to such sessions, shall be returned once a year to the bishop's or archdeacon's court, and the converse; and all such places shall be registered in such bishop's or archdeacon's court respectively, and recorded at such sessions, the registrar or clerk of the peace whereof respectively shall register and record the same; and the bishop or registrar, or clerk of the peace to whom any such place of meeting is certified under this act, shall give a certificate thereof to such persons as request it, for which only 2*s.* 6*d.* shall be paid; and every person who shall knowingly permit any such congregation or assembly to meet in any place occupied by him, until it has been so certified, shall, for each time such congregation, &c. shall meet, forfeit not exceeding 20*l.*, nor less than 20*s.*, at discretion of the justices convicting for such offence, *id. s.* 2.

29. Every person who shall teach or preach in any such congregation or assembly, in any place without the consent of the occupier thereof, shall forfeit, not exceeding 30*l.*, nor less than 40*s.*, as in *s.* 2., *id. s.* 3.

30. Every person who shall teach or preach at, or officiate in, or resort to any congregation or assembly for religious worship of protestants, whose place of meeting is duly certified under this or any other act or acts relating to the certifying and registering of such places, shall be exempt from all such penalties, under any act relating to religious worship, as any person who has taken the oaths and made the declaration prescribed by 1 *W. & M.*, *St.* 1. *c.* 18. (*see pl.* 2.) or any act amending such act, is exempt, 52 *G.* 3. *c.* 155. *s.* 4.

31. Every person not having taken the oaths, and subscribed the declaration hereinafter specified, who shall preach or teach at any place of religious worship certified under this act, shall, when required by one justice by any writing under his hand or signed by him, take, make, and subscribe, in his presence, the oaths and declarations contained in the 19 *G.* 3. *c.* 44. *s.* 1. *pl.* 10., and in case, on being so required, he refuse so to do, he shall not be allowed to teach or preach in any such congregation or assembly for religious worship, until he has so taken and made the same, on pain to forfeit, for each time he shall so preach, a sum not exceeding 10*l.*, or less than 10*s.*, at discretion of the convicting justice, *id. s.* 5.

32. No person shall be required to go any greater distance than 5 miles from his home or place where he resides, at the time of such requisition for the purpose of taking such oaths, *id. s.* 6.

33. Any of H. M.'s protestant subjects may appear before a justice, and produce to him a copy of the said oaths and declaration, and require him to administer and tender the same to be made, taken, and subscribed, by such person; and such justice shall accordingly do so, and he shall take, &c. the same, in the presence of such justice, who shall attest the same, to be sworn before him, and shall transmit the same to the clerk of the peace for the county, &c. as in *s.* 2., for which he acts, before, or at the next general or quarter sessions, 52 *G.* 3. *c.* 155. *s.* 7.

34. Every justice before whom any person shall make, &c. such oaths and declaration, shall forthwith give him a certificate thereof under his hand, in this form:

'I, *A. B.*, one of H. M.'s justices of the peace for the county, [riding, division, city, *or* town, *or* place, *as the case is*] of — do hereby certify, that *C. D.*, of — [*describing the christian and surname and place of abode of the party*], did this day appear before us, and did make and take, and subscribe the several oaths and declarations specified in an act made in the 52d year of the reign of K. *G.* 3., intituled [*set forth title of this act.*] Witness my hand, this — day of — 18—.'

for the making and signing of which certificate, where such oaths, &c. are taken on the requisition of the party, such justice shall be entitled to 2*s.* 6*d.* fee, and such certificate shall be conclusive evidence that the party therein named has taken and subscribed the oaths and declaration, as by this act required, *id. s.* 8.

35. Every person who shall teach or preach in any such congregation or assemblies, who shall employ himself solely in the duties of a teacher or preacher, and shall not follow any other occupation for his livelihood, except a schoolmaster, and who shall produce a certificate of his having taken and subscribed such oaths and declaration, shall be exempt from all civil services and offices specified in 1 *W. & M. St.* 1. *c.* 18. *s.* 7. *pl.* 6., and from being balloted for, and from serving in the militia, or local militia of any county or place in the U. K., *id. s.* 9.

36. Every person who shall produce any false or untrue certificate or paper, as a true certificate of his having made, &c. the oaths and declaration by this act required for claiming exemption from such duties, as in *s.* 9., under this or any other statute, shall forfeit 50*l.*, to be recovered to the use of any person that will sue by action of debt or information in any of H. M.'s courts of record at *Westminster*, or the courts of great sessions in *Wa.*, or of the counties palatine, as the case is, wherein no essoin, &c. or more than one imparlance shall be allowed, *id. s.* 10.

37. No meeting, &c. of persons for religious worship shall be had in any place with the door fastened so as to prevent the entrance of persons during the time of such meeting; and the person teaching or preaching there, shall forfeit, for each time any such meeting is had with the door fastened, not less than 40*s.*, nor more than 20*l.*, at the discretion of the convicting justices, *id. s.* 11. [*see pl.* 4.]

38. If any person or persons shall wilfully and maliciously, or contemptuously disquiet or disturb any meeting, assembly, or congregation of persons assembled for religious worship, authorized by this or any other statute; or shall in any way disturb, molest, or misuse, any preacher, teacher, or person officiating at such meeting, &c., or any persons there assembled; such offenders, on proof thereof before any justice of peace by two witnesses, shall find two sureties, and be bound by recognizances, in the penal sum of 50*l.*, to answer for such offence, and in default thereof, shall be committed to prison till the next general or quarter sessions; and on conviction there of such offence, shall suffer the penalty of 40*l.*, *id. s.* 12.

39. Nothing herein shall affect the celebration of divine service, according to the rites of the church of *Eng.* and *Ire.*, by ministers of such church, in any place hitherto used for that purpose, or licensed or consecrated by any person authorized so to do; nor shall affect the jurisdiction of the archbishops, bishops, or others exercising lawful authority in the church of U. K., over the said church, according to the rules and discipline of the same, and to the laws of the realm; but such jurisdiction shall remain as before this act passed, *id. s.* 13.

40. This act shall not extend to quakers, nor to any meetings or assemblies for religious worship convened by them, or in any manner to alter or affect any act, other than those of *C.* 2. REP. by *s.* 1. (*pl.* 1—3.) *id. s.* 14.

41. Every person guilty of any offence, for which a pecuniary penalty is hereby imposed, in respect whereof no special provision is made, may be convicted thereof, by information on oath of one witness, before 2 justices acting for the county, city, &c. where the offence was committed; all which penalties may be levied by distress, under the hands and seals of 2 justices for the county, city, &c. in which the offence was committed or done, or the penalty incurred, and when levied, shall be paid one moiety to the informer, and the other to the poor of the parish where the offence was committed; and in case of no sufficient distress whereon to levy the penalties, the convicting justices may commit the offender to prison for such time not exceeding 3 months, as they think fit, *id. s.* 15.

42. Persons convicted of any such offences, may appeal to the general or quarter sessions holden next after such conviction, giving the convicting justices notice in writing, within 8 days after such conviction, of their intention to appeal; and the sessions may hear and determine the appeal, and make such order, and award such costs therein, to be paid by either party, not exceeding 40*s.*, as they think fit, *id. s.* 16.

43. No penalty shall be recoverable under this act, unless sued for,

or the offence for which it is imposed, prosecuted before the justices or quarter sessions, within 6 months after the offence committed, and no person who suffers any imprisonment for nonpayment of any penalty, shall thereafter be liable to payment thereof, 52 *G.*3. *c.*155. *s.*17.

44. Actions against any person for things done in pursuance hereof, shall be commenced within 3 months after the fact done, and shall be laid in the county where the cause of action accrued; defendant may plead the general issue, giving this act and the special matter in evidence, and that the same was done in pursuance thereof; and if so done, or if the action is brought after the time limited, or is laid in the wrong county, the jury shall find for defendant, and upon such verdict, or if the plaintiff is nonsuited, discontinues, or has a verdict or judgment on demurrer against him, defendant shall recover treble costs, with usual remedy to recover the same, *id. s.* 18.

45. To relieve persons who impugn the doctrine of the holy *Trinity* from certain penalties, 53 *G.*3. *c.*160. Public *clause*, *id. s.* 4. [Ext. to *Ire.*, 57 *G.*3. *c.*70.] 1 *W.& M. St.*1. *c.*18. *s.*17. *pl.*19., as far as relates to denying the Trinity is Rep., 53 *G.*3. *c.*160. *s.*1.: 9 & 10 *W.*3. *c.*32. is repealed as far as relates to the same subject, *id. s.*2.; acts of *C.*2. (*Sc.*) and 1 *Parl. W.*3. (*Sc.*) "againstblasphemy" are repealed, *id. s.*3.

46. *Stat.* 6 *G.*1. (*Ir.*) "For exempting the protestant dissenters of *Ire.* from certain penalties to which they are now subject is repealed," as far as relates to any penalty or disqualification for denying the *Trinity;* and 19 *G.*3. *c.*44. and 53 *G.*3. *c.*160. are extended to *Ire.*, 57 *G.*3. *c.*70.

NONSUIT.

1. If a verdict pass for plaintiff in assize of *novel disseisin mort d'auncestor*, or other action soever, he shall not be nonsuited, 2 *H.*4. *c.*7. [see printed *Rot. Parl.* 2 *H.*4. *nu.*67.]

2. To prevent inconveniences arising from delays of causes after issue joined, 14 *G.*2. *c.*17.

3. Where any issue is joined in any action at law in any of H. M.'s courts of record at *Westminster*, the court of great session for the principality of *Wa.*, that for the county palatine of *Chester*, the court of C. P. for the county palatine of *Lancaster*, or that of pleas for the county palatine of *Durham*, and plaintiff neglects to bring such issue on to be tried according to the course and practice of those courts, the judge or judges thereof, at any time after such neglect, on motion in open court, (due notice thereof having been given) may give like judgment for defendant therein, as in cases of nonsuit, unless such judge, &c. shall, on just cause and reasonable terms, allow further time for trial of such issue; and on neglect by the plaintiff to try the same within the time so allowed, such judge, &c. shall proceed to give such judgment as above, *id. s.*1.

4. All judgments given by virtue of this act shall be of like and no other effect as judgments on nonsuit, *id. s.*2.

5. The defendant shall on such judgment be awarded his costs, in any action where he would upon nonsuit be entitled to the same, and in no other action soever, *id. s.*3.

6. No indictment, information, or cause soever shall be tried at *nisi prius* before any judge of assize or *nisi prius*, or at the *London* or *Westminster* sittings, where defendant resides above 40 miles from those cities respectively, unless notice of trial in writing has been given at least 10 days before such intended trial, *id. s.*4.

7. Every party who has given such notice of trial, and shall not afterwards duly countermand it in writing, at least 6 days before such intended trial, shall be obliged to pay to the party to whom such notice of trial has been so given the like costs, as if such notice of trial had not been countermanded, *id. s.*5.

NORTHERN BORDERS.

(Statutes *repealed.*)

1. March law shall not be used out of the circuit of the counties of *Northumberland*, *Cumberland*, and *Westmorland*, and the town of *Newcastle*, 31 *H.*6. *c.*3. [Rep. 4 *J.*1. *c.*1. *s.*4.]

2. For fortifying the borders towards *Scot.*, 23 *El. c.*4. [Rep. by 4 *J.*1. *c.*1. *s.*8.]

(Statutes *in force.*)

1. For regulating the process against felons dwelling within the franchises of *Tyndal* or *Hexhamshire* in *Northumberland*, 2 *H.*5. *St.*1. *c.*5. [Ext. to like offenders in *Rydesdale*, 9 *H.*5. *St.*1. *c.*7.] [*but see Tyndal* disfranchised, and the king's writ allowed to run there, and annexed to the county of *Northumberland*, 11 *H.*7. *c.*9. *pl.*5., and the same as to *Hexhamshire*, but the bailiff's rights saved, 14 *El. c.*13. *pl.*11.]

2. If any person of the franchises of *Tyndal* and *Hexhamshire* shall commit any murders, treasons, manslaughters, or robberies, or consent to do the same out of such franchises, process shall be made against him by the common law till he were outlawed, and after such outlawry pronounced and returned, the justices before whom the same is returned shall make certificate thereof to the proper officer of such franchise, who shall take such felon; and his lands, tenements, goods, and chattels within such franchise shall be seized to the lord thereof as forfeit; and the other lands, &c. of such felon out of such franchise shall be to the king and the other lords having thereof franchises, as forfeit; saving always to the king the forfeitures of such murderers, &c. and other offenders, and of other things to him pertaining in right of his crown, 2 *H.*5. *St.*1. *c.*5.

3. Such process, certificate, and execution, as in 2 *H.*5. *St.*1. *c.*5. shall be made against such murderers, &c. resident within the franchise of *Rydesdale*, by reason of offences done out of such franchise, together with the like forfeitures as in such act aforesaid, 9 *H.*5. *St.*1. *c.*7.

4. The gathering of head pence by the sheriff of *Northumberland* shall cease for ever, on pain of 100*l.*, to be paid one half to the king, and the other to the party suing, 23 *H.*6. *c.*6.

5. To make the lordship of *North* and *South Tyndal* to be within the county of *Northumberland*, 11 *H.*7. *c.*9.

6. *North* and *South Tyndal*, and all lands within the same, shall be gildable and parcel of the county of *Northumberland*, and no franchise shall be there, but all the king's writs shall run, and his officers be obeyed there; no man shall demise lands for years or for life, or at will there, unless the lessee find 2 sureties having 40*s.* freehold within such county of *Northumberland*, to be bound by recognizance in 20*l.* to the king, to answer, within 8 days' warning, to all murders, treasons, felonies, &c., and the lessor shall forfeit 40*s.* for every acre otherwise let, and the lease shall be void: justices of peace shall enquire of such recognizances forfeited, *id. ibid.*

7. For the sheriff of *Northumberland* to be accountable for his office as other sheriffs are, 2 & 3 *E.*6. *c.*34. (*and recital in s.*1.)

8. Henceforth every sheriff of the county of *Northumberland*, before he receive his patent, or exercise his office, shall put in sureties by himself or deputy unto the king's exchequer, there to enter into recognizances in such sum and on such conditions as the lord-treasurer and barons of the exchequer think fit, in such form as all other sheriffs do, upon pain to forfeit to the king 100*l.*, to be levied on his goods and chattels wherever found; and such barons shall make the usual process for levying such sum, *id. s.*2.

9. Such sheriff so bounden shall not be accountable but for his own time, and the year of his sheriffwick only, neither shall he be charged in his account by any process with any arrears or duties due to H. M. by any of his predecessors, *id. s.*3.

10. For annexing *Hexham* and *Hexhamshire* to the county of *Northumberland*, 14 *El. c.*13.

11. The franchise of *Hexham* and *Hexhamshire*, with the liberties of the same, shall henceforth be taken to be parcel of the county of *Northumberland*. And as well pleas of the crown, as also all suits betwixt party and party, may proceed and have trial within such county, by and before the sheriff and coroners thereof, and also before the justices of peace of gaol delivery of assize, *nisi prius*, *oyer* and *determiner*, and other officers; and shall take effect as any of the like ought to do which happened in such county of *Northumberland;* and the sheriff, and other officers of such county shall execute his office, and all processes to him directed within *Hexham* and *Hexhamshire* and the liberties thereof, as in the county of *Northumberland*, any grant, privilege, custom, &c. notwithstanding; saving to the bailiff of the liberties, or other officers of such town of *Hexham* and *Hexhamshire*, or the liberties thereof, all liberties and privileges of executing process, return of writs, and otherwise, as they of right ought to have before this act, *id. ibid.*

12. For the more peaceable government of the parts of *Cumberland*, *Northumberland*, *Westmorland*, and the bishopric of *Durham*, 43 *El. c.*13. [*and recital in s.*1.]

13. Whoever shall, without good authority, take any of H. M.'s subjects against their will, and carry them out of such counties, or detain them or imprison them against their will, to ransom them, or to spoil their persons or goods upon feud or otherwise; or whoever shall be privy or consenting thereto, or aiding therein, or procure the same to be done, or whoever shall take or carry to the use of himself or any other, any money, coin, cattle, or other consideration called *blackmail*, for the protecting of the land or goods from thefts, spoils, and robberies, or who now shall give away any such *blackmail*, or shall wilfully burn or cause to be burnt, or procure or consent to the burning of any barn, stack of corn or grain, within such counties or places, and shall be indicted and convicted of any such offences, or shall stand mute, or challenge peremptorily above 20, before the justices of assizes, gaol delivery, and *oyer* and *terminer*, or justices of peace within any of such counties at their general sessions, shall be adjudged a felon, and shall suffer death without clergy, and forfeit as in cases of felony, *id. s.*2.

14. Every clerk of the peace within such counties shall, within 2 months after any outlawry within such counties, deliver by writing under

his hand, the names of all such as shall be outlawed to the sheriffs of such counties; who shall proclaim them outlawed in the county courts, and in *Carlisle*, *Penreth*, and *Cockermouth*, in the county of *Cumberland*, and in *Appelby* and *Kendal* in the county of *Westmorland*, and in *Newcastle-upon-Tyne*, *Morpeth*, *Alnewick*, and *Hexam*, in the county of *Northumberland*, and in the city of *Durham*, *Darlington*, *Bishop Awckland*, and *Bernard Castle*, in the bishopric of *Durham*, and in the town of *Berwick-upon-Tweed*; and such sheriffs shall, once in a month, proclaim at their county courts such persons, till they yield themselves to prison; and the mayors and bailiffs of such places shall proclaim them at every fair kept, and once in 6 weeks at market, *id. ss.* 3, 4.

15. If any person inhabiting within such counties shall willingly have conference, or in any sort entertain or relieve any person so outlawed for any murders, robberies, burglaries, or other felonies, having knowledge of such outlawry, and shall not arrest the offender, he shall be imprisoned for 6 months, and bound with 2 sureties for his good behaviour for one year after, before he is enlarged, *id. s.* 5.

16. The justices of assize, within such counties, of gaol delivery, and of *oyer* and *terminer*, or the justices of peace at their general sessions, may hear and determine the offences and defaults of such sheriffs, mayors, clerks of the peace, &c., and proceed against them by information or indictment, and punish them by fine and imprisonment, *id. s.* 6.

17. This act shall not impeach the jurisdiction of the lords wardens of any of the marches of *Eng.* for and anenst *Scot.*, *id. s.* 7.

18. FOR PREVENTING THEFT AND RAPINE UPON THE northern borders of *Eng.*, 13 & 14 *C.* 2. *c.* 22. *and recital in s.* 1. [CON. and AMD. 18 *C.* 2. *c.* 3. *s.* 1., 29 & 30 *C.* 2. *c.* 2. *s.* 1., 1 *J.* 2. *c.* 16., 7 & 8 *W.* 3. *c.* 17., 12 & 13 *W.* 3. *c.* 6. *s.* 1., 12 *A. c.* 10., 10 *G.* 1. *c.* 17. *s.* 1., 6 *G.* 2. *c.* 37. *s.* 7., 17 *G.* 2. *c.* 40. *s.* 1., 24 *G.* 2. *c.* 57. *s.* 1. MADE PERP. 31 *G.* 2. *c.* 42. *s.* 1. The 13 & 14 *C.* 2. *c.* 22., 18 *C.* 2. *c.* 3., 29 & 30 *C.* 2. *c.* 2., shall be deemed PUBLIC acts, 12 & 13 *W.* 3. *c.* 6. *s.* 2.]

19. The justices of peace of the counties of *Northumberland* and *Cumberland*, and the next adjacent parts of *Scot.*, at any general sessions holden for such counties, may, as they see occasion, make an order in open court for charging, according to their proportions, all the inhabitants of such counties for the safeguard of such counties and inhabitants from all injury and rapine of the *moss troopers*, 13 & 14 *C.* 2. *c.* 22. *s.* 2.

20. Provided that the county of *Northumberland* shall not be charged under this act above 500*l. per ann.*, nor *Cumberland* above 200*l. per ann.*, and for this purpose the justices of such counties may, at their quarter sessions, appoint any person to have the command of a certain number of men not exceeding 30 for *Northumberland*, and 12 for *Cumberland*, whereby such malefactors may be apprehended and brought to trial; and such justices, at any general sessions for such counties, may, under this act, issue their warrants under their hands for levying any sum so ordered to be paid for the safeguard of such counties, and may give power to the constables and other officers to levy and collect such money on all the inhabitants of such counties, according to their estates in lands or goods, by distress and sale of goods; and they may also examine any complaint against such constables and other officers and ministers of justice, or any other refractory person who shall fail in obedience to this act, or shall do any acts in disturbance thereof, and bind such persons over to the quarter sessions that they may be brought to justice, *id. s.* 3.

21. Such justices may, on behalf of such counties, appoint a treasurer to receive from such collectors such money, and pay the same according to their orders, made at a general session; and may also agree with such person yearly, as they think fit, to employ in such service, and take security for the due performance thereof, for the best safeguard of the people, *id. s.* 4.

22. In case any person under this act employed in the border service shall wilfully and corruptly, and for any sinister respect, forbear to discover or apprehend or bring to trial any moss trooper, and shall be convicted thereof, he shall be disabled to take on himself such employment, and be fined in the discretion of the justices at a general sessions, *id. s.* 5.

23. Such justices may, as they see occasion, lessen such charge, *id. s.* 6.

24. For the better suppression and banishment of such moss troopers flying out of *Eng.* into *Scot.*, the 4 *J.* 1. *c.* 1. and 7 *J.* 1. *c.* 1. shall be duly executed, *id. s.* 8.

25. The benefit of clergy shall be taken away from notorious thieves and spoil takers in the counties of *Northumberland* and *Cumberland* who shall be convicted of theft done within such counties or otherwise, the justices of assize and commissioners of *oyer* and *terminer* or gaol delivery before whom such offenders shall be convicted within such counties, may transport such offenders to H. M.'s colonies in *America*, for life, 18 *C.* 2. *c.* 3. *s.* 2. [REP. *as to so much* which takes away the benefit of clergy from such offenders, 1 *G.* 4. *c.* 116. *s.* 1.]

26. The justices of such counties shall, at their quarter sessions, take good security of the persons employed in such service, for the preservation of such counties from theft and rapine, to answer the damages sustained by any person by his neglect or default, and to pay and satisfy, within 4 months after proof made, by oath of one witness before such justices at quarter sessions, which oath such justices shall administer, so as the goods stolen be entered in one of the books kept for that purpose, within 48 hours after the same were stolen; and that the books shall be kept for that purpose in every market town within such counties, by some person appointed by such justices at their general sessions, 29 & 30 *C.* 2. *c.* 2. *s.* 2.

27. Such justices, at their quarter sessions, shall yearly, or every 2 years, in open court, make choice of such persons as they think fit to be employed in such service, *id. s.* 3.

28. Provided every person so employed, and the treasurer for such service, do receive the sacrament, according to the usage of the church of *Eng.*, in some public church, on *Sunday*, within 3 months after he shall enter such employment, and deliver a certificate thereof to the next quarter sessions in the county where employed, and take the oaths of allegiance and supremacy, and subscribe the declaration against popery by 25 *C.* 2. *c.* 2. prescribed, *id. s.* 4.

NOTARIES PUBLIC.

1. FOR THE BETTER REGULATION OF PUBLIC NOTARIES IN *Eng.*, 41 *G.* 3. (*U. K.*) *c.* 79. (PUBLIC *clause*, *s.* 18.) [AMD. 1 & 2 *G.* 4. *c.* 48. *s.* 3.]

2. No person in *Eng.* shall be created to act as a public notary, or to use the office of a notary, or to do any notarial act, unless such person has been duly sworn, admitted, and inrolled, as herein directed, in the court wherein notaries have been accustomarily sworn, &c., 41 *G.* 3. *U. K. c.* 79. *s.* 1.

3. No person shall be sworn, admitted, and inrolled as a public notary, unless he has been bound by contract in writing, or indenture of apprenticeship, to serve as a clerk or apprentice for 7 years to a public notary, or person using the mystery of a money scrivener, (according to the privilege and custom of the city of *London*, such scrivener being also a notary public), duly sworn, admitted, and inrolled, and has continued in such service for 7 years; and every person so bound by contract or indenture shall, within 3 months after the date of such contract or indenture, cause an affidavit to be made and sworn by one of the subscribing witnesses, of the actual execution of such contract or indenture by such public notary or scrivener (being also a notary) and the person so bound; and in such affidavit shall be specified the names of such notary or scrivener (being a notary), and of every such person so bound, and their respective places of abode, together with the date of such contract or indenture; and such affidavit shall be sworn and filed within such time, in the court where such notary to whom such person is bound has been inrolled, with the proper officer or his deputy, who shall make and sign a memorandum of the filing of such affidavit, on the back or at the bottom of such contract or indenture, *id. s.* 2.

4. No person who shall become so bound shall be admitted and inrolled a public notary in the court of faculties for admitting and inrolling notaries public, before such affidavit has been produced and read in such court at the time of such person's admission and inrolment, *id. s.* 3.

5. The persons following shall be deemed to be the proper officer for taking and filing such affidavits *viz.*, the master of the faculties, of the archbishop of *Canterbury* in *London*, his surrogate or commissioners, *id. s.* 4.

6. The officer filing such affidavits shall enter in a book the substance of such affidavit, specifying the names and places of abode of such notary, and clerk or person so bound, and of the person making such affidavit, with the date of the contract or indenture in such affidavit mentioned, and the days of swearing and filing it; and such officer shall, at the time of filing such affidavit take 5*s.* for his trouble; and such book may be searched by any person in office hours on payment of 1*s.*, *id. s.* 5.

7. No public notary or scrivener being also a notary, shall have any clerk or apprentice who shall become so bound, after such notary, &c. has discontinued or left off, or during the time he shall not actually practise the business of a public notary, *id. s.* 6.

8. Every person who shall become so bound as in *s.* 2., to serve any public notary, shall, during the time of service specified in the contract, or indenture, or for 7 years at least, (if bound for a longer space) continue and be actually employed by such notary or scrivener, being a notary public in the proper business or practice of a public notary, *id. s.* 7.

9. If any such notary or scrivener being a notary, with whom any person is so bound shall die before the expiration of such term or leave off his practice; or if such contract or indenture shall by mutual consent be cancelled; or in case such clerk or apprentice shall be legally discharged before the expiration of such term, and he shall in any of such cases be bound by another contract or indenture in writing to serve, and shall accordingly serve as before-mentioned, as a clerk or apprentice to a notary, or a scrivener being a notary, during the residue of such 7 years, then such service shall be deemed as available as if he had continued to serve as such clerk or apprentice for 7 years, the

person to whom he was originally bound, so as an affidavit be duly made and filed of the execution of such second contract, in the time and manner in *s.*2. *pl.* 3. directed, 41 *G.* 3. (*U. K.*) *c.* 79. *s.* 8.

10. Every person who shall become bound as such clerk or apprentice, shall before he is admitted and enrolled as public notary according to this act, make before and file with the proper officer before-mentioned for that purpose, or cause the notary to whom he is bound so to do, an affidavit that he hath actually and really served and been employed by such notary during the whole term of 7 years, according to the true intent, &c. of this act, *id. s.* 9.

11. If any notary shall act as such, or suffer his name to be used for the profit of another not entitled to act as a notary; and complaint is made in a summary way to the court of faculties wherein he was admitted and inrolled on oath, that such notary hath so offended, then every notary so offending shall be struck off the roll of faculties, and be for ever disabled from practising as a notary or doing any notarial act, save as to any allowance agreed to be paid to the widows and children of any deceased notaries, by any surviving partners of such deceased notaries, *id. s.* 10.

12. If any person shall in his own or that of another, make, do, exercise, or execute any act or thing, in anywise belonging to the office, function, and practice of a notary public with expectation of reward, without being so admitted and inrolled, he shall forfeit 50*l.*, to be sued for and recovered as herein mentioned, *id. s.* 11.

13. Proviso for persons bound on or before 1st *Jan.* 1801, for 7 years to any notary or scrivener, who have actually served 7 years, though not bound by contract, &c., *id. s.* 12. [EXP.]

14. All persons who may apply for a faculty to become a public notary, and practise within the city of *London* and the liberties thereof, or within the circuit of 3 miles thereof shall become members, and take the freedom of the company of scriveners in *London*, according to the rules of such company, on payment of the usual fees of admission; and previous to obtaining such faculty, be admitted to the freedom of such company, and obtain a certificate of such freedom, duly signed by the clerk of such company, to be produced to the master of such faculties, and filed in his office, prior to the issuing of any faculty to such person, to enable him to practise within the jurisdiction of such company, *id. s.* 13.

15. Nothing herein shall extend to any proctor in any ecclesiastical court in *Eng.*, nor to any secretary to any bishop, merely practising as such secretary, or to any other person necessarily created a notary public, for the purpose of holding any office or appointment, or occasionally performing any public duty under government, and not as general practitioners; provided nothing herein shall exempt any proctor being also a notary public, from the pains, &c. by this act imposed, on any public notary, who shall suffer his name to be used for the profit of another not entitled to act as a public notary, 41 *G.* 3. (*U. K.*) *c.* 78. *s.* 14.

16. All persons admitted as notaries public before the passing of this act, may act as notaries public, notwithstanding this act, *id. s.* 15.

17. All pecuniary penalties imposed for offences against this act, shall be sued for and recovered in H. M.'s courts of record at *Westminster* by action of debt, &c. or information, wherein no essoin, &c., and only one imparlance allowed; and wherein the plaintiff, if he recovers, shall have full costs of suit, *id. s.* 16.

18. Limitation of actions against persons for matters done in pursuance of this act 3 months, general issue, treble costs, *id. s.* 17.

19. Nothing in 41 *G.* 3. (*U. K.*) *c.* 79. shall extend to the registrars or solicitors of the universities of *Oxford* and *Cambridge*, or to the steward or solicitors of any college or hall in either, or to the chapter clerk of any cathedral or collegiate church, acting only as such registrars, solicitors, stewards, or chapter clerks, 1 & 2 *G.* 4. *c.* 48. *s.* 3. [*See ss.* 1, 2. 4. ATTORNIES, &c., *pl.* 73—75.]

NUISANCE.

1. WRITS OF NUISANCES CALLED *vicontiels* shall be made at election of the plaintiff, in the nature of old times used, or else in the nature of assizes, determinable before the justices of K. B. or C. P., or of assize, to be taken in the county of the place assigned, 6 *R.* 2. *St.* 1. *c.* 3.

2. FOR PUNISHING NUISANCES WHICH CAUSE corruption of the air near cities and great towns, 12 *R.* 2. *c.* 13.

3. Proclamation shall be made in *London*, and in other cities, boroughs, and towns where it is needful, as well within franchise as without, that none cast or throw from henceforth, any annoyance garbage, dung, entrails, or other ordure, into the ditches, rivers, waters, and other places, within, about, and nigh, unto cities, boroughs, or towns, and the suburbs of them; and if any do, he shall have a writ before the chancellor at his suit who will complain, and if fraudulently, he shall be punished in the discretion of the chancellor, *id. ibid.*

OATHS.

[NOTE. — *The number of statutes* concerning oaths to the government have rendered their consolidation under this title particularly perplexing, inasmuch as though most of the earlier are *virtually* expired, or altered by subsequent statutes, they yet remain unrepealed, and also because previously to 1 *G.* 1. *St.* 2. *c.* 13. they were framed with little attention to those respectively preceding them, and still in force.]

1. FOR REQUIRING PERSONS TO TAKE THE OATH OF SUPREMACY on their admission into certain offices, 5 *El. c.* 1. *ss.* 5—77. [*See the rest* of this statute, PAPIST, *pl.* 2—10. *See* further 25 *C.* 2. *c.* 2., PAPIST, *pl.* 166. *This title is* framed from the following sections.]

2. As well all persons appointed by 1 *El. c.* 1. to take the oath expressed in the same, as all other persons which shall take ecclesiastical orders, or shall be promoted to any degree of learning in any university, and all schoolmasters and teachers of children, as also all persons that shall take any degree of learning in the common laws, as well utter barristers as benchers, readers, ancients in any house of court, and all principal treasurers, and such as be of the grand company in every inn of chancery, and all attornies, prothonotaries, and philizers, and all sheriffs, escheators, and feodaries, and all other persons which shall take upon them any office in the common law or any other law; and all other officers of any court, shall take an oath, [*viz.* the oath of *supremacy* altered by 1 *W. & M. St.* 1. *c.* 8. *pl.* 37., *and see* the form, *pl.* 46.] before they be admitted to take upon them any such office, degree, &c., and that in the open court whereunto they belong, [or before a single judge of K. B., *see last pl.* of this title,] and if they do not belong to any court, they shall take the oath before a convenient assembly, and before such persons as shall have authority to admit such persons to such office, &c. or else before such persons as by H. M., by commission under the great seal, shall be assigned according to the oath set forth in the act 1 *El. c.* 1. *s.* 19., 5 *El. c.* 1. *s.* 5.

3. Every archbishop and bishop shall have power to minister such oath to every ecclesiastical person in his proper diocese, as well in places exempt as elsewhere, *id. s.* 6.

4. The lord chancellor may direct commissions to any persons, giving them authority to minister such oath to such persons as by the commissions they shall be authorized to tender such oath unto, *id. s.* 7.

5. If any persons compellable by this act, or by 1 *El. c.* 1., to take such oath, or to whom the oath by any such commission as in *pl.* 4. is appointed to be tendered, shall at the time of such tender refuse to take such oath, the party so refusing, and being lawfully indicted or presented within one year after refusal, and convicted, shall suffer the penalties provided by the statute of provision and *præmunire* (16 *R.* 2. *c.* 5.), 5 *El. c.* 1. *s.* 8.

6. All persons having authority to tender such oath shall, within 40 days after such refusal, if the term be open, and if not, then at the first day of the full term next following such 40 days, make certificate under seal of the names, places, and degrees, of the persons refusing the same, before the K. B., upon pain to forfeit 100*l.* to H. M.; and the sheriff of the county where the K. B. is holden shall impanel a jury to inquire of such refusals, which jury may, upon every such certificate, and other evidence, proceed to indict the persons so offending, in such sort as the same jury may do of any offence against H. M.'s peace committed within such county, *id. s.* 9.

7. If any such offenders of the first part of this statute (*s.* 10.), and also if any persons appointed by this act to take the oath, do 3 months after the first tender thereof, the 2d time refuse to take the same, such offenders for the 2d offences shall suffer as in cases of high treason, *id. ss.* 10, 11.

8. Provided that this act, nor any attainder to be had by force of this act, shall not make any corruption of blood, disheriting of any heir, forfeiture of dower, nor prejudice of the right of any person, other than the right of the offenders during their natural lives, *id. s.* 12.

9. Every person to whom the right of any lands after the death of any such offender should have appertained, if no such attainder had been, may enter into the same without *ouster le main*, [taken away by 12 *C.* 2. *c.* 24. *s.* 4.] as they might have done if this act had never been, *id. s.* 13.

10. This act shall be read at every quarter sessions by the clerk of the peace, and at every leet, by the steward, and once every term in the hall of every house of court and chancery, by persons to be appointed by the lord chancellor, *id. s.* 15.

11. Every person who shall be elected a knight, citizen, or burgess, or baron of the 5 ports, for any parliament, shall, before he enter into the parliament house, or have any voice there, pronounce such oath before

the lord steward or his deputy; and he who shall enter into the parliament house without taking the oath, shall be no knight, citizen, burgess, nor baron for that parliament, but shall be held as if he had not been returned, and shall suffer such penalties as if he had presumed to sit without election, *id. s.*16.; but this shall not extend to compel any temporal person of or above the degree of a baron [*see pl.*59.] to take such oath, 5 *El. c.*1. *ss.*16, 17.

12. No person shall be compelled by this act to take such oath, upon the 2d time of offering, except the same person be an ecclesiastical person that have cure or office in the church, or such person as shall have office in any ecclesiastical court, under any archbishop or bishop, or such person as shall wilfully refuse to observe the orders for divine service in the church of *Eng.*, after he has been publicly by the ordinary admonished, or such as shall openly and advisedly deprave by words, writings, or other fact, any of the rites and ceremonies of such church, or that shall hear or say private mass, who shall take such oath on the 2d tender, under the penalties for not taking it at all, *id. s.*20.

13. FOR ADMINISTERING THE OATH OF ALLEGIANCE, 7 *J.*1. *c.*6. *ss.*2—27. (*and recital in s.*1.) [*See rest of* this title, and *s.*28., PAPIST, *pl.*159.]

14. Every person of either sex above 18 years of age, being hereafter mentioned and intended herein, shall take the oath of allegiance [mentioned in 3 *J.*1. *c.*4., this form is now REP. 1 *W. & M. St.*1. *c.*8. *s.*2. *pl.*38.; *see* the present forms, 1 *G.*1. *St.*2. *c.*13., and 6 *G.*3. *c.*53. *s.*1. *pl.*68.] thus, *viz.*: every archbishop and bishop before [*but may now* be taken before a single judge; *see* 1 *G.*4. *c.*55. *s.*4., last *pl.* of this title] the lord chancellor, 7 *J.*1. *c.*6. *s.*2.; every ecclesiastical judge or officer before the archbishop of the province, or bishop or other ordinary of the diocese wherein such judge, &c. ought to exercise his function, 7 *J.*1. *c.*6. *s.*3.

15. Every person of or above the degree of a baron or baroness of *Eng.*, and all of the privy council residing in *London* or *Westminster*, or within 30 miles thereof, before any 4 of the privy council, whereof the lords chancellor, treasurer, privy seal, or principal secretary to be one; and if such persons live in the country, above that distance from *London*, then before the bishops of the diocese or such other person as are authorized by the chancellor's *dedimus potestatem*, *id. s.*4.

16. The sworn servants, ordinary and extraordinary, of the king, queen, or of the household of the prince, and of the rest of H. M.'s children, before the lord steward, lord chamberlain and vice chamberlain to H. M. and the queen, the treasurer and comptroller of H. M.'s household, the master of the horse, dean of the chapel, knight marshal, officers of the green cloth, or 3 of them, *id. s.*5.

17. Every temporal judge, justice of peace, sheriff, escheator, feodary, and other officer of justice not mentioned, and every other person receiving fee of H. M., before the lord chancellor, treasurer, admiral, warden of the cinque ports, or one of them, or before one of the chief justices, or before justices of assize of the county where the parties reside, or persons authorized by the chancellor, as in *s.*4. *pl.*15., *id. s.*6.

18. All mayors, bailiffs, or other chief officers of cities and towns corporate, before such persons as usually administer the oath to them at their entrance into office, *id. s.*7.

19. The knights, citizens, burgesses, and barons of the cinque ports of the commons house of parliament, before they be permitted to enter into the house, before the lord steward or his deputy; and the master of the ordnance, lieutenant of the *Tower* of *London*, and mint-master there; the 4 principal officers of the navy under the lord admiral, before the lord chancellor and lord admiral, or any of them, *id. s.*8.

20. The officers, servants, and others, within the *Tower* of *London*, before the lieutenant of the *Tower*, *id. s.*9.

21. All vice-admirals, captains, masters, officers, ministers, and soldiers in H. M.'s ships, before the principal officers of the navy, or any 2 of them, *id. s.*10.

22. All persons having charge of fortresses or garrisons, and all captains having charge of soldiers within this realm, before the justices of assize of the county, or before 2 justices of peace, *id. s.*11.

23. All doctors, advocates, and proctors of the civil law, and their clerks, before the bishop of the diocese, *id. s.*12.

24. All serjeants at law, servants to the judges, and all other in the serjeants' inns, before the chief justices and chief baron, or one of them, *id. s.*14.

25. All subjects in the inns of court, and the principals and treasurers of every inn of chancery, before the readers and benchers of the several houses, or 4 of them, in their open halls, *id. s.*15. [*but see* 1 *G.*4. *c.*55. *s.*4., last *pl.* of this title.]

26. All other, as well ancients as other, not being principal or treasurer, that shall be admitted into any inn of chancery, before the principal or treasurer and ancients, or 4 of them, in their halls, *id. s.*16.

27. All prothonotaries, philizers, officers, attornies, and clerks, in any court of record before the judges of the courts, *id. s.*17.

28. All clerks of the chancery, and their under-clerks, and all other officers of the chancery, and their clerks, before the master of the rolls, or before 2 masters of chancery, 7 *J.*1. *c.*6. *s.*18.

29. All parsons and other persons ecclesiastical taking orders, and every schoolmaster and usher, before the bishop or other ordinary in court, *id. s.*19.

30. The vice-chancellors of the universities, and heads of houses, proctors, and beadles, in the convocation before the senior masters, *id. s.*20.

31. Every person promoted to any degree in school, before the vice-chancellor in the congregation-house, *id. s.*21.

32. All fellows of houses, and scholars of halls or colleges, being under the degree of a baron, before the head of the house, and in the open hall, *id. s.*22.

33. All doctors of physic, and all other who practise physic, that shall be admitted into the college of physicians in *London*, before the president of the college, *id. s.*23.

34. All aldermen, sheriffs, or under officers, of the cities and towns corporate, and such as shall be made freemen of the city or town corporate, before the mayor, bailiffs, or other chief officer, in the open hall, *id. s.*24. [*but see* 1 *G.*4. *c.*55. *s.*4., last *pl.* of this title.]

35. Any of the privy council, and every bishop in his diocese, may require any baron or baroness, of the age of 18 years or above, to take the oath; and any 2 justices of peace (whereof one of the *quorum*) may require any person of the age of 18 years, under the degree of a baron or baroness, to take the oath: and if any person of or above the said age and degree shall be presented or convicted for not coming to church, or not receiving the communion, before the ordinary, or other, having lawful power to take such presentment, 3 of the privy council, whereof the lord chancellor, lord treasurer, lord privy seal, or principal secretary to be one, shall require such person to take the oath; and if any other person of the said age, and under the said degree, shall be presented or convicted for not coming to church, or receiving the sacrament, or if the minister, constable, and churchwardens, or any 2 of them, shall complain to any justice of peace near adjoining to the place where any person complained of shall dwell, and the said justice shall find cause of suspicion, any justice shall require such person to take the oath; and if any person of the age of 18 years shall refuse to take the oath duly tendered, the persons authorized may commit the offender to the common gaol, until the next assizes or quarter sessions, where the oath shall be again required; and if the person shall refuse to take the oath, he shall incur the penalty of *præmunire*, 16 *R.*2. *c.*5., except women covert, who shall be committed only to prison till they take the oath, *id. s.*26. [*Roman Catholics* exempted from these penalties for not resorting to parish church, 31 *G.*3. *c.*32. *s.*3., PAPIST, *pl.*233.]

36. Every person refusing to take the oath as above, shall be disabled to execute any public place of judicature, or bear any other office (being no office of inheritance or ministerial function) within *Eng.*, or to practise the law, or physic, or surgery, or the art of an apothecary, or any liberal science for gain, until he shall receive the oath, *id. s.*27.

37. FOR ABROGATING THE (PRESENT) OATHS OF *supremacy* and *allegiance*, and appointing other oaths, 1 *W. & M. St.*1. *c.*8., *and recital in s.*1. [AMD. 1 *W. & M. St.*1. *c.*25., 1 *A. St.*1. *c.*22. *s.*5. *Semble* the oaths now required to be taken, are those prescribed by 1 *G.*1. *St.*2. *c.*13. and 6 *G.*3. *c.*53. *pl.*68.]

38. No person shall be obliged to take the oaths of allegiance in 3 *J.*1. *c.*4. and 7 *J.*1. *c.*6., or of *supremacy*, in 1 *El. c.*1., *tit.* KING, &c. *pl.*14., or either of them, by virtue of those, or of any other statute, [*viz.* 7 *J.*1. *c.*6. *s.*3. *pl.*14.] and those oaths are repealed, 1 *W. & M. St.*1. *c.*8. *s.*2.

39. The oaths and declarations [*see s.*9. *pl.*41. *sub. fin.*] appointed *by this act*, [*Qu. semble, this applies* now to the oaths of allegiance prescribed by 1 *G.*1. *St.*2. *c.*13., and 6 *G.*3. *c.*53. *pl.*68., and see note at the end of the *pl.*] shall be taken and subscribed by such persons as were required by any statute soever to take the said abrogated oaths in chancery, K. B. [or in C. P. or exchequer, 1 *A. St.*1. *c.*22. *s.*5.] or at the quarter sessions of the county or place where they reside, and the same shall be recorded in those courts, 1 *W. & M. St.*1. *c.*8. *s.*3., [*But no* person shall be summoned to take the oath in 1 *W. & M. St.*1. *c.*8. *s.*12. *pl.*46. *viz.* the oath of *supremacy*, or the *declaration against transubstantiation*, in 25 *C.*2. *c.*2. PAPIST, *pl.*176., or be prosecuted for not obeying such summons, 31 *G.*3. *c.*32. *s.*18. PAPIST, *pl.*246.]

40. Every person neglecting to take the oaths hereby appointed, or either of them, shall incur the same penalties as by any statute was appointed for refusal or neglect to take both or either of the oaths hereby abrogated, 1 *W. & M. St.*1. *c.*8. *s.*5.

41. Every person refusing to take the said oaths, or either of them, [*but QU. as to* the oath of *supremacy* in this act, see note to *pl.*39., *and see* NONCONFORMIST, *pl.*2.] when tendered to him by any person lawfully authorized to tender them, shall be committed by the latter for 3 months to the common gaol or house of correction, unless he pay down to the person tendering such sum, not exceeding 40*s*, as he requires him to pay, which money shall be paid to the churchwardens

or overseers, for relief of the poor of the parish where such offender last inhabited; and if at the end of 3 months the person so refusing shall again refuse to take the oaths when lawfully tendered, he shall in like manner be committed for 6 months, unless he pay down to the person tendering such sum, not exceeding 10*l.* nor under 5*l.*, as they shall require for his second refusal, to be disposed of as above, and unless he becomes bound, with 2 sureties, with condition to be of good behaviour, and to appear at the next assizes or gaol delivery, at which the oath shall be again tendered by the justices of assizes, &c., and if the offender then refuses to take the oaths, he shall be incapable of any office civil or military, and shall be bound to good behaviour until he take the oaths, [*Qu. if in force* as to the oaths since 1 *G.* 1. *St.* 2. *c.* 13. *ss.* 10—11. *pl.* 75, 76., or are those provisions cumulative?] and in case he refuses also to make the declaration against popery, in 30 *C.* 2. *S.* 2. *s.* 2. (PARLIAMENT, *pl.* 67.) he shall suffer all penalties as a popish recusant convict, 1 *W. & M. St.* 1. *c.* 8. *s.* 9.

42. Every commissioned and non-commissioned, or warrant officer employed in H. M.'s sea or land service shall, before delivery of such commission or warrant, take the oaths, [*viz.* of *allegiance* and *supremacy*, but see note to *pl.* 39.] and make and subscribe the declaration, [*viz.* that against popery, *see last pl.*] before the commissioners of the admiralty, or their deputies, or the person issuing such commission or warrant, or the others authorized to administer the same, and every such officer refusing to take the said oaths, and make and subscribe the said declaration, shall be incapable of holding, &c. such office, *id. s.* 10.

43. If any commission for a military employment is granted to any person at a distance from *London* exceeding 20 miles, he may take the above oaths, [*see as to* that of *supremacy*, 31 *G.* 3. *c.* 32. *s.* 18., PAPIST, *pl.* 246.] at the next muster, [6 *months* allowed, 9 *G.* 2. *c.* 26. *s.* 4. *pl.* 89.] after receipt of the commission, before the commissary of the musters, or his deputy, who shall send up a certificate thereof to the person who issued such commission, 1 *W. & M. St.* 1. *c.* 25. *s.* 2. *and recital in s.* 1.

44. If the person receiving the commission refuses to take the said oaths and subscribe the said declaration, his commission is void, *id. s.* 3. but nothing herein extends to the militia or trained bands of *Eng.* *id. s.* 4.

45. The oath prescribed by 13 & 14 *C.* 2. *c.* 3. *s.* 18., and so much of a declaration contained in 13 & 14 *C.* 2. *c.* 4. *s.* 3. as declares it unlawful, on any pretence, to take arms against H. M., and abhorrence of taking arms by his authority against his person, or those commissioned by him, shall no longer be required, 1 *W. & M. St.* 1. *c.* 8. *s.* 11. [*The forms of* the oaths of *allegiance*, and of *abjuration* and *supremacy* (which are joined) provided by *s.* 12. seem virtually superseded by those provided, first by 1 *G.* 1. *St.* 1. *c.* 13., and now by 6 *G.* 3. *c.* 53. *s.* 1. *See pl.* 68.]

46. The oaths intended and required to be taken by this act, are the following; *viz.*

1. Of *Allegiance*, [see the present form, 1 *G.* 2. *St.* 2. *c.* 13. *s.* 1. *pl.* 68.]

2. Of *Supremacy*.

'I *A. B.* do swear, that I do from my heart abhor, detest, and abjure as impious and heretical, that damnable doctrine and position, "That princes excommunicated or deprived by the pope, or any authority of the see of *Rome*, may be deposed or murdered by their subjects, or any other whatsoever." And I do declare that no foreign prince, person, prelate, or potentate hath or ought to have any jurisdiction, power, superiority, pre-eminence, or authority ecclesiastical or spiritual, within this realm; So help me God,' &c. 1 *W. & M. St.* 1. *c.* 8. *s.* 12.

[*but no person* shall be summoned to take the above oath, or shall be prosecuted for not obeying such summons, 31 *G.* 3. *c.* 32. *s.* 18. PAPIST, *pl.* 246.]

47. The names of all such persons and officers, who shall in the court of chancery, K. B., or quarter sessions, [or in C. P. or exchequer, 1 *A. St.* 1. *c.* 22. *s.* 5.] take the said oaths of allegiance and supremacy, shall be there enrolled, with the day and time of taking the same, in particular rolls, which for chancery, shall be publicly hung in the petty bag office; for K. B., in the crown office; and for quarter sessions, in some public place, there to remain during the whole of every term, and quarter sessions for inspection, without fee or reward; and only 12*d.* shall be given for entry of the taking such oaths, *id. s.* 13.

48. EVERY PERSON WHO SHALL ACT AS A SERJEANT-AT-LAW, COUNSELLOR, barrister, advocate, attorney, solicitor, proctor, clerk, or notary, by practising as such in any court, not having taken in chancery or K. B. [C. P. or exchequer, 1 *A. St.* 1. *c.* 22. *s.* 5.] or quarter sessions of the county wherein he lives, the oaths in 1 *W. & M. St.* 1. *c.* 8. [*viz.* of allegiance and supremacy], nor having made and subscribed the declaration against transubstantiation, in 25 *C.* 2. *c.* 2., shall incur a *præmunire*, 7 & 8 *W.* 3. *c.* 24. [*But Roman catholics* are now allowed to take other oaths, 31 *G.* 3. *c.* 32. *s.* 22. PAPIST, *pl.* 250., and as to their oaths in *Scot.*, see 33 *G.* 3. *c.* 44. *ss.* 1—2.; *no person* can be summoned to make the above declaration, 31 *G.* 3. *c.* 32. *s.* 18., PAPIST, *pl.* 246.; *as to barristers, &c. taking* the above oaths, &c. before a single judge, see 1 *G.* 4. *c.* 55. *s.* 4. last *pl.* of this title.]

49. FOR THE BETTER SECURITY OF H. M.'S PERSON AND GOVERNMENT, [7 & 8 *W.* 3. *c.* 27. *only*,] AND FOR THE SUCCESSION of the crown in the protestant line, and for extinguishing the hopes of the pretended prince of *Wales*, and all other pretenders, and their open and secret abetters, 7 & 8 *W.* 3. *c.* 27., 13 & 14 *W.* 3. *c.* 6., [*which is* AMD. 6 *A. c.* 14. *s.* 7. and *c.* 23. *s.* 14., 1 *G.* 4. *c.* 55. *s.* 4.]

50. Every person who shall refuse to take the oaths in 1 *W. & M. St.* 1. *c.* 8. [*viz.* of *allegiance* and *supremacy*,] when tendered to him by a person lawfully authorized to administer them, or who shall refuse or neglect to appear when lawfully summoned, in order to have those oaths tendered to him, [*but this seems* REP. as to that of *supremacy*, by 31 *G.* 3. *c.* 32. *s.* 18., PAPIST, *pl.* 246.], shall, till he has duly taken the same, be liable to the penalties inflicted upon popish recusants convict; and the persons tendering the oaths shall, upon every such refusal or default of appearance, record the names and place of abode of the persons refusing or not appearing, with the time of such tender or default, and certify the record to the justices of assise, *oyer* and *terminer*, or gaol-delivery, at their next session, who shall certify the same into the exchequer, 7 & 8 *W.* 3. *c.* 27. *s.* 1., [*s.* 2. is EXP., and *ss.* 3—11. relate to the association to defend K. *W.*, and are REP., 1 *A. St.* 1. *c.* 32. *s.* 3. and 13—14. 16—18. seem EXP. and REP. as above.]

51. Quakers who shall make and subscribe the declaration of fidelity in 1 *W. & M. St.* 1. *c.* 18., and shall produce such witnesses and certificates as are by the said act required, and shall own K. *W.* to be rightful and lawful king of these realms, are exempted from the penalties provided by this act for such as refuse to take the oaths, *id. s.* 12.

52. The penalties to be incurred by any persons as popish recusants convict by this act for not taking the oaths, may be pardoned by H. M., under the privy seal, *id. s.* 15.

53. No person who shall refuse to take the oaths [*Qu.* as to that of *supremacy*, PAPIST, *pl.* 246.] or being quakers, subscribe the declaration of fidelity (which oaths and subscription, the sheriff or chief officer taking the poll at any election of M. P.s, at request of any candidate, are required to administer), shall be admitted to give any vote for the election of any knight, citizen, burgess, or baron, to serve in parliament, *id. s.* 10.

54. Every person that shall bear any office, civil or military, or shall receive any pay by reason of any grant from H. M., or shall have command or place of trust under H. M., or by authority derived from him, within *Eng.*, *Wa.*, or *Ber.*, or in H. M.'s navy, or in *Jersey* or *Guernsey*, or shall be of the household, or in the service of H. M., and all ecclesiastical persons, members of colleges and halls in either university, that shall be of the foundation (being of the age of 18 years), and all persons teaching pupils, and all schoolmasters and ushers, and all preachers of separate congregations, and every person that shall act as a serjeant at law, counsellor, barrister, advocate, attorney, solicitor, proctor, clerk, or notary, by practising as such in any court, shall within 3 months, [*altered to* 6 months, 9 *G.* 2. *c.* 26. *s.* 4.,] after they shall enter upon such office, or take upon them such practice, in the court of chancery, K. B., C. P. or exchequer, [or before a single judge of K. B. sitting under authority of 57 *G.* 3. *c.* 11. (BAIL, *pl.* 23.), 1 *G.* 4. *c.* 5. *s.* 4. *last pl. of this title*,] or at the quarter sessions in open court, between 9 and 12 *a. m.* take the oath of abjuration [*now fixed by* 6 *G.* 3. *c.* 53. *s.* 1.] and shall subscribe his name or mark; during the time of taking which oath all pleas shall cease, 13 & 14 *W.* 3. *c.* 6. *ss.* 2, 3.

55. Every such person, as in last *pl.*, who shall neglect to take the oath, shall be *ipso facto* incapable to enjoy the office, &c., *id. s.* 5.

56. Every person who neglects to take the oath, and yet by himself, or his deputy, or trustee, shall execute any of the said offices, &c.] and being thereof convicted, on information or indictment, in any of H. M.'s courts at *Westminster*, or at the assizes, shall be disabled to prosecute any suit, or to be guardian of any child, or executor or administrator of any person, or capable of any legacy or deed of gift, or to be in any office within *Eng.*, *Wa.*, or *Ber.*, and shall forfeit 500*l.* to him that will sue for same in any H. M.'s courts at *Westminster*, *id. s.* 6.

57. On due tender of any person to take the oath the courts shall administer it, and like register shall be kept thereof, as by 25 *C.* 2. *c.* 2. *s.* 6. (PAPIST, *pl.* 173.) directed, *id. s.* 7.

58. But any person who, by neglect or refusal, according to this act, shall lose any office, may have a new grant thereof, or of any other, and have and hold the same again on taking the oath, so as such office be not enjoyed by some other person at the time of the regranting, *id. s.* 8.

59. No peer of this realm shall vote, or make his proxy in the house of peers, or sit there during any debate, nor shall any member of the house of commons vote in the house, or sit there during any debate after their speaker is chosen, till such peer or member take and subscribe such oath, between 9 *a. m.* and 4 *p. m.*, by every such peer at the table in the midst of the house, before he take his place, and whilst a full house of peers is there, with their speaker in his place, and by every M. P. at the table in the house of commons, in like manner, *id. s.* 10.

60. Every peer or M. P. who shall vote or make his proxy, not having

taken and subscribed the oath, shall be adjudged a popish recusant convict, and shall be disabled to hold any place of profit or trust, civil or military, and to sit or vote in either house, or make a proxy in the house of peers, or to sue any action at law, or prosecute any suit in equity, or to be guardian of any child, or executor or administrator of any person, or capable of any legacy or deed of gift, and shall forfeit 500*l.*, recoverable as in *s.* 6. *pl.* 56., 13 & 14 *W.* 3. *c.* 6. *s.* 11.

61. This act shall not take away any office of inheritance, so as the person having it appoint his deputy, according to a proviso in 25 *C.* 2. *c.* 2., PAPIST, *pl.* 166., and so as the latter take the oath in this act, and is approved of by H. M. under his privy signet, *id. s.* 12.

62. Any person authorized to administer the oaths appointed in 1 *W.* & *M. S.* 1. *c.* 8. *pl.* 37., may tender the above oath of abjuration to any person, and if he neglect to take it, shall certify the refusal to the next quarter sessions, and the refusal shall be recorded and certified by the clerk of the peace into chancery or K. B., to be there recorded on a separate roll, *id. s.* 13.

63. This act shall not extend to the offices of high or petty constable, tithingman, headborough, overseers of the poor, churchwardens, surveyors of the highways, or any like inferior civil office, or to any office of forester or keeper of any park, chace, warren, or game, or bailiff of any manor or lands, nor to any like private offices, nor to any person having only like offices, *id. s.* 14. [*See similar* provision, 1 *G.* 1. *c.* 13. *s.* 20.]

64. Any two justices of peace, whereof one is of the *quorum*, or any other persons by H. M. appointed by order in privy council, or by commission under the great seal, may summon all such persons as they suspect to be disaffected, and tender the oath of abjuration, and at the next quarter sessions cause the names and abodes of all persons refusing to take the oath, to be certified by the clerk of the peace into K. B., and by the clerk of the peace in *Scot.* into the court of session; and if the persons so certified shall not within the next term or session appear in the chancery, K. B., or session, where such certificate shall be returned, and take the oath, and enter his so doing on the certificate returned, he shall be adjudged a popish recusant convict, and undergo such penalties as a popish recusant convict ought to do by the laws in *Eng.*, 6 *A. c.* 14. *s.* 7.

65. If any quaker shall refuse to take the oath, being tendered to him, in pursuance of 6 *A. c.* 14. *s.* 7., *pl.* 64., but shall instead thereof declare the effect of the said oath upon his solemn affirmation, as directed by 7 & 8 *W.* 3. *c.* 34., he shall not be liable to any penalties mentioned in 6 *A. c.* 14., 6 *A. c.* 23. *s.* 14.

66. FOR FURTHER SECURITY OF H. M.'s PERSON AND GOVERNMENT, and the succession of the crown, in the heirs of the late princess *Sophia* being protestants, and for extinguishing the hopes of the pretended prince of *Wales*, and his open and secret abettors, 1 *G.* 1. *St.* 2. *c.* 13. [CONF. except as to alteration of the times limited for taking the oaths, 2 *G.* 2. *c.* 31. *s.* 7., 9 *G.* 2. *c.* 26. *s.* 6., 6 *G.* 3. *c.* 53. *s.* 1., and AMD. by 2 *G.* 2. *c.* 31. *ss.* 3—7., 9 *G.* 2. *c.* 26. *ss.* 1—6., 6 *G.* 3. *c.* 53. *ss.* 1, 2.]

67. FOR ALTERING THE OATH OF ABJURATION AND THE ASSURANCE, 6 *G.* 3. *c.* 53. *ss.* 1, 2. [*The rest of this* title and statute, *viz. s.* 3., relates to the assimilation of the law of *Scot.* to that of *Eng.* in cases of treason.]

68. All persons admitted into any office or offices, civil or military, receiving any pay or salary by reason of any grant from H. M., or who shall have command or place of trust under H. M., or by authority derived from him within *Eng.*, or in H. M.'s navy, or in *Jersey* or *Guernsey*, or who shall be of the household of H. M., and all ecclesiastical persons, heads, and other members of colleges and halls in any university, that are of the foundation or enjoy any exhibition, (being of, or as soon as they attain the age of 18 years,) and all persons teaching or reading to pupils in any university or elsewhere, and all schoolmasters and ushers, and preachers and teachers of separate congregations, high or chief constables, and every person that shall act as serjeant and counsellor at law, barrister, advocate, attorney, solicitor, proctor, clerk, or notary, by practising in any manner as such in any court soever, within that part of *G. B.* called *Eng.*, who shall be admitted into, or enter on, any of the above benefices or offices, or shall come into any such capacity, or take upon them any such practice, employment, or business, shall, within 3 [calendar, 13 *G.* 1. *c.* 29. *s.* 4.] months, 1 *G.* 1. *St.* 2. *c.* 13. *s.* 1. [REP. by 2 *G.* 2. *c.* 31. *s.* 3. at any time before end of next term or quarter sessions for the county or place where resident, 2 *G.* 2. *c.* 31. *s.* 4., REP. 9 *G.* 2. *c.* 26. *s.* 3. and altered to] 6 calendar months after admission, &c. to such benefice or place, or coming into such capacity, or taking on them such practice, &c. *take* and subscribe the *following oaths* in the court of chancery, K. B., or C. P., or exchequer, [or before a single judge of K. B. sitting under 57 *G.* 3. *c.* 11., *see* 1 *G.* 4. *c.* 55. *s.* 4. last *pl.* of this title] or after the general or quarter sessions of the county, city, or place where he resides [or before a single judge, *see last pl.*] of last, 1 *G.* 1. *St.* 2. *c.* 13. *s.* 2., 9 *G.* 2. *c.* 26. *s.* 3.; *viz.*

1. *Of Allegiance.*

'I, *A. B.* do sincerely promise and swear, that I will be faithful and bear true allegiance to His Majesty King *George*. So help me God.'

1 *G.* 1. *St.* 2. *c.* 13. *s.* 1. [NOTE, the oath of *supremacy* is *supra*, *pl.* 45.]

2. *Of Abjuration.*

'I *A. B.* do truly and sincerely acknowledge, profess, testify, and declare, in my conscience before God and the world, that our sovereign lord king *George* is lawful and rightful king of this realm, and all other H. M.'s dominions, and countries thereunto belonging; and I do solemnly and sincerely declare, that I do believe in my conscience, that not any of the descendants of the person who pretended to be prince of *Wales* during the life of the late K. *J.* 2d, and since his decease pretended to be and took upon himself the style and title of king of *Eng.*, by the names of *James* the 3d, or of *Scot.* by the name of *James* the 8th, or the style and title of king of *G. B.*, hath any right or title whatsoever to the crown of this realm, or any other the dominions thereunto belonging; and I do renounce, refuse, and abjure any allegiance or obedience to any of them: and I do swear that I will bear faith and true allegiance to H. M. king *George*, and him will defend to the utmost of my power, against all traitorous conspiracies and attempts whatsoever which shall be made against his person, crown, or dignity; and I will do my utmost endeavour to disclose and make known to H. M. and his successors, all treasons and traitorous conspiracies which I shall know to be against him or any of them: and I do faithfully promise, to the utmost of my power, to support, maintain, and defend the succession of the crown against the descendants of the said *James*, and against all other persons whatsoever; which succession, by an act intituled, "*An Act for the further limitation of the crown, and better securing the rights and liberties of the subject;*" [*viz.* 12 & 13 *W.* 3. *c.* 2. LIBERTIES AND RIGHTS, *pl.* 5.,] is, and stands limited to the princess *Sophia*, electress and duchess dowager of *Hanover*, and the heirs of her body, being protestants; and all these things I do plainly and sincerely acknowledge and swear, according to these express words by me spoken, and according to the plain common sense and understanding of the same words, without any equivocation, mental evasion, or secret reservation whatsoever; and I do make this recognition, acknowledgment, abjuration, renunciation, and promise, heartily, willingly, and truly, upon the true faith of a Christian. So help me God.' [*These last words are in* 1 *G.* 1. *St.* 2. *c.* 13. *s.* 1. but not in 6 *G.* 3. *c.* 53. *s.* 1. which fixes the above form of oath, altering that prescribed by the first mentioned act.]

3. *The Assurance.*

'I *A. B.* do, in the sincerity of my heart, assert, acknowledge, and declare, that H. M. king *George* is the only lawful and undoubted sovereign of this realm, as well *de jure*, that is of right, king, as *de facto* that is, in the possession and exercise of the government: and therefore I do promise and swear, that I will with heart and hand, life and goods, maintain and defend his right, title, and government against the descendants of the person who pretended to be prince of *Wales* during the life of the late king *James*, and since his decease, pretended to be, and took on himself the style and title of king of *Eng.*, by the name of *James* the 3d, or of *Scot.*, by the name of *James* the 8th, or the style and title of king of *G. B.*, and their adherents, and all other enemies who, either by open or secret attempts, shall disturb or disquiet H. M. in the possession and exercise thereof. So help me God.' [*These last words* are in 1 *G.* 1. *St.* 2. *c.* 13. *s.* 1., 5 *G.* 1. *c.* 29. *s.* 1.; but not in 6 *G.* 3. *c.* 53. *s.* 1., which alters the form of assurance prescribed by 1 *G.* 1. *St.* 2. *c.* 13. *s.* 1. to the above. *See as to the oaths* appointed to be taken by Roman Catholic barristers, attornies, clerks, notaries, &c., 31 *G.* 3. *c.* 32. *s.* 22. PAPIST, *pl.* 250., and the forms, *id. pl.* 229.]

And all persons required to administer, take, or subscribe the abjuration oath, and the assurance in 1 *G.* 1. *St.* 2. *c.* 13., or in 5 *G.* 1. *c.* 29. (*relating to* nonconformists in *Scot.*) contained, shall respectively administer, take, and subscribe the same, according to the form herein prescribed, within such time, in such manner, and with observance of the same requisites, and with benefit of the same savings, provisoes, and indemnities; and in case of neglect or refusal, shall be liable to the same penalties and disabilities as by any statutes now subsisting are enacted, 6 *G.* 3. *c.* 53. *s.* 1.

69. From 1st *Aug.* 1766, the same oath of abjuration by this act appointed to be taken in *G. B.*, shall be the oath of abjuration to be taken in the kingdom of *Ire.*, and the rest of H. M.'s dominions, and no other; and the benefit of the indemnities given by 1 *G.* 1. *St.* 2. *c.* 13. [*semble*, *s.* 6. *pl.* 71., and *s.* 23. EXP.] shall continue in force as to *Ire.*, as if this act was not made, 6 *G.* 3. *c.* 53. *s.* 2. [*A like provision* was made for *Ire. only* from 29 *Sept.* 1715, with regard to the oaths in 1 *G.* 1. *St.* 2. *c.* 13., *id. s.* 33. *See* 1 *G.* 1. *St.* 2. *c.* 6. *s.* 4. SCOTLAND, (*Parl.* Commons) *pl.* 21.]

70. All heads, masters, and members of colleges, halls, or classes in the universities of *St. Andrew*, *Glasgow*, *Aberdeen*, and *Edinburgh*, and all probationers or licentiates of divinity, before they enter on their trials, or obtain licence to preach, and all schoolmasters in *Scot.*, shall take and subscribe the oaths, and subscribe the assurance in *s.* 3. mentioned, [*see the present* forms of oaths, 6 *G.* 3. *c.* 53. *s.* 1. to be taken in *Great Britain*, *id. s.* 2.] before such judges, [single judge, *see last pl. of this title*] and obtain such certificates thereof as by this or former acts directed, 1 *G.* 1. *S.* 2. *c.* 13. *s.* 5.

71. Nothing in these acts shall extend to any person beyond the seas, who by virtue thereof ought to take such oaths, so as he do within [3 months, 1 *G.* 1. *St.* 2. *c.* 13. *s.* 6., 4 months, 2 *G.* 2. *c.* 31. *s.* 5., *altered by* 9 *G.* 2. *c.* 26. *s.* 4. to] 6 calendar months after his return to, or arrival in, that part of *G. B.* called *Eng.*, take and subscribe the said oaths, in such manner, form, and place as appointed by 1 *G.* 1. *St.* 2. *c.* 13. *s.* 6. [and also receive the sacrament of the Lord's supper according to the usage of the church of *Eng.*, and make and subscribe the declaration

against transubstantiation, [*but see now* 31 *G.* 3. *c.*32. *s.* 18. PAPIST, *pl.* 246.] where that sacrament ought to have been received, and that declaration made and subscribed, 2 *G.* 2. *c.*31. *s.*5., 9 *G.* 2. *c.*26. *s.* 4.] 1 *G.* 1. *St.* 2. *c.* 13. *s.*6., 2 *G.* 2. *c.*31. *s.*5., 9 *G.* 2. *c.*26. *s.*4.

72. Every person who shall neglect or refuse to take the said oaths, or either of them, and subscribe thereto as above, [or who shall neglect or refuse to make and subscribe the declaration against transubstantiation where it ought to be made, &c., 9 *G.* 2. *c.*26. *s.*5. *but see last pl.*] in the places, and at the respective times aforesaid shall be, *ipso facto*, disabled in law to enjoy such offices or employments, or any profit therefrom, and such offices, &c. shall be void, [or shall incur the penalties and disabilities inflicted by 25 *C.* 2. *c.*2. for not making the above declaration, *but see last pl.*, and in case of executing any such office, &c. after such neglect or refusal shall, having been thereof lawfully convicted as by the said acts directed, incur all the disabilities and penalties thereby provided, to be sued for and recovered as therein prescribed, 2 *G.* 2. *c.*31. *s.*6., 9 *G.* 2. *c.*26. *s.*5.] 1 *G.* 1. *St.* 2. *c.* 13. *s.*7., 2 *G.* 2. *c.* 31. *s.*6., 9 *G.* 2. *c.*26. *s.*5.

73. Every person who shall so neglect or refuse to take such oaths within the times, and at the places aforesaid, and yet after such neglect, &c. shall, by himself or themselves, his or their deputy or trustee, execute any of the said offices or employments, after the said time is expired [this provision is extended to the 6 months now given by 9 *G.* 2. *c.*26. *s.*6., as it is to the times fixed in 2 *G.* 2. *c.*31. *ss.*4, 5., *id. ss.* 6, 7.] wherein he ought to have taken the same, and being thereof lawfully convicted, in or upon any information or indictment in any of H. M.'s courts at *Westminster*, or at the assizes, or before the justiciary court or circuits in *Scot.*, shall be disabled to sue at law or equity, to be guardian, executor, or administrator, or capable of legacy, or deed of gift, or to be in any office, or to vote at any election of a M. P., and shall forfeit 500*l.*, recoverable by any who will sue for same by action of debt, &c. or information in any court at *Westminster*, without essoin, &c. allowed, nor more than one imparlance; and by summary complaint before court of sessions, or prosecution before court of justiciary in *Scot.*, 1 *G.* 1. *St.* 2. *c.*13. *s.*8. [CONF. 9 *G.* 2. *c.*31. *ss.*6, 7., 9 *G.* 2. *c.*26. *ss.*5, 6.]

74. The *respective courts aforesaid*, [on reference to *s.* 3. *semb.* EXP. this appears to apply to the courts mentioned in *all former acts* respecting taking these oaths in *Scot.*] may give and administer the oaths to the above persons, and on due tender of any person to take the same, shall administer them; and for every person taking, &c. them, the proper officer shall receive 2*s.*, and shall enter a register thereof in a book, where the names of the persons taking the same, and the dates thereof, shall be written, to be inspected without fee, 1 *G.* 1. *St.* 2. *c.* 13. *s.*9. [*See the old* regulation to same effect, 1 *A. St.* 1. *c.*22. *s.*6.]

75. Two or more justices, or any persons by H. M. appointed, by order of privy council, or commission under great seal, may tender the above oaths to any person whom they suspect to be disaffected; and if any person refuses to take them, shall certify such refusal to the next quarter sessions, to be recorded there in their rolls, and shall from thence be certified by the clerk of the peace into chancery or K. B., or into court of session or justiciary in *Scot.*, to be recorded there in a separate roll; and every person so refusing to take the above oaths shall be adjudged a popish recusant convict, and, as such, forfeit and be proceeded against, *id. s.* 10.

76. Any 2 or more justices or other persons, &c. appointed as in *s.* 10. may, by writing under their hands and seals, summon any person to appear before them at an appointed day and time, to take the said oaths, which summons shall be served on such person, or left at his usual abode, with one of the family there; and if he shall not appear according to such summons, then, on proof of its service on oath, such justices, &c. shall certify the same to the next general quarter sessions, there to be enrolled; and if the person so summoned shall not appear there, and take the oaths, his name shall be publicly read at the 1st meeting of the sessions, and he shall be adjudged a popish recusant convict, &c., and, as such, shall forfeit and be proceeded against as if he had actually refused to take the said oaths; and the same shall be from thence certified as in last *pl.*, *id. s.* 11.

77. If any head or member of any college or hall within *Oxford* or *Cambridge* that are of the foundation, or that enjoy any exhibition, being of the age of 18 years, shall refuse to take and subscribe the above oaths, or to produce a certificate of having taken them, and cause it to be entered in the register of such college, or hall, within one month after his having taken them; and if the persons in whom the right of election shall be do not elect some other person in his place within 12 months after such refusal, H. M. under his great seal or sign-manual, may nominate some person qualified according to the college statutes to succeed, and the latter shall enjoy such place as if he had been chosen by the proper electors of such college or hall, *id. s.* 12.

78. If the head of any college or hall, &c. refuse to admit any person so nominated as above for 10 days after such admission demanded, the visitor shall admit him in one month after it is demanded, and if he refuse, the K. B. may issue a *mandamus* to him to admit such person, 1 *G.* 1. *St.* 2. *c.* 13. *s.*13.

79. Any person who by any neglect shall forfeit his office, may be capable of a new grant thereof, or of any other office, on taking the oaths, so as such office be not then granted to another, *id. s.* 14.

80. No peer shall vote or make his proxy, or sit in the house of peers during any debate, nor shall any member of H. of C. vote or sit there during any debate, after the speaker chosen, till he has taken the abjuration oath, in such manner, and together with the other oaths and declarations against transubstantiation, [PAPIST, *pl.* 176.] with which it ought to have been taken, *id. s.* 16.

81. If any member of either house shall vote or make his proxy, not having taken the oaths, &c. he shall be disabled to sue in any court of law, or to prosecute any suit in equity, or to be guardian, executor, or administrator, or be capable of any legacy or deed of gift, or to be in any office in *G. B.*, or to vote at any election for M. P., and shall forfeit 500*l.* to him who will sue for the same, as in *s.* 8. *pl.* 73., *id. s.* 17.

82. Nothing herein shall take away any office of inheritance, so as the person having such office substitutes a deputy, who shall qualify himself according to 25 *C.* 2. *c.* 2., and takes the oaths, and is approved of by H. M. under his privy signet, *id. s.* 18.; and no office of inheritance in *Scot.* shall be forfeitable, otherwise than according to the laws now in force there, *id. s.* 19.

83. This act [*semb. These acts*, since 6 *G.* 3. *c.* 53., &c.] shall not extend to the office of tithingman, headborough, overseers, churchwardens, surveyors of highways, or any inferior civil office, or to any forester or keeper of any park, chase, warren, or game, or to any bailiff of any manor or lands, nor to any like private offices, *id. s.* 20. [*and see ante, pl.* 60—63.]

84. All persons by law obliged to receive the sacrament, and make and subscribe the declaration against transubstantiation [PAPIST, *pl.* 176.] shall continue obliged so to do, together with the above oaths, in such manner and under such penalties in case of such neglect as is required by any former law, *id. s.* 22.; but all persons who by *ss.* 10, 11. of this act, *pl.* 75, 76. shall become popish recusants convict, and shall thereafter take the oaths, *&c.* shall be discharged from such conviction, *id. s.* 26.

85. The above oath of abjuration and the assurance shall, in all cases, be taken in lieu of the abjuration and assurance formerly appointed, *id. s.* 27.

86. No seaman or soldier under the degree of a commission or warrant officer shall pay any fee on taking the oaths, *id. s.* 31.

87. Nothing in this act shall extend to the office of lord chamberlain of *Eng.*, so as he substitute a deputy who shall take the oaths, *id. s.* 32.

88. FOR ALLOWING FURTHER TIME TO PERSONS ON BOARD the fleet or beyond the seas in H. M.'s service to qualify themselves for the legal enjoyment of offices and employments, 13 *G.* 1. *c.* 29. [REP. as to the times limited for taking the oaths in *ss.* 1. 4. by 9 *G.* 2. *c.* 26. *ss.* 3, 4. *pl.* 68.]

89. Nothing in 25 *C.* 2. *c.* 2. PAPIST, *pl.* 166., nor in 1 *G.* 1. *c.* 13. shall extend to any person who shall be in H. M.'s fleet or service beyond the seas at such time as any office, pay, salary, or wages shall be granted to him, or who by virtue of those acts ought to receive the sacrament or take the oaths, so as he do within [3 months, *id. s.* 1. *altered by* 9 *G.* 2. *c.*26. *s.* 4. to] 6 calendar months after his arrival in *G. B.* receive the sacrament, take the oaths, and make the declaration in those acts appointed, 13 *G.* 1. *c.* 29. *s.* 1. as AMD. by 9 *G.* 2. *c.*26. *s.*4.

90. Every officer on board the fleet or in H. M.'s service beyond the seas, or any subject who ought to receive the sacrament, take the oaths, and make the declaration according to the acts in *s.* 1. mentioned, but shall make default in so doing [except as in *s.* 1. *pl.* 89.] shall incur all the penalties and disabilities by the above statutes provided, *id. s.* 6.

91. And in case of executing any such office or employment after such default, shall, after conviction, as by 25 *C.* 2. *c.* 2. *s.* 5. PAPIST, *pl.* 172., and 1 *G.* 1. *St.* 2. *c.* 13. *s.* 8. *supra*, *pl.* 73. directed, be liable to the penalties, *&c.* by these respective acts provided, *id. s.* 7.

92. FOR MORE EFFECTUALLY PREVENTING THE ADMINISTERING or taking unlawful oaths, 37 *G.* 3. *c.* 123. [MADE more EFFECTUAL, 52 *G.* 3. *c.* 104.]

93. Any person who shall in any manner soever administer or cause to be administered, or be aiding or assisting at, or present and consenting to the administering or taking of any oath or engagement purporting or intended to bind the persons taking the same to engage in any mutinous or seditious purpose, or to disturb the public peace, or to be of any association, society, or confederacy, formed for any such purpose; or to obey the orders or commands of any committee or body of men not lawfully constituted, or of any leader, commander, or other person not legally authorized; or not to inform or give evidence against any associate, confederate, or other person; or not to reveal any unlawful combination or confederacy, or illegal act done or to be done, or illegal oath or engagement which may have been tendered to or taken

by such or by any other person, or the import thereof; and any person taking such illegal oath, &c. without being compelled thereto, shall, on conviction, be adjudged guilty of felony, and transported for not more than 7 years, 37 *G.* 3. *c.* 123. *s.* 1.

94. Every person who shall, in any manner or form soever, administer or cause, &c., or be aiding, &c. at administering any oath or engagement purporting or intending to bind the taker to commit any treason, murder, or felony, punishable by law with death, shall, on due legal conviction, be adjudged guilty of felony, and suffer death without clergy; and every person taking any such oath, &c. without compulsion, shall, on like conviction, be adjudged guilty of felony, and transported for life or for such term of years as the court before which he is tried shall adjudge, 52 *G.* 3. *c.* 104. *s.* 1.

95. Compulsion shall not excuse any person taking such oath, *&c.* unless he shall within [4, 37 *G.* 3. *c.* 123. *s.* 2., *altered by* 52 *G.* 3. *c.* 104. *s.* 1. to] 14 days, if not prevented by actual force or sickness, and then within [4 days, *see above*] 14 days after such hindrance ceases, declare the same, together with the whole of what he knows touching the same and the persons by whom and in whose presence, and when and where, such oath or engagement was administered or taken, by information on oath before some justice of peace, secretary of state, or privy counsellor; or if he be on actual service in the forces by sea or land, then by such information on oath as above, or by information to his commanding officer, 37 *G.* 3. *c.* 123. *s.* 2. as AMD. by 52 *G.* 3. *c.* 104. *s.* 2.

96. Persons aiding and assisting or present at and consenting to the administering or taking any such oath, &c. as aforesaid, or causing it to be taken [or administered, though not there present, 52 *G.* 3. *c.* 104. *s.* 4.] shall be deemed, tried, [and punished with death, *id. ibid.*] as principal offenders, though the persons who actually administered such oath have not been tried or convicted, 37 *G.* 3. *c.* 123. *s.* 3. as AMD. by 52 *G.* 3. *c.* 104. *s.* 4.

97. It shall not be necessary in any indictment for any of the above offences to set out the words or more than the purport of such oath or engagement, or some material part thereof, 37 *G.* 3. *c.* 123. *s.* 4., 52 *G.* 3. *c.* 104. *s.* 5.

98. Any engagement soever in nature of an oath [purporting or intending to bind the taker to commit treason, murder, or capital felony, 52 *G.* 3. *c.* 104. *s.* 6.] shall be deemed an oath within this act in whatever form administered or taken, and whether actually administered by any person to any other, or taken by any person without administration thereof by another, 37 *G.* 3. *c.* 123. *s.* 5., 52 *G.* 3. *c.* 104. *s.* 6.

99. Offences against this act committed on the high seas, or out of this realm, or within *Eng.*, may be tried before any court of *oyer* and *terminer* or gaol delivery for any county in *Eng.*, as if the offence had been therein committed; and if in *Scot.* may be tried either before the justiciary court at *Edinburgh*, or in any of the circuit courts, 37 *G.* 3. *c.* 123. *s.* 6., 52 *G.* 3. *c.* 104. *s.* 7.

100. Persons tried and acquitted or convicted of any offence against this act shall not be liable to prosecution for the same offence as high treason or misprision thereof; and nothing herein shall prevent any person guilty of any offence against this act and not tried for it as such, from being tried for it as such treason, &c., 37 *G.* 3. *c.* 123. *s.* 7., 52 *G.* 3. *c.* 104. *s.* 8.

101. TO REGULATE THE ADMINISTRATION OF OATHS IN CERTAIN cases to officers in H. M.'s land and sea forces, 57 *G.* 3. *c.* 92.

102. H. M.'s principal secretaries of state, the lord high admiral, or commissioners of the admiralty, commander in chief, master-general of the ordnance, and secretary at war for the time being respectively, or any other persons being thereunto lawfully authorized, may deliver commissions or warrants to any officers in the royal navy, land forces, or marines, without *previously* requiring them to take the oaths, or make and subscribe certain declarations in *pl.* 68., *id. s.* 1.

103. Nothing herein shall extend to any oaths required by any statute now in force to be taken, or to any declarations thereby required to be made and subscribed by such officers *after* they have accepted such commissions or warrants, *id. s.* 2.

104. ALL OATHS DIRECTED BY 13 *C.* 2. *St.* 2. *c.* 1. *s* 10. CORPORATION, *pl.* 8. (*a*), and 25 *C.* 2. *c.* 2. *s.* 2. PAPIST, *pl.* 167., or by any other statute now in being to be taken by persons admitted to offices of trust and profit, and by all barristers and attornies, may, after 15*th July* 1820, be administered and taken; and the declaration against transubstantiation in 25 *C.* 2. *c.* 2. PAPIST, *pl.* 176. may be made and subscribed before any single judge of K. B. sitting under authority of 57 *G.* 3. *c.* 11. BAIL, *pl.* 23.; and the proper officer shall, at seasonable times, attend before such single judge for the purpose of administering such oaths, and registering such subscription, 1 *G.* 4. *c.* 55. *s.* 4.

OFFENCE AND OFFENDER.

1. AGAINST SUCH AS LEVY ANY FINE, SUFFER ANY recovery, knowledge any statute, recognizance, bail, or judgment, in the name of any other person or persons not being privy and consenting thereto, 21 *J.* 1. *c.* 26. *and recital in s.* 1.

2. All persons which shall acknowledge, or procure to acknowledged, any fines, recoveries, deeds inrolled, statutes, recognizances, bails, or judgments, in the name of any other person not privy or consenting to the same, and being thereof lawfully convicted or attainted, shall be adjudged felons, and shall suffer death without clergy, and incur such penalties as other felons do: such attainder shall not be any corruption of blood, nor loss of dowry, *id. s.* 2.

3. This act shall not extend to any judgments acknowledged by any attorney of record for any person against whom such judgments shall be given, *id. s.* 3.

4. TO PUNISH GOVERNORS OF PLANTATIONS IN THIS KINGDOM for crimes committed by them in the plantations, 11 & 12 *W.* 3. *c.* 12.

5. FOR TRYING AND PUNISHING IN *G. B.* PERSONS holding public employments for offences committed abroad, 42 *G.* 3. *c.* 85. *ss.* 1—5. [*See s.* 6. OFFICER, PUBLIC, *pl.* 3.]

6. If any governor, lieutenant, or deputy-governor, or commander in chief of any plantation or colony within H. M.'s dominions beyond the seas shall be guilty of oppressing any of H. M.'s subjects beyond the seas within his government or command, such oppressions, crimes, and offences shall be heard and determined in K. B. in *Eng.*, or before such commissioners and in such county of this realm as shall be assigned by H. M.'s commission, and by good and lawful men of the same county; and such punishments shall be inflicted on such offenders as are usual for like offences committed here in *Eng.*, 11 & 12 *W.* 3. *c.* 12.

7. Crimes, misdemeanors, or offences committed by persons employed in any public service abroad, may be prosecuted in K. B. in *Eng.*, either on information by the attorney-general, or on indictment found, laying the offence to have been committed in *Middlesex*, and the offender shall, on conviction, be punished as if it was committed in *Eng.*, and shall also be liable, at discretion of K. B. to be adjudged incapable of serving H. M. in any station, office, or capacity, civil or military; or of holding or exercising any public employment whatever, 42 *G.* 3. *c.* 85. *s.* 1.

8. In all indictments found, or informations exhibited under this act, the K. B., on motion to be made, and such notice thereof as to them appears sufficient, by or on behalf of H. M.'s attorney-general, or other prosecutor, or of the defendant, may award, at their discretion, a writ or writs of *mandamus* to any C. J. and judges, or any C. J. or other judge singly, for the time being, of any court or courts of judicature in the country or island, or near to the place where the crime, &c. shall be charged in the indictment, &c. to have been committed; or to any governor or lieutenant-governor or other person having chief authority there, or to any other person or persons resident there, as the case may require, and as to the K. B., under all circumstances, seem most expedient for obtaining and receiving proofs concerning the matters charged, *id. s.* 2.

9. The person or persons to whom such writ is directed and sent, shall, and are hereby respectively required to hold a court, session, or meeting, with all convenient speed for examining witnesses and receiving other proofs concerning the matters charged in such indictment, &c. and in the mean time to cause public notice to be given, of the holding such court, &c. and to issue the process requisite for attendance of witnesses, and to adjourn from time to time, as occasion requires; and such examinations shall be then and there publicly taken *viva voce* in the said court, &c. upon questions put by any such prosecutor, defendant, or agent of either, and by the person or persons to whom such writ is directed, on the respective oaths of witnesses, and of skilful interpreters, if necessary, administered according to the forms of their several religions, and shall by some person sworn for that purpose, be reduced into writing on parchment or paper; and in case any duplicate is required on behalf of the prosecutor, or defendant or defendants respectively, into 2 or more such writings, as the case requires; such examinations shall be sent to H. M. in K. B. closed up and under seal or seals of the person, &c. before whom they are taken, who shall deliver them to any person appointed by K. B. to receive them, or shall transmit them as K. B. shall direct; they shall then, with all convenient speed, be delivered for safe custody to a clerk in court of K. B. in the crown office, who shall administer an oath to the person delivering the same to him in form directed by K. B., and they shall be allowed and read on the trial of such indictment, &c. or other subsequent proceeding relating thereto, and shall be deemed as good evidence as if the witnesses had been present, sworn, and examined, *viva voce*, at such trial, saving all just exceptions to be taken to any such examinations, or any part thereof when so offered to be read as above, and all persons concerned, shall be entitled to take copies of such examinations in the custody of such clerk in court, at their own costs, *id. ibid.*

10. The K. B., on such motion made, and notice thereof, as in *s.* 2., by or on behalf of the attorney-general or other prosecutor or defendant in any such indictment, &c. may order an examination *de bene esse*, of

witnesses, on interrogatories where *vivâ voce* evidence cannot be had, to be taken before an examiner appointed by the court and the depositions taken on such interrogatories, shall be afterwards admitted to be read in evidence on the trial, saving just exceptions to them when offered to be read, 42 *G.* 3. *c.* 85. *s.* 3.

11. Any person or persons to whom such *mandamus* is directed, or order sent as above (and if directed or sent to more than one person), so many of them as are for that purpose appointed by such writ, &c. therein, and who shall act in execution thereof, shall administer all oaths required to be taken under this act, or necessary for due execution of any such writ or order, or of any thing relating thereto; and shall examine on oath all persons whom he or they find occasion to summon, or think fit to examine, touching all things necessary for due execution of such writ or order, and shall have full power to compel the appearance and giving evidence of any such witness, and to issue special summons or other process for that purpose, and may proceed thereon, by imprisonment of the body of any person refusing to appear or give evidence, as any court of competent authority in this kingdom may proceed for any contempt against its authority, *id. s.* 4.

12. Every person, who in the course of his examination on oath, under 24 *G.* 3. *c.* 25., EAST INDIA COMPANY, *pl.* 200., or this act, shall wilfully and corruptly give false evidence, and is duly convicted thereof, shall be liable to such penalties, as persons guilty of wilful perjury are, by any laws then in force in the kingdom, island, or place where such false evidence has been so given, *id. s.* 5.

13. FOR BETTER PREVENTING THEFTS AND ROBBERIES, by making it felony to take money for helping persons to stolen goods, 4 *G.* 1. *c.* 11. *s.* 4. [AMD. and reward given for the apprehension of such offenders, 6 *G.* 1. *c.* 23. *s.* 9. and REP. as to the punishment, and another inflicted, 1 *G.* 4. *c.* 115., and advertising with no questions asked for stolen goods, declared illegal, 25 *G.* 2. *c.* 36. *s.* 1. *This title is framed* from the purport of these acts.]

14. When any person taketh money or reward directly or indirectly, under the pretence or of helping persons to any stolen goods, such person (unless he shall apprehend the felon who stole the same, and bring him to his trial, and give evidence against him) shall be guilty of felony, and suffer, according to the nature of the felony committed in stealing such goods, as if he had stolen them himself, 4 *G.* 1. *c.* 11. *s.* 4.

15. Whoever shall discover, apprehend, and prosecute to conviction of felony without benefit of clergy, any person for the offence of taking money for helping persons to their stolen goods, such offender not having apprehended the felon who stole the same, brought him to trial, and given evidence against him, shall be entitled to a reward of 40*l.*, and have like certificates and payments, without fee, as persons apprehending and convicting highwaymen, 6 *G.* 1. *c.* 23. *s.* 9. [*See* as to such rewards, 58 *G.* 3. *c.* 70. FELONS AND FELONY, *pl.* 95.]

16. The 4 *G.* 1. *c.* 11. *s.* 4. shall be REP. as to so much thereof as inflicts the punishment of death for the offences therein mentioned, 1 *G.* 4. *c.* 115. *s.* 1. [*Another* punishment inflicted, *see post, pl.* 50.]

17. Any person publicly advertising a reward, with no questions asked, for the return of things stolen or lost, or making use of any words in such advertisement, purporting that such a reward will be given, without seizing or making enquiry after the person producing the ame, or promising therein to return to any pawnbroker or other person who may have bought or advanced money upon the things so stolen or lost, the money advanced, or any other money or reward for the return thereof, and any person printing such advertisement, shall forfeit 50*l.* to any person who will sue for the same, 25 *G.* 2. *c.* 36. *s.* 1.

18. All penalties hereby inflicted, may be sued for by action of debt, in any court of record at *Westminster*, wherein it shall be sufficient to declare that the defendant is indebted to the plaintiff, in the sum of —*l.* being forfeited by an act entitled, 'An act for the better preventing thefts and robberies, and for regulating places of public entertainment, and punishing persons keeping disorderly houses;' and the plaintiff, if he recover, shall have his costs, *id. s.* 13.

19. Actions under this act, must be brought within 6 calendar months after the offence done, *id. s.* 14.

20. FOR THE MORE EFFECTUAL PUNISHING STEALERS of lead or iron bars fixed to houses, or any fences belonging thereunto, 4 *G.* 2. *c.* 32. [EXPL. and AMD., 21 *G.* 3. *c.* 68.]

21. Every person who shall steal, rip, cut, or break, with intent to steal, any lead, iron bar, iron gate, iron palisadoe, or iron rail, being fixed to any dwelling-house, out-house, coach-house, stable, or other building used or occupied with such dwelling-house, or thereunto belonging, or to any other building, or fixed in any garden, orchard, court-yard, fence, or outlet belonging to any dwelling-house or other building, shall be deemed guilty of felony, and be subject to like pains, as in cases of felony, and the court before whom any such offender shall be tried may transport him for 7 years, as other felons may be; and all persons that shall be aiding or assisting in stealing, or in such ripping, cutting, or breaking any lead, iron bar, &c. so fixed to any dwelling-house, &c. or in any such garden, &c. or who shall buy or receive any such lead, iron bar, &c. knowing the same to be stolen, shall be liable to the same punishment as if they had stolen the same, 4 *G.* 2. *c.* 32. *s.* 1.

22. All persons who steal, rip, cut, break, or remove, with intent to steal, any copper, brass, bell-metal, utensil, or fixture, being fixed to any dwelling-house, out-house, coach-house, stable, or other building, or fixed in any garden, orchard, court-yard, fence, or outlet belonging to any dwelling-house or other building, or any iron rail or fencing set up or fixed in any square, court, or other place (such person having no title or claim of title thereto), shall be deemed guilty of felony, and the court before whom any such offender shall be tried and convicted, may transport him for 7 years, as other felons may be, or may order him to be detained in prison and kept to hard labour for not exceeding 3 years, or less than one year, and within that time, once, or not more than three times, to be publicly whipped, and all persons who shall be aiding, abetting, or assisting in stealing, or in such ripping, cutting, breaking, or removing, any copper, &c. fixed to any dwelling-house, &c. or fixed in any garden, &c. or any iron rails or fencing set up in any square, &c. or who shall buy or receive any such copper, &c. knowing the same to be stolen, shall be liable to the same punishment as if they had stolen the same, although the principal felon has not been convicted of stealing the same, 21 *G.* 3. *c.* 68.

23. FOR MORE EFFECTUALLY DISCOURAGING AND preventing the stealing and the buying and receiving of stolen lead, iron, copper, brass, bell-metal, and solder, and for more effectually bringing the offenders to justice, 29 *G.* 2. *c.* 30. [EXPL. and AMD., 21 *G.* 3. *c.* 69.]

24. Every person who shall buy or receive any lead, iron, copper, brass, bell-metal, or solder, knowing the same to be stolen or unlawfully come by, or shall privately buy or receive any stolen lead, &c. by suffering any door, window, or shutter to be left open between sun-rising and sun setting for that purpose, or shall buy or receive the same at any time, in any clandestine manner, shall, being convicted, although the principal felon has not been convicted of stealing the same, be transported for 14 years, to any of H. M.'s colonies in *America*, according to the laws for the transportation of felons, 29 *G.* 2. *c.* 30. *s.* 1.

25. Any justice of peace, upon complaint upon oath that there is cause to suspect stolen lead, iron, copper, brass, bell-metal or solder is concealed in any dwelling-house or other place, may, by warrant under his hand and seal, cause every such dwelling-house and place to be searched in the day-time; and if any lead, &c. suspected to be stolen be found therein, may cause the same and the person in whose house or other place the same is found, to be brought before any 2 justices of peace for the same county or place; and if such person shall not give an account to the satisfaction of such justices, how he came by the same, or shall not within some time to be set by such justices, produce the party from whom he received such stolen lead, &c. such person so offending shall be adjudged guilty of a misdemeanor, *id. s.* 2.

26. Every constable, headborough, or tithingman, in every county, city, town, corporation, or other place, where they shall be officers, and every beadle within his district, and every watchman during such time only as he is on his duty, shall apprehend every person suspected of having or carrying, after sun-setting and before sun-rising, any lead, &c. suspected to be stolen, and the same, together with such person, as soon as may be, carry before any 2 justices of peace for the county or place; and if the person so apprehended conveying any such lead, &c. shall not produce the party from whom he received the same, or some other witness to depose upon oath the sale or delivery of such lead, &c. or shall not give an account to the satisfaction of such justices how he came by the same, the person so apprehended shall be adjudged guilty of a misdemeanor, *id. s.* 3.

27. Where any person shall be convicted of either of such misdemeanors, any 2 justices may cause such lead, &c. to be deposited in the hands of the churchwardens or overseers of the poor of the place where such lead, &c. was found, or in any other place for not exceeding 30 days, and may order such churchwardens and overseers, or one of them, in all the parishes within the bills of mortality, to insert an advertisement in some public paper, and in every other parish or place to cause notice to be given by some public cryer, and by fixing on the church or chapel door notice describing such lead, &c. and where the same is so deposited, that persons having lost such lead, &c. may come and claim the same, or any person on their behalf; and in case any person can prove their property to such lead, &c. upon oath, to the satisfaction of any 2 justices of the county or place, such justices shall order restitution of such lead, &c. to the owner, after paying the charges of removing, depositing, and giving public notice; and if at the end of such 30 days no person shall come and prove his property, nor any person on his behalf, to such lead, &c. the same shall be sold for the best price; and after deducting such charges, one moiety of the money shall be given to the person apprehending the party guilty of either of the misdemeanors afore-mentioned, and the other to the poor

of the parish where such offence was committed, if it is known where, or else where such convictions shall be had, 29 *G.* 2. *c.* 30. *s.* 4.

28. Every person to whom any lead, iron, copper, brass, bell-metal, or solder, shall be offered to be sold, pawned, or delivered, shall (there being cause to suspect that such lead, &c. was stolen or unlawfully come by) apprehend and carry before a justice of peace for the county or place where the same shall be so offered, the person so offering the same, together with such lead, &c. and such person so apprehended shall be dealt with, and such lead, &c. deposited and disposed of, as if he had been apprehended by the constable, &c. as in *s.* 3. *pl.* 26.; and if it appear upon the oath of any person, notwithstanding such person was concerned in stealing the same, if corroborated with other circumstances, to the satisfaction of 2 justices for the county, &c. where the same is so offered, that there was cause to suspect such lead, &c. was stolen or unlawfully come by, and that the person to whom such lead, &c. was so offered, did not (having it in his power so to do) apprehend and carry before a justice the person who so offered the same, then the same person to whom such lead, &c. was so offered shall be adjudged guilty of a misdemeanor, *id. s.* 5.

29. Every person adjudged guilty of a misdemeanor, in having in his possession any lead, iron, copper, brass, bell-metal, or solder, suspected to be stolen or unlawfully come by, and not producing the party of whom he received the same, nor giving a satisfactory account how he came by the same; or in having, carrying or conveying lead, &c. suspected to be stolen or unlawfully come by, and not producing the party from whom he received the same, nor any witness to depose upon oath the sale or delivery thereof, nor giving a satisfactory account how he came by the same, shall, for every such misdemeanor, forfeit for the first offence 40*s.*, and for the second offence 4*l.*, and for every subsequent offence 6*l.*; and every person adjudged guilty of the misdemeanor of neglecting to apprehend and carry before a justice of peace the person who offered to sell, pawn, or deliver any lead, &c. suspected to be stolen or unlawfully come by, shall forfeit for the first offence 20*s.* and for the second offence 40*s.* and for every subsequent offence 4*l.* all which forfeitures shall be levied by distress and sale of the goods of such offender, rendering the overplus to him, after the charges of distress and sale deducted, by warrant under the hands and seals of the 2 convicting justices, and which forfeiture shall go in moieties to the informer and the overseers of the poor, for the use of the poor of the parish or place where such offence was committed (if it is known where) or else where such conviction shall be; and if no sufficient distress be found, such justices shall commit such offender to the common gaol, or other prison or house of correction within their jurisdiction, for one month for the first offence, and for the second for two months, and for every subsequent offence until such offender shall be discharged by order of the general or quarter sessions, *id. s.* 6.

30. Every conviction of any offender in any of such misdemeanors, shall be certified by two of the justices of peace making the same, to the next general or quarter sessions of the peace, to be filed amongst the records of the said sessions; and such conviction shall be drawn up on parchment, and certified in the words following, or to the like effect, *viz.*

'—— *to wit.* } Be it remembered, that on the — day of — in the year — *A. B.* was convicted before us, — of the justices of the peace for the county, city, riding, division, liberty, *or* place aforesaid, [*as the case shall be*] of a misdemeanor in having in his, *her, or their* possession, lead, *iron, copper, brass, bell-metal, or solder,* suspected to be stolen or unlawfully come by, and not producing the party or parties of whom he, *she or they* bought or received the same, nor giving a satisfactory account how he, *she, or they* came by the same; *or* in having, *carrying, or conveying* of lead, *iron, copper, brass, bell-metal, or solder,* suspected to be stolen or unlawfully come by, and not producing the party or parties from whom he, *she, or they* bought or received the same, nor any credible witness to depose upon oath the sale or delivery thereof, *or* not giving a satisfactory account how he, *she, or they* came by the same, *or* of neglecting to apprehend and secure the person or persons who brought and offered to pawn, sell, or deliver lead, *iron, copper, brass, bell-metal, or solder,* suspected to be stolen or unlawfully come by [*as the case shall be*]. Given under our hands and seals, the — day and year aforesaid.'

which conviction, in the same or the like form, shall be good in law, and shall not be set aside for want of any other form or words, nor liable to be removed by *certiorari* into the K. B., but shall be final, *id. s.* 7.

31. If any person being out of prison, shall commit any felony by stealing any lead, iron, copper, brass, bell-metal or solder, and afterwards discover two or more persons who shall buy or receive any stolen lead, &c. knowing the same to be stolen, so as two or more of the persons discovered shall be convicted of such buying or receiving, he or she so discovering, shall be intitled to H. M.'s pardon for all such felonies by him or her committed at any time before such discovery; which pardon shall be a bar to any appeal brought for such felony, *id. s.* 8. [*Appeals* taken away, 59 *G.* 3. *c.* 46.]

32. If any person shall be concerned in the stealing any lead, &c. and shall afterwards, being out of prison, discover any person to whom he shall have offered to sell, pawn, or deliver any stolen lead, &c. so as such person be convicted of the misdemeanor of not apprehending and carrying him before a justice, then the person making such discovery, shall not be liable to be prosecuted for stealing the lead, &c. so offered as aforesaid, 29 *G.* 2. *c.* 30. *s.* 9.

33. If any action shall be brought for any thing done in pursuance of this act concerning such offences, the same shall be commenced within 6 months after the cause accrued, and the defendant may plead the general issue, and give the special matter in evidence; and if the defendant shall have a verdict, or the plaintiff is nonsuited, or discontinues, the defendant shall have treble costs, *id. s.* 10.

34. Nothing herein shall repeal any former law now in being for the punishment of such offenders, and such offenders having been punished by this act, shall not be punished again for the same offence under any former law, *id. s.* 11.

35. Every person who shall buy or receive any pewter pot or other vessel, or any pewter in any form whatever, knowing the same to be stolen or unlawfully come by; or shall privately buy or receive any stolen pewter, by suffering any door, window, or shutter to be left open, between sun-setting and sun-rising, for that purpose; or shall buy or receive the same at any time, in any clandestine manner shall, on conviction by due course of law, although the principal felon has not been convicted, be transported for 7 years, or be kept in prison to hard labour, for not exceeding 3 years, nor less than one year; and within that time, (if such court shall think fit) such offenders shall be once, or oftener, but not more than 3 times publicly whipped, 21 *G.* 3. *c.* 69.

36. FOR THE MORE EASY DISCOVERY AND EFFECTUAL punishment of buyers and receivers of stolen goods, 22 *G.* 3. *c.* 58. [*see tit.* FELONS AND FELONY, *pl.* 43.]

37. In all cases where any goods (except lead, iron, copper, brass, bell-metal, and solder, *as to which*, see *post*, *pl.* 23.) shall have been feloniously taken or stolen, whether the offence of the person so stealing the same shall amount to grand larceny or some greater offence, or to petit larceny only, (except where the person actually committing the felony has been already convicted of grand larceny or some greater offence) every person who shall buy or receive any such goods, knowing them to have been stolen, shall be guilty of and may be prosecuted for a misdemeanor, and shall be punished by fine, imprisonment, or whipping, as the quarter-sessions, who are empowered to try such offender, or as any other court before which he shall be tried, shall think fit to inflict, although the principal felon be not before convicted of the felony, and whether he is amenable to justice or not; and in cases where the felony actually committed shall amount to grand larceny or some greater offence, and where the person actually committing such felony shall not be before convicted, such offender shall be exempted from punishment as accessary, if such principal felon shall be afterwards convicted, *id. s.* 1.

38. One justice, on complaint on oath, that there is reason to suspect that stolen goods are knowingly concealed in any dwelling or out-house, garden, yard, croft, or other place, may, by warrant under his hand and seal, cause the same to be searched in the day-time; and the person knowingly concealing such stolen goods, or in whose custody the same shall be found being privy thereto, shall be guilty of a misdemeanor, and shall be brought before any justice, and made to answer the same by like warrant of the latter, and being thereof convicted, shall be punishable as aforesaid, *id. s.* 2.

39. Every constable, headborough, or tithing-man, in every county, city, or place where there shall be officers, and every beadle within his ward, parish, or district, and every watchman during such time only as he is on duty, shall apprehend every person who may be suspected of having or carrying, or any ways conveying at any time after sun-set and before sun-rise, any goods suspected to be stolen; and the same, together with such person, convey before any justice, to be dealt with according to law; and such person so carrying such goods, knowing the same to have been stolen, and being thereof convicted, shall be guilty of a misdemeanor, and shall be imprisoned for not exceeding 6 or less than 3 calendar months, *id. s.* 3.

40. Every person to whom any goods feloniously stolen shall be offered to be sold, pawned, or delivered, shall (there being cause to suspect that such goods are stolen) apprehend and carry before a justice, (having it in his power so to do) the person bringing or offering the same, *id. s.* 4.

41. If any person being out of custody, if under the age of 15 years, upon any charge of felony within clergy, shall have committed any felony, and shall afterwards discover two or more persons, who shall have bought or received any goods feloniously stolen from any other person, knowing the same to be stolen, so as the persons discovered shall be convicted of such buying or receiving, the discoverer shall have H. M.'s pardon for all felonies by him committed before such discovery, which shall be likewise a bar to any appeal brought for such felony, *id. s.* 5. [*Appeals* taken away, 59 *G.* 3. *c.* 46.]

42. Nothing herein shall repeal any former law for punishment of such offenders, but offenders convicted under this shall not be afterwards liable to punishment under any other act, 22*G.*3. *c.*58. *s.*6.

43. To PROCURE ANNUAL RETURNS OF PERSONS COMMITTED, tried, and convicted, for criminal offences and misdemeanors in *Eng.* and *Wa.*, 55*G.*3. *c.*49. [in *Ire.*, 56*G.*3. *c.*120.]

44. The several clerks of assize of the crown, of the sessions of *oyer* and *terminer* and gaol delivery, of the peace, and town clerks within *Eng.* and *Wa.* [in *Ire.*, 56*G.*3. *c.*120. *s.*1.] shall within the first 14 days of *Jan.* in each year, return to the home secretary of state, [the chief secretary of *Ire.* at *Dublin Castle, id. ibid.*] accounts of the number of persons committed to the several gaols in *Eng.* and *Wa.* [*Ire.*] for trial, and tried or discharged at the several assizes, &c. holden in the preceding year, distinguishing the crimes with which they were respectively charged on commitment; those for which such as were indicted, were indicted, and those convicted, convicted; and distinguishing under each head of offence the numbers convicted, acquitted, discharged on no bill found, or by reason of no prosecution, the sentences of those convicted, and the numbers of those executed, to be made out as in the schedule annexed, or in such form and manner, and with any additional particulars ordered by the secretary of state; [chief secretary, such account to be signed by such clerk of assize, &c., *id. ibid.*] and every such clerk, &c., who shall refuse or neglect to make or transmit such return in the manner prescribed, shall forfeit 100*l.*, to be recovered by information or action at H. M.'s suit, [in any court of record in *Ire.*, *id. ibid.*] 55*G.*3. *c.*49. *s.*1., *and* 56*G.*3. *c.*120. *s.*1. *for Ire.*

45. The home secretary [chief secretary for *Ire.*, 56*G.*3. *c.*120. *s.*2.] shall, between 24th *Jan.* and 24th *Feb.* in each year, if parliament be sitting during any part of such period; or if not, then within 14 days after it shall meet after 24th *Feb.*, cause such returns to be laid before parliament, *s.*2. *in both acts.*

46. The justices of assize and other justices assembled, at their assizes, and great and other sessions, shall settle the allowances to the clerks of assize and other clerks, as in *s.*1., for their trouble in making such returns, to be paid out of the county rates; and the respective justices of assizes, &c. shall make an order on the county-treasurer for payment thereof, 55*G.*3. *c.*49. *s.*3. for *Eng. and Wa. only.*

47. The grand juries assembled at the spring assizes, and at the presenting term for the county and county of the city of *Dublin*, next after such returns so annually made, shall settle the allowances to be paid to the clerks of assize, &c. for their trouble in making such returns; and they may present the amount to be raised off the county at large, or county of city, &c., which when raised shall be paid by the treasurer of such county, &c. to such clerk, &c., 56*G.*3. *c.*120. *s.*3., *Ire. only.*

48. To REPEAL SO MUCH OF SEVERAL ACTS AS INFLICTS capital punishment in certain offences therein specified, and to provide more suitable and effectual punishment for such offenders, 1*G.*4. *c.*115.

49. So much of 39 *El. c.*9. *s.*1. as takes away clergy from certain offences in 3*H.*7. *c.*2. declared felony, [*viz.*, forcible abduction of women]; and so much of 4*G.*1. *c.*11. *s.*4. as inflicts death on persons taking money for helping to stolen goods without prosecuting the offender; and so much of 45*G.*2. *c.*30. *s.*1. as makes it felony without clergy, for bankrupts to conceal, embezzle, &c. his property; and so much of 8*G.*2. *c.*20. *s.*1. as makes it felony without clergy, to pull down or destroy turnpike-gates, [*previously* REP. as to turnpike-gates *by* 13*G.*2. *c.*28. *s.*86.] or any lock, &c. or other works on any navigable river, or forcibly to rescue any person in custody for any such offences, shall be REP., *id. s.*1.

50. All persons convicted of any such offences shall be liable to be transported beyond seas for life, or for such term not less than 7 years, as the court shall think fit, or shall be liable, in case such court shall think fit, to be imprisoned only, or imprisoned and kept to hard labour in the common gaol, house of correction, or penitentiary house, or for not exceeding 7 years, *id. s.*2.

51. To REPEAL SO MUCH OF SEVERAL ACTS as inflict capital punishment on certain offences therein specified, 1*G.*4. *c.*116.

52. So much of 1 *& 2 P. & M. c.*4. *s.*3. as makes it a capital felony for persons calling themselves *Egyptians*, to remain in the realm one month; so much of 18*C.*2. *c.*3. as takes away clergy from thieves in *Northumberland* and *Cumberland*; and so much of 9*G.*1. *c.*28. *s.*3. as makes it felony without clergy for persons within certain limits to wear masks or disguised habits, and there to oppose the execution of legal process; and so much of 9 *G.*2. *c.*29. *s.*5. (*local act*) as makes it felony without clergy for any person to blow up or destroy *Westminster* bridge, shall be REP., *id. s.*1.

53. So much of all former acts as relate to the punishment of persons for destroying bridges, REP., *id. s.*2. [*See* BRIDGES.]

OFFICE AND OFFICER. (*See* SERVICES, PUBLIC.)

(STATUTES *repealed and expired.*)

1. FOR MAKING FURTHER PROVISIONS to enable persons possessed of offices at the demise of *G.*1., to qualify themselves for the enjoyment thereof, and for several like purposes, 1*G.*2. *St.*1. *c.*5. [EXP. and *s.*2. REP. by 1*G.*2. *St.*1. *c.*23. *s.*7. now EXP.]

2. TO ENABLE H. M. TO MAKE compensation, not exceeding 800*l.* in the whole, to the officers of the late wine licence office, [*which was* abolished, 30*G.*3. *c.*38. *s.*6.] for the loss of their offices, 31*G.*3. *c.*28. [*semb.* EXP.]

3. FOR ESTABLISHING CERTAIN REGULATIONS IN THE OFFICES OF the House of Commons, 39 *&* 40*G.*3. *c.*90. [REP. 52*G.*3. *c.*118.]

4. TO SUSPEND THE GRANTING OF OFFICES in reversion or for joint lives, with benefit of survivorship for one year after this act passed, and from thence till 6 weeks after the commencement of the then next session of parliament, 48*G.*3. *c.*50. [EXP.]

5. TO MAKE PROVISION RESPECTING certain grants of offices till 1st *Feb.* 1812., 50*G.*3. *c.*88.; till 28 *Feb.* 1814., 52*G.*3. *c.*11. [BOTH EXP.]

6. FOR CONTINUATION OF EVERY PERSON in any office, place, or employment, civil or military, within the *U. K.*, *Jersey*, *Guernsey*, *Alderney*, *Sark*, and *Man*, and in all H. M.'s foreign possessions, colonies, or plantations, which he shall hold under the crown during pleasure, at the demise of *his present majesty* till removed by the successor, 57*G.*3. *c.*45. [EXP.]

(STATUTES *in force.*)

1. NO SHERIFF OR OTHER H. M.'s minister shall take any reward to do his office, but shall be paid of that which he takes of H. M.; and he that doth contrary shall yield twice as much, and be punished at H. M.'s pleasure, 3 *E.*1. *West. Sec. c.*26.

2. NO CLERK OF JUSTICER, ESCHEATOR, or enquirer, shall take any thing for delivering *chapitors*, [heads of charges from justices in eyre, &c. *see* 2 *Inst.* 211.] but only clerks of justicers errants in their eyres, who shall take 2*s.* and no more, of every wapentake, hundred, or town, that answers by 12 or 6 men, [*see* 2 *Inst.* 211.] as hath been used; and he that doth contrary, shall pay thrice the sum taken, and lose his master's service for one year, *id. c.*27.

3. OFFICERS, CRIERS OF FEE, AND MARSHALS of justices in eyre, shall not take money wrongfully of such as recover seisin of lands, or of those who obtain their suits, or of fines levied, or of jurors, towns, prisoners, or others attached on pleas of the crown, otherwise than they ought to do; and if any officer of fee do it, his office shall be seized into H. M.'s hands; and if any of the justice's marshals do it, they shall be grievously punished at H. M.'s pleasure, and both shall pay to the complainants treble the sum received, *id. c.*30.

4. FOR DUE APPOINTMENT OF JUSTICES OF PEACE AND OTHER officers, 12*R.*2. *c.*2.

5. The chancellor, treasurer, keeper of the privy seal, steward of H. M.'s house, H. M.'s chamberlain, clerk of the rolls, the justices of K. B. and C. P., barons of exchequer, and all other that shall be called to name justices of peace, sheriffs, escheators, customers, comptrollers, or any other officer of H. M., shall be sworn, that they shall not name justices of peace, &c. nor other officer, for gift nor brocage, favour nor affection, nor that any which pursueth to be in any office, shall be put in the same office, or any other, but that they make all such offices of the best and lawfullest men to their knowledge, *id. ibid.*

6. Officers made by H. M.'s letters patent within the courts, which have power by their offices to make clerks and ministers within the courts, shall be sworn to make such clerks and ministers for whom they will answer, 2 *H.*6. *c.*10.

7. AGAINST BUYING AND SELLING OF OFFICES, 5 *&* 6 *E.*6. *c.*16. *and recital* in *ss.* 1, 2. [EXT. and AMD. 49*G.*3. *c.*126. *see pl.*12.]

8. If any person bargain or sell any office or deputation, or any part of them, to receive money or other profit, or take any promise or assurance to have any money or profit for any office or deputation, or any part of them, or to the intent that any person should have any office or deputation, or any part of them, which office shall in any wise touch or concern the administration or execution of justice, or the receipt, controlment, or payment, of any of H. M.'s treasure, revenue, auditorships, or surveying of lands, or H. M.'s customs, or any administration or necessary attendance in the custom houses, or the keeping of any of H. M.'s fortresses, or which shall concern any clerkship in any court of record wherein justice is to be ministered; every such person that shall bargain or sell any of the said offices or deputations, or that shall take any money or profit, &c. shall not only lose all his right and estate in, or the gift or nomination of the office, but also such person that shall give any

money, or make any promise or assurance for the office, &c. shall be adjudged a disabled person to have the same, *id. s.*2. All such bargains, agreements, and assurances shall be void, *5 & 6 E.*6. *c.*16. *s.*3.

9. This act shall not extend to any office whereof any person is seised of any estate of inheritance, nor to any office of parkership, or of the keeping of any park, house, manor, garden, chace, or forest, *id. s.*4.

10. If any person offend contrary to this act, yet all acts done by him by authority of the office or deputation, before he be removed from the office, shall be good, *id. s.*5.

11. This act shall not extend to the C. J.s of K. B. or C. P., or to any justices of assize, but they may do concerning offices to be granted by them, as they might have done before, *id. s.*7.

12. FOR FURTHER PREVENTION OF THE SALE AND BROKERAGE of offices, 49 *G.*3. *c.*126. [AMD. (as to *s.*7.) by 53 *G.*3. *c.*54., (as to *s.*12.) by 53 *G.*3. *c.*129.]

13. "The *5 & 6 E.*6. *c.*16. recited." And its provisions shall extend to *Scot.* and *Ire.*, and to all offices in the gift of or appointed by the crown, and all commissions civil, naval, or military, and to all places and employments, and deputations to any such offices, commissions, places, or employments in the respective departments, or under the appointment or control of the treasury, secretary of state, admiralty, master-general of ordnance, commander-in-chief, secretary at war, paymaster-general of the forces, commissioners for affairs of *India*, treasurer of the navy, commissioners of excise, of navy, victualling, and transports, the commissary-general, storekeeper-general, and the principal officers of any other public department or office of government, in any part of the *U. K.*, or H. M.'s dominions or plantations, now or hereafter belonging to H. M., and to all offices, commissions, &c. under the control of the *E. I. Co.*, and shall be construed as one act with the present, 49 *G.*3. *c.*126. *s.*1.

14. Where the right of any person is forfeited under either act, the right of appointment shall vest in H. M., *id. s.*2.

15. If any person shall sell, or bargain for the sale of, or receive, have, or take any money, fee, gratuity, loan of money, reward, or profit, directly or indirectly, or any promise, contract, bond, or assurance, or shall by any means agree to receive or have any money, &c. loan of money, or profit, directly or indirectly; and if any person shall purchase, or bargain to purchase, or pay any money, &c. or profit, or enter into any promise, &c. bond or assurance, to pay any money, loan or reward, directly or indirectly, for any of the above offices, commissions, &c. or for any deputation thereto, or for any participation of profits thereof, or for any appointment thereto, or resignation thereof, or for the consent of any person to the same, then he and every person wilfully and knowingly aiding, &c. therein, shall be deemed guilty of a misdemeanor, *id. s.*3.

16. If any person shall take any money, fee, reward, or profit, directly or indirectly, or any promise, &c. bond or assurance, or by any means or device agree to receive any money, loan, &c. directly or indirectly, for any interest, solicitation, &c. whatever, made or pretended to be made, or under any pretence of making or procuring the same to be made, concerning any nomination, deputation to, or resignation of, any such office, commission, &c., or under any pretence for using the same, or for obtaining the consent or voice of any person thereto; and if any person shall give or pay, or cause, &c. any money, &c. loan, reward, or profit, or make any promise, &c. for the purposes aforesaid; and if any person shall, for, or in expectation of gain, &c. solicit, recommend, or negociate for any person, in any matter at all relating to any such nomination, deputation, or resignation, &c. for obtaining, directly or indirectly, the consent or voice of any person therein, every such person, his aiders and abettors, shall be deemed guilty of a misdemeanor, *id. s.*4.

17. Every person who shall open or keep any office or place for soliciting, transacting, or negociating in any manner, any business relating to vacancies in, or sale or purchase of, or appointment or deputation to, or resignation, transfer, or exchange of, any offices, commissions, &c. whatever, in any public department, and his aiders and abettors therein, shall be deemed guilty of a misdemeanor, *id. s.*5.

18. Every person who shall advertise or publish, or cause to be, &c. any office or place to have been set up for any of the above purposes, or advertise or publish, or cause, &c. the name of any person as broker, agent, or solicitor for the same, or print or cause or permit to be printed or advertised, any proposal for the same, shall forfeit 50*l.* for every such offence, to be recovered by the plaintiff with full costs, in any of H. M.'s courts of record at *Westminster*, *Dublin*, or in *Scot.*, for offences in *Eng.*, *Ire.*, or *Scot.* respectively committed, *id. s.*6.

19. Nothing in this act shall extend to purchases, sales, or exchanges of commissions or appointments in the band of gentlemen pensioners, in the yeoman guard, [king's battle-axe guard in *Ire.*, 53 *G.*3. *c.*54.] or in the *Marshalsea* and palace court, or to any purchases, sales, or exchanges of commissions in H. M.'s forces, for prices fixed by H. M.'s regulations, or to any thing done in relation thereto, by any agents of regiments authorized by the commander-in-chief or colonel of the regiment, who shall act under H. M.'s regulations, and shall not cause or knowingly permit to be printed or advertised any advertisement or proposal for purchase, sale, or exchange of any commission or negociation relating thereto, and shall not receive any money, &c. promise, bond, or assurance, or by any way agree to receive any money, &c. for acting in such behalf, 49 *G.*3. *c.*126. *s.*7. [as AMD. by 53 *G.*3. *c.*54. *s.*1.]

20. Every officer of H. M.'s forces who shall receive or pay, or agree to pay, any larger sum of money, directly or indirectly, than allowed by H. M.'s regulations, in relation to the purchase, sale, or exchange of commissions, or who shall pay or cause, &c. any money to any person for negociating the purchase, &c. of such commission, shall, on conviction by a general court-martial, forfeit his commission, and be cashiered; his commission to be sold, and half the regulated value (not exceeding 500*l.*) shall be paid to the informer, and the other half applied as H. M. shall, by any regulation, direct; and any person who shall sell and cease to hold his commission in H. M.'s forces, and shall in relation to such sale receive, directly or indirectly, any fee, loan, reward, or profit, or any promise, &c. bond or assurance, or shall by any means contract or agree to receive any profit beyond the regulated value of the commission sold, and every person abetting therein shall be guilty of a misdemeanor within this act, *id. s.*8.

21. Nothing in this act shall extend to any office excepted from *5 & 6 E.*6. *c.*16., or to any office legally saleable before this act, and in the gift of any person by virtue of any office of which he is possessed, patent or life-appointment, or to render invalid or affect any promise, &c. or agreement valid before the act, *id. s.*9.

22. Nothing herein shall extend to prevent or make void any deputation to any office where a deputy may be appointed, or any lawful agreement, bond, &c. in respect of any allowance or payment made by such principal or deputy respectively, out of the profits thereof, *id. s.*10.

23. Nothing in *5 & 6 E.* 6. *c.*16., or this act, shall extend to any annual reservation made out of the profits of any office, to any person who shall have held the same, in any commission or appointment of any person succeeding thereto, or to any agreement, bond, &c. made for securing such reservation; provided that the amount thereof, and the circumstances of permitting it shall be stated in the commission or appointment of the successor paying the same, *id. s.*11.

24. Nothing in 49 *G.* 3. *c.*126.. for preventing the purchase, &c. of offices shall extend to any purchases, sales, or exchanges of any office of a six-clerk or six-clerks of chancery in *Ire.*, 53 *G.*3. *c.* 129. *s.* 1.

25. After the death, resignation, or removal of the first and second examiner in chancery in *Ire.*, the powers of *5 & 6 E.*6. *c.*16., and of this act, shall apply to those offices, 49 *G.*3. *c.* 126. *s.*12. [*Semble*, not affected by 53 *G.* 3. *c.*129. *s.*1.]

26. Every person who shall in *Scot.* commit any offence made a misdemeanor by this act, shall be punished by fine and imprisonment, or by one or other of such punishments, at discretion of the judge before whom he is convicted, *id. s.*13.

27. Such offences committed by any governor, lieutenant-governor, or person having chief civil or military command in any of H. M.'s dominions, or his secretary, may be prosecuted in K. B. at *Westminster*, under 42 *G.*3. *c.*85., *id. s.*14.

28. This act shall not extend to *Gibraltar*, *Malta*, or any place in the *Mediterranean*, till 3 months; to *America* or *West Indies*, till 4 months; to *Cape of Good Hope*, *St. Helena*, or *Africa*, till 6 months; or to any of H. M.'s dominions in the *E. Indies*, or beyond the *Cape of Good Hope*, till 12 months after its passing, *id. s.*15.

29. TO PREVENT THE GRANTING IN FUTURE ANY PATENT OFFICE to be exercised in any colony or plantation, now, or at any time hereafter, belonging to the crown of *G. B.*, for any longer time than during such time as the grantee thereof, or person appointed thereto, shall discharge the duty thereof in person, and behave well therein, 22 *G.*3. *c.*75. [AMD. 54 *G.*3. *c.*61.]

30. No office to be exercised in any colony or plantation, now or hereafter belonging to *G. B.*, shall be granted or grantable by patent for any longer term than during such time as the grantee thereof, or person appointed thereto, shall discharge the duty in person, and behave well therein, 22 *G.*3. *c.*75. *s.*1.

31. No office in any colony, settlement, plantation, or foreign possession belonging to *G. B.*, shall be granted, either by patent under the great seal, or by commission under H. M.'s sign-manual, or any other commission, warrant, &c. for any longer term than during such time as the grantee thereof, or the person appointed thereto, shall reside in the colony, &c., and execute the duty thereof, and behave well therein, 54 *G.*3. *c.*61. *s.*1.

32. If any person holding such office shall wilfully be absent from such colony, &c. wherein it ought to be exercised, without a cause to be allowed by the governor and council thereof, or shall neglect his duty or otherwise misbehave therein, such governor, &c. may remove him therefrom: he may appeal therefrom, as in other cases of appeal from such colony, &c. and H. M. in council shall finally determine thereon, 22 *G.* 3. *c.*75. *s.*2.

33. Such governor, &c. may give leave of absence, and in such case,

and likewise in case of vacancy by death or amotion, may provide for due discharge of such office till H. M.'s pleasure be known, 22 *G.* 3. *c.* 75. *s.* 3.

34. In all cases where leave of absence is so granted, such governor or person administering the government shall, within one week after granting the same, report the same to one of the principal secretaries of state for confirmation; and in case it is not confirmed within one month after the receipt of such report, the person to whom such leave was granted shall forthwith return, or in default thereof, shall vacate his office, 54 *G.* 3. *c.* 61. *s.* 2.

35. Such governor, *&c.* neglecting so to report, shall forfeit a sum not exceeding 100*l.*, to be sued for and recovered by action of debt in any court at *Westminster*, within one year after his arrival in *Eng.*, *id. s.* 3.

36. Within 6 weeks after the opening of each session of parliament there shall be laid on the table of the H. of C. returns of all persons holding offices in the colonies who may not be present in the execution of their offices, which shall be in this form: *id. s.* 4.

Name of the colony.	Name of Absent Officer.	Description of his Office.	Period for which leave was granted in the Colony.	Cause of Absence.	Dates of Governor's Report to the Secretary of State.	When received by the Secretary of State.	Whether disallowed or confirmed, and for what Period.
Antigua	J. Roche.	Secretary	6 Months, to commence from the 1st of May 1813.	Sickness	2d May 1813 -	1st July 1813 -	Confirmed, for 6 Months
Trinidad	J. Gueer.	Surveyor	Twelve Months, from 1st October 1813.	Private Affairs	1st July 1813 -	1st September 1813 -	Confirmed, for 4 Months

This act shall not affect subsisting grants, or prevent any office from being granted determinable at pleasure, 22 *G.* 3. *c.* 75. *s.* 4.: nor shall this act affect any subsisting grant or renewed grant of any office made in consequence of the demise of the crown to any person now holding the same, nor granted by the *E. I. Co.*, or any rules by them made in respect to the appointment or leave of absence of any of their civil or military servants, 54 *G.* 3. *c.* 61. *s.* 5.

37. H. M. MAY APPOINT THE chancellor of the exchequer of *Ire.* to be a lord of treasury in *Eng.* without salary, 47 *G.* 3. *S.* 2. *c.* 20. *s.* 1. to be invested with all the powers of the other lords, *s.* 2.: and the appointment shall not be deemed a place of profit under the crown, nor disable the holder from sitting in the H. of C., 47 *G.* 3. *St.* 2. *c.* 20. *s.* 3.

38. TO REGULATE THE TAKING OF SECURITIES IN ALL OFFICES in respect of which security ought to be given, and for avoiding the grant of all such offices in the event of such security not being given within a time to be limited after the grant of such office, 50 *G.* 3. *c.* 85. [AMD. &c. 52 *G.* 3. *c.* 66. REP. as to *s.* 3. *id. s.* 4. *Its provisions* as to registering securities as amended by 52 *G.* 3. *c.* 66., and the provisions of the latter act are EXT. to the government offices of *Scot.*, *id. s.* 1., but not to those of *Ire.*, *id. s.* 2. *Indemnity* for omission to give securities, &c. under 50 *G.* 3. *c.* 85., and time for so doing EXT. till 2 months after commencement of the next session, 51 *G.* 3. *c.* 98. EXP.]

39. Persons hereafter appointed to any office or commission, civil or military, in any public department belonging to *Eng.*, or to any such office of public trust under the crown, or wherein he shall be concerned in the collection, receipt, or expenditure of any public monies, and who by reason thereof, shall be required to give security by sureties or otherwise, shall, in one month after notice of such appointment, if he be then in *Eng.* [or *Wa.*, *id. s.* 2., so in 52 *G.* 3. *c.* 66. *s.* 3., *see note at end*], or within 2 months if in *Scot.* or *Ire.*, or within 6 months if in any other part of *Europe*, *America*, or *West Indies*, or 9 months if in *Africa*, or 18 months if in the *East Indies*, or other part of *Asia*, or within 10 months if on the high seas (unless he sooner arrive in *Eng.*, *Wa.*, *Scot.*, or *Ire.*, and then in 2 months after arrival) execute a bond or other security in such sum and with such sufficient surety or sureties as are approved by the treasury or principal officer of the department, for due performance of trust, and for duly accounting for public monies entrusted to or controlled by him, 50 *G.* 3. *c.* 85. *s.* 1. [*Nearly similar* provisions for appointments to offices in *Eng.* before this act passed, *id. s.* 2., in *Scot.* 52 *G.* 3. *c.* 66. *s.* 3., *semb.* EXP.]

40. Every officer who shall execute any such securities as in *s.* 1. required shall cause a memorial thereof to be registered with the register

of the county of *Middx.*, [proper officer appointed in every department, 52 *G.* 3. *c.* 66. *s.* 4.] within 4 months after the security is entered into if the person on whose behalf it is entered into resides in *G. B.*, if in *Ire.* within 3 months, if in any other part of *Europe*, *West Indies*, or *America*, 12 months; if in *Africa*, 15 months; if in *E. Indies* or any part of *Asia*, 18 months; if on the high seas, 12 months, unless he sooner arrive in the *U. K.*, and then in 4 months after arrival, 50 *G.* 3. *c.* 85. *s.* 3., 52 *G.* 3. *c.* 66. *ss.* 4, 5.

41. Every person required to register his security shall, by self or agent, produce to the officer with whom the same is to be deposited, a memorial thereof signed by himself, containing the christian and surnames, addition and abode of himself and his sureties, if any, the several sums in which they are respectively bound, with the dates of the securities, and the substance of the conditions thereof, which memorial, if correct, shall be signed by such officer, and re-delivered to the party, 50 *G.* 3. *c.* 85. *s.* 4.

42. In every public office the officers of which must give security as above, some person belonging thereto shall be appointed by the head officer thereof to keep and register the securities of his department, and from time to time to report same as in *s.* 6. next *pl.* directed: and all such securities shall be delivered to such person for registry within such periods and under such penalties for neglect or omission as in 50 *G.* 3. *c.* 85. *s.* 7. *pl.* 44. prescribed, 52 *G.* 3. *c.* 66. *s.* 5.

43. The person so appointed to keep and register the securities given by persons employed in each public office shall keep a book of entry thereof, and shall in the first place enter therein all securities thereof already registered with the register of the county of *Middx.* according to 50 *G.* 3. *c.* 85. *s.* 3. [and which are not by this act required to be registered again, 52 *G.* 3. *c.* 66. *s.* 7.] and thereafter from time to time shall enter all such securities, and all deaths of sureties, all neglects to supply their places, and all other particulars necessary to shew the actual state of the securities in each office; and shall annually, between 1*st Jan.* and 25*th March*, lay an account of such actual state of the securities, with an abstract thereof, before the head officer thereof; which abstract shall, in one month after 25*th March*, be transmitted to the treasury, with a minute of the orders of the treasury or head officer thereon, in relation to any neglect as to such securities, and of what has been done thereon, 52 *G.* 3. *c.* 66. *ss.* 6, 7.

44. Every person appointed to any of the offices, &c. in *s.* 1. who shall neglect to give security [or register memorial, *semb.* REP. 52 *G.* 3. *c.* 66. *s.* 4.] in manner and within the period aforesaid, shall forfeit his appointment or commission, and the same is declared void: provided that such avoidance shall not annul the acts of the party during the time of his actual holding the same, 50 *G.* 3. *c.* 85. *s.* 7.

45. Every person giving any such security as in *s.* 1. with sureties, shall give due notice in writing to the head of the office, &c. to which he shall belong of the death or bankruptcy of any surety or person bound for or with him in any such security within 4 calendar months after it has come to his knowledge if he shall reside in *G. B.* or *Ire.*; if on the high seas, within 4 months after his arrival in *G. B.* or *Ire.*; or within 12 months if in any parts beyond seas, except *E. Indies* or parts beyond the *Cape of Good Hope*, and within 18 months if he be in the *E. Indies*, or in any parts beyond *Cape of Good Hope*, unless he shall sooner arrive in *G. B.* or *Ire.*, and then in 4 months after arrival; and every person neglecting to give such notice within such period, shall forfeit 1-4th of the sum for which the surety so dead or become bankrupt shall have given security, to the use of H. M.; to be recovered if such neglect shall relate to any office in *Eng.*, in any of the courts at *Westminster* by action of debt, &c. or information, at suit of the attorney-general; and if such office be in *Scot.*, in the court of session or of exchequer, in like manner at suit of H. M.'s advocate; and every such person who shall, on the death or bankruptcy of any surety, neglect to give the security of another to be approved as such former surety was approved, within such period from having given notice of the death, &c. of the former surety as by both acts is limited for giving and registering the original security, the same regard being had to the place where such person may then be, shall forfeit his office, &c. subject to the provisions following for extending such periods and giving relief, 52 *G.* 3. *c.* 66. *s.* 8. [as amending 50 *G.* 3. *c.* 85. *s.* 8.]

46. If it shall appear to the heads of any department or *to such number of them* to whom notice of the death of such surety is given, that the period by this act limited for giving security for such new surety is, in consequence of particular circumstances, insufficient, or that by reason of distance, loss of letters, illness, refusal of surety, or of his being rejected, or other casualty, that further time will be necessary to enable the same to be given, they may allow any further reasonable period, not exceeding 12 months beyond that above limited; which precise period, with the special grounds of allowing the same, shall be either entered in the book in which the original security is registered, or indorsed on the back of the latter, and no forfeiture shall be incurred if a new security is given within such extended time, 52 *G.* 3. *c.* 66. *s.* 9.

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47. H. M. may remit any forfeiture, &c. where the failure of giving security or registering memorial, or security under 50 *G.* 3. *c.* 85., or delivery of security to the proper person to be registered under *s.* 5. of this act, did not arise from wilful neglect, 52 *G.* 3. *c.* 66. *s.* 10.

48. Bonds granted by persons holding public offices in *Scot.* may be taken either according to the law of *Scot.* or of *Eng.*, and in whichever form granted, may be recovered upon, either in the court of session or exchequer in *Scot.*, *id. s.* 11.

49. Nothing in either statute shall extend to the bonds or securities of any receiver-general of the duties under management of the commissioners of taxes, or of their sureties; but they shall continue to be taken under treasury warrant by H. M.'s remembrancer of exchequer, and recorded in his office as heretofore, *id. s.* 12.

50. Where the securities of the principal and sureties are executed at different times, whether taken in one deed or in different ones, the period limited for registering the same, shall be estimated from the time of execution by the last party, *id. s.* 13.

51. No irregularity in giving or renewing the securities, or registering the same within the periods, or in manner by either statute prescribed, shall vacate the same or discharge the surety, *id. s.* 14.

52. All deeds, &c. required to be registered, shall be registered by the proper officer, notwithstanding the period expired; but no such registering shall waive any forfeiture incurred, or exempt the person on whose behalf the same has been registered from any forfeiture under either act, *id. s.* 15.

53. All such securities given to and registered by the same officers and persons, in the same manner, under like regulations, and within the extended periods allowed by this act, shall be valid, *id. s.* 17.

54. In case of action or information brought against any person hereby meant to be indemnified, [*viz. s.* 16. now Exr.] recapacitated as in *s.* 8. or restored as in *s.* 10. for any forfeiture or disability soever incurred, defendant may plead the general issue, giving this act and the special matter in evidence on the trial, *id. s.* 18.

55. For regulating the offices of registrars of admiralty and prize courts, 50 *G.* 3. *c.* 118.

56. After expiration of the present interests in possession or reversion in the offices of registrar of the courts of admiralty, of appeal for prizes, and for delegates, an account shall be kept in those offices of all the fees and profits received by or for such registrars; and the same shall constitute a fund for payment of the expences of executing the duties of such offices, and out of the surplus 1-3d shall go to the registrar and his assistant, if the latter is necessary, and the other 2-3ds to the consolidated fund, to be paid into the exchequer quarterly, and the account of such fees and expences paid thereout, shall be open to inspection and control of treasury, *id. s.* 1.

57. An account of the amount of such surplus of 2-3ds for the current quarter, shall be exhibited to the above courts respectively, at least 14 days before the quarter days next mentioned, and shall be verified by oath of the registrar; so much as is directed by the court, being detained in his hands for the current business of the office, and the balance paid into exchequer on or before 4th *Jan.*, 4th *April*, 4th *July*, and 9th *Oct.* yearly, *id. s.* 2.

58. None of the offices in *s.* 1. shall, after expiration of present interests, be granted for longer than during pleasure, nor be executed by deputy, but the registrar shall, by himself, or with an assistant, if necessary, execute the duties thereof in person, *id. s.* 3.

59. The judge of admiralty, at any time when the state of the business in that, or in either of the other courts mentioned in *s.* 1., appears to him to require the appointment of an assistant registrar, may direct the registrar to make such appointment, either with or without his consent, which assistant shall receive not less than 1-3d, nor more than one-half of one 1-3d of the surplus by *s.* 1. enacted to belong to the registrar and assistant, as the judge shall appoint, *id. s.* 4.

60. Nothing herein shall restrain H. M. from regulating the fees of the said court, and amending the table of fees therein, as by advice of privy council he may think proper, *id. s.* 5.

61. For establishing certain regulations in the offices of the house of commons, 52 *G.* 3. *c.* 11.

62. The speaker, chancellor of exchequer, master of the rolls, attorney and solicitor-generals, being also members of the house, shall be commissioners for the purposes of this act, and any 3 of them may carry it into execution, *id. s.* 2.

63. After expiration of the letters patent granted to *John Hatsell* and *John Ley*, as clerks of the house, for their lives, and of the appointment of *John Clements* as serjeant at arms, the fees of these offices shall be received by the commissioners, to be distributed as in *s.* 7., and they may act upon the expiration either of the said letters patent or of the appointment, *id. ss.* 3, 4.

64. After expiration of the interest of the said *J. C.* as serjeant at arms, the office of housekeeper of the house shall be consolidated with the former office, and its fees paid also to the commissioners, *id. s.* 5.

65. The collector of the fees shall give security for, and account on oath to the commissioners from time to time, for the money received, and shall pay over the same into the bank of *Eng.*, to the account of such commissioners, &c., 52 *G.* 3. *c.* 11. *s.* 6.

66. The commissioners shall pay, by half-yearly payments, or as they think fit, the first clerk 3000*l. per ann.* for the first 5 years of his office, and after that term, 3500*l. per ann.*; to the clerk-assistant 2000*l. per ann.* for the first 5 years, and 2500*l. per ann.* after that term; to the second clerk-assistant 1500*l. per ann.* for the first 5 years, and 2500*l. per ann.* after, in lieu of all fees soever, except those arising from the examination of the sufficiency of the sureties to recognizances to prosecute petitions, or for taxing the costs, &c. of the same when ascertained under 28 *G.* 3. *c.* 52., *id. s.* 7.

67. The number of years more than 5 which any clerk-assistant, or second clerk-assistant, who shall be appointed to the office of clerk of the house of commons, shall have held the former offices, shall be reckoned as part or the whole of the 5 years required to entitle him as such clerk, to the sum of 3500*l. per ann.*, and so in the case of appointment of the 2d clerk-assistant to the office of 1st clerk-assistant, *id. s.* 8.

68. The commissioners shall pay the serjeant at arms 2000*l. per ann.* in lieu of his fees as such and as housekeeper, and 300*l. per ann.* more for a residence near the house till one be provided him, *id. s.* 9.

69. Commissioners may pay the deputy-serjeant at arms 800*l. per ann.* in lieu of all fees, except 200*l. per ann.* for a residence near the house till one be provided him, and such caption fees as shall be allowed him by the commissioners, *id. s.* 10.

70. The commissioners shall pay the collectors of such fees, and the clerks in the office of the clerk of the house, reasonable salaries in lieu of all payments heretofore made on address of the house, *id. s.* 11.

71. The commissioners shall prepare and lay before the H. of C., within 20 days after commencement of every session, a statement of the amount of money remaining on their account at the bank, or collected under their order pursuant to this act, after making all the payments hereby required, or reserving the sums necessary for the same, together with a plan of the manner in which they propose to apply the residue towards providing for support of such officers of the speaker, or of the clerk, or serjeant at arms of the house, as may from casualty appear to require it, and for affording a permanent allowance to the clerk, 1st or 2d clerk-assistant, serjeant at arms or his deputy, and such other persons as above, who may be disabled by age or infirmity from performing their duties; which plan shall be binding on the commissioners, who shall carry the same into effect, unless the house order otherwise, within 20 sitting days after the plan is laid before them, and then with the variation so ordered, *id. s.* 12.

72. The commissioners shall prepare and lay before the house of commons, within the further space of 20 sitting days after the said plan has been concluded on and established, a statement shewing the amount of money received by them under this act, and of the purposes to which it has been applied, or for which any money may be necessary to satisfy the same, and carry the plan into execution; in order that the sums necessary to supply any deficiencies in the fund for the purposes to which it is hereby made applicable, and to pay the salaries and allowances hereby directed may be provided by parliament; and any surplus in their hands, after effecting the above objects, shall be applied towards providing, (if they see fit), a remuneration for the chairman of the committee of ways and means during that session, and if there is then a further surplus, the commissioners shall retain it towards payment of the charges and outgoings of the ensuing year, and to pay thereout all the above allowances by half-yearly payments, or otherwise, as they think fit, and shall, within 20 days after the end of such session, pay the final surplus into exchequer, to the account of the consolidated fund, *id. s.* 13.

73. After expiration of the present interest of *J. H.* and *J. L.*, the power of nomination by the clerk of the house of all the clerks in his department, with that of suspending and removing them, shall be holden, &c. by him as at present; but after expiration of the said letters patent of *J. H.* and *J. L.*, no clerk of the H. of C. shall exercise his office by deputy, *id. s.* 14.

74. The power of nomination by the serjeant at arms, of all officers, messengers, and attendants of the house, with that on suspending and removing them, shall be enjoyed by him as at present, provided that the offices under him which have been usually sold, shall continue to be so, and their produce accounted for as heretofore, and paid over to the commissioners or their collectors, as in *pl.* 65., *id. s.* 15.

75. If any complaint or representation is at any time made to the speaker of the H. of C., of the misconduct or unfitness of any officer, &c. attendant on the H. of C. hereafter to be appointed by the clerk of the house, or by the serjeant at arms, or admitted into their respective departments, (other than the clerk-assistants and deputy-serjeant at arms) the speaker may cause enquiry to be made; and if it appear to

him that he has been guilty of misconduct, or unfit to hold his situation, he may require him to be suspended or removed, as the case may be, and he shall be so suspended, &c.; and so if any person who has bought his place of the serjeant at arms, with or without return of consideration paid by him for the same, as the commissioners think proper, 52*G.*3. *c.* 11. *s.* 16.

76. FOR THE BETTER REGULATION OF THE CONDUCT OF THE business of the office of works, and the expenditure thereof, 54 *G.* 3. *c.* 157. [*Seems* of a personal nature, and therefore omitted.]

77. TO REGULATE THE OFFICES OF CLERKS OF THE SIGNET AND PRIVY SEAL, 57*G.* 3. *c.* 63.

78. Upon the respective terminations of existing interests in the offices of clerks of signet and privy seal, the duties thereof shall be executed by the persons appointed to execute the same in person, *id. s.* 1.

79. From time to time, as any of the said offices become vacant, the treasury shall regulate the duties and establishments thereof, so that these duties shall be performed in person by such number of fit persons, to be appointed by the persons authorized to appoint such clerks as the treasury shall deem fit, with such salaries as they shall order, regard being had to the nature and extent of the duties to be performed, and to the responsibility which may attach to the officers executing them, *id. s.* 2.

80. The treasury shall, within 6 weeks after the regulation of any such office, if parliament is then sitting, or if not, then within 6 weeks after the commencement of the next session, lay before both houses an account of such new establishment, with a statement of the number of offices and amount of the salaries of each, and a statement of the former establishment, *id. s.* 3.

81. All sums arising from salaries, fees, or emoluments, which shall, by reason of the regulation of any such offices, be more than sufficient to defray the salaries and incidental charges of the new establishment, shall, by directions of the treasury, be carried to the consolidated fund, *id. s.* 4.

82. Persons belonging to the said offices, when regulated, shall be incapable of sitting or voting as members of the H. of C., *id. s.* 5.

83. TO ENABLE H. M. TO RECOMPENCE THE SERVICES OF PERSONS holding, or who have held certain high and official civil offices, 57*G.*3. *c.* 65.

84. After 7th *July* 1819, H. M., by warrant under his sign manual, countersigned by the treasury, may grant to any person, having served for not less than 2 years, either uninterruptedly or at different times, in one or more of the offices of first lord of the treasury or admiralty, principal secretary of state, or chancellor of exchequer, a pension for life not above 3000*l. per ann.*, and at the expiration of every further progressive period of 2 years, may grant in like manner other like pensions to any other such persons as aforesaid, till at the expiration of 12 years from 7th *July* 1817, 6 such pensions have in all been granted; and after such six pensions have been granted, no further pension shall be granted in respect of such offices, but whenever any such pension shall cease by death, forfeiture, or resignation, like pensions may be granted to any other such persons under like circumstances, so that no greater number of pensions than allowed under this act shall be in force at once, and so that after 12 years expiration as above, no greater number than 6 such pensions shall be granted or existing at one time, except as in *s.* 2. excepted, *id. s.* 1.

85. H. M., by warrant under his sign manual, countersigned by the treasury, may grant, at any time after the expiration of 2 years from passing this act, one other like pension of 3000*l.* to any person who shall hold or who has held any one or more of such offices, though he has not held the same for 2 years, and though the full number of pensions in *s.* 1. shall have been then granted; but every such pension so granted shall be deemed supernumerary, and shall, on the ceasing of the first of any such pensions as shall then be in force, become and be counted as one of the pensions allowed by this act, *id. s.* 2.

86. After the expiration of 4 years from passing this act, (*viz.* after 7th *July* 1821), H. M., by warrant under his sign manual, countersigned by the commissioners of treasury, may grant to any person who shall have served, for not less than 5 years in the whole, either uninterruptedly or at different times, in either or both of the offices of chief secretary for *Ire.*, or secretary at war, a pension for life not exceeding 2000*l. per ann.* and on the expiration of every further progressive period of 4 years more, may grant like pensions to any other such persons, until, at the expiration of 12 years, 3 of such pensions shall have been granted in the whole; and after such 3 pensions of 2000*l.* each have been granted to 3 such persons, H. M. shall not grant any other such pension in respect of such offices; but when it shall cease, by death, forfeiture, or resignation H. M. may grant other like pensions to any other such persons, under like restrictions, so that no greater number of pensions than allowed under this act shall be in force at the same time, and so that after 12 years no greater number than 3 such pensions shall thereafter be existing at the same time, *id. s.* 3.

87. After expiration of 2 years from passing of this act, H. M., by warrant under his sign manual, countersigned by the treasury, may grant to any person who shall have served not less than 5 years, in any of the offices of the joint secretaries of the treasury, or first secretary of the admiralty, a pension during life not exceeding 1500*l. per ann.*, and at the expiration of every further 2 years, another like pension to any other such person, until, at the expiration of 12 years, 6 of such last-mentioned pensions have been granted in the whole; and after such 6 pensions have been granted to 6 such persons, no further pension in respect of such last-mentioned offices shall be granted, but when any such pension shall cease, by death, forfeiture, or resignation, H. M. may grant in like manner other like pensions to any other such persons, under like restrictions; so as no more pensions than allowed under this act shall be in force at the same time, and so as after the expiration of 12 years no greater number than 6 such pensions shall be existing at the same time, 57 *G.* 3. *c.* 65. *s.* 4.

88. H. M., under the regulations of this act, may grant to any person who has filled the office of chancellor of the exchequer of *Ire.* for any period previous to 5th *Jan.* 1817, and who shall serve H. M. in any other office in respect whereof H. M. is enabled to grant any pension less than 3000*l.*, and who shall have served in the said office, and also in any other offices, not less than 5 years in the whole, a pension to the like amount, as H. M. may grant to any person having served not less than 5 years in such other offices, *id. s.* 5.

89. After expiration of 2 years from passing of this act, (*viz.* after 7th *July* 1819), H. M., by warrant under his sign manual, countersigned by treasury, may grant to any person who shall have served for not less than 10 years in any one or more of the offices of the under secretaries of state, or clerk of the ordnance, or 2d secretary to the admiralty, a pension during life not exceeding 1000*l. per ann.*; and, at expiration of every further period of 2 years more, another like pension to any other such person, until the expiration of 12 years from the passing of this act, 6 of such last mentioned pensions shall have been granted in the whole, and after such 6 pensions have been granted to 6 such persons, it shall not be lawful to grant any further pension; but as often as any such pension shall cease, by death, forfeiture, or resignation, H. M. may grant in like manner other like pensions to any other person, under like restrictions; so that no greater number of pensions than allowed under this act shall be in force at the same time, and so that after the expiration of 12 years no greater number than 6 such pensions shall thereafter be existing at the same time, *id. s.* 6.

90. In case it shall happen that any person has served in more than one of the classes of offices, in respect whereof H. M. is enabled to grant any pension less than 3000*l.*, H. M. may grant to such person any pension not exceeding such pension as is annexed to the highest class of office in which such person may have been employed, whenever the whole period of the service in the several offices shall amount to 8 years, although the period of the service in such highest class shall not have extended to 5 years; provided such person shall have served in such highest class for not less than 3 years, *id. s.* 7.

91. Every grant of pension, if made to any person actually holding any office entitling him to the same, shall not take effect during the time of his continuing to hold such office, and shall also contain a provision for suspension of such pension during the holding of any office, place, or employment under H. M., the salary whereof shall be not less than double the amount of such pension, and shall also contain a provision for the abatement of one-half of the pension, during the time any person having it shall continue to hold any place under H. M. of equal or greater amount in salary; and no grant of any such pension shall be valid without such provision, *id. s.* 8.

92. If any pension shall be granted under this act to any person holding any office or offices, for the abolition or regulation of which any provision shall have been made by any statute of this session, or which has been included in the list certified under this act; then all the interest of such person in such office, &c. shall, on any payment in respect of such pension, wholly cease; and every such office, by the ceasing of such interest becoming vacant, shall thereupon be abolished or regulated according to such statutes, *id. s.* 9. Persons holding pensions, on obtaining pensions under this act, are to relinquish such previous pensions, *id. s.* 10. The pensions are payable quarterly out of the consolidated fund, free from taxes, on 5th *Jan.* &c., *id. s.* 11. The treasury may by warrant direct the auditor of the exchequer to pass debentures for payment of the pensions, without fees, *id. s.* 12. The warrants are not determinable on the death of H. M., or the death or removal of any lord of the treasury, *id. s.* 13. The treasury and exchequer are to do without fee all things herein directed, *id. s.* 14. And the receipts of the pensioners to be sufficient discharges, *id. s.* 15. In one month after expiration of the present session, a list shall be certified by the treasury, and returned to exchequer, of all offices abolished, or for the abolition or regulation of which any provision has been made by any statute passed in the present session; and the treasury shall, within 6 weeks after the next session, cause accounts to be laid before both houses of parliament of every office contained in such list, together with every office depend-

ent upon any office in such list, which shall have been abolished or become vacant, and been regulated; and shall also from time to time cause like returns to be made to both houses within 6 weeks after the meeting of every subsequent session, till all the offices contained in such list shall have been abolished or regulated, *57 G.3. c.65. s.16.*

93. To AMEND *22 G.3. c.82.* FOR SUPPRESSING OR REGULATING certain offices therein mentioned, so far as relates to the board of trade, *57 G.3. c.66. s.1.*

94. H. M., by order or warrant under his royal sign-manual, countersigned by the treasury of U. K., may direct that the vice-president of the committee of council appointed for consideration of matters relating to trade and foreign plantations, shall have 2000*l.* salary, to be paid out of the fee fund of the council office, and that it shall not be deemed a new office by reason of the salary so annexed thereto; provided that no such warrant or receipt of salary under the same, by the person holding such office *at the passing this act, viz.* 7th *July* 1817, shall make void his election, *id. ibid.*

OFFICER, PUBLIC. (*See* JUSTICE OF PEACE.)

1. FOR EASE IN PLEADING AGAINST TROUBLESOME AND contentious suits prosecuted against justices of peace, mayors, constables, and certain other H. M.'s officers, for the lawful execution of their office, *7 J.1. c.5.*, *21 J.1. c.12. ss.3—5.* [AMD. and MADE PERP., *21 J.1. c.12. ss.1, 2.* (But only CON. to the end of the first session of the then next parliament, *21 J.1. c.28. s.1.*) EXT. to all persons either in or out of this kingdom authorized to commit to safe custody, *42 G.3. c.85. s.6. See ss.1—5.* of this statute, OFFENCE, &c. *pl.7.*]

2. If any action, bill, plaint, or suit on the case, trespass, battery, or false imprisonment is brought in any of H. M.'s courts at *Westminster* or elsewhere, against any justice of peace, mayor, or bailiff, of city or town corporate, headborough, port-reve, constable, tithing-man, collector of subsidy or fifteens, [or against any churchwardens and persons called sworn-men, executing the office of churchwarden or overseer of the poor, and their deputies, or any of them, or any other which in their aid or assistance, or by their commandment, shall do any thing touching their or any of their offices, *21 J.1. c.12. ss.3—5.*] for or concerning any matter, cause, or thing, by them or any of them done by virtue of his or their offices, [the action, &c. shall be laid within the county where the trespass or fact is done and committed, and not elsewhere, *21 J.1. c.12. ss.3—5.*] and every defendant may plead the general issue, not guilty, and give in evidence the special matter, which being pleaded, had been good in law to have discharged defendant of the trespass or other matter laid to their charge, [and if on the trial plaintiff shall not prove that the cause of action accrued within the county in which it is laid, the jury shall find defendant not guilty, without regard to any other evidence for plaintiff, *21 J.1. c.12. ss.3—5.*] and if a verdict pass for defendant, or if plaintiff discontinues or is nonsuit, defendant shall have his double costs, which he shall have sustained by wrongful vexation in defence of the said action, *7 J.1. c.5.*, *21 J.1. c.12. ss.3—5.*

3. The *21 J.1. c.12.* shall extend to all persons having, holding, or being employed in any office, station, or capacity, either civil or military, either in or out of this kingdom, and who under any statute or law or lawful authority within it, or in any plantation, island, colony, or foreign possession of H. M., may have, by virtue of such office, &c., power to commit persons to safe custody; and they shall have the privileges of that act; but where any action or suit upon the case, trespass, battery, or false imprisonment, is brought against any such person in this kingdom, for or upon any act or thing done out of the same, the plaintiff may lay the same to have been done in *Westminster*, or in any county where defendant shall then reside, *42 G.3. c.85. s.6.*

OUTLAWRY.

(STATUTE *expired.*)

PROCLAMATIONS TO WARN HIM THAT, DWELLING IN ONE COUNTY, is sued to an *exigent* in another, shall be made before the *exigent* awarded, *4 H.8. c.4.* [EXP., *see 6 H.8. c.4. pl.17.*]

(STATUTES *in force.*)

1. OF PARDONS ON OUTLAWRY, *5 E.3. c.12.*

2. Where he against whom damages are recovered is outlawed at H. M.'s suit, no charter of pardon shall be granted of his outlawry, except the chancellor be certified, that the plaintiff is satisfied of his damages; and in case a man be outlawed before appearance, no such charter shall be granted, except the chancellor be certified that such person hath yielded himself to prison before the justices of the court where the *exigent* issued; and if the *exigent* issued from justices of *oyer* and *terminer*, and they be risen, he shall yield him in K. B.; and the said justices before whom they shall yield them, shall cause the plaintiff to be warned at a certain day, at which day, if the warning be fully witnessed, and the plaintiff appear, they shall plead on the first original as though no outlawry had been; and if the plaintiff come not, the outlaw shall be delivered by his charter; and all such charters shall be of the grace of H. M. as before, *5 E.3. c.12.*

3. OF DEFEATING OUTLAWRIES. If any will defeat any outlawry pronounced upon him by testimony of imprisonment, he shall yield himself to prison, and the justices of K. B. shall cause the party, at whose suit the outlawry was pronounced, to be warned to be before them at a certain day, at which day, if he will verify that the witnessing is untrue, his averment shall be received; and in like manner H. M.'s serjeant or attorney, or other that will sue for H. M., shall be received to the same averment where such outlawry is pronounced at H.M.'s suit, *5 E.3. c.13.*

4. FOR THE MISCHIEFS WHICH HAPPEN OF THAT THE escheators, sheriffs, and other ministers, seize the lands and goods of many, surmising them outlawed, because they bear the names of such as be outlawed, IT IS ORDAINED that the plaintiff shall have a writ of *idemptitate nominis*, as hath been used; and if any man's lands or goods be seized in such case, he shall find surety before the minister who hath the warrant to seize to answer to H. M. of the value of such lands or goods, in case he cannot discharge himself without taking any thing of the party, and if such minister do the same, and is thereof attainted, the party shall recover double damages against him, and he shall be grievously punished [*Qu.* amerced] to H. M., *37 E.3. c.2. s.1.*

5. SUCH WRIT OF *idemptitate nominis* MAY BE MAINTAINABLE by executors, *9 H.6. c.4.*

6. OF RECEIVERS OF H. M.'s MONEY WHICH THEY DETAIN OF them which carry wools beyond the seas, without being cocketed or paying custom, or subsidy whereto they are assessed, and of customers and searchers who suffer the same to H. M.'s damage; of lay ministers which receive H. M.'s money, and the same retain; also of conspirators, confederators, and maintainers of false quarrels; also of them that bring routs into the presence of justices, or other H. M.'s ministers, or elsewhere in counties, in affray of the people; and of them which bring in false money in deceit of the people; against all these in case they may not be found, nor brought in to answer by attachment or distress, the *exigent* shall be given, *18 E.3. S.1. De Declaratione Exigendarum.*

7. NO *exigent* SHALL HENCEFORTH ISSUE IN CASE where a man is indicted of trespass which is not against the peace, nor of things not contained in *18 E.3. S.1.* (last *pl.*) *18 E.3. S.2. c.5.*

8. PROCESS BY WRIT OF *capias* AND *exigend* BY THE SHERIFF'S return shall be made in a writ of debt, detinue of chattels, and taking of beasts, as is used in a writ of accompt, *25 E.3. S.5. c.17.*

9. FOR REGULATING PROCESS OF *capias*, *exigend*, AND OUTLAWRY, in indictments, *6 H.6. c.1.* [CONF. *8 H.6. c.10. s.4.*]

10. Before any *exigent* is awarded against persons indicted before H. M. in K. B., writs of *capias* shall be directed as well to the sheriff of the county wherein they are so indicted, as to the sheriff of the county whereof they are named in the indictments, the same *capias* having 6 weeks at least, or longer, by discretion of the justices, if the case requires, before its return; which writs so returned the justices, shall proceed as heretofore; and any *exigent* awarded, or outlawry pronounced, before the return of such writs, shall be void, *6 H.6. c.1.*

11. FOR REGULATING PROCESS OF *capias*, *exigend*, AND OUTLAWRY on indictments [and appeals, REP. *see* tit. APPEAL,] against persons not dwelling in the counties where the indictment or appeal is found, *8 H.6. c.10. and recital in s.1.* [*not to extend* to indictments taken in the county of *Chester*, *s.5.*, AMD. as to *s.2.*, and CONF. *10 H.6. c.6.* AMD. *4 & 5 W. & M. c.22. s.4.*]

12. On any indictment of treason, felony, and trespass against a person not dwelling in the county where such indictment is found, after the first *capias* a second shall be awarded, directed to the sheriff of the county where defendant is conversant, returnable before the justices of peace or other justices before whom he is indicted, at a certain day, containing 3 months from the date of the last writ to such return day, where the county courts are holden from month to month, and 4 months where holden from 6 weeks to 6 weeks, by which 2d *capias* the sheriff is commanded to take the defendant by his body, if he be found in his bailiwick, and if not the sheriff shall make proclamation in 2 county courts before return thereof, that the defendant shall appear before such justices, &c. at the day in the last *capias* contained, to answer to H. M. and the party of the felony, &c.; and in default of appearance after such 2d *capias* served and returned, the *exigent* shall be awarded, *8 H.6. c.10. s.2.* [and any *exigent* and outlawry otherwise awarded and pronounced shall be void, *id. s.3.*, and *10 H.6. c.6. sub. fin.*]

13. If any such indictments before any justices of peace, or other justices soever, in any county or liberty of *Eng.*, shall be removed into K. B. by *certiorari* or otherwise, then after such removal, and before *exigent* awarded, after the first *capias* returned, another shall be awarded, directed to the sheriff of the county whereof the indictee is or was sup-

posed to be conversant by such indictment, returnable in K. B., in the times mentioned in last *pl.*, and any *exigent* or outlawry otherwise awarded shall be void, 10 *H.* 6. *c.* 6.

14. Every person indicted as in *s.* 2. (*pl.* 12.,) after due acquittal by verdict, shall have an action on the case, with treble damages, against every procurer of such indictments, and like process shall be thereon as in a writ of trespass, *vi et armis*, and if plaintiff is attainted in this behalf, plaintiff shall recover his treble damages, 8 *H.* 6. *c.* 10. *s.* 4.

15. Persons indicted of felony or treason, and conversant in the county named in the indictment, at the time of such felony, &c. supposed, shall be prosecuted as formerly, *id. s.* 6.

16. "IN ORDER TO GIVE PUBLICITY TO OUTLAWRIES IN CRIMINAL CASES;" Upon issuing of any *exigent* for any criminal matter before judgment or conviction, there shall issue a writ of proclamation bearing the same *teste*, and return to the sheriff or sheriffs of the county, city, or town corporate where the person in the record is mentioned to be, according to 31 *El. c.* 3. *s.* 1., which writ shall be delivered to the sheriff 3 months before its return, 4 *& 5 W. & M. c.* 22. *s.* 4.

17. FOR PROCLAMATIONS TO BE MADE BEFORE *exigent* awarded into foreign shires, 6 *H.* 8. *c.* 4.

18. If any writ of *exigent* shall be awarded at suit of H. M., or other person, in any action personal, against any person called of any shire, or city being a shire of itself, or late of any shire, &c. other than such shire whereinto such *exigent* shall be awarded; and in every writ of *exigent*, in actions personal, whereof the process shall be directed into *London* or *Middlesex*, the defendant being called late of *London*, or late of *Middlesex*, and at the time of the *exigent* awarded not dwelling in *London* nor *Middlesex;* the justices, where the *exigent* shall not be directed into *London* nor *Middlesex*, shall award a writ of proclamation to the sheriff of the county, where it doth appear by the using of such action, that the defendant is, or lately was dwelling, if H. M.'s writ there be current, and else to the next adjoining; and in every action, whereof the *exigent* shall be directed into *London* or *Middlesex*, and the defendants called late of *London* or *Middlesex*, and at the time of the *exigent* awarded not having their dwelling in *London* or *Middlesex*, the writ of proclamation shall be awarded unto the sheriff of the shire, where the defendant shall have his dwelling, or in case where H. M.'s writ runneth not, unto the next shire; the which writ of proclamation shall contain the effect of the action, and that the sheriff make 3 proclamations within his county; [*viz.* 2 in the full shire court, and the 3d at the general sessions, (REP. 31 *El. c.* 3. *s.* 1.) that the defendant shall yield himself to the sheriff, so that the latter may have his body before the justices], *id. s.* 1. [*See, as to the words* within brackets, 31 *El. c.* 3. *s.* 1. *pl.* 30.]

19. Every such writ of proclamation shall have the same day of return as the writ of *exigent*, and shall be delivered of record to the sheriff, who shall execute the same and make due return, upon pain to forfeit such amerciament as by the discretion of the justices shall be set, *id. s.* 2.

20. The officer, in whose office the *exigent* is taken, shall make out the said writs of proclamation, *id. s.* 3., and shall take no more than 6*d.* for making such writ of proclamation and entering the same of record, *id. s.* 4.

21. If any outlawry be had in any action personal in any foreign county, and no writ of proclamation as aforesaid awarded and returned, such outlawry shall be void, and all outlawries contrary to this act shall be avoided by averment, without writ of error, *id. s.* 5.

22. LIKE PROCESS SHALL BE HAD HEREAFTER IN EVERY action on 5 *R.* 2. *St.* 1. *c.* 8. [*viz.* for illegal entry on land] as in a common action of trespass at common law, and the like in every writ of annuity and covenant, as in action of debt, 23 *H.* 8. *c.* 14.

23. FOR EXIGENTS AND PROCLAMATIONS IN *Wa.*, and in the county palatine and city of *Chester*, 1 *E.* 6. *c.* 10. and recital in *s.* 1. [*As to exigents* in *Lancashire*, 5 *& 6 E.* 6. *c.* 26. COUNTIES PALATINE (*Lancaster*), *pl.* 6—12.]

24. When any writ of *exigent* shall be awarded at suit of H. M., or of any plaintiff in any suit in K. B. or C. P., against any person dwelling in *Wa.*, or in the county palatine of *Chester*, or of the city of *Chester*, or any of them, then immediately on awarding such *exigent*, the justice before whom it is sued shall have full power to award one writ of proclamation, according to the tenor of those awarded on exigents, and directed out of any such court into *London*, against any person dwelling in any other shire where H. M.'s writ is current, according to 6 *H.* 8. *c.* 4. *s.* 1, *pl.* 18., to be directed to such of the sheriffs of the counties in *Wa.*, and of the county and city of *Chester*, where defendant shall be dwelling; and every such writ of proclamation shall have the same *teste* and day of return as the exigents whereon it is awarded, and every sheriff shall make proclamation of such writ, and return the same in such court, and before such justices, as the tenor thereof shall require; and all outlawries pronounced on any such *exigent* awarded against any person dwelling in *Wa.* and the county and city of *Chester*, without writ of proclamation so awarded to the sheriff of the county where defendant is dwelling, or not returned, are void, 5 *& 6 E.* 6. *c.* 26. *s.* 2.

25. Every sheriff of a county in *Wa.*, and of the county or city of *Chester*, shall have in every court of K. B. and C. P. one sufficient deputy to receive all writs directed to such sheriff, in like manner, and on like pains, as other sheriffs in *Eng.* are bound to have by former statutes; and all writs of proclamation (as in *s.* 2. *pl.* 25.) shall be delivered unto every such deputy of record in the same courts, and like fees shall be paid for making and enrolling such writ, as in 6 *H.* 8. *c.* 4. *s.* 4. (*pl.* 20.), *id. s.* 3.

26. If any person dwelling in *Wa.* is outlawed in any action aforesaid, these writs of special *capias utlagatum*, single *capias utlagatum*, *non molestandum*, and other process for or against him may be directed to the sheriff of any county in *Wa.*, as an immediate officer to K. B. or C. P. in that behalf, and such writs may be delivered of record to the deputy of such sheriffs: which sheriff shall execute and return such writ on process to him directed, on the penalties in *s.* 2. (*pl.* 25.), *id. s.* 4.

27. If any such writ of proclamation is delivered unto any of the said sheriffs or his deputy in form aforesaid, and true return thereof is not made, he shall forfeit 5*l.*, one half to H. M., the other to such as will sue for the same in an action of debt on this act, in any court of record, *id. s.* 5.

28. This act shall not be prejudicial to the counties of *Wa.*, or to the county or city of *Chester*, otherwise than before declared, *id. s.* 6. [or to any lord marcher in *Wa.*, *id. s.* 7. REP. 1 *W. & M. St.* 1. *c.* 27. *s.* 2.]

29. FOR AVOIDING PRIVY AND SECRET OUTLAWRIES, 31 *El. c.* 3.

30. In every action personal wherein any *exigent* shall be awarded, one writ of proclamation shall be made out, bearing the same *teste* and return directed and delivered of record to the sheriff of the county where the defendant dwells, which writ of proclamation shall contain the effect of the action: and the sheriff shall make 3 proclamations; *viz.*, one in the open county court, one other at the quarter sessions, and one other one month at least before the *quint. exact.* at or near the most usual door of the church or chapel of that town or parish where the defendant shall be dwelling; and if the defendant shall be dwelling out of any parish, then in such place of the parish, in the same county next adjoining, to the place of the defendant's dwelling, and upon a *Sunday* immediately after divine service. And all outlawries had, without writs of proclamations awarded and returned according to this statute, shall be void. And the officer in whose office such writs of exigent and proclamation shall be made, may take the fees by 6 *H.* 8. *c.* 4. *s.* 4. *pl.* 20. limited, and the sheriff shall have 12*d.* for making proclamation at the church door, 31 *El. c.* 3. *s.* 1. [*See s.* 2. ACTION REAL, *pl.* 30., *and as to* proclamations on *exigents* in criminal cases, 4 *& 5 W. & M. c.* 22. *s.* 4. *pl.* 16.]

31. Before allowance of any writ of error or reversal of outlawry for want of proclamation according to this statute, the defendant, in the original action, shall put in bail, not only to appear and answer the plaintiff in the former suit in a new action, but also to satisfy the condemnation of the plaintiff, shall begin his suit before the end of 2 terms after allowing the writ of error, or otherwise avoiding the outlawry, *id. s.* 3.

32. FOR MORE EASY REVERSAL OF OUTLAWRIES IN K. B., 4 *& 5 W. & M. c.* 18. *ss.* 3—5., and *part of the recital in s.* 1. [*See rest* of this statute, *tit.* INDICTMENT, &c. *pl.* 6—8.]

33. No person outlawed in K. B. for any cause except treason and felony shall be compelled to appear in person, but may appear by attorney and reverse the same without bail, except where special bail are ordered by the court, *id. s.* 3.

34. If any person outlawed in K. B. for any cause (except as above) shall be taken on any *capias utlagatum*, the sheriff where special bail is not required by the court may take an attorney's engagement under his hand to appear for defendant, and reverse the outlawries, and thereupon may discharge the defendant from such arrest; and where special bail is required, the sheriff may take security of defendant by bond, with one surety in double the sum for which special bail is required, and no more, for his appearance by attorney, and to do such things as are required by the court, *id. s.* 4.

35. If any person taken on a *capias utlagatum* is committed to gaol for want of security, whenever the prisoner shall find security for his appearance by attorney, at some return in the term then next following to reverse the said outlawries, and do such other things as required by the court, the sheriff may discharge the prisoner, *id. s.* 5.

END OF VOL. I.

Printed by A. Strahan, Law-Printer to His Majesty,
Printers-Street, London.

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Tyrwhitt, Robert P.

A digest of the public general statutes from Magna Charta

Bd.: 1

London (1822)

4 J.rel. 65-1
urn:nbn:de:bvb:12-bsb10518769-8